

CITY OF LOCUST GROVE

WORKSHOP MEETING AGENDA
MONDAY AUGUST 15, 2022 - 6:00 P.M.
PUBLIC SAFETY BUILDING – 3640 HIGHWAY 42 S.
LOCUST GROVE, GA 30248

CALL TO ORDER..... Mayor Robert Price

INVOCATION..... Assistant City Manager Bert Foster

PLEDGE OF ALLEGIANCE..... Councilman Shearouse

APPROVAL OF THE AGENDA (Action Needed)

PUBLIC COMMENTS/PRESENTATIONSNone

PUBLIC HEARING ITEMS 4 Items

1. Amendment to the City's Future Land Use Map designation from Office to Mixed Historic Neighborhood for multiple tracts located on Martin Luther King Jr. Blvd.
2. Rezoning request from OI (Office/Institutional) to R-3 (single-family residential) for 4.355 +/- acres (Parcel IDs: L06-05001002, L06-05001003, L06-05001004, and L06-0500-1005) in LL 167 of the 2nd District located on Martin Luther King Jr. Blvd.
3. Rezoning request from RA (Residential Agricultural) to M-1 (Light Industrial) for 156.82 +/- acres (Parcel ID:110-01023000) in LL 246, 250, and 251 of the 2nd District, located on Highway 42
4. Resolution to transmit an annual update of the (CIE) Capital Improvement Element for the City of Locust Grove portion of the Henry County-Cities Joint Comprehensive Plan to the ARC

OLD BUSINESS/ACTION ITEMS.....None

NEW BUSINESS/ACTION ITEMS..... 1 Item

5. Resolution to transmit an annual update of the (CIE) Capital Improvement Element for the City of Locust Grove portion of the Henry County-Cities Joint Comprehensive Plan to the ARC (Motion Required)

CITY OPERATIONS REPORTS / WORKSHOP DISCUSSION ITEMS (No Actions Needed unless added to New Business)

Main Street Operations (Monthly Update Report)Colleen Watts, Main Street Manager

Public Safety Operations (Monthly Update Report).....Chief Derrick Austin

- Resolution to approve an Intergovernmental Agreement between Henry County and the City for use of Tyler New World Public Safety Software.

Public Works Operations (Monthly Update Report).....Director Jack Rose

Administration (Monthly Update Report)..... Bert Foster, Assistant City Manager

- Resolution to award the bid for services associated with the Bill Gardner Parkway – Road Improvements

Community Development Operations (Monthly Update Report) ...Daunté Gibbs, Community Development Director

ADA Compliance: Individuals with disabilities who require certain accommodations to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting, or the facilities are required to contact the City Clerk at (770) 957-5043 promptly to allow the City to make reasonable accommodations for those persons.

Public Comment may be limited to no more than ten (10) minutes with up to 3 minutes per requesting applicant to speak. Please register your NAME and ADDRESS prior to the beginning of the meeting with the City Clerk via e-mail at mspurling@locustgrove-ga.gov or in person at the physical meeting.

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WORKSHOP MEETING AGENDA
MONDAY AUGUST 15, 2022 - 6:00 P.M.
PUBLIC SAFETY BUILDING – 3640 HIGHWAY 42 S.
LOCUST GROVE, GA 30248

ARCHITECTURAL REVIEW BOARD (ARB) (Review and Comment Portion Only)2 Items

6. Resolution approving architectural plans submitted for IPILG2 retail building, located at 680 Marketplace Blvd.
7. Resolution approving the architectural plans submitted for Tanger Self Storage building, located at 620 Tanger Blvd.

CITY MANAGER'S COMMENTS (Update of Activities) Tim Young

- FY 22 Budget Update and pre-planning for FY 2023
- Update on LOST between Cities and Henry County
- Sanitation Contract – request for increase by Advanced Disposal – Waste Management due to economic conditions.

MAYOR'S COMMENTS Mayor Robert Price

EXECUTIVE SESSION – If needed, for property acquisition, personnel, and/or litigation

ADJOURN –

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Public Comment may be limited to no more than ten (10) minutes with up to 3 minutes per requesting applicant to speak. Please register your NAME and ADDRESS prior to the beginning of the meeting with the City Clerk via e-mail at mspurling@locustgrove-ga.gov or in person at the physical meeting.



Community Development Department

P. O. Box 900
Locust Grove, Georgia 30248
Phone: (770) 957-5043
Facsimile (770) 954-1223

Item Coversheet

Item: An ordinance to amend the City's Future Land Use Map designation from Office to Mixed Historic Neighborhood for multiple tracts located on Martin Luther King Jr. Blvd.

Action Item: Yes No

Public Hearing Item: Yes No

Executive Session Item: Yes No

Advertised Date: July 27, 2022

Budget Item: No

Date Received: May 17, 2022

Workshop Date: August 15, 2022

Regular Meeting Date: September 6, 2022

Discussion:

LG Partners LLC (Standard Properties) of McDonough, GA requests an amendment to the Future Land Use Map for multiple properties (Parcels L06-05001002, L06-05001003, L06-05001004, and L06-05001005) in Land Lot 167 of the 2nd District. The property consists of 4.355 +/- acres located on Martin Luther King Jr. Blvd. The request is to amend the Future Land Use Map designation from Office to Mixed Historic Neighborhood.

Recommendation:

Staff recommends approval of the applicant's request to amend the future land use map from Office to Mixed Historic Neighborhood. The request aligns with the intent of the Comprehensive Plan.

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE FUTURE LAND USE MAP TO CHANGE THE LAND USE DESIGNATION OF 4.3 +/- ACRES FROM OFFICE TO MIXED USED NEIGHBORHOOD FOR PROPERTIES (PARCELS L06-05001002, L06-05001003, L06-05001004, AND L06-05001005) IN LAND LOT 167 OF THE 2ND DISTRICT WITHIN THE CITY OF LOCUST GROVE, GEORGIA

WHEREAS, LG Partners LLC (Standard Properties), of McDonough, GA (the “Applicant”), requests an amendment to the City’s Future Land Use Map to change the land-use designation from Office to Mixed Historic Neighborhood for multiple properties (Parcels: L06-05001002, L06-05001003, L06-05001004, and L06-05001005) located on Martin Luther King Jr. Blvd. in Land Lot 167 of the 2nd District (the “Properties”), totaling 4.3 +/- acres within the City limits, which shall be hereinafter referred to as the “Properties” and are described in **Exhibit A** attached hereto and incorporated herein by reference; and,

WHEREAS, the Applicant filed a request to amend the future land use designations on the Properties on May 17, 2022; and,

WHEREAS, the aforementioned request to amend the future land use designations on the Properties is included in the Future Land Use Amendment Evaluation Report (hereinafter referred to as “Report”) attached hereto and incorporated herein by reference as **Exhibit B**; and,

WHEREAS, the application requests that the Council amend the future land use designations on the Properties from Office to Mixed Historic Neighborhood for the purpose of developing six (6) single family residential lots; and,

WHEREAS, said request has been reviewed by the Mayor and City Council at a Public Hearing held on August 15, 2022 as well as by the City Community Development Director; and,

WHEREAS, notice of this matter (as attached hereto and incorporated herein as **Exhibit C**) has been provided in accordance with applicable state law and local ordinances; and,

WHEREAS, the Mayor and City Council have reviewed and considered the Applicant's request and both the recommendations of the public hearing and City staff as presented in the Report; and,

WHEREAS, the Mayor and City Council have considered the Applicant's request in light of those elements and goals found in the *Imagine Henry 2040 – Henry County/Cities Joint Comprehensive Plan 2040 Update*; and,

**THEREFORE, THE COUNCIL OF THE CITY OF LOCUST GROVE HEREBY
ORDAINS:**

1.

(X) That the Applicant's request to amend the future land use designations on the Properties from low-density residential to industrial is **APPROVED**;

() That the Applicant's request in said application is hereby **DENIED**.

2.

That, if the request is granted, the official future land use map for the City is hereby amended to reflect such land-use designations for the Properties.

4.

That, if the request is granted, said amendment to the future land use map for the City shall become effective immediately.

SO ORDAINED by the Council of this City this 6th day of September 2022.

ROBERT S. PRICE, Mayor

ATTEST:

MISTY SPURLING, City Clerk

(Seal)

APPROVED AS TO FORM:

City Attorney

EXHIBIT A
DESCRIPTION OF SUBJECT PROPERTIES

Zoning Application Checklist

PLEASE COMPLETE THIS FORM WHEN ACCEPTING ALL REZONING, CONDITIONAL USE, VARIANCE, MODIFICATIONS TO ZONING APPLICATIONS, AND FUTURE LAND USE PLAN AMENDMENTS. ATTACH THE CHECKLIST TO THE APPLICATION AND SIGN.

ALL DOCUMENTS ARE REQUIRED IN ORDER TO ACCEPT APPLICATION

REQUIRED ITEMS	COPIES	PROCEDURE	CHECK
Application Form	01	<ol style="list-style-type: none"> 1. Signed and notarized by owner. Original signature 2. In lieu of owner's signature, applicant has signed and notarized 3. A copy of "Contract", "Power of Attorney" or "Lease" 	✓
Applicant Disclosure Form	01	Required for all applicants filed whether yes or no and must be notarized	✓
Letter of Ownership	01	Letter stating that the owner is aware of the zoning request and owns the property in question	✓
Letter of Intent	01	Must clearly state the proposed use and development intent	✓
Legal Description	01	Legal Description of property to be considered for zoning action. Must be submitted as part of ordinance of rezoning, conditional use, variance, etc.	✓
Conceptual Site Plan(s) (24" x 36" max.)	01	Must show <i>minimum details</i> : Buildings, setbacks, buffers, road frontage, correct scale, north arrow, present zoning classification, topographic information to show elevation and drainage, location and extent of required buffers, proposed lot layout. For PD zoning, applicant must submit all additional paperwork as established in Chapter 17.04 of the Code of Ordinances.	✓
Survey Plat (8 1/2" x 11" minimum, 17" by 22" maximum)	01	Subject Property, prepared and sealed within the last ten years by a professional engineer, landscape architect or land surveyor registered in the State of Georgia. Said survey plat shall: 1) indicate the complete boundaries of the subject property and all buildings and structures existing therein; 2) Include a notation as to whether or not any portion of the subject property is within the boundaries of the 100-year floodplain; and 3) Include a notation as to the total acreage or square footage of the subject property Electronic copies via PDF and/or AutoCad are required, if available.	✓
Letter from the Henry County Water Authority (HCWA)	01	This letter of availability must accompany application at the time of submittal. For city water and/or sewer service, the availability and suitability will be determined in the rezoning evaluation by staff. Follow procedure from HCWA. For City Water/Sewer, Fill out form attached.	
Letter from the Henry Co. Environmental Health Department (if property is not on sewer)	01	This letter of availability must accompany application at the time of submittal. This is required if on septic system.	

Request for Zoning Map Amendment

Name of Applicant LG Partners, LLC Phone: _____ Date: 5-17-2022
Address Applicant: 255 Race-track Rd Cell # 770-351-6919
City: McDonough State: GA Zip: 30252 E-mail: David@standardpropertiesinc.com
Name of Agent _____ Phone: _____ Date: _____
Address Agent _____ Cell # _____
City: _____ State: _____ Zip: _____ E-mail: _____

THE APPLICANT NAMED ABOVE AFFIRMS THAT THEY ARE THE OWNER OR AGENT OF THE OWNER OF THE PROPERTY DESCRIBED BELOW AND REQUESTS: (PLEASE CHECK THE TYPE OF REQUEST OR APPEAL AND FILL IN ALL APPLICABLE INFORMATION LEGIBLY AND COMPLETELY).

Concept Plan Review Conditional Use Conditional Exception Modifications to Zoning Conditions

Variance Rezoning DRI Review/Concurrent Amendment to the Future Land Use Plan

Request from O+I to R-3
(Current Zoning) (Requested Zoning)

Request from O+I to R-3
(Current Land Use Designation) (Requested Land Use Designation)

For the Purpose of Six (6) Residential Lots
(Type of Development)
Address of Property: 20, 30, 40 & 50 Martin Luther King Jr Blvd.

Nearest intersection to the property: Hwy 42

Size of Tract: 4.355 acre(s), Land Lot Number(s): 167, District(s): 2nd 2nd

Gross Density: 0.871 units per acre Net Density: 0.871 units per acre

Property Tax Parcel Number: 406-05001002 - 003 - 004 & 005
(Required)

Vanessa Jackson
Witness Signature

William David Standard
Signature of Owner/s

Vanessa Jackson
Printed Name of Witness

William David Standard
Printed Name of Owner/s

Joseph Duke 9-16-24
Notary

Signature of Agent

(For Office Use Only)

Total Amount Paid \$ _____ Cash _____ Check # _____ Received by: _____ (FEES ARE NON-REFUNDABLE)

Application checked by: _____ Date: _____ Map Number(s): _____

Pre-application meeting: _____ Date: _____

Public Hearing Date: _____

Council Decision: _____ Ordinance: _____

Date Mapped in GIS: _____ Date: _____

Applicant Campaign Disclosure Form

Has the applicant¹ made, within two (2) years immediately preceding the filing of this application for rezoning, campaign contributions aggregating \$250 or more or made gifts having in the aggregate a value of \$250 or more to a member of the Locust Grove City Council and/or Mayor who will consider the application?

Yes No

If **Yes**, the applicant and the attorney representing the applicant must file a disclosure report with the Locust Grove City Clerk within ten (10) days after this application is first filed. Please supply the following information that will be considered as the required disclosure:

Council/Planning Commission Member Name	Dollar amount of Campaign Contribution	Description of Gift \$250 or greater given to Council/Planning Commission Member

We certify that the foregoing information is true and correct, this 17 day of May, 2022

LG Partners, LLC
Applicant's Name - Printed

William David Standard
Signature of Applicant William David Standard

Applicant's Attorney, if applicable - Printed

Signature of Applicant's Attorney, if applicable


Sworn to and subscribed before me this 17th day of May, 2022

Sandra Duke
Notary Public 9-16-24

1 Applicant means any individual or business entity (corporation, partnership, limited partnership, firm enterprise, franchise, association, or trust) applying for rezoning or other action.

Letter of Ownership

LG Partners LLC of McDonough Ga owns the 4.355 acres Being Tax Parcel #'s L06-05001002 , 003 , 004, & 005 Located at 20,30,40 & 50 Martin Luther King Jr Blvd Locust Grove Ga.. Please be advised LG Partners LLC owns and Is aware of the current zoning request of the subject property from O&I to R-3 .



William David Standard

LG Partners, LLC

Letter Of Intent

It is LG Partners LLC's intent to rezone the subject property from OI to R3 Residential.

The current concept plan by Sibley –Miller Surveying and Planning Inc. of the 4.355 acres shows 6 lots . Five ranging in size from 23,268 to 24,118 sq ft and One at 48,323 sq ft. with 80 ft. min frontages.

The Subject Plat shows an extra 5 ft side setback on the left side of lot #1 per staff.

The Subject Plat shows a right of way dedication of 27,039 sq ft to the City of Locust Grove.

The Subject Plat shows a reduction from 6 Individual driveways to 3 Joint Driveways to minimize the Number of access points From MLK Jr Blvd.

Water and Sewer from City of Locust Grove.

Sidewalk will be extended from Post Office along frontage of all 6 Lots on MLK Jr Blvd. by the Builders.


William David Standard
LG Partners LLC

Martin Luther King Jr. Blvd. Surveyed Legal Description

All that tract or parcel of land lying and being in Land Lot 167, of the 2nd District, City of Locust Grove, Henry County, Georgia. And being more particularly described as follows:

Commencing at the Northeast mitered intersection of the easterly right of way of Martin Luther King Jr. Blvd. and the Southerly right of way of Ga. Hwy 42, Thence Southwesterly and Southerly along the easterly right of way of Martin Luther King Jr. Blvd a distance of 276.04' to a concrete right of way monument found, which is the Point of Beginning,

Thence S 88°58'11" E leaving said right of way, a distance of 342.97' to a rebar set,

Thence S 01°07'26" W a distance of 637.15' to a rebar set,

Thence N 61°43'03" W a distance of 407.77' to a rebar set, on the proposed right of way of Martin Luther King Jr. Blvd.,

Thence N 03°01'30" E along said right of way, a distance of 409.41' to a point,

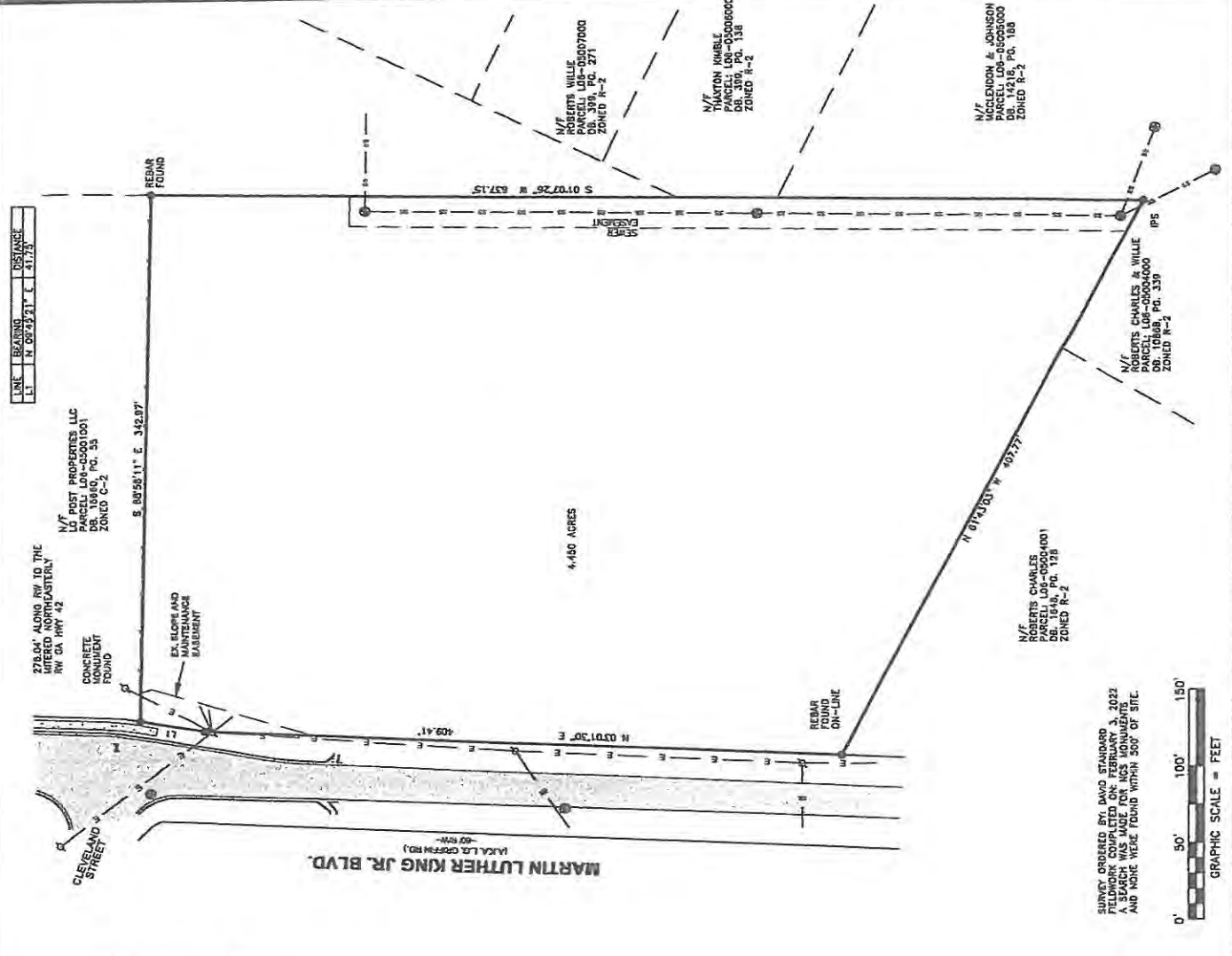
Thence N 09°45'21" E along said right of way, a distance of 41.75' to a concrete monument found,

Which Is The Point Of Beginning.

SIBLEY-MILLER SURVEYING & PLANNING INC.
 212 WEST CAMPBOND RD
 MCDONOUGH, GA 30253
 *TOPOGRAHICAL SURVEYS
 *CONSTRUCTION LAYOUT
 *LAND DEVELOPMENT DESIGN
 *LAND PLANNING
 *LAND SURVEYING
 WWW.Sibleysurveying.com
 FAX: (770) 320-7333
 PHONE: (770) 320-7555

BOUNDARY SURVEY
LC PARTNERS LLC
4.450 ACRES
CITY OF LOCUST GROVE
HENRY COUNTY, GEORGIA

PROJECT #: B10002
 BOUNDARY SURVEY
 DRAWN BY: PWF/TLM
 SCALE: 1" = 50'
 DATE: 03/01/2022
 SHEET: 1 OF 1



RESERVED FOR CLERK OF THE SUPERIOR COURT

THE FIELD DATA UPON WHICH THIS PLAT IS BASED WAS A CLOSURE
 PRECISION OF ONE FOOT IN 21,233 FEET AND AN ANGULAR
 ERROR OF 0.01" PER ANGLE POINT AND WAS ADJUSTED USING
 THE COMPASS RULE. PERCENTAGE CALCULATED FOR CLOSURE AND WAS FOUND TO
 BE ACCURATE WITHIN ONE FOOT IN 100,000 FEET.
 EQUIPMENT USED: TOPCON CCDM4X ZORN BY ROBOTSIC
 AS PER OFFICIAL FLOOD INSURANCE MAPS BY THE F.E.M.A. THIS
 PROPERTY IS NOT LOCATED WITHIN A FLOOD HAZARD
 AREA AS PER COMMUNITY - PANEL NUMBER 131110000
 DATED: OCTOBER 6, 2019

SURVEYOR'S CERTIFICATION:
 I HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT AND WAS
 PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE ON
 THE GROUND BY ME OR UNDER MY SUPERVISION, AND THAT THE
 BEARINGS AND DISTANCES ARE CORRECTLY MEASURED AND THEIR BEARINGS, LOCATIONS
 AND MATERIALS ARE CORRECTLY SHOWN.

- LEGEND**
- WOODEN FENCE POLE ----- P
 - EX. OVERHEAD POWER LINES ----- P
 - IPS = IRON PIN SET (4" REBAR)
 - DB = DEED BOOK
 - PB = PLAT BOOK
 - N/F = NOW OR FORMERLY
 - EX. = EXISTING
 - EX. WATER VALVE ----- V
 - SANITARY SEWER MANHOLE ----- M
 - EX. DOUBLINGWIND CATCH BASIN
 - EX. ASPHALT ----- A
 - EX. CONCRETE ----- C

SURVEYORS CERTIFICATION:
 As required by subsection (d) of O.C.G.A. Section 16-8-87, this plat has been
 prepared by a land surveyor and approved by all applicable local jurisdictions for
 recording. The surveyor certifies that the survey was conducted in accordance with
 the rules and regulations of the Georgia Board of Professional Surveyors and
 the minimum technical standards for property surveys in Georgia set forth in
 the rules and regulations of the Georgia Board of Professional Surveyors and
 Engineers and Land Surveyors and as set forth in O.C.G.A. Section 16-8-87.

PROFESSIONAL
 No. 3150
 THE STATE OF GEORGIA
 SURVEYOR

Th L Miller GA. RLS # 3150
 03-01-2022
 Date

EXHIBIT B
FUTURE LAND USE EVALUATION REPORT



FUTURE LAND USE AMENDMENT EVALUATION REPORT

FILE: FLU-AM-22-05-02

AUGUST 15, 2022

Property Information

Tax ID	L06-05001002, L06-05001003, L06-05001004, and L06-05001005
Location/address/area	Land Lot 167 of the 2 nd District Multiple Tracts
Tract Size	4.355 +/- acres
Current Zoning	OI (Office/Institutional)
Request	To amend the Future Land Use Map (FLUM) to change land use designation from Office to Mixed Historic Neighborhood
Existing Land Use	Vacant/Undeveloped (Current) Office
Future Land Use	(As Proposed for Amendment) Mixed Historic Neighborhood
Recommendation	Approval

Summary

Standard Properties of McDonough, GA, (the “Applicant”), requests an amendment to the City’s Future Land Use Map to change land-use designation from Office to Mixed Historic Neighborhood for multiple properties (Parcels: L06-05001002, L06-05001003, L06-05001004, and L06-05001005) located on Martin Luther King Jr. Blvd. in Land Lot 167 of the 2nd District (the “Properties”). The Properties consist of approximately 4.355 +/- acres and the request is being made in conjunction with a rezoning request for six single-family homes.

The Properties are located in an area designated by the Future Land Use Map for office use and are currently zoned OI (Office/Institutional). The Properties are undeveloped. The Applicant is seeking a concurrent rezoning of the Properties to R-3 (Medium/High Density Single-Family Residential) filed concurrently with this FLUM amendment request.

The FLUM is a component of the City’s Comprehensive Plan. The City Council adopted updates to the Comprehensive Plan in accordance with rules set forth by the Georgia Department of



FUTURE LAND USE AMENDMENT EVALUATION REPORT

FILE: FLU-AM-22-05-02

AUGUST 15, 2022

Community Affairs Minimum Planning Standards and Procedures for Local Comprehensive Planning on October 15, 2018.

The Comprehensive Plan serves as a guide for elected and public officials by establishing policies and priorities for evaluating development proposals especially as they pertain to land-use decisions. These land-use decisions are analyzed and based on how they relate to growth, economic development and the prioritization of capital improvements on local and regional levels.

Requested Amendment's relationship to Growth:

Residential development continues to be in high demand within the City of Locust Grove. The City's residential population is increasing at approximately a 9% growth rate; one of the fastest growing municipalities in Georgia.

Requested Amendment's relationship to Capital Improvements:

The proposed amendment has no direct impact on capital improvement projects.

Relationship to the surrounding areas:

The requested Future Land Use Map designation of Mixed Historic Neighborhood is consistent with the Future Land Use of multiple adjacent properties. The proposed FLUM designation is a mixed use designation that supports commercial and residential uses compatible with the preservation and economic growth of the historic downtown area. Typical zoning designations within Mixed Historic Neighborhood include OI, (Office/Institutional), R-2 (Single-Family Residential) and R-3 (Single-Family Residential). The Comprehensive Plan specifies that the Mixed Historic Neighborhood FLUM Designation supports residential densities up to 2.5 dwelling units per acre.

Quality residential development within proximity of the historic commercial core promotes walkability within a "live, work, play" environment, and helps bolster investment in the historic downtown. To discourage any detriment to the character of the district, the Comprehensive Plan specifies that new construction within the Mixed Historic Neighborhood FLUM designation should be of similar architectural style as the surrounding historic environment.

The permitted zoning designations for the proposed FLUM designation do not conflict with the surrounding current or future land use of the adjacent parcels.

- North – Single-family residential
- East – Locust Grove Post Office
- South – Single-family residential
- West – Single-family residential



FUTURE LAND USE AMENDMENT EVALUATION REPORT

FILE: FLU-AM-22-05-02

AUGUST 15, 2022

Recommendations

Staff recommends approval of the applicant's request to amend the future land use map from Office to Mixed Historic Neighborhood. The request aligns with the intent of the Comprehensive Plan.

EXHIBIT C
NOTICE OF PUBLIC HEARING

AFFIDAVIT OF SIGN POSTING

Personally appeared, before the undersigned officer duly authorized to administer oaths, Ms. Wendy Stephens, who, after being duly sworn, testifies as follows:

1.

My name is Wendy Stephens. I am over twenty-one years of age and competent to give this, my affidavit, based upon my personal knowledge.

2.

LG Partners, LLC (Standard Properties) of McDonough, GA requests a Future Land Use Map Amendment for 4.355+/- acres located on Martin Luther King Blvd. in Land Lot 167 of the 2nd District from Office to Mixed Historic Neighborhood for the purpose of developing six single-family homes.


3.

On the 27th day of July 2022, I, Wendy Stephens posted a double-sided sign notification on the subject parcel advertising a public hearing on the above requests to be heard by the Locust Grove City Council on the 15th day of August at 6:00 p.m. at the Locust Grove Public Safety Building, 3640 Highway 42, Locust Grove, Georgia 30248. Photographs of same are attached hereto as Exhibit "A" and incorporated herein by reference. The public hearing sign was posted at the following location:

1. Double-sided sign posted at 9:08 AM on the east side of Martin Luther King Jr. Blvd. on 7/27/22.

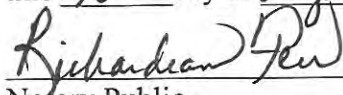
FURTHER AFFIANT SAYETH NOT.

This 10th day of August, 2022.

 #241

Affiant

Sworn and subscribed before me
this 10 day of August, 2022



Notary Public



Exhibit "A"



MLK facing westbound

Wednesday • Jul 27, 2022 •
9:08 AM

[Adjust](#)

 IMG_2700

Apple iPhone SE (2nd gener...

HEIF



Back Camera — 28 mm *f*1.8

12 MP • 4032 × 3024 • 2.3 MB



Edit



Henry Herald

38 Sloan Street
McDonough, Georgia 30253

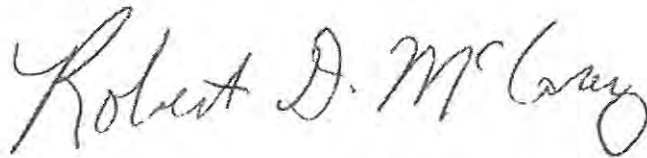
PUBLISHER'S AFFIDAVIT

STATE OF GEORGIA
COUNTY OF HENRY

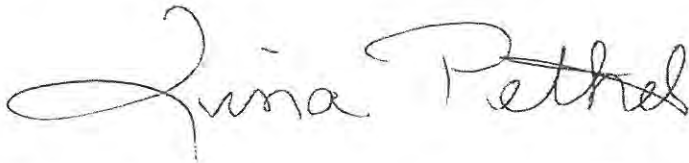
Personally appeared before the undersigned, a notary public within and for said county and state, Robert D. McCray, Vice President of SCNI, which published the Henry Herald, Published at McDonough, County of Henry, State of Georgia, and being the official organ for the publication of legal advertisements for said county, who being duly sworn, states on oath that the report of

Ad No.: 76543

Name and File No.: **PUBLIC HEARING 8/15/2022**
a true copy of which is hereto attached, was published in
said newspaper on the following date(s):
07/27/2022

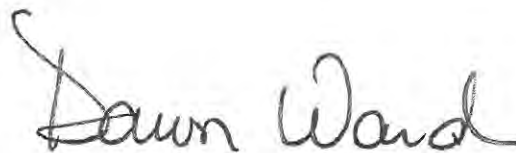


Robert D. McCray, SCNI Vice President of Sales and Marketing



By Tina Pethel
SCNI Controller

Sworn and subscribed to me 07/27/2022



Notary Public
My commission expires 03/03/2026

Ad text : Public Hearing Notice
City of Locust Grove
August 15, 2022
6:00 PM
Locust Grove Public
Safety Building
3640 Highway 42 South
Locust Grove, GA 30248

Notice is hereby given as required by Chapter 66 of Title 36 of the Official Code of Georgia Annotated ("Zoning Procedures Law") and Section 17.04 of the Code of Ordinances, City of Locust Grove, Georgia, that the Locust Grove City Council, on Monday, August 15, 2022, at 6:00 PM, will conduct public hearings for the purpose of the following:

REZONINGS

RZ-22-05-01 Standard Properties of McDonough, GA requests a rezoning of 4.355 +/- acres located on Martin Luther King Jr. Blvd in Land Lot 167 of the 2nd District from OI (Office Institutional) to R-3 (Single Family Residential) for the purpose of developing six single-family homes.

RZ-22-06-01 Tellus Partners of Chamblee, GA requests a rezoning of 50.16 +/- acres located on Price Drive in Land Lot 201 of the 2nd District from C-2 (General Commercial) to PD (Planned Development) for the purpose of developing a multifamily residential community and general commercial parcels.

RZ-22-06-02 The Beverly J. Searles Foundation requests a rezoning of 21.97 +/- acres located on Frances Ward Dr in Land Lot 168 of the 2nd District from R-3 (Single-Family Residential) to PR-4 (Planned Residential District) for the purpose of developing a 100-lot single-family subdivision

RZ-22-07-01 (DRI# 3497) Majestic Realty Co. of Atlanta, GA requests a rezoning of approximately 156.82 +/- acres that Norfolk Southern Corporation owns located between Interstate 75 (I-75) and the Norfolk Southern Railroad in Locust Grove (Parcel Number 110-01023000) from Residential Agricultural (RA) to the Light Manufacturing (M-1) to allow the development of a 1,845,000 +/- s.f. warehouse/distribution facility.

FUTURE LAND USE MAP AMENDMENT

FLU-AM-22-05-02 Standard Properties of McDonough, GA requests an amendment to the Future Land Use Map for 4.355 +/- acres located on Martin Luther King Jr. Blvd, (parcels L06-05001002, L06-05001003, L06-05001004, and L06-05001005) in Land Lot 167 of the 2nd District from Office to Mixed Historic Neighborhood.

FLU-AM-22-06-06 The Beverly J Searles Foundation requests an amendment to the Future Land Use Map for 21.97 +/- acres located on Frances Ward Dr. (Parcel 129-01047000) in Land Lot 168 of the 2nd District from Mixed Historic Neighborhood to High Density Residential.

CAPITAL IMPROVEMENT ELEMENT (CIE) UPDATE

A resolution to transmit an annual update of the Capital Improvement Element for the City of Locust Grove portion of the Henry County-Cities Joint Comprehensive Plan to the Atlanta Regional Commission for regional

and state review; to authorize the Mayor and City Clerk to execute and deliver any documents necessary to carry out this resolution; to repeal inconsistent provisions; to provide an effective date; and for other purposes.

The public hearings will be held in the Locust Grove Public Safety Building, located at 3640 Highway 42 South.

Daunté Gibbs
Community Development
Director - City of Locust
Grove
76543-7/27/2022



Community Development Department

P. O. Box 900
Locust Grove, Georgia 30248

Phone: (770) 957-5043
Facsimile (770) 954-1223

Item Coversheet

Item: Rezoning request from OI (Office/Institutional) to R-3 (Single Family Residential) for 4.355 +/- acres (Parcel IDs: L06-05001002, L06-05001003, L06-05001004, and L06-0500-1005) in Land Lot 167 of the 2nd District located on Martin Luther King Jr. Blvd.

Action Item: Yes No

Public Hearing Item: Yes No

Executive Session Item: Yes No

Advertised Date: July 27, 2022

Budget Item: N/A

Date Received: May 17, 2022

Workshop Date: August 15, 2022

Regular Meeting Date: September 6, 2022

Discussion:

LG Partners LLC (Standard Properties) of McDonough, GA requests a rezoning from OI (Office/Institutional) to R-3 (Medium/High-Density Single Family Residential) for the purpose of developing six single-family homes on 4.355 +/- acres on Martin Luther King Jr. Blvd. in Land Lot 167 of the 2nd District.

The site plan consists of six detached single-family homes accessed by three shared drives along Martin Luther King Jr. Blvd.

Recommendation:

Staff recommends approval with the following conditions granted that the concurrent request for

FLUM amendment is also approved.

1. The six single-family parcels must be accessed via shared driveways in substantial compliance with the site plan dated May 10, 2022.

Should the FLUM amendment request for the subject property be denied, Staff recommends denial of the applicant's rezoning request as well.

ORDINANCE NO. _____

AN ORDINANCE TO REZONE 4.3 +/- ACRES FROM OI (OFFICE INSTITUTIONAL) TO R-3 (SINGLE FAMILY RESIDENTIAL) FOR PROPERTIES (PARCELS L06-05001002, L06-05001003, L06-05001004, AND L06-05001005) IN LAND LOT 167 OF THE 2ND DISTRICT WITHIN THE CITY OF LOCUST GROVE, GEORGIA

WHEREAS, LG Partners LLC (Standard Properties), of McDonough, GA (hereinafter referred to as “Applicant”), requests rezoning of 4.355+/- acres located on Stanley K. Tanger Boulevard in Land Lot 167 of the 2nd District from OI (Office/Institutional) to R-3 (Medium/High Density Single-Family Residential) for the purpose of developing six (6) single-family residential lots (hereinafter referred to as the “Property”) and described in **Exhibit A** attached hereto and incorporated herein by reference; and,

WHEREAS, the Applicant has submitted an application which is included in the Rezoning Evaluation Report (hereinafter referred to as “Report”) attached hereto and incorporated herein by reference as **Exhibit “B”**; and,

WHEREAS, the Applicant requests the Mayor and City Council of the City of Locust Grove (hereinafter referred to as “City”) rezone the subject property from OI (Office Institutional) to R-3(Single Family Residential); and,

WHEREAS, said request has been reviewed by the Community Development Department (hereinafter referred to as “Staff”) and the City during a public hearing held on August 15, 2022; and,

WHEREAS, notice of this matter (attached hereto and incorporated herein as **Exhibit “C”**) has been provided in accordance with applicable state law and local ordinances; and,

WHEREAS, the Mayor and City Council have reviewed and considered the Applicant’s request and the recommendations of the Staff as presented in the Report; and,

WHEREAS, the Mayor and City Council have considered the Applicant’s request in light of those criteria for rezoning under *Section 17.04.315* of the *Code of the City of Locust Grove*; and,

**THEREFORE, THE COUNCIL OF THE CITY OF LOCUST GROVE HEREBY
ORDAINS:**

1.

- That the Property is hereby rezoned from OI to R-3 in accordance with the Zoning Ordinance of the City
- The Applicant's request in said application is hereby **DENIED**.

2.

That the rezoning of the above-described Property is subject to:

- The conditions set forth on **Exhibit "D"** attached hereto and incorporated herein by reference.
- The terms of the Development Agreement attached hereto as **Exhibit "D"** and incorporated herein by reference.
- If no **Exhibit "D"** is attached hereto, then the property are zoned without conditions.

3.

That, if rezoning is granted, the official zoning map for the City is hereby amended to reflect such zoning classification for the Property.

4.

That, if rezoning is granted, said rezoning of the Property shall become effective immediately.

SO ORDAINED by the Council of the City this 6th day of September 2022.

ROBERT S. PRICE, Mayor

ATTEST:

MISTY SPURLING, City Clerk

(Seal)

APPROVED AS TO FORM:

City Attorney

EXHIBIT "A"

Zoning Application Checklist

PLEASE COMPLETE THIS FORM WHEN ACCEPTING ALL REZONING, CONDITIONAL USE, VARIANCE, MODIFICATIONS TO ZONING APPLICATIONS, AND FUTURE LAND USE PLAN AMENDMENTS. ATTACH THE CHECKLIST TO THE APPLICATION AND SIGN.

ALL DOCUMENTS ARE REQUIRED IN ORDER TO ACCEPT APPLICATION

REQUIRED ITEMS	COPIES	PROCEDURE	CHECK
Application Form	01	<ol style="list-style-type: none"> 1. Signed and notarized by owner. Original signature 2. In lieu of owner's signature, applicant has signed and notarized 3. A copy of "Contract", "Power of Attorney" or "Lease" 	✓
Applicant Disclosure Form	01	Required for all applicants filed whether yes or no and must be notarized	✓
Letter of Ownership	01	Letter stating that the owner is aware of the zoning request and owns the property in question	✓
Letter of Intent	01	Must clearly state the proposed use and development intent	✓
Legal Description	01	Legal Description of property to be considered for zoning action. Must be submitted as part of ordinance of rezoning, conditional use, variance, etc.	✓
Conceptual Site Plan(s) (24" x 36" max.)	01	Must show <i>minimum</i> details: Buildings, setbacks, buffers, road frontage, correct scale, north arrow, present zoning classification, topographic information to show elevation and drainage, location and extent of required buffers, proposed lot layout. For PD zoning, applicant must submit all additional paperwork as established in Chapter 17.04 of the Code of Ordinances.	✓
Survey Plat (8 ½" x 11" minimum, 17" by 22" maximum)	01	Subject Property, prepared and sealed within the last ten years by a professional engineer, landscape architect or land surveyor registered in the State of Georgia. Said survey plat shall: 1) indicate the complete boundaries of the subject property and all buildings and structures existing therein; 2) Include a notation as to whether or not any portion of the subject property is within the boundaries of the 100-year floodplain; and 3) Include a notation as to the total acreage or square footage of the subject property Electronic copies via PDF and/or AutoCad are required, if available.	✓
Letter from the Henry County Water Authority (HCWA)	01	This letter of availability must accompany application at the time of submittal. For city water and/or sewer service, the availability and suitability will be determined in the rezoning evaluation by staff. Follow procedure from HCWA. For City Water/Sewer, Fill out form attached.	
Letter from the Henry Co. Environmental Health Department (if property is not on sewer)	01	This letter of availability must accompany application at the time of submittal. This is required if on septic system.	

Request for Zoning Map Amendment

Name of Applicant LG Partners, LLC Phone: _____ Date: 5-17-2022
 Address Applicant: 255 Race-track Rd Cell # 770-351-6919
 City: McDonough State: GA Zip: 30252 E-mail: wdavidstandardpropertiesinc.com
 Name of Agent _____ Phone: _____ Date: _____
 Address Agent _____ Cell # _____
 City: _____ State: _____ Zip: _____ E-mail: _____

THE APPLICANT NAMED ABOVE AFFIRMS THAT THEY ARE THE OWNER OR AGENT OF THE OWNER OF THE PROPERTY DESCRIBED BELOW AND REQUESTS: (PLEASE CHECK THE TYPE OF REQUEST OR APPEAL AND FILL IN ALL APPLICABLE INFORMATION LEGIBLY AND COMPLETELY).

Concept Plan Review Conditional Use Conditional Exception Modifications to Zoning Conditions

Variance Rezoning DRI Review/Concurrent Amendment to the Future Land Use Plan

Request from O+I (Current Zoning) TO R-3 (Requested Zoning)

Request from O+I (Current Land Use Designation) TO R-3 (Requested Land Use Designation)

For the Purpose of Six (6) Residential Lots
 (Type of Development)

Address of Property: 20, 30, 40 & 50 Martin Luther King Jr Blvd.

Nearest intersection to the property: Hwy 42

Size of Tract: 4.355 acre(s), Land Lot Number(s): 167, District(s): 2nd 2nd

Gross Density: 0.871 units per acre Net Density: 0.871 units per acre

Property Tax Parcel Number: 206-05001002 - 003 - 004 & 005 (Required)

Vanessa Jackson
 Witness' Signature

William David Standard
 Signature of Owner/s

Vanessa Jackson
 Printed Name of Witness

William David Standard
 Printed Name of Owner/s

Sheryl Duke 9-16-24
 Notary

 Signature of Agent

(For Office Use Only)

Total Amount Paid \$ _____ Cash _____ Check # _____ Received by: _____ (FEES ARE NON-REFUNDABLE)

Application checked by: _____ Date: _____ Map Number(s): _____

Pre-application meeting: _____ Date: _____

Public Hearing Date: _____

Council Decision: _____ Ordinance: _____

Date Mapped in GIS: _____ Date: _____

Applicant Campaign Disclosure Form

Has the applicant¹ made, within two (2) years immediately preceding the filing of this application for rezoning, campaign contributions aggregating \$250 or more or made gifts having in the aggregate a value of \$250 or more to a member of the Locust Grove City Council and/or Mayor who will consider the application?

Yes _____ No

If **Yes**, the applicant and the attorney representing the applicant must file a disclosure report with the Locust Grove City Clerk within ten (10) days after this application is first filed. Please supply the following information that will be considered as the required disclosure:

Council/Planning Commission Member Name	Dollar amount of Campaign Contribution	Description of Gift \$250 or greater given to Council/Planning Commission Member

We certify that the foregoing information is true and correct, this 17 day of May, 2022.

LG Partners, LLC
Applicant's Name - Printed


Signature of Applicant William David Standard

Applicant's Attorney, if applicable - Printed

Signature of Applicant's Attorney, if applicable


Sworn to and subscribed before me this 17th day of May, 2022.


Notary Public 9-16-24

¹ Applicant means any individual or business entity (corporation, partnership, limited partnership, firm enterprise, franchise, association, or trust) applying for rezoning or other action.

Letter of Ownership

LG Partners LLC of McDonough Ga owns the 4.355 acres Being Tax Parcel #'s L06-05001002 , 003 , 004, & 005 Located at 20,30,40 & 50 Martin Luther King Jr Blvd Locust Grove Ga.. Please be advised LG Partners LLC owns and Is aware of the current zoning request of the subject property from O&I to R-3 .



William David Standard

LG Partners, LLC

Letter Of Intent

It is LG Partners LLC's intent to rezone the subject property from OI to R3 Residential.

The current concept plan by Sibley –Miller Surveying and Planning Inc. of the 4.355 acres shows 6 lots . Five ranging in size from 23,268 to 24,118 sq ft and One at 48,323 sq ft. with 80 ft. min frontages.

The Subject Plat shows an extra 5 ft side setback on the left side of lot #1 per staff.

The Subject Plat shows a right of way dedication of 27,039 sq ft to the City of Locust Grove.

The Subject Plat shows a reduction from 6 Individual driveways to 3 Joint Driveways to minimize the Number of access points From MLK Jr Blvd.

Water and Sewer from City of Locust Grove.

Sidewalk will be extended from Post Office along frontage of all 6 Lots on MLK Jr Blvd. by the Builders.


William David Standford
LG Partners LLC

Martin Luther King Jr. Blvd. Surveyed Legal Description

All that tract or parcel of land lying and being in Land Lot 167, of the 2nd District, City of Locust Grove, Henry County, Georgia. And being more particularly described as follows:

Commencing at the Northeast mitered intersection of the easterly right of way of Martin Luther King Jr. Blvd. and the Southerly right of way of Ga. Hwy 42, Thence Southwesterly and Southerly along the easterly right of way of Martin Luther king Jr. Blvd a distance of 276.04' to a concrete right of way monument found, which is the Point of Beginning,

Thence S 88°58'11" E leaving said right of way, a distance of 342.97' to a rebar set,

Thence S 01°07'26" W a distance of 637.15' to a rebar set,

Thence N 61°43'03" W a distance of 407.77' to a rebar set, on the proposed right of way of Martin Luther King Jr.Blvd.,

Thence N 03°01'30" E along said right of way, a distance of 409.41' to a point,

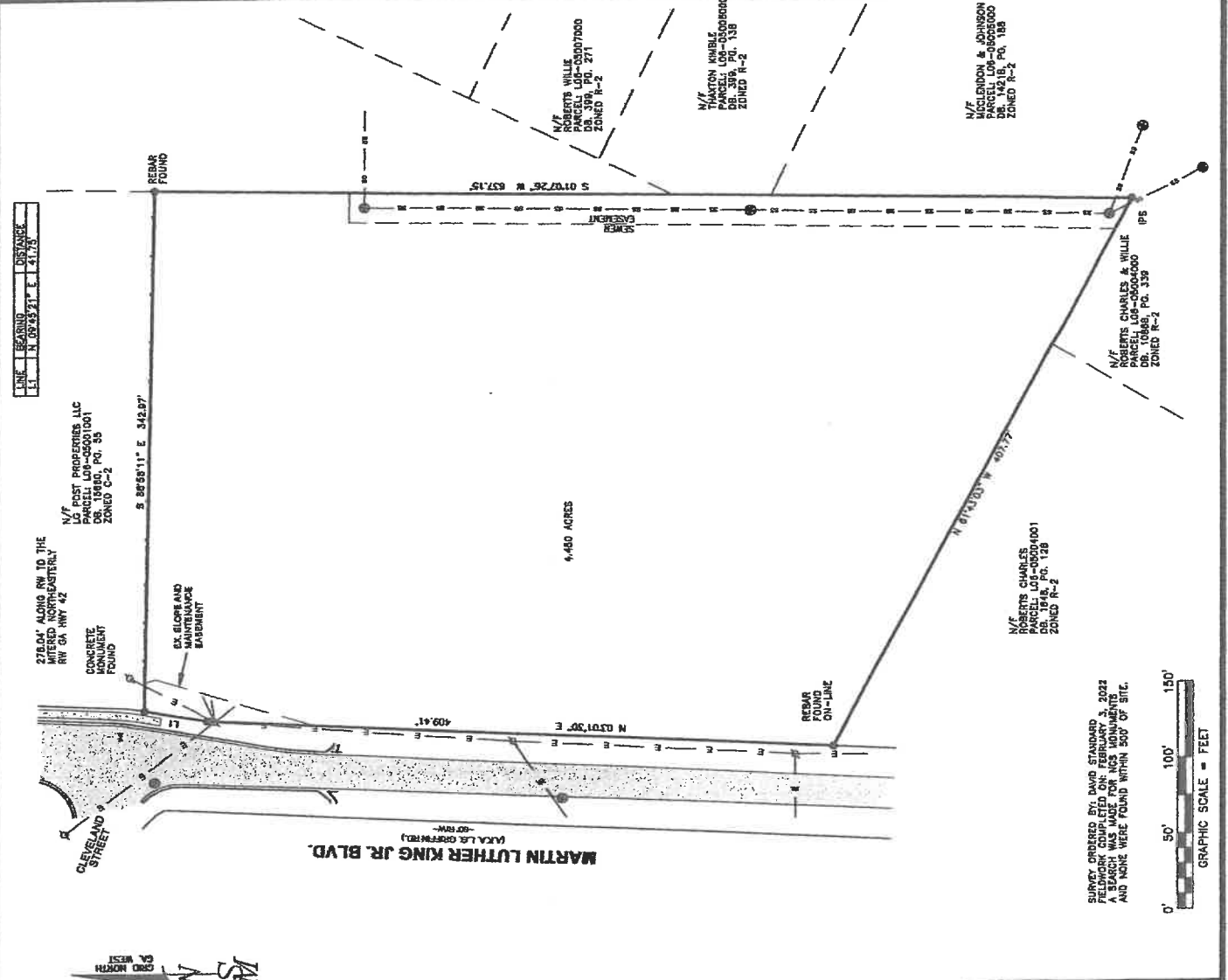
Thence N 09°45'21" E along said right of way, a distance of 41.75' to a concrete monument found,

Which Is The Point Of Beginning.

SIBLEY-MILLER SURVEYING & PLANNING INC.
 CIVIL ENGINEERING
 212 WEST CAMPGROUND RD
 MCDONOUGH, GA 30253
 *TOPOGRAPHICAL SURVEYS
 *LAND DEVELOPMENT DESIGN
 *CONSTRUCTION LAYOUT
 *LAND PLANNING
 *LAND SURVEYING
 WWW.SIBLEYSURVEYING.COM
 PHONE: (770) 320-7555
 FAX: (770) 320-7333

BOUNDARY SURVEY
LC PARTNERS LLC
 4.450 ACRES
 LAND LOT 167 2ND DISTRICT
 CITY OF LOCUST GROVE
 HENRY COUNTY, GEORGIA

PROJECT # : B18002
BOUNDARY SURVEY
 DRAWN BY: PWF/TLM
 SCALE: 1" = 50'
 DATE: 03/01/2022
 SHEET: 1 OF 1



RESERVED FOR CLERK OF THE SUPERIOR COURT

THE FIELD DATA UPON WHICH THIS PLAT IS BASED WAS A CLOSURE OF THE PLAT FOR THE PURPOSE OF CORRECTING THE ERROR OF ANGLE PER ANGLE POINT AND WAS ADJUSTED USING THE COMPASS RULE. PER ANGLE POINT AND WAS ADJUSTED USING THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND WAS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 100,000 FEET.

EQUIPMENT USED: TOPCON GSDX30 ZOOM 89 ROBOTIC

AS PER OFFICIAL FLOOD INSURANCE MAPS BY THE F.E.M.A. THIS PROPERTY IS NOT LOCATED WITHIN A DESIGNATED FLOOD HAZARD AREA AS PER COMMUNITY - PANEL NUMBER 131510270B DATED OCTOBER 6, 2010

SURVEYOR'S DECLARATION:
 I, THE SURVEYOR, HAVE PERSONALLY CONDUCTED THIS SURVEY AND HAVE PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE ON THE GROUND BY ME OR UNDER MY SUPERVISION, AND THAT THE MONUMENTS REFERENCED HEREON, EXIST AND THEIR SIZES, LOCATIONS AND MATERIALS ARE CORRECTLY SHOWN.

THIS PROPERTY IS SUBJECT TO ALL RIGHT OF WAY AND EASEMENTS SHOWN OR NOT SHOWN, RECORDED OR UNRECORDED.

THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF A TITLE REPORT WHICH COULD REVEAL ENCUMBRANCES NOT SHOWN.

UTILITIES SHOWN ARE LOCATION VISIBLE AT TIME OF SURVEY. ADDITIONAL UTILITIES MAY EXIST ABOVE OR BELOW GROUND. THE SURVEYOR DOES NOT WARRANT THE ACCURACY FOR THE COMPLETENESS OF THIS DATA.

LEGEND

- WOODEN POWER POLE -----P
- EX. OVERHEAD POWER LINES-----P
- EX. METAL SET (4 REBAR) -----P
- EX. BIRD BOX -----P
- EX. PLAT BOOK -----P
- EX. PAGE OR FORMERLY -----P
- EX. WATER VALVE-----P
- EX. EXISTING -----P
- EX. SANITARY SEWER MANHOLE-----P
- EX. DOWLDOWNING CATCH BASIN -----P
- EX. ASPHALT-----P
- EX. CONCRETE-----P

SURVEYORS CERTIFICATION:

As required by subsection (4) of O.C.G.A. Section 18-2-67, this plat has been prepared by a land surveyor and approved by all applicable local jurisdictions for recording, as evidenced by approval certificates, signatures, stamps, or statements of approval, and the surveyor certifies that the plat complies with the requirements of the Georgia Surveying Act, O.C.G.A. Section 18-2-67, and the minimum standards for practice surveys in Georgia set forth in the Georgia Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 18-2-67.

Tom L. Miller, O.E. No. 71150
 Date: 03-01-2022

PROFESSIONAL No. 3150

276.04' ALONG RW TO THE INTERSECTION NORTHEASTERLY ON HWY 42
 N/E EAST PROPERTIES, LLC
 PARCEL: L02-05001001
 DB: 19880, PG. 35
 ZONED C-2

CONCRETE MONUMENT FOUND
 EX. SLOPE AND EASEMENT EASIMENT

409.41' E
 N 03°01'30" E
 4.450 ACRES

REBAR FOUND ON-LINE

MARTIN LUTHER KING JR. BLVD. (AKA LEE OFFSHORE)

CLEVELAND STREET

REBAR FOUND

5 01°07'26" W 637.15'

N/E THAXTON MARBLE
 PARCEL: L02-03008000
 DB: 359, PG. 271
 ZONED R-2

N/E ROBERTS CHARLES & WILLIE
 PARCEL: L06-03004000
 DB: 10668, PG. 339
 ZONED R-2

N/E MCCLELLAND & JOHNSON
 PARCEL: L06-06005000
 DB: 19216, PG. 188
 ZONED R-2

N/E ROBERTS CHARLES
 PARCEL: L02-05001001
 DB: 19880, PG. 35
 ZONED C-2

276.04' ALONG RW TO THE INTERSECTION NORTHEASTERLY ON HWY 42

GRAPHIC SCALE = FEET
 0' 50' 100' 150'

SURVEY ORDERED BY: DAVID STANDAARD
 FIELDWORK COMPLETED ON: FEBRUARY 3, 2022
 DATE OF PLOTTING: MARCH 1, 2022
 AND MARKS WERE FOUND WITHIN 50' OF SITE.

CITY OF LOCUST GROVE
770-957-5043

REC#: 00514589 5/19/2022 10:34 AM
OPER: RF TERM: 341
REF#: CK#2328

TRAN: BLDG/COM BLDG/COMMUNITY DEVL
202200688 467.75CR
STANDARD PROPERTIES INC
MLK JR BLVD
ZON-001 467.75CR

TENDERED: 467.75 CHECK
APPLIED: 467.75-

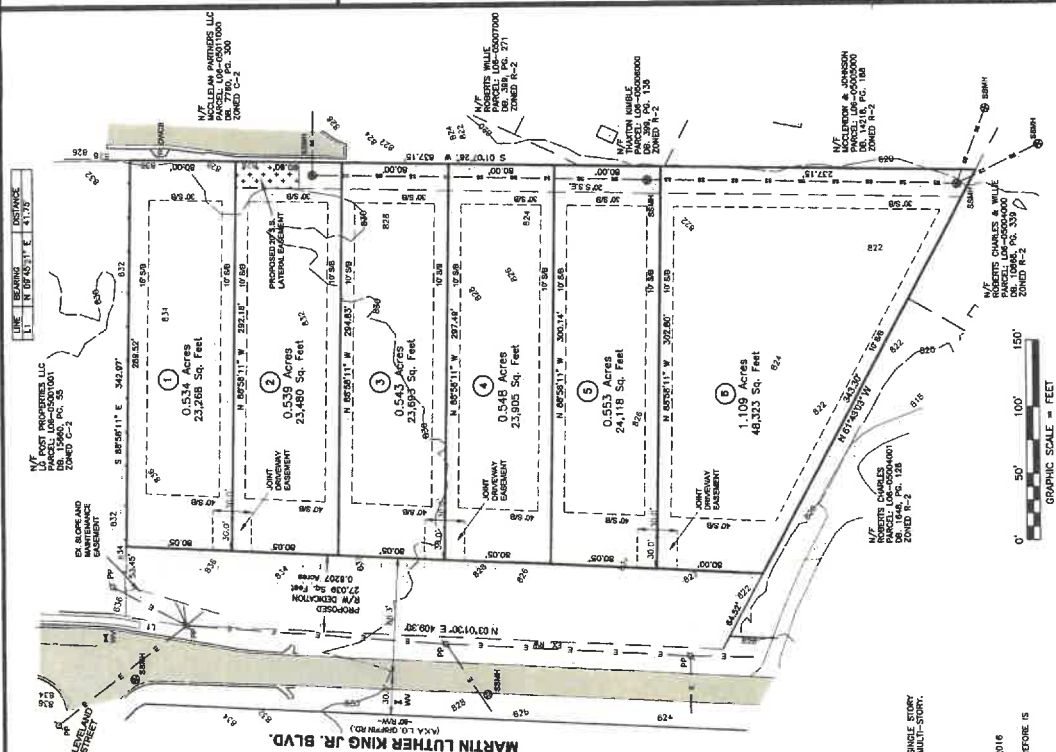
CHANGE: 0.00

SIBLEY-MILLER
 SURVEYING & PLANNING INC.
 212 WEST CAMPBOND RD
 MCDONOUGH, GA 30253
 PHONE: (770) 320-7555
 FAX: (770) 320-7533
 WWW.SIBLEYSURVEYING.COM
 LAND SURVEYING
 LAND PLANNING
 CONSTRUCTION LAYOUT
 LAND DEVELOPMENT DESIGN
 GEOTECHNICAL SERVICES

IC PARTNERS, LLC
 RE-ZONING PLAT
 4.355 ACRES
 LAND LOT 167 2nd DISTRICT
 CITY OF LOUST GEORGIA
 HENRY COUNTY, GEORGIA



PROJECT # B18002
 RE-ZONING PLAT
 DRAWN BY: PHF
 CHECKED BY: PHF
 SCALE: 1" = 50'
 DATE: 05/10/2022
 SHEET: 1 OF 1

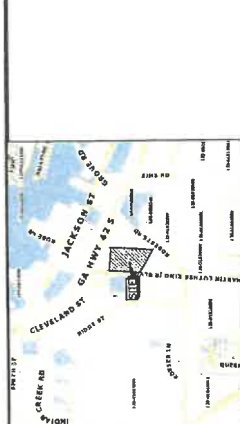


MARTIN LUTHER KING JR. BLVD.
 CLEVELAND STREET
 DISTANCE
 LINE BEARING
 1. N 82°56'11" E 417.39'
 2. S 82°56'11" E 342.97'

PROPOSED DRIVEWAY 14' IN WIDTH
 PROPOSED DRIVEWAY 12' IN WIDTH
 PROPOSED DRIVEWAY 10' IN WIDTH
 PROPOSED DRIVEWAY 8' IN WIDTH
 PROPOSED DRIVEWAY 6' IN WIDTH
 PROPOSED DRIVEWAY 4' IN WIDTH
 PROPOSED DRIVEWAY 2' IN WIDTH
 PROPOSED DRIVEWAY 1' IN WIDTH
 PROPOSED DRIVEWAY 0' IN WIDTH

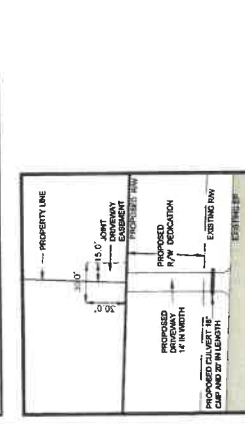
GENERAL NOTES:
 1. SITE AREA = 4.355 ACRES
 2. PROPOSED ZONING = R-2
 3. PROPOSED ZONING = R-2
 4. PROPOSED ZONING = R-2
 5. PROPOSED ZONING = R-2

NO FLOOD ON PROPERTY AS PER FEMA
 HENRY FLOOD MAP 278 OF 336
 NOTE: THIS IS A RE-ZONING PLAT AND THEREFORE IS
 NOT TO BE RECORDED.



LEGEND

WOODEN POWER POLE	EX. EASEMENT
EX. OVERHEAD POWER LINES	EX. ASPHALT
EX. IRON PIPE SET (4" RDM)	EX. CONCRETE
EX. IRON PIPE SET (6" RDM)	EX. WALL
EX. IRON PIPE SET (8" RDM)	EX. EASEMENT
EX. IRON PIPE SET (10" RDM)	PROPOSED EASEMENT
EX. IRON PIPE SET (12" RDM)	PROPOSED EASEMENT
EX. IRON PIPE SET (14" RDM)	PROPOSED EASEMENT
EX. IRON PIPE SET (16" RDM)	PROPOSED EASEMENT
EX. IRON PIPE SET (18" RDM)	PROPOSED EASEMENT
EX. IRON PIPE SET (20" RDM)	PROPOSED EASEMENT
EX. IRON PIPE SET (22" RDM)	PROPOSED EASEMENT
EX. IRON PIPE SET (24" RDM)	PROPOSED EASEMENT
EX. IRON PIPE SET (26" RDM)	PROPOSED EASEMENT
EX. IRON PIPE SET (28" RDM)	PROPOSED EASEMENT
EX. IRON PIPE SET (30" RDM)	PROPOSED EASEMENT
EX. IRON PIPE SET (32" RDM)	PROPOSED EASEMENT
EX. IRON PIPE SET (34" RDM)	PROPOSED EASEMENT
EX. IRON PIPE SET (36" RDM)	PROPOSED EASEMENT
EX. IRON PIPE SET (38" RDM)	PROPOSED EASEMENT
EX. IRON PIPE SET (40" RDM)	PROPOSED EASEMENT
EX. IRON PIPE SET (42" RDM)	PROPOSED EASEMENT
EX. IRON PIPE SET (44" RDM)	PROPOSED EASEMENT
EX. IRON PIPE SET (46" RDM)	PROPOSED EASEMENT
EX. IRON PIPE SET (48" RDM)	PROPOSED EASEMENT
EX. IRON PIPE SET (50" RDM)	PROPOSED EASEMENT
EX. IRON PIPE SET (52" RDM)	PROPOSED EASEMENT
EX. IRON PIPE SET (54" RDM)	PROPOSED EASEMENT
EX. IRON PIPE SET (56" RDM)	PROPOSED EASEMENT
EX. IRON PIPE SET (58" RDM)	PROPOSED EASEMENT
EX. IRON PIPE SET (60" RDM)	PROPOSED EASEMENT
EX. IRON PIPE SET (62" RDM)	PROPOSED EASEMENT
EX. IRON PIPE SET (64" RDM)	PROPOSED EASEMENT
EX. IRON PIPE SET (66" RDM)	PROPOSED EASEMENT
EX. IRON PIPE SET (68" RDM)	PROPOSED EASEMENT
EX. IRON PIPE SET (70" RDM)	PROPOSED EASEMENT
EX. IRON PIPE SET (72" RDM)	PROPOSED EASEMENT
EX. IRON PIPE SET (74" RDM)	PROPOSED EASEMENT
EX. IRON PIPE SET (76" RDM)	PROPOSED EASEMENT
EX. IRON PIPE SET (78" RDM)	PROPOSED EASEMENT
EX. IRON PIPE SET (80" RDM)	PROPOSED EASEMENT
EX. IRON PIPE SET (82" RDM)	PROPOSED EASEMENT
EX. IRON PIPE SET (84" RDM)	PROPOSED EASEMENT
EX. IRON PIPE SET (86" RDM)	PROPOSED EASEMENT
EX. IRON PIPE SET (88" RDM)	PROPOSED EASEMENT
EX. IRON PIPE SET (90" RDM)	PROPOSED EASEMENT
EX. IRON PIPE SET (92" RDM)	PROPOSED EASEMENT
EX. IRON PIPE SET (94" RDM)	PROPOSED EASEMENT
EX. IRON PIPE SET (96" RDM)	PROPOSED EASEMENT
EX. IRON PIPE SET (98" RDM)	PROPOSED EASEMENT
EX. IRON PIPE SET (100" RDM)	PROPOSED EASEMENT



MANUAL HEIGHT = 8 STORES
 FRONT = 50'
 REAR = 20'
 SIDE = 10'
 MINIMUM HEIGHT = 8 STORES
 MINIMUM LOT AREA = 12,000 SQ. FT.
 MINIMUM LOT WIDTH = 40'
 MINIMUM FLOOR AREA = 1,750 SQ. FT. FOR SINGLE STORY
 2,250 SQ. FT. FOR MULTI-STORY.
 SETBACKS:
 FRONT = 50'
 REAR = 20'
 SIDE = 10'

EXHIBIT "B"



REZONING EVALUATION REPORT

FILE: RZ-22-05-01

August 15, 2022

REZONING OI TO R-3

Property Information

Tax ID	L06-05001002, L06-05001003, L06-05001004, & L06-0500-1005
Location/address	Land Lot 167 of the 2 nd District
Parcel Size	4.355 +/- acres
Current Zoning	OI (Office/ Institutional)
Request	R-3 (Single-Family Residential)
Proposed Use	Six Single-Family Residential Lots
Existing Land Use	Vacant/undeveloped land
Future Land Use	Office (concurrent request for FLUM amendment to Mixed Historic Neighborhood)
Recommendation	Approval

Summary

Standard Properties of McDonough, GA requests rezoning of 4.355+/- acres located on Stanley K. Tanger Boulevard in Land Lot 167 of the 2nd District from OI (Office/Institutional) to R-3 (Medium/High Density Single-Family Residential) for the purpose of developing six (6) single-family residential lots

The subject property consists of four separate Parcel IDs L06-05001002, L06-05001003, L06-05001004, and L06-05001005 (the "Property"). The Property is adjacent to the Locust Grove Post Office and single-family residential areas. The Property is undeveloped and vacant land, identified on the City's Official Zoning Map as OI (Office/Institutional).

The applicant seeks to develop six (6) single-family homes on the subject property. The proposed single-family homes will be accessed from Martin Luther King Jr. Drive by way of three shared drives.

Service Delivery / Infrastructure

Water and Sewer: The City of Locust Grove does provide water service to the subject property via an existing water line located on the west side of Martin Luther King Jr. Blvd. Sanitary sewer service is also available via existing lines along Martin Luther King Jr. Blvd.



REZONING EVALUATION REPORT

FILE: RZ-22-05-01

August 15, 2022

REZONING OI TO R-3

Land Use: The site must be in compliance with the requirements set forth in the City's R-3 (Single-Family Residential) zoning district as well as development standards established in Title 15 of the City Code, including Watershed Protection standards, as applicable to the site.

Development of Regional Impact (DRI)

The proposed development does not meet the Georgia Department of Community Affairs (DCA) threshold for a Development of Regional Impact (DRI).

Financial Impacts:

Fees for water and sewer services, development and building inspections and reviews, and impact fees will be collected.

Police Services: The subject property is in the existing city limits and will remain on a regular patrol route.

Fire: Fire and emergency services will be performed by the City of Locust Grove Fire Marshal in partnership with Henry County as is similar to other portions of the city as defined by the Service Delivery Strategy.

Criteria for Evaluation of Rezoning Request

Section 17.04.315 Procedure for Hearing before City Council.

(a) All proposed amendments to this chapter or to the official zoning map with required site plans shall be considered at public hearing. The City Council shall consider the following:

(1) The possible effects of the change in the regulations or map on the character of a zoning district, a particular piece of property, a neighborhood, a particular area, or the community.

The applicant's proposed rezoning to R-3 is not likely to have a negative impact on the subject property, surrounding parcels, and Martin Luther King Jr. Blvd/Hwy. 42 corridor. The applicant's requested rezoning of the Property will benefit the City by providing new residential development within walking distance of the historic downtown commercial district.

(2) The relation that the proposed amendment bears to the purpose of the overall zoning scheme with due consideration given to whether or not the proposed change will help carry out the purposes of this Chapter.

Pending approval of the applicant's concurrent request to amend the Property's Future Land Use Map's designation from Office to Mixed Historic Neighborhood, the



REZONING EVALUATION REPORT

FILE: RZ-22-05-01

August 15, 2022

REZONING OI TO R-3

applicant's requested rezoning to R-3 is consistent with the purpose, intent, and vision of the City's zoning for the surrounding area and the future land use goals established in the Henry County/Joint Cities Comprehensive Land Use Plan 2040.

(3) Consistency with the Land Use Plan.

The applicant's requested rezoning is not currently consistent with the intent of the Comprehensive Land Use Plan. The applicant has submitted a concurrent request for a Future Land Use Map amendment from the current designation (Office) to Mixed Historic Neighborhood. Should the City Council approve the applicant's FLUM amendment request, the proposed rezoning from OI (Office/Institutional) to R-3 (Medium/High-Density Single-Family Residential) will be consistent with the City's Land Use Plan.

(4) The potential impact of the proposed amendment on City infrastructure including water and sewerage systems.

The proposed development will have minimal impact on city water and sewer infrastructure. The capacity to service the proposed development has been confirmed by the City Public Works Department.

(5) The impact of the proposed amendment on adjacent thoroughfares and pedestrian vehicular circulation and traffic volumes.

The proposed zoning designation will produce fewer trips than would be generated if the property were to be developed under the current zoning designation. Minimal impact on adjacent thoroughfares, traffic volumes, and circulation for pedestrians and vehicles is anticipated. The applicant's development and site design will provide safe vehicle and pedestrian traffic flow to and from the subject property, and include shared drives to reduce curb-cuts on Martin Luther King Jr. Blvd.

(6) The impact upon adjacent property owners should the request be approved.

The applicant's rezoning and proposed development will contribute to and enhance the commercial uses on the surrounding properties by creating a new mixed-use character for the corridor. The applicant's rezoning, if approved, will greatly benefit and promote the value and viability of surrounding commercial properties and property owners by providing high-quality housing with new customer base integrated as an attractive, progressive mixed-use setting.



REZONING EVALUATION REPORT

FILE: RZ-22-05-01

August 15, 2022

REZONING OI TO R-3

Direction	Zoning	Current Land Use	Future Land Use
North	C-2 (General Commercial)	Locust Grove Post Office	Mixed Historic Neighborhood
East	R-2 (Single Family Residential)	Vacant residential/ Locust Grove Water Tower	Mixed Historic Neighborhood
South	R-2 (Single Family Residential)	Single Family Residential	Mixed Historic Neighborhood
West	R-2 (Single Family Residential) & C-2 (General Commercial)	Single Family Residential and General Commercial/Offices	Mixed Historic Neighborhood/ Office

- (7) **The ability of the subject land to be developed as it is presently zoned.**
 The property can be developed as currently zoned, but changes in workforce trends do make office development less tenable. As working-from-home continues to increase post COVID-19, demand for conventional office space is declining.
- (8) **The physical conditions of the site relative to its capability to be developed as requested, including topography, drainage, access, and size and shape of the property.**
 The subject property’s size, shape, and physical conditions are suitable for residential development.
- (9) **The merits of the requested change in zoning relative to any other guidelines and policies for development that the Community Development Commission and City Council may use in furthering the objectives of the Land Use Plan.**
 The applicant’s request to rezone the subject property from OI to R-3 presents an opportunity for residential development in the City’s historic core. Quality residential development within proximity of the historic commercial district promotes walkability, a more sustainable “live, work, play” environment, and helps bolster investment in the historic downtown.



REZONING EVALUATION REPORT

FILE: RZ-22-05-01

August 15, 2022

REZONING OI TO R-3

Recommendations

Staff recommends approval with the following conditions granted that the concurrent request for FLUM amendment is also approved.

1. The six single-family parcels must be accessed via shared driveways in substantial compliance with the site plan dated May 10, 2022.

Should the FLUM amendment request for the subject property be denied, Staff recommends denial of the applicant's rezoning request as well.

EXHIBIT "C"

AFFIDAVIT OF SIGN POSTING

Personally appeared, before the undersigned officer duly authorized to administer oaths, Ms. Wendy Stephens, who, after being duly sworn, testifies as follows:

1.

My name is Wendy Stephens. I am over twenty-one years of age and competent to give this, my affidavit, based upon my personal knowledge.

2.

LG Partners, LLC (Standard Properties) of McDonough, GA requests a rezoning of 4.355+/- acres located on Martin Luther King Blvd. in Land Lot 167 of the 2nd District from OI (Office/Institutional) to R-3 (Single Family Residential) for the purpose of developing six single-family homes.

3.

On the 27th day of July 2022, I, Wendy Stephens posted a double-sided sign notification on the subject parcel advertising a public hearing on the above requests to be heard by the Locust Grove City Council on the 15th day of August at 6:00 p.m. at the Locust Grove Public Safety Building, 3640 Highway 42, Locust Grove, Georgia 30248. Photographs of same are attached hereto as Exhibit "A" and incorporated herein by reference. The public hearing sign was posted at the following location:

1. Double-sided sign posted at 9:07 AM on the east side of Martin Luther King Jr. Blvd. on 7/27/22.

FURTHER AFFIANT SAYETH NOT.

This 10th day of August, 2022.

 #241

Affiant

Sworn and subscribed before me
this 10 day of August, 2022

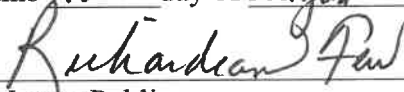

Notary Public




Exhibit "A"



MLK facing eastbound

Wednesday • Jul 27, 2022 • [Adjust](#)
9:07 AM

 IMG_2699

Apple iPhone SE (2nd gener... HEIF 

Back Camera — 28 mm $f1.8$
12 MP • 4032 x 3024 • 2.4 MB



Edit



Henry Herald

38 Sloan Street
McDonough, Georgia 30253

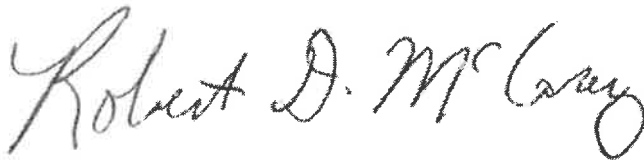
PUBLISHER'S AFFIDAVIT

STATE OF GEORGIA
COUNTY OF HENRY

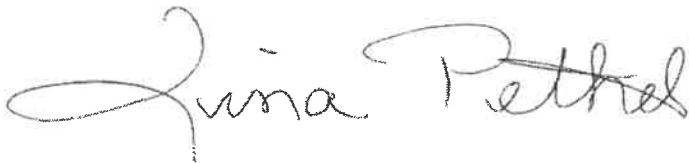
Personally appeared before the undersigned, a notary public within and for said county and state, Robert D. McCray, Vice President of SCNI, which published the Henry Herald, Published at McDonough, County of Henry, State of Georgia, and being the official organ for the publication of legal advertisements for said county, who being duly sworn, states on oath that the report of

Ad No.: **76543**

Name and File No.: **PUBLIC HEARING 8/15/2022**
a true copy of which is hereto attached, was published in said newspaper on the following date(s):
07/27/2022

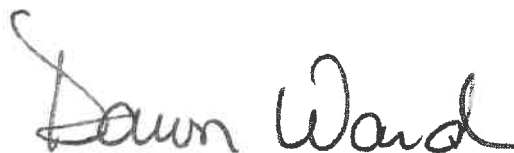
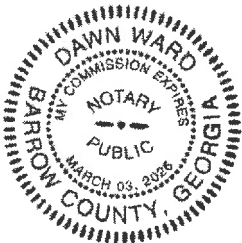


Robert D. McCray, SCNI Vice President of Sales and Marketing



By Tina Pethel
SCNI Controller

Sworn and subscribed to me 07/27/2022



Notary Public
My commission expires 03/03/2026

Ad text : Public Hearing Notice
City of Locust Grove
August 15, 2022
6:00 PM
Locust Grove Public
Safety Building
3640 Highway 42 South
Locust Grove, GA 30248

Notice is hereby given as required by Chapter 66 of Title 36 of the Official Code of Georgia Annotated ("Zoning Procedures Law") and Section 17.04 of the Code of Ordinances, City of Locust Grove, Georgia, that the Locust Grove City Council, on Monday, August 15, 2022, at 6:00 PM, will conduct public hearings for the purpose of the following:

REZONINGS

RZ-22-05-01 Standard Properties of McDonough, GA requests a rezoning of 4.355 +/- acres located on Martin Luther King Jr. Blvd in Land Lot 167 of the 2nd District from OI (Office Institutional) to R-3 (Single Family Residential) for the purpose of developing six single-family homes.

RZ-22-06-01 Tellus Partners of Chamblee, GA requests a rezoning of 50.16 +/- acres located on Price Drive in Land Lot 201 of the 2nd District from C-2 (General Commercial) to PD (Planned Development) for the purpose of developing a multifamily residential community and general commercial parcels.

RZ-22-06-02 The Beverly J. Searles Foundation requests a rezoning of 21.97 +/- acres located on Frances Ward Dr in Land Lot 168 of the 2nd District from R-3 (Single-Family Residential) to PR-4 (Planned Residential District) for the purpose of developing a 100-lot single-family subdivision

RZ-22-07-01 (DRI# 3497) Majestic Realty Co. of Atlanta, GA requests a rezoning of approximately 156.82 +/- acres that Norfolk Southern Corporation owns located between Interstate 75 (I-75) and the Norfolk Southern Railroad in Locust Grove (Parcel Number 110-01023000) from Residential Agricultural (RA) to the Light Manufacturing (M-1) to allow the development of a 1,845,000 +/- s.f. warehouse/distribution facility.

FUTURE LAND USE MAP AMENDMENT

FLU-AM-22-05-02 Standard Properties of McDonough, GA requests an amendment to the Future Land Use Map for 4.355 +/- acres located on Martin Luther King Jr. Blvd, (parcels L06-05001002, L06-05001003, L06-05001004, and L06-05001005) in Land Lot 167 of the 2nd District from Office to Mixed Historic Neighborhood.

FLU-AM-22-06-06 The Beverly J Searles Foundation requests an amendment to the Future Land Use Map for 21.97 +/- acres located on Frances Ward Dr. (Parcel 129-01047000) in Land Lot 168 of the 2nd District from Mixed Historic Neighborhood to High Density Residential.

CAPITAL IMPROVEMENT ELEMENT (CIE) UPDATE

A resolution to transmit an annual update of the Capital Improvement Element for the City of Locust Grove portion of the Henry County-Cities Joint Comprehensive Plan to the Atlanta Regional Commission for regional

and state review; to authorize the Mayor and City Clerk to execute and deliver any documents necessary to carry out this resolution; to repeal inconsistent provisions; to provide an effective date; and for other purposes.

The public hearings will be held in the Locust Grove Public Safety Building, located at 3640 Highway 42 South.

Daunté Gibbs
Community Development
Director - City of Locust
Grove
76543-7/27/2022

EXHIBIT “D”

CONDITIONS

Staff recommends approval with the following conditions granted that the concurrent request for FLUM amendment is also approved.

1. The six single-family parcels must be accessed via shared driveways in substantial compliance with the site plan dated May 10, 2022.

Should the FLUM amendment request for the subject property be denied, Staff recommends denial of the applicant’s rezoning request as well.



Community Development Department

P. O. Box 900
Locust Grove, Georgia 30248

Phone: (770) 957-5043
Facsimile (770) 954-1223

Item Coversheet

Item: Rezoning request from RA (Residential Agricultural) to M-1 (Light Industrial) for 156.82 +/- acres (Parcel ID: 110-01023000) in Land Lots 246, 250, and 251 of the 2nd District located on Highway 42.

Action Item: Yes No

Public Hearing Item: Yes No

Executive Session Item: Yes No

Advertised Date: July 27, 2022

Budget Item: N/A

Date Received: July 1, 2022

Workshop Date: August 15, 2022

Regular Meeting Date: September 6, 2022

Discussion:

Majestic Realty Co. of Atlanta, GA requests a rezoning from RA (Residential Agricultural) to M-1 (Light Manufacturing) for the purpose of developing a 1,845,000 square-foot light industrial warehouse on 156.82 +/- acres adjacent to I-75 and the railroad north of Bethlehem Rd. in Land Lots 246, 250, and 251 of the 2nd District.

Recommendation:

To remain consistent with comparable industrial warehousing projects and character on neighboring tracts and in keeping with the established Light Manufacturing precedence of abutting and neighboring industrial properties, staff recommends approval of the applicant's request to rezone the subject property from RA to M-1 with the following conditions:

1. Plain painted, baked or acrylic finish corrugated metal panels shall be prohibited on all exterior walls unless otherwise approved by the Architectural Review Board, and then only as an accent feature. Primary facades shall be tilt-up concrete, brick, natural stone, glass with proper fenestration using color, materials and design to break up large expanses of wall space.
2. A lighting plan shall be submitted and approved prior to the issuance of a Certificate of Occupancy. This lighting plan shall detail cutoff-type fixtures on all buildings and in parking lots as well as a photometric plan.
3. The applicant shall be permitted to submit a stand-alone landscape plan for review by the City Council at a regularly scheduled meeting.
4. As many mature trees as possible located will be preserved and protected during construction, under the direction and supervision of a certified arborist, and remain preserved and protected when distribution operations commence.
5. The only permitted industrial uses on the site shall be those permissible M-1 (Light Manufacturing) uses listed in the City of Locust Grove Principal Uses Allowed in Each Zoning District Section 17.04.041.
6. All recommended improvements per DRI #3497 and the GRTA Notice of Decision (dated February 10, 2022) shall be the responsibility of the owner/developer, except for those capital improvement projects actively underway that are determined by the Community Development Director of the City of Locust Grove to overlap.
7. The owner/developer shall construct the "King Mill Court Extension", providing an alternate route alleviating future additional truck traffic from S.R. 42, from the southern property boundary of Norfolk Southern at Bethlehem Road to the northern property boundary of Norfolk Southern that concludes at King Mill Road, as determined by the City Manager or their designee, built to the City of Locust Grove's industrial roadway standards.

ORDINANCE NO. _____

AN ORDINANCE TO REZONE 156.82 +/- ACRES FROM RA (RESIDENTIAL AGRICULTURAL) TO M-1 (LIGHT INDUSTRIAL) FOR PROPERTY LOCATED ON THE WEST SIDE OF SR 42 BETWEEN BETHLEHEM RD AND KING MILL ROAD; PARCEL 110-01023000 IN LAND LOTS 246, 250, AND 251 OF THE 2ND AND 7TH DISTRICTS WITHIN THE CITY OF LOCUST GROVE, GEORGIA

WHEREAS, Majestic Realty, c/o The Galloway Law Group of Atlanta, GA (hereinafter referred to as “Applicant”), requests rezoning for 156.82 +/- acres located west of State Route 42 between Bethlehem and King Mill Road in Land Lots 246, 250, 251 of the 2nd and 7th Districts (hereinafter referred to as the “Property”) and described in **Exhibit A** attached hereto and incorporated herein by reference; and,

WHEREAS, the Applicant has submitted an application which is included in the Rezoning Evaluation Report (hereinafter referred to as “Report”) attached hereto and incorporated herein by reference as **Exhibit “B”**; and,

WHEREAS, the Applicant requests the Mayor and City Council of the City of Locust Grove (hereinafter referred to as “City”) rezone the subject property from RA (Residential Agricultural) to M-1 (Light Industrial); and,

WHEREAS, said request has been reviewed by the Community Development Department (hereinafter referred to as “Staff”) and the City during a public hearing held on August 15, 2022; and,

WHEREAS, notice of this matter (attached hereto and incorporated herein as **Exhibit “C”**) has been provided in accordance with applicable state law and local ordinances; and,

WHEREAS, the Mayor and City Council have reviewed and considered the Applicant’s request and the recommendations of the Staff as presented in the Report; and,

WHEREAS, the Mayor and City Council have considered the Applicant’s request in light of those criteria for rezoning under *Section 17.04.315* of the *Code of the City of Locust Grove*; and,

**THEREFORE, THE COUNCIL OF THE CITY OF LOCUST GROVE HEREBY
ORDAINS:**

1.

- That the Property is hereby rezoned from RA to M-1 in accordance with the Zoning Ordinance of the City
- The Applicant's request in said application is hereby **DENIED**.

2.

That the rezoning of the above-described Property is subject to:

- The conditions set forth on **Exhibit "D"** attached hereto and incorporated herein by reference.
- The terms of the Development Agreement attached hereto as **Exhibit "D"** and incorporated herein by reference.
- If no **Exhibit "D"** is attached hereto, then the property are zoned without conditions.

3.

That, if rezoning is granted, the official zoning map for the City is hereby amended to reflect such zoning classification for the Property.

4.

That, if rezoning is granted, said rezoning of the Property shall become effective immediately.

SO ORDAINED by the Council of the City this 6th day of September 2022.

ROBERT S. PRICE, Mayor

ATTEST:

MISTY SPURLING, City Clerk

(Seal)

APPROVED AS TO FORM:

City Attorney

EXHIBIT "A"

Request for Zoning Map Amendment

Majestic Realty Co.

Name of Applicant c/o The Galloway Law Group, LLC Phone: (404) 965-3681 Date: _____

Address Applicant: 4062 Peachtree Road NE, Suite A330 Cell # _____

City: Atlanta State: GA Zip: 30319 E-mail: woody@glawgp.com, jordan@glawgp.com

Name of Agent Barry McCabe c/o William Woodson Galloway Phone: (404) 965-3681 Date: _____

Address Agent: 4062 Peachtree Road NE, Suite A330 Cell # _____

City: Atlanta State: GA Zip: 30319 E-mail: woody@glawgp.com, jordan@glawgp.com

THE APPLICANT NAMED ABOVE AFFIRMS THAT THEY ARE THE OWNER OR AGENT OF THE OWNER OF THE PROPERTY DESCRIBED BELOW AND REQUESTS: (PLEASE CHECK THE TYPE OF REQUEST OR APPEAL AND FILL IN ALL APPLICABLE INFORMATION LEGIBLY AND COMPLETELY).

Concept Plan Review Conditional Use Conditional Exception Modifications to Zoning Conditions

Variance Rezoning DRI Review/Concurrent Amendment to the Future Land Use Plan

Request from RA (Current Zoning) to M-1 (Requested Zoning)

Request from n/a (Current Land Use Designation) to n/a (Requested Land Use Designation)

For the Purpose of development of light industrial warehouse/distribution use
(Type of Development)
Address of Property: unaddressed; Parcel ID 110-01023000

Nearest intersection to the property: Highway 42 & John Williams Parkway
Approx.

Size of Tract: 156.82 acres acre(s), Land Lot Number(s): 246, 250, 251, District(s): 2, 7

Gross Density: n/a units per acre Net Density: n/a units per acre

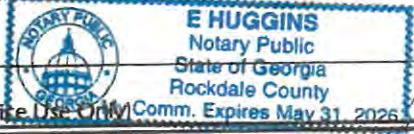
Property Tax Parcel Number: 110-01023000 (Required)

Matthew B. Phifer
Witness' Signature

Kristi D. Blair
Signature of Owner/s

Matthew B. Phifer
Printed Name of Witness

Norfolk Southern, by: Kristi D. Blair
Printed Name of Owner/s

Notary

(For Office Use Only) Comm. Expires May 31, 2026

Signature of Agent
[Signature]

Total Amount Paid \$ _____ Cash _____ Check # _____ Received by: _____ (FEES ARE NON-REFUNDABLE)

Application checked by: _____ Date: _____ Map Number(s): _____

Pre-application meeting: _____ Date: _____

Public Hearing Date: _____

Council Decision: _____ Ordinance: _____

Date Mapped in GIS: _____ Date: _____

Request for Zoning Map Amendment

Majestic Realty Co.

Name of Applicant c/o The Galloway Law Group, LLC Phone: (404) 965-3681 Date: _____

Address Applicant: 4062 Peachtree Road NE, Suite A330 Cell # _____

City: Atlanta State: GA Zip: 30319 E-mail: woody@glawgp.com, jordan@glawgp.com

Name of Agent Barry McCabe c/o William Woodson Galloway Phone: (404) 965-3681 Date: _____

Address Agent: 4062 Peachtree Road NE, Suite A330 Cell # _____

City: Atlanta State: GA Zip: 30319 E-mail: woody@glawgp.com, jordan@glawgp.com

THE APPLICANT NAMED ABOVE AFFIRMS THAT THEY ARE THE OWNER OR AGENT OF THE OWNER OF THE PROPERTY DESCRIBED BELOW AND REQUESTS: (PLEASE CHECK THE TYPE OF REQUEST OR APPEAL AND FILL IN ALL APPLICABLE INFORMATION LEGIBLY AND COMPLETELY).

Concept Plan Review Conditional Use Conditional Exception Modifications to Zoning Conditions

Variance Rezoning DRI Review/Concurrent Amendment to the Future Land Use Plan

Request from RA to M-1
(Current Zoning) (Requested Zoning)

Request from n/a to n/a
(Current Land Use Designation) (Requested Land Use Designation)

For the Purpose of development of light industrial warehouse/distribution use
(Type of Development)

Address of Property: unaddressed; Parcel ID 110-01023000

Nearest intersection to the property: Highway 42 & John Williams Parkway
 Approx.

Size of Tract: 156.82 acres acre(s), Land Lot Number(s): 246, 250, 251, District(s): 2, 7

Gross Density: n/a units per acre Net Density: n/a units per acre

Property Tax Parcel Number: 110-01023000 (Required)

Witness' Signature _____

Signature of Owners/s _____

Printed Name of Witness _____

Norfolk Southern, by: _____

Printed Name of Owner/s _____

Notary

Signature of Agent _____

(For Office Use Only)

Total Amount Paid \$ _____ Cash _____ Check # _____ Received by: _____ (FEES ARE NON-REFUNDABLE)

Application checked by: _____ Date: _____ Map Number(s): _____

Pre-application meeting: _____ Date: _____

Public Hearing Date: _____

Council Decision: _____ Ordinance: _____

Date Mapped in GIS: _____ Date: _____

Applicant Campaign Disclosure Form

Has the applicant¹ made, within two (2) years immediately preceding the filing of this application for rezoning, campaign contributions aggregating \$250 or more or made gifts having in the aggregate a value of \$250 or more to a member of the Locust Grove City Council and/or Mayor who will consider the application?

Yes ___ No ___

If **Yes**, the applicant and the attorney representing the applicant must file a disclosure report with the Locust Grove City Clerk within ten (10) days after this application is first filed. Please supply the following information that will be considered as the required disclosure:

Council/Planning Commission Member Name	Dollar amount of Campaign Contribution	Description of Gift \$250 or greater given to Council/Planning Commission Member

We certify that the foregoing information is true and correct, this 13th day of June, 2022.

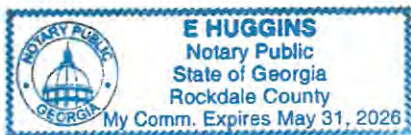
Norfolk Southern, by: _____
 Owner's Name - Printed

Justin D. Vail
 Signature of Owner

William Woodson Galloway _____
 Applicant's Attorney, if applicable - Printed

 Signature of Applicant's Attorney, if applicable

Sworn to and subscribed before me this 13th day of June, 2022.



E. Huggins
 Notary Public

¹ Applicant means any individual or business entity (corporation, partnership, limited partnership, firm enterprise, franchise, association, or trust) applying for rezoning or other action.

Applicant Campaign Disclosure Form

Has the applicant¹ made, within two (2) years immediately preceding the filing of this application for rezoning, campaign contributions aggregating \$250 or more or made gifts having in the aggregate a value of \$250 or more to a member of the Locust Grove City Council and/or Mayor who will consider the application?

Yes _____ No _____

If **Yes**, the applicant and the attorney representing the applicant must file a disclosure report with the Locust Grove City Clerk within ten (10) days after this application is first filed. Please supply the following information that will be considered as the required disclosure:

Council/Planning Commission Member Name	Dollar amount of Campaign Contribution	Description of Gift \$250 or greater given to Council/Planning Commission Member

We certify that the foregoing information is true and correct, this 25 day of June, 2022

Majestic Realty Co., by: Barry McCabe
 Applicant's Name - Printed


 Signature of Applicant

William Woodson Galloway
 Applicant's Attorney, if applicable - Printed

 Signature of Applicant's Attorney, if applicable

Sworn to and subscribed before me this 29th day of June, 2022




 Notary Public

¹ Applicant means any individual or business entity (corporation, partnership, limited partnership, firm enterprise, franchise, association, or trust) applying for rezoning or other action.

Applicant Campaign Disclosure Form

Has the applicant¹ made, within two (2) years immediately preceding the filing of this application for rezoning, campaign contributions aggregating \$250 or more or made gifts having in the aggregate a value of \$250 or more to a member of the Locust Grove City Council and/or Mayor who will consider the application?

Yes ___ No X

If **Yes**, the applicant and the attorney representing the applicant must file a disclosure report with the Locust Grove City Clerk within ten (10) days after this application is first filed. Please supply the following information that will be considered as the required disclosure:

Council/Planning Commission Member Name	Dollar amount of Campaign Contribution	Description of Gift \$250 or greater given to Council/Planning Commission Member

We certify that the foregoing information is true and correct, this 15th day of July, 2022

Majestic Realty Co.
Applicant's Name - Printed

Signature of Applicant

The Galloway Law Group, LLC by Jordan Edwards
Applicant's Attorney, if applicable - Printed

[Signature]
Signature of Applicant's Attorney, if applicable

Sworn to and subscribed before me this 15th day of July, 2022



MY COMMISSION EXPIRES 12-10-2025

[Signature]
Notary Public

¹ Applicant means any individual or business entity (corporation, partnership, limited partnership, firm enterprise, franchise, association, or trust) applying for rezoning or other action.

June 20, 2022

Daunte Gibbs, Director
Community Development Department
City of Locust Grove
3644 Highway 42
Locust Grove, GA 30248

Mr. Gibbs,

This letter is intended to function as documentation of the property owner's authorization for the request of a Rezoning of land located in the City of Locust Grove. I, Kristi D. Blair, on behalf of NORFOLK SOUTHERN, do swear and affirm that NORFOLK SOUTHERN is the owner of **THE APPROXIMATELY 156.82-ACRE TRACT OF REAL PROPERTY LOCATED SOUTHWEST OF THE INTERSECTION OF HIGHWAY 42 AND JOHN WILLIAMS PARKWAY** (the "Property"), as further described in the attached legal description and as shown in the records of Henry County, Georgia. The Property is the subject of the attached application for Rezoning/Zoning Map Amendment, and I authorize MAJESTIC REALTY CO. C/O THE GALLOWAY LAW GROUP, LLC, to file this application for Rezoning/Zoning Map Amendment.

Kristi D. Blair
Signature of Owner

For: NORFOLK SOUTHERN, property owner

By: Kristi D. Blair

Title: Real Estate Manager

**LETTER OF INTENT
APPLICATION FOR REZONING
CITY OF LOCUST GROVE, GEORGIA**

Majestic Realty Co. (the “Applicant”) requests the Rezoning of approximately 156.82 acres that Norfolk Southern Corporation owns located between Interstate 75 (I-75) and the Norfolk Southern Railroad in Locust Grove (Parcel Number 110-01023000) (the “Property”) from the Residential Agricultural (RA) district to the Light Manufacturing (M-1) district to allow the development of a light industrial warehouse/distribution use, as shown on the enclosed Site Plan. The use proposed on the Property is part of an approximately 1,845,000-square foot light industrial development on the approximately 306-acre site between the railroad and I-75 north of Bethlehem Road, which the Atlanta Regional Commission (ARC) and the Georgia Regional Transportation Authority (GRTA) reviewed and approved as a Development of Regional Impact (DRI) earlier this year. The Property was annexed into Locust Grove in 2021 so that entire development could proceed through permitting and inspection phases in a single local jurisdiction.

Because this Rezoning is consistent with Locust Grove’s Future Land Use Plan and with numerous industrial uses in the vicinity of the Property, the Applicant respectfully asks that the Locust Grove City Council approve the Rezoning as requested. Additionally, the Rezoning satisfies the considerations for all proposed amendments to the Locust Grove Zoning Map, enumerated at Section 17.04.315A. of the Locust Grove Zoning Code, as follows:

- 1. The possible effects of the change in the regulations or map on the character of a zoning district, a particular piece of property, neighborhood, a particular area, or the community.**

The proposed Rezoning would allow the development of the light industrial warehouse/distribution use shown on the enclosed Site Plan. The Property is adjacent to the Heavy Manufacturing (M-2) district to the north and is adjacent to the M-1 district to the south. Both of these districts allow “Distribution of products and merchandise” and “Wholesaling or warehousing” as Permitted Uses. Locust Grove Zoning Code Sec. 3-7-155(b)(11) and (24); Sec. 3-7-156(b)(1). As situated between these industrial districts, the proposed development would benefit the area by providing a logical continuity of industrial use. More broadly, industrial uses

are the predominant use type in the area between Highway 20 in the west to King Mill Road in the east. Recognizing the industrial character of the area, both the Henry County Future Land Use Map and the Locust Grove Future Land Use Map classify the area, including the Property, to the Industrial category. Because the development will therefore promote the goals of the Imagine Henry 2040 Comprehensive Plan and would be consistent with uses in the area, the Rezoning will have a positive impact.

2. The relation that the proposed amendment bears to the purpose of the overall zoning scheme with due consideration given to whether or not the proposed change will help carry out the purposes of this chapter.

The Zoning Map of Locust Grove assigns adjacent property to the north to the M-2 district and adjacent and nearby property, on both sides of Bethlehem Road, to the M-1 district. In light of the adjacent industrial zoning districts and the Property's location between I-75 and a railroad, the Property is not suitable for the uses allowed in the RA district but is suitable for the uses allowed in the M-1 district. Accordingly, the proposed Rezoning is appropriate for the Property and will carry out the purpose of the overall zoning scheme for the surrounding area and the purposes of the Locust Grove Zoning Code.

3. Consistency with the land use plan.

As described above, the Henry County Future Land Use Map and the Locust Grove Future Land Use Map both classify the surrounding area, including the Property and the rest of the development site, to each map's Industrial category. The current zoning of the Property to the RA district is therefore not appropriate given these land use plan classifications. In contrast, the proposed Rezoning is consistent with Imagine Henry 2040's land use maps and promotes the goals of the comprehensive plan.

4. The potential impact of the proposed amendment on city infrastructure including water and sewerage systems.

As described in more detail below, the proposed development anticipates the new I-75 interchange planned at Bethlehem Road, which upon completion would accommodate the vast majority of all traffic to and from the Property. As a result, the long-term impact to local road infrastructure is expected to be minimal. As described in the enclosed Availability Letter

provided by the Henry County Water Authority, sufficient water and sewerage capacity exists to serve the proposed use.

5. The impact of the proposed amendment on adjacent thoroughfares and pedestrian vehicular circulation and traffic volumes.

The proposed Rezoning would allow the development of the light industrial use described above. As shown on the enclosed Site Plan, access to the development would be provided from a new drive connecting to Bethlehem Road. The Property is adjacent to I-75 to the west, and plans are in place for the Georgia Department of Transportation to construct a new I-75 interchange at Bethlehem Road, providing freight and personal vehicles nearly direct access from the interstate to the Property. With the new interchange, the development proposal is not expected to have significant impacts on local thoroughfares and intersections.

6. The impact upon adjacent property owners should the request be approved.

Norfolk Southern Corporation owns all properties adjacent to the Property included in this Rezoning application and is collaborating with the Applicant to develop the proposed light industrial use. Consequently, the proposed Rezoning will not have an adverse impact upon adjacent property owners.

7. The ability of the subject land to be developed as it is presently zoned.

The Property is not suitable for development of the uses for which it is presently zoned. The Property is adjacent to industrial districts to the north and south, adjacent to a Norfolk Southern railroad to the east, and adjacent to I-75 to the west. Based on these adjacent districts and development, the Property is not suitable for the residential, civic/institutional, and limited commercial uses allowed in the RA district. The Property is also characterized by significant elevation changes and three stream branches, the combination of which would challenge the practicality of developing it for any use other than the proposed use. Accordingly, rezoning the Property as proposed is necessary.

8. The physical conditions of the site relative to its capability to be developed as requested, including topography, drainage, access, size, and shape of the property.

The Property is marked by numerous conditions that would make it difficult to develop for anything other than what the Applicant has proposed. It is not accessible from either the west

or the east due to its adjacency to I-75 and a Norfolk Southern railway, respectively. To the north and south the Property is adjacent to industrial zoning districts, which would also limit access for an unrelated, non-industrial use of the Property. The Property's topography is relatively extreme, with elevation changes of up to approximately seventy vertical feet on-site, and it is traversed by multiple streams. For these many reasons, the development proposed by the Applicant is the only practical use of the Property.

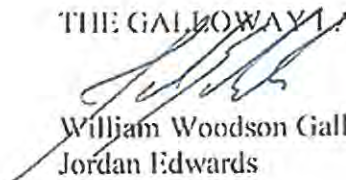
9. The merits of the requested change in zoning relative to any other guidelines and policies for development which the community development commission and city council may use in furthering the objectives of the land use plan.

The proposed Rezoning is consistent with the Henry County Imagine Henry 2040 comprehensive plan. Both the Henry County Future Land Use Map and the Locust Grove Future Land Use Map classify the surrounding area, including the Property, to the Industrial category. Based on these policy documents, the proposed Rezoning is appropriate.

As the foregoing analysis demonstrