# Planning & Zoning
**Community Development Department**

RA-06-18

**Council Ward: 2**
Planning Board Member: Kurt Kraft

City Council Member: Matt Momtahan

**Public Hearing Dates**
**Planning Commission:** August 3, 2019

**City Council:** August 27, 2019

**Request:** Planned Development (PD) concept plan approval for a mixed use, life plan community.




**Applicant:** Winchester Real Estate Investment, LLC
214 Maple Street
Villa Rica, GA 30180
(478) 737-8279

**Acres:** 220.38+/-
**Current Land Use:** Single Family Residential/Undeveloped
**Future Development Character Area:** Suburban Village/Commercial Corridor

**Parcel Number(s)**: V07 0140004, V07 0140003, V 07 0140151

**Location:** 55 and 63 Goldworth Road, Villa Rica, Georgia 30180, in Land Lot 99 of the 6th District of Carroll County.

**Project Description:**
The applicant is requesting Planned Development Concept Plan approval for property located at 55 and 63 Goldworth Road currently zoned Rural Development (RD). The proposed use is a mixed-use development with a life plan community.

**Proposed Private Improvements**

| | |
|---|---|
| Single Family Residences: | 222+/- homes in pocket neighborhoods over 91.01-/+ acres |
| Two Family Residences: | None |
| Multi Family Residences: | 303+/- units<br>[233 Condominium/Apartments, 8 Live-Work Townhouse Residences, 62 Townhouses] |
| Commercial: | 154,750 Sq. Ft. |
| Life Plan Community: | 35.05+/- acres (as per previous submittal) |

**Surrounding Properties:**

| | Current Zoning | Land Use |
|---|---|---|
| North | Manufactured Home Subdivision (MHS) – Unincorporated Carroll County | Mobile Home Subdivision |
| East | Rural Development (RD) & General Commercial (GC)- Villa Rica Commercial (C) & Agricultural (A) - Unincorporated Carroll County | Residential and Undeveloped |
| South | Planned Development (PD) | Single Family Residential |
| West | Agricultural – Unincorporated Carroll County | Undeveloped |

**Rezoning Review Standards:**
The Code of the City of Villa Rica, Unified Development Code, requires all Planned Development Concept Plan applications to be evaluated using the review criteria established for zoning map amendments (Section 2.03.B), the Concept Plan criteria (Section 2.03.C), and major subdivision (Section 2.03.E).

**Zoning Map Amendments:**

*A.* ***Whether the existing zoning was in error at the time of adoption.***
It does not appear that the existing Rural Development (RD) zoning designation is in error.

*B.* ***Whether the proposed change is consistent with, and in furtherance of, the implementation of the goals and objectives of the Comprehensive Plan, other adopted plans, and the policies, intents and requirements of this Code and other city regulations and guidelines.***
**Future Land Use Map**
The subject properties are currently located within City limits. The Future Land Use Map designations in the surrounding area are Suburban Village and Commercial Corridor.

**Relation to the Comprehensive Plan Polices:**

**Development Patterns**

**DP Goal 4:** Support mixed use development

**Social and Economic Development**

**SED Goal 2:** Protect and enhance existing neighborhoods while supporting a diverse array of housing options to accommodate future growth

**SED Goal 3:** Create employment opportunities within the city and expand business diversity

**Economic Development**

**ED-1e:** Encourage regional commercial development to occur within close proximity to freeway interchanges to promote regional commerce

***C. Whether there is a community need for and benefit from the proposed rezoning; or***

Rezoning the property to Planned Development (PD) is a benefit to the community as the proposed use is to provide single family and multi-family residential, commercial, and a life plan community. The applicant describes the life plan community as being the central core of the development, which includes independent living, assisted living, memory care, and skilled nursing.

Population projections from the Comprehensive Plan indicate that Villa Rica has a growing population of individuals age 55 and above. Additionally, the Plan identifies that seniors will need more attached and communal housing types and increased medical services. Developments such as this will serve the demands of this growing population.

***D. Whether the proposed change is consistent with the character of the area in which the proposed rezoning is proposed; or***

The proposed rezoning is not consistent with the character of the area. The surrounding area is mostly undeveloped and rural. There are some single-family residential communities in the immediate vicinity, but development along this portion of Highway 61 is very sparse. However, the 2018-2038 Comprehensive Plan Update designates the future development of this area as “Suburban Village” and “Commercial Corridor”, as the properties have frontage along Highway 61. Primary future land uses in “Suburban Village” include single-family and multi-family dwellings, senior/assisted living facilities, conservation subdivisions, clustered neighborhood commercial/small-scale mixed use, and areas of civic benefit. The “Commercial Corridor” future development character area encourages a mix of uses, so as to avoid strip, commercial development. The proposed development demonstrates adherence to some of the core objectives of these character areas.

