

## Planning & Zoning Commission

### Regular Public Hearing

Tuesday, May 27, 2008

The Planning & Zoning Commission met in a regular public hearing on Tuesday, May 27, 2008 at 7:00 p.m. In attendance were Commissioner Kurt Kraft; Commissioner Mike Gill; Commissioner Polly Oliver; Commissioner Robert Francis; Community Development Director Eric Lacefield; Planning and Zoning Manager Taurus Freeman Zoning Technician Rita Peele and Community Development Director Eric Lacefield. Commission Chairman Andre Holland was absent without notification. There were fifteen (15) members of the public in attendance.

Commissioner Kraft called the meeting to order at 7:00 p.m. Rita Peele asked for a modification to the agenda to include the oaths of office for Commissioners Robert Francis and Mike Gill, and a change of order for hearing the cases and to include Ord-02-08 with RA-05-08. Commissioner Francis motioned to approve the minutes from the January 29 and February 26, 2008 Planning Commission meetings. Commissioner Kraft seconded, motion carried 2/0 with 2 abstentions.

#### **RA-05-08**

City of Villa Rica request a rezoning from GC (General Commercial) and OI (Office-Institutional) to LI (Limited Industrial) for the two properties located at on the north side of Berry Drive, three properties on the north side of Edge Road, 86 Edge Road, 170 Edge Road, and 214 Edge Road, parcel numbers V06-004-0008, V06-004-0003, V06-006-0032, V06-006-0024, V06-007-0125, V06-007-0087, V06-007-0001 and 01450250020; in Land Lots 159 and 160 of the 6<sup>th</sup> District, in Carroll County; and Land Lot 145 of the 2<sup>nd</sup> District, in Douglas County. The properties total 21.5 +/- acres and is located within Wards 1 and 5.

Freeman explained the history of the properties, and the request was a City initiated rezoning. The properties located on Berry Drive were originally rezoned to C-3 in the 1980's and at that time C-3 was a roadside commercial zoning. When the city adopted a new code and rezoning standards, all C-3 properties were reclassified as GC (General Commercial). In the mid to late 1980's, the properties located along the northern side of Edge Road were zoned C-2 (Neighborhood Commercial) and reclassified as OI (Office-Institutional) according to the new zoning change. The purpose of the request to LI (Limited Industrial) is for economic development.

Commissioner Francis asked why the City was requesting a rezoning when one of the property owners requested a rezoning in September 2007, and the request was denied by the Mayor and City Council. Freeman explained that this request was purposed by Council, and received a unanimous vote to start the rezoning process.

Commissioner Gill asked what type of development will be required on the FLUM (Future Land Use Map). Freeman responded that the FLUM designates the area as commercial and does not distinguish between a light or heavy commercial use. The Comprehensive Plan also recommends that the area maintain a commercial designation.

Commissioner Gill asked why there are conflicts in the Unified Development Code for development standards regarding lot sizes and setbacks. Freeman explained that within an overlay district there are more restrictions to allow for different type of standards to the underlying zoning.

Danny Carter, 421 Edge Road, presented photos of homes built in the last few years. In addition to the photos, Carter presented a list of 37 additional uses for LI (Limited Industrial) versus OI (Office-Institutional).

Lisa Nail, 205 Edge Road spoke in opposition of the request and said it would be damaging to her property value.

Linda Gill, 465 Daniel Road, spoke in opposition to the proposal.

Lowell Head, 170 Edge Road, also spoke in opposition. Head said the new road has already been destroyed by trucks.

Timika Boykin, 205 Edge Road, has small children and would be very concerned with heavy truck traffic and large industrial buildings on Edge Road.

Commissioner Francis reminded everyone that sewer is not available in that area. Commissioner Gill said the area is more appropriate for GC (General Commercial) or OI (Office Institutional).

Commissioner Francis motioned to recommend denial with Commissioner Oliver seconding. Motion carried 4/0.

#### **ORD-02-08**

An ordinance for the purpose of amending Article 3, Section 3.05 regarding Access Road Overlay, in the City of Villa Rica Code of Ordinances; to provide an effective date; and for other purposes.

Commissioner Gill said the same concerns for RA-05-08 apply. Danny Carter reminded everyone that RA-05-08 and ORD-02-08 go together.

Commissioner Gill made the motion to recommend denial and Commissioner Francis seconded. Motion carried 4/0.

#### **CU-03-08**

Life Changes Ministries, Inc., of Villa Rica, requests a conditional use permit for the property located at 112 Three West Pkwy; parcel number V07-010-0194, in Land Lot: 165 of the 6<sup>th</sup> District in Carroll County. The property consists of 0.44+/-acres, and the request is for a Church and is located within Ward 2. Staff has reviewed the request and recommends approval. Commissioner Francis asked about parking. Roger Murray with Life Changes Ministries said the Fire Marshall already inspected the building and the parking was adequate. There being no other comments or concerns, Commissioner Francis Motioned to recommend approval, with Commissioner Oliver seconding. Motion carried 4/0.

#### **RA-03-08**

Charlie Skinner, of Villa Rica, requests a rezoning from R-20 (Single-Family Residential) to OI (Office-Institutional) for the purpose of a professional office development, for property located at 329 South Carroll Road, parcel number V07-007-0018, in Land Lot 159 of the 6<sup>th</sup> District, in Carroll County. The property consists of 0.69 acres and is located within Ward 5. Planning Staff recommends approval of the request. Skinner said he purchased the property four years ago and it now has the infrastructure to support it. A handicap ramp and possibly some additional parking will be added.

Commissioner Francis made the motion to recommend approval, with Commissioner Gill seconding. Motion carried 4/0.

#### **RA-04-08**

Tri-County Plaza Partner, LLC of Atlanta, requests a rezoning from OI (Office-Institutional) to GC (General Commercial) for property located 513 W. Bankhead Hwy, parcel number V02-007-0015, in Land Lot 162 of the 6<sup>th</sup> District, in Carroll County, for the purpose of commercial development. The property consists of 3.34+/- acres and is located within Ward 2.

The agent to the applicant, Allen Freisem of Atlanta, said the proposal could bring more jobs and money to the community and this is a more positive community use.

Armando Rigatto, one of the Tri County owners, said the development would comply with all the rules and regulation of the City. Commissioner Francis asked Freeman what will happen to the property behind the site. Freeman explained that there will be no additional zoning required and the property could be developed according to the permitted uses of General Commercial. Commissioner Gill motioned to recommend approval, with Commissioner Oliver seconding. Motion carried 4/0.

**ORD-01-08**

An ordinance for the purpose of amending Article 4, Section 4.04 regarding Lighting, in the Unified Development Codes, of the City of Villa Rica Code of Ordinances; to provide an effective date; and for other purposes.

Commissioner Gill asked if the proposed ordinance would apply to commercial or residential properties. Freeman responded that some residentially zoned property will be affected. Commissioner Gill said it seemed too regulatory. Freeman said staff can make changes to present to City Council. Commissioner Gill motioned to recommend approval with modifications to exempt residential. Freeman will make the changes and email it to the Planning Commissioners. Commissioner Gill motioned to recommend approval with Commissioner Francis seconding. Motion carried 4/0.

**Staff Comments**

Freeman spoke of Temple Inland’s upcoming request for annexation and rezoning. The property is located along Reed Road and consists of 400 acres and will have approximately 746 residential units. Staff will have a Town hall meeting on June 17, 2008 to discuss the request with the owners, surrounding property owners and stake holders in that area.

Commissioner Francis motioned to adjourn, with Commissioner Gill seconding. Motion carried 4/0. Meeting adjourned at 8:10 p.m.

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Planning and Zoning Chairperson and Date

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Planning and Zoning Manager