

Planning & Zoning Commission

Regular Public Hearing

Tuesday, October 28, 2008

The Planning & Zoning Commission met in a regular public hearing on Tuesday, October 28, 2008 at 7:00 p.m. In attendance were Commissioner Kurt Kraft; Commissioner Polly Oliver; Commissioner Robert Francis; Interim Community Development Director Taurus Freeman and Zoning Technician Rita Peele. Commission Chairman Andre Holland and Commissioner Mike Gill were both absent with notification. There were twenty (20) members of the public in attendance.

Commissioner Kraft called the meeting to order at 7:00 p.m. Commissioner Oliver motioned to approve the agenda with Commissioner Francis seconding and the motion carried 3/0. Commissioner Francis motioned to approve the minutes from the September 30, 2008 meeting and Commissioner Oliver seconded. The motion carried 3/0.

**CU-05-08, presented by Freeman.** Josephine Coomber of Villa Rica, GA., requests a Conditional Use Permit for the purpose of a Personal Care Home, Family. The property is located at 500 Firethorn Court, parcel number: V06-0060-238, in Land Lot 127 of the 6th District, in Carroll County. The property consists of 0.23+/-acres and is located in Ward 5.

Ms. Coomber stated she is a registered nurse and would like to provide care for three (3) adults from her home. The care would consist of monitoring medications and providing for the daily needs. Commissioner Francis wanted to know where the adults would come from. Freeman said the Department of Human Resources will monitor the personal care facility and will assist Ms. Coomber in patient referral. Ms. Coomber will also contact nursing home facilities and the Department for Aging, for potential patients. Commissioner Oliver asked if the care would provide for Alzheimer patients as well. Ms. Coomber responded that it would.

Matt Winfred of 535 Firethorn Court, and vice-president of the Home Owners Association; stated that the neighborhood covenants prohibit home businesses. Commissioner Francis motioned to table the application until the Home Owners Association hears the request and then at such time, the request will come back before the Planning Commission. Commissioner Oliver seconded the motion and the motion carried 3/0.

**RA-07-08 presented by Freeman.** West Georgia Ambulance, Inc. of Villa Rica, GA., requests a rezoning from RD (Rural Development) to GC (General Commercial), for the purpose of an emergency ambulance service for property located at 71 Edge Road, parcel number: V06-006-0012, in Land Lot 160 of the 6<sup>th</sup> District, in Carroll County. The property consists of 1.2+/-acres and is located in Ward 1.

Representing the applicant and property owner was Sam Price of 514 Bankhead Hwy. Mr. Price stated that West Georgia Ambulance Service is proposing to move from their current location on South Carroll Road to 71 Edge Road, if the rezoning is approved. The ambulance service primarily operates in Carroll County and would seldom have runs going to the east side, and would mostly go towards the west, Hwy 61 or back to Daniel Road area and to South Carroll Road. The property is bounded on the west and south by Georgia Power Company and on the eastern side by Wilson Corners, LLC. The next street is South Wilson and it has commercial businesses with utility properties on the west side and West Georgia Auto Hydraulics, and a concrete construction company across from the proposed site. Steve Bell of West Georgia Ambulance Service, spoke and explained that there will be between seven to eight runs per day,

which will usually go towards the west and away from the residential sections. The proposed use will not cause any additional traffic concerns and will increase response time for the citizens of Villa Rica.

Commissioner Oliver asked about the hours of operation. Mr. Bell responded that it would operate 24 hours a day, seven days a week. Commissioner Francis asked if it was necessary to have the sirens on with each run. Mr. Bell said State law requires that the sirens should be on anytime the lights are on. Commissioner Francis said he conducted a site visit, and noted the numerous residences in the area and a large subdivision close to South Wilson Street. Commissioner Oliver asked if there are any plans for expansion. Mr. Bell responded that there are no expansion plans. There were no other comments for anyone in favor of the application.

Danny Carter, of 421 Edge Road, spoke in opposition to the request. Mr. Carter said the OI (Office-Institutional) zoned properties in the area acts as a buffer between the residentially zoned properties and LI (Limited Industrial) property. Mr. Carter cited examples of residences along Edge Road, in which some are located close to the road and would be disturbed by passing ambulances and there are children in the area that could be endangered by a speeding ambulance.

Freeman read a letter submitted by Adam White, 213 Edge Road. Mr. White wrote that he was in opposition because of the endangerment of speeding ambulances on congested roadways.

Joe Stovall, of 35 Maple Valley Drive, opposed the request due to the road is narrow and already hazardous.

Tamika Boykin, of 201 Edge Road, spoke in opposition because of the endangerment to children playing outside and the sirens would create a disturbance at night.

Commissioner Francis stated that the proposed use could be hazardous to school bus stops in the area.

No one else spoke for or against the application. Commissioner Francis motioned to recommend denial. Commissioner Oliver seconded motion. The motion carried 3/0.

**ORD-05-08 presented by Freeman.** An ordinance for the purpose of amending **Article 2, Section 2.02. (J)(2)(a)** regarding Temporary Use Permits, in the Unified Development Codes, of the City of Villa Rica Code of Ordinances; to provide an effective date; and for other purposes. Planning Staff recommends amending the article to help regulate seasonal sales events for the purpose of selling pumpkins, fall items and Christmas trees. No one spoke in favor or opposition to the proposal.

Commissioner Francis motioned to recommend approval and Commissioner Oliver seconded. The motion carried 3/0.

Freeman updated the Planning Commission on cases heard from last month. CU-04-08 was approved by City Council. ORD-04-08 and the adoption of the Zoning Map were also approved.

Freeman asked for a moment of silence to honor the memory of former City Manager Danny Mabry that passed away on October 25, 2008. Freeman also announced the death of local developer Neal Brown, on October 27, 2008.

Commissioner Oliver motioned to adjourn with Commissioner Francis seconding and the motion carried 3/0. The meeting adjourned at 7:45 p.m.