***E. Whether the proposed zoning is compatible with the zoning and uses of property nearby; or***

The proposed zoning designation is compatible with Charleston Place Subdivision to the south of the site only, as both would be Planned Unit Developments, however the proposed Planned Unit Development Zoning is not consistent with other surrounding zones, which

consist of Rural Development (Villa Rica), Agricultural (Carroll County), General Commercial (Villa Rica), Manufactured Home Subdivision (Carroll County) and Commercial (Carroll County). While the Manufactured Home Subdivision, Agricultural and Rural Development Zones permit single family detached homes, the density of which are not compatible to the proposed development.

Certain proposed uses on the subject property are compatible to the uses in the surrounding area as they consist of single-family detached homes, open space/undeveloped lots and retail. However, the multi-family and life plan community are not compatible with surrounding land uses. There are no mixed-use developments in the immediate vicinity. Most of the parcels have a singular use or are undeveloped.

***F. Whether the existing zoning is suitable for the development of the uses authorized under the existing zoning classification, will be conducive to proper community planning, and is a logical extension of an existing urban area or growth center; and***

The existing zoning would be suitable for Rural Development for residential and agricultural uses. The site was previously used as a single family residence, and dairy farm. The dairy farm, Williams-Mitchell Farm, is currently on the National Register of Historic Places. However, because the parcel is in close proximity to Highway 61, it is a logical extension of an existing urban area. Additionally, the Future Development Map supports a mix of land uses along this portion of Highway 61.

***G. Whether the public and community facilities, which may include, but are not limited to, sanitary and storm sewers, water, electrical service, police and fire protection, schools, parks and recreation facilities, roads, libraries, and solid waste collection and disposal, are available and adequate to serve uses authorized under the proposed zoning; and***

The subject property is currently provided with community facilities such as water, roads, and solid waste, however, the existing sewer line and regional network are inadequate to support the proposed development. Bay Springs Creek runs through the parcels, from north to south. An existing sewer line is located in the creek, but significant modifications for the downstream collection system is necessary. Significant upgrades will have to be made by the applicant and City of Villa Rica, which include the collection lines, lift stations, and force mains. The future infrastructure needs of the development will be assessed and addressed should the project moves forward.

***H. Whether the authorized uses will not adversely affect the capacity or safety of the street network in the vicinity of the property; and***

The site plan indicates ingress and egress will occur from two driveways into and out of the site. The applicant previously submitted a traffic impact study with the original concept plan application in December 2018, indicating potential traffic flows and recommends several upgrades to Highway 61 to accommodate traffic. The report recommends for one traffic drive to be signalized at the cross intersection with Highway 61, whereas the other driveway is recommended to have a right turn only from the site, an acceleration and deceleration lanes on Highway 61 and a left-hand turn lane on Highway 61 NB. The existing signalized intersections on Highway 61 are not proposed to drop in queue grade from their existing capacity.

***I. Are there potential environmental impacts (e.g., excessive storm water runoff, water pollution, air pollution, noise pollution, excessive lighting, or other environmental harms) of authorized uses will be mitigated.***

Based on the City's and County's available maps, there are wetlands that run through the southern portion of the property; however, the concept plan indicates that no development activity will occur in those areas. Should the zoning be approved, Staff will review all site plans for compliance with local and state guidelines for water bodies.

**Concept Plan Criteria:**

***A. Consistency – The development design is consistent with the purposes of the Planned Development (Section 2.03.C.1) and Comprehensive Plan goals and policies***

The Planned Development provides design flexibility not available through strict interpretation of the standards established in the Unified Development Code. The project demonstrates some consistency with the Comprehensive Plan goals and policies, in particular, with future development along the Highway 61 corridor and mixed use objectives. However, at the Concept Plan phase of the application, it is unclear if the development meets the criteria outlined below.

***B. Design – The development is designed and phased to make efficient use of existing infrastructure, have lower traffic volumes or contribute to better mobility than would conventional development, provide more usable public or private open space or other recreational amenities than conventional development, and provide needed housing choices***

More efficient infrastructure – It is unclear if the development provides more efficient infrastructure. The concept plan does not provide the level of detail necessary to draw conclusions regarding efficiency. The compact nature of the proposed pocket community should facilitate a decreased burden on traffic throughout the inside of the proposed neighborhood. However, significant upgrades to the existing sewer line and Highway 61 will have to be installed to accommodate the increased demand on the existing infrastructure.

Reduced traffic demands – Based on the traffic impact study submitted by the applicant, the proposed development will generate 10,890 daily trips (based on 161 single family homes and 328-348 multi-family units in the previous submittal). Therefore, it is most likely that the project will increase traffic demands.

More usable public or private open space –The topography in the project area is very severe, with varying elevations that can be steep in certain areas. The applicant describes a 16-acre conservation easement that will be accessible via walking trails, but this area is not a part of the overall development, and should not be considered with the application. Additionally, some open space and easements will have to be provided around the Bay Springs Creek area. The Gold Nugget Trail has a proposed route along the Creek, as well.

Recreational amenities – The applicant describes a number of recreational amenities that will be available to residents of the Avemore community. These include an observation tower, picnic area, swimming pool, water feature, extensive walking trails, volley ball court, and public amphitheater. Additionally, the Williams-Mitchell Farm is located on site, which is on the National Historic Register of Places. The applicant proposes to restore the farm, as well as install Camp Lucretia historic monuments. Camp Lucretia began in 1936 as a part of the Civilian Conservation Corps (CCC) during the Great Depression.

Housing Choices – The applicant is proposing 222+/- single family homes and 303+/- multi-family units. The single-family residences will range in size from 800 to 2,800 square feet. It appears the residential portion of the life plan community is intended strictly for seniors, and

not intended for all populations. Additionally, the housing design is very atypical, in regards to size, of residential developments currently found in the city and surrounding areas. The Unified Development Code sets minimum floor areas for Type I single family residential at 1,500 square feet, and Type II at 1,230 square feet. The Type II single family designation is prescribed more for townhouse-type developments. Typically, an applicant must submit a preliminary plat for the single family residential portion of the development to delineate the parcels. The applicant was unable to provide a preliminary plat at this phase of application.

**Table 5-3 Single-Family Dwelling Appearance Standards**

| | TYPE I | TYPE II |
|---|---|---|
| Minimum roof pitch | 6/12 | 6/12 |
| Minimum number of roof planes per unit | 6 | 4 |
| Minimum floor area | 1,500 sq. ft. | 1,230 sq. ft. |
| Minimum net percentage of rock or brick, (see Sec 5.21.B.2) | 25% | 25% |
| Allowable unit types are established in **Article 3** zoning district design standards | | |

***C. Benefits – The development will provide long-term benefits to the neighborhood in which it is located and the community as a whole.***

The development proposes to preserve two historically significant areas (the Williams-Mitchell Farm and Camp Lucretia), provide walking trails, as well as, connect with the recently adopted Gold Nugget Trail, and provide a mix of uses. As proposed, it appears that the Concept Plan will provide a number of benefits to the community.

***D. Standards – The development complies with the zoning district standards in Article 3 of this Code***

It is unclear if the development complies with all the zoning district standards in Article 3. Neither the commercial, residential, or institutional areas have been appropriately delineated to make this determination. However, the Planned Development process allows some flexibility as it applies to the standards set forth by Article 3 of the Unified Development Code.

**Major Subdivision:**

***A. Consistency of the proposed project with the goals and objectives of the Comprehensive Plan;***

The 2018-2038 Comprehensive Plan Update designates the future development of this area as “Suburban Village” and “Commercial Corridor”, as the properties have frontage along Highway 61. Primary future land uses in “Suburban Village” include single-family and multi-family dwellings, senior/assisted living facilities, conservation subdivisions, clustered neighborhood commercial/small-scale mixed use, and areas of civic benefit. The “Commercial Corridor” future development character area encourages a mix of uses, so as to avoid strip, commercial development.

***B. The consistency of the proposed subdivision with applicable zoning of the property***

The applicable Planned Development zoning designation allows some flexibility in regards to the layout and densities of the subdivision. The submitted application proposes four general residential districts envisioned throughout the property, each one located at the four

primary property corners. The Pocket Community Design concept describes a cottage community that includes eight (8) cottages on a 2/3-acre plot. The home sizes in the cottage community would range from 800 to 2,800 square feet. The average lot size at eight (8) cottages per 2/3-acre plot would be approximately 3,630 square feet. Below is a table describing the low to high housing densities prescribed in the 2018-2038 Comprehensive Plan Update, in relation to the Avemore project.

| | **DENSITY** | **AVERAGE LOT SIZE** |
|---|---|---|
| **LOW** | 1 to 2 units per acre | 21,780 to 43,560 sq. ft. |
| **MODERATE** | 4 to 8 units per acre | 10,890 to 5,445 sq. ft |
| **HIGH** | 8+ units per acre | Less than 5,445 sq. ft |
| **AVEMORE** | Approx. 12 units per acre | Less than 3,630 sq. ft. |

***C. The consistency of proposed public improvements with the existing and planned development within and surrounding the proposed subdivision***

The applicant's proposed public improvements include upgrades to the transportation network along Highway 61, as well as utility/infrastructure services. Improvements to Highway 61 will have to be consistent with standards established by the Georgia Department of Transportation. The traffic study submitted with the application details some of these proposed improvements. Significant upgrades will be required for the existing sewer line that runs along Bay Springs Creek, due to the intensity of the project. Additionally, the applicant proposes extensive walking trails throughout the community. The City of Villa Rica recently adopted Gold Nugget Trail, a portion of which will be located along Bay Springs Creek. The applicant proposes to connect the walking trails to the adopted Trail plan.

***D. The suitability of the proposed project for the site***

The project appears to be suitable for the site, as it shows consistency with Comprehensive Plan. The project area has a future development designation of "Suburban Village". The Suburban Village is characterized by a mix of uses, including commercial and residential.

***E. The availability and adequacy of required public and community facilities, utilities and services to serve the proposed project. These may include, but are not limited to, sanitary and storm sewers, water, electrical services, police and fire protection, schools, parks and recreation facilities, roads, and others, as applicable;***

The subject property is currently provided with community facilities such as water, roads, and solid waste, however, sewer facilities are severely inadequate to handle the proposed development. Bay Springs Creek runs through the parcels, from north to south. An existing sewer line is located in the creek. This sewer line will require significant upgrades by the applicant to support the proposed uses.

***F. The extent to which the proposed project would adversely affect the capacity or safety of that portion of the street network influenced by the use***

The traffic study submitted by the applicant during the first concept plan approval process anticipated 10,890 daily trips generated by the completed development. This was based on 161+/- single family homes, 328-348 multi-family units, a 35-acre life plan community, and 24 acres of commercial uses. Based on the existing and proposed conditions, the traffic study makes a number of recommendations, including the following:

- The Avemore community should have two points of access at Highway 61.

- Driveways should be spaced at least 400 feet apart.
- The intersection of Highway 61 and driveway #1 should operate as a signalized intersection.

Based on the anticipated daily trips and the recommendations of the traffic study, this project will adversely affect the capacity and safety of the existing street network as constructed today without the improvements listed above.

***G. The environmental impacts that the proposed project will generate***

Should the zoning be approved, Staff will review all site plans for compliance with local and state guidelines for any environmentally-sensitive areas.

**Staff Comments:**

The applicant is requesting a rezoning of the subject property from Rural Development (RD) to Planned Development (PD). The submitted Planned Development Concept Plan proposes a mixed use, life plan community over a 220.38-acre site. Based on the previous submittals, the life plan community component will consist of 100 independent living participants, 60 assisted living participants, and 30 memory care participants, along with a proposed second phase of the community would provide space for 100 skilled nursing care patients. There are considerable amenities described in the application, including walking trails, amphitheater, community transportation system, pool, and gym. The commercial district of the development proposes a grocery store, restaurants, office space, and medical offices. The residential district proposes 222+/- single family homes, and 303+/- multi-family units throughout the community. Housing sizes within the single-family district will range from 800 square feet to over 2,800 square feet.

Staff was unable to make determination on a number of factors based on the application provided. In particular, the following was not included in the application:

1. Location of existing and proposed sanitary sewers (not provided due to presumed cost of utility plan)
2. Proposed size and location of all buildings and all off-street parking areas (not provided because architectural plans not completed)
3. Development of more than ten acres shall indicate whether portions of the total land area will be phased (phasing cannot be determined until after the utility plan is completed and until after the entire property design is completed)
4. If subdivision of land is required, the applicant shall submit a preliminary plat prepared in accordance with all application requirements (not provided)

In addition, the following information should be clarified by the applicant as there have been considerable changes from the previous submittals to the current concept plan:

1. The number of acres within the development specified on page 6 of the master plan document (213.7 acres) is different than the number on the application and on the Carroll County Tax Assessor's website (220.38 acres). Clarification is needed.
2. The first approved concept plan indicated a petting zoo as a recreational amenity. This is not included as an option in the new master plan document. The applicant should clarify all recreational amenities to be offered.
3. The number of townhomes and condos on page 14 of the master plan document is different than on page 7 of the document. The applicant should clarify the total number of apartments, condos and townhouses.
4. The number of units for the life plan community should be noted in the master plan document. The previous submittal had 100 independent living participants, 60 assisted

living participants, and 30 memory care participants, along with a proposed second phase consisting of 100 skilled nursing care patients. The applicant must clarify how many units in addition to the 303 multi-family and 222 single-family homes are to be produced.

5. The previous concept plan was approved as a 55+ community through City Council-imposed conditions. The current plan does not indicate that the entire community will be 55+ only.
6. The applicant indicated to the Planning Commission on August 3rd, 2019 the potential to relocate the city's water tower on adjacent parcel number V07 014 0410 should the lot be included within the development at a later date, but has not indicated where the tower would be relocated to and what that lot would potentially be used for.
7. The applicant should clarify if an increase or decrease in the amount of square footage of retail space has occurred between the first concept plan and the current concept plan.

As a result, Staff is unable to comment on these elements of the Concept Plan, as this information was not made available.

This project underwent the process for Developments of Regional Impact (DRI) with the Georgia Department of Community Affairs via Three Rivers Regional Commission during the previous concept plan approval phase. The application was submitted on September 26, 2018 and the DRI was completed on October 26, 2018. In addition, the applicant has submitted other documents to supplement the concept plan, including a market analysis and feasibility study, traffic impact study, and wetlands summary. This information may need updating provided that the number of single-family homes, multi-family units, square footage of retail and potentially the number of life plan community units have fluctuated.

The Planned Development (PD) process has two components; one for the Concept Plan and the other for the Final Development Plan.

The application is currently in the Concept Plan phase. The Concept Plan will have to be approved by the Planning Commission and then the City Council. A PD Concept Plan constitutes a major step in the review process and provides general information about the land uses, development patterns, intensities, and street patterns in the proposed Planned Development.

The second step is the Final Development Plan phase. The Final Plan is approved in conjunction with the rezoning, proposed development phasing and final subdivision plat. The Final Development Plan, together with the development schedule and Final Plat, shall act as the blueprint for development of a Planned Development project over the length of time the project is developed. The Final Development Plan and Final Plat refine the information submitted during the Concept Plan stage. This is a separate application process that has to be approved by the City Council. The Final Development Plan will be reviewed for substantial conformance with the Concept Plan, as well as the review criteria for rezoning and major subdivision. In order to be within substantial conformance of the Concept Plan, the final plan application cannot:

1. Increase the proposed gross residential density or intensity of use;
2. Increase the proposed ratio of residential units to non-residential square footage;
3. Involve a reduction of the area set aside for common space or the substantial relocation of such area;
4. Substantially increase the floor area proposed for non-residential use; or
5. Substantially increase the total ground areas covered by buildings or involve a substantial change in the height of buildings.

**Staff also reviewed the previous set of approved conditions as well as the previous Staff Report from the December 2018 approval and no longer recommends the entire development to be restricted to ages 55 and up, nor recommends the list of permitted and conditional uses from the previous approval. This development is niche in nature and the pool of interested purchasers/renters in the development may be too small to ensure a successful development through the phasing. The life plan community is the only section that is recommended to be 55 and up at this time. All residential/nonresidential land uses that are allowed in the proposed zoning ordinance is recommended to be permitted within the development unless otherwise omitted. All uses are subject to the discretion and approval of the City Council. Once uses are approved by the Council, they are granted by right. All land uses proposed in a Planned Unit Development must be compatible with the intent of the Comprehensive Plan and the characteristics of surrounding land uses and zoning districts.**

**Recommendation:**

Staff recommendation: **APPROVAL WITH CONDITIONS**

To be submitted and approved within six (6) months of Planned Development Concept Plan approval:

1. Preliminary plat application in accordance with the requirements and depicting the following should be reviewed and approved by Planning and Zoning Commission and City Council.
    a. Acreage of the property, proposed building footprint, and density in each proposed land use to be included in the Planned Development (commercial, residential, and institutional).
    b. Public improvements plan showing connections to the proposed location of the Gold Nugget Trail along Bay Springs Creek.
    c. Inter-parcel roadway stub for a potential future connection to Charleston Place.
2. Maximum number of single-family units: 250 units
3. Maximum number of multi-family units: 325 units
4. Zoning book, phasing plan, economic analysis, Homeowners Association covenants, and utility plan to be submitted for approval with the final Development Plan
5. Submit a detailed plan on the proposed movement of the water tower.
6. The applicant/developer must follow all zoning tabulations and design-based representations as presented in the accompanying document titled “Avemore Master Plan”, dated July 18th, 2019. This document is fully transferrable and applicable to any future developer of the site.

**Public Notifications:**
As required by *Article 2, Section 2.01* in the Code of the City of Villa Rica, the public has been notified in *Times-Georgian* on August 15, 2019; a sign has been posted on the subject properties; and all abutting property owners have received notification via certified mail.

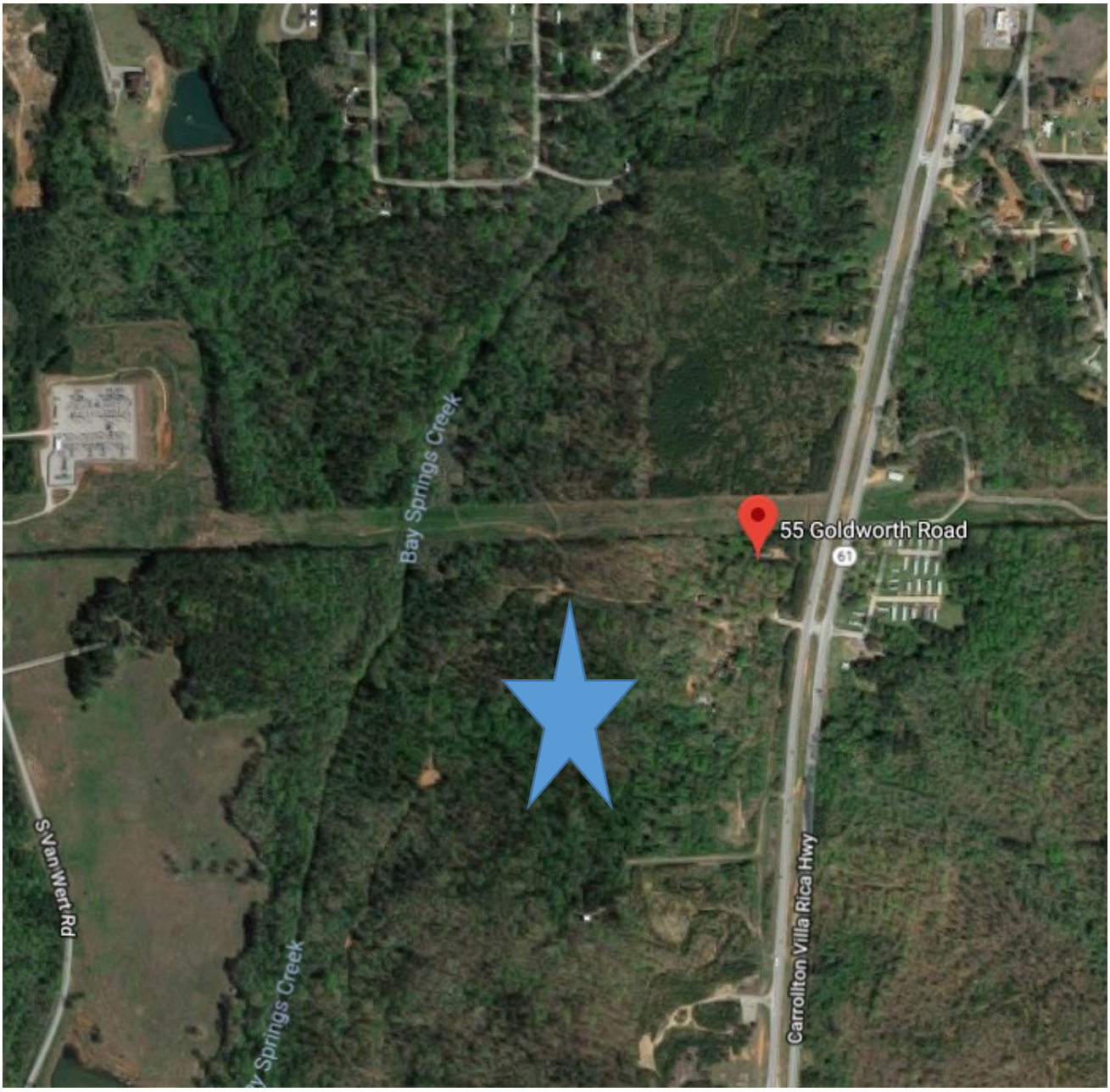
**Public Response:**

In response to the public notifications, five residents within the surrounding neighborhoods have contacted the City at the time of this staff report. Of which, two were in favor and three were against the development. Only one resident lived within the city limits of Villa Rica and was in favor of the development.

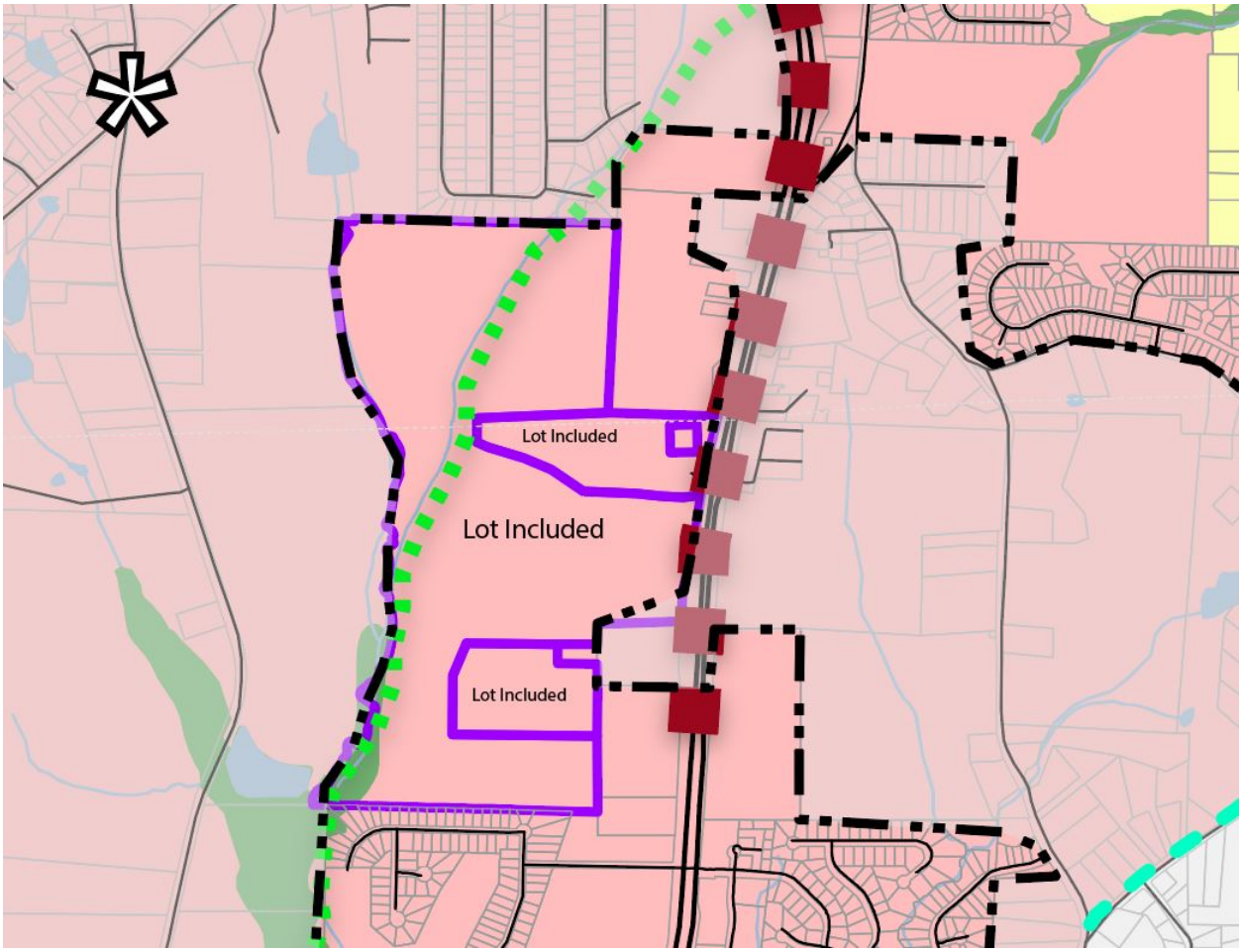
Office of Community Development

**Attachments:**
1. Application
2. Campaign Disclosure Statement
3. Letter of Intent
4. Property Owner Authorization
5. Warranty Deed
6. Property Plat
7. Location Map
8. Site Photos
9. Future Land Use Amendment Report

## Aerial View


Bay Springs Creek
55 Goldworth Road
61
S Van Wert Rd
Carrollton Villa Rica Hwy

**Future Development Map**




CHARACTER AREAS

- CONSERVATION / OPEN SPACE
- TRADITIONAL NEIGHBORHOOD
- SUBURBAN NEIGHBORHOOD
- URBAN VILLAGE
- SUBURBAN VILLAGE
- COMMUNITY CROSSROADS
- I-20 GATEWAY
- COMMERCIAL CORRIDOR

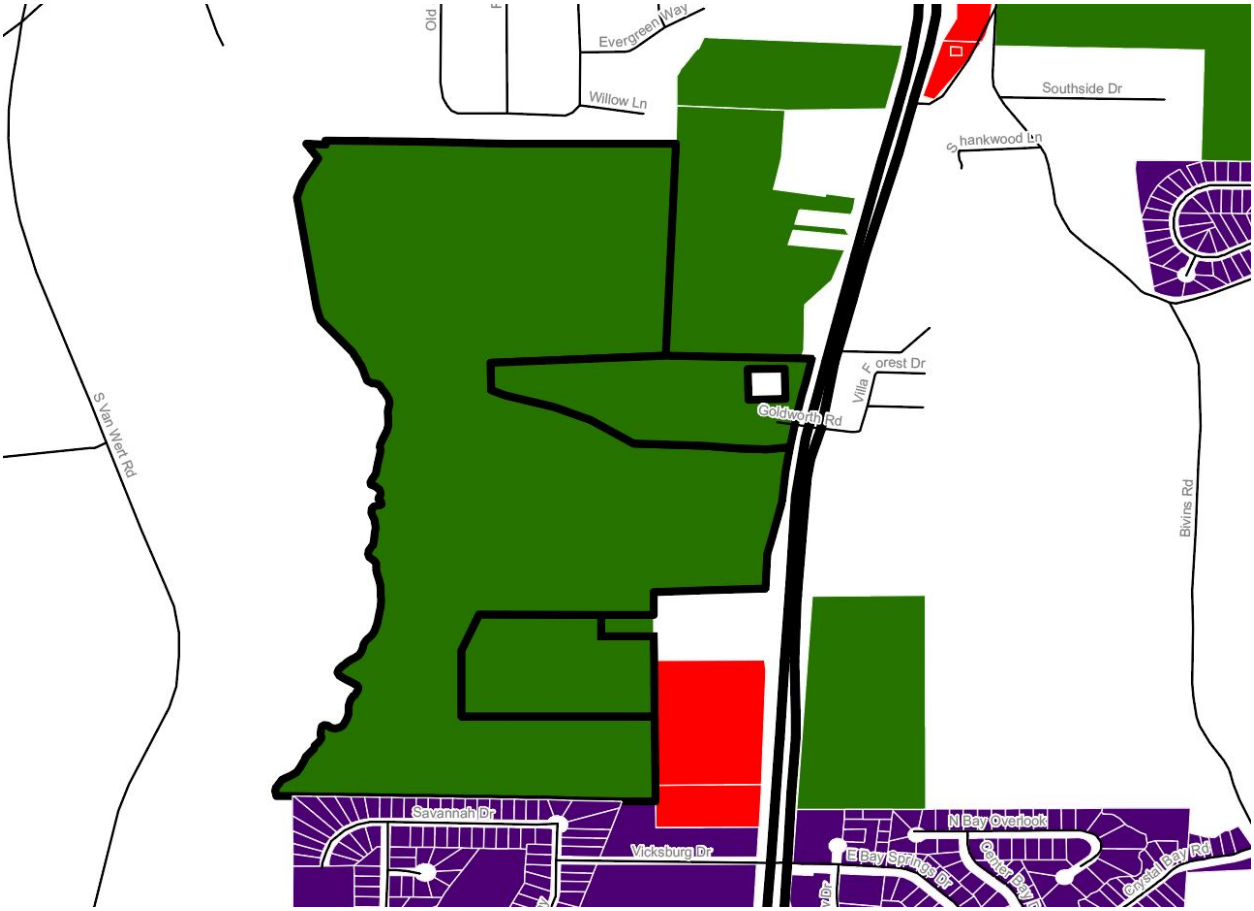
*ACTIVITY CENTERS*

- DOWNTOWN
- INDUSTRIAL
- COMMERCIAL
- MEDICAL

- PROPOSED GREENWAY TRAIL
- PROPOSED ROAD PROJECTS
- URBAN GROWTH AREA
- CITY BOUNDARY

N

## Zoning Map




| | |
|---|---|
| Railroad | DO-SFR: Single-Family Residential |
| Primary Road | GC: General Commercial |
| Secondary Road | GI: General Industrial |
| Local Neighborhood Road | LI: Limited Industrial |
| Ramp | NC: Neighborhood Commercial |
| DO = Downtown Overlay District | OI: Office and Institutional |
| DO-CBD: Central Business District | PD: Planned Development |
| DO-CMU: Commercial Mixed-Use | R14: Multi-Family Residential |
| DO-COM: Commercial | R20: Single-Family Residential |
| DO-MFR: Multi-Family Residential | RD: Rural Development |
| | RT: Residential Townhome |

This map is intended for only the Mayor and City Council of Villa Rica use. The City of Villa Rica does not assume any responsibility for the use of this product by any other party. The official version of this map resides within the Planning & Zoning Department of Villa Rica, and is the only official copy. Only a copy signed by the Planning & Zoning Manager reflects official data as of the date signed. This information is only a representation of the current information, and all information should be verified by the Planning & Zoning Manager. The City of Villa Rica does not assume responsibility for the use of the data on this map.

© Copyright Mayor & City Council of Villa Rica, 2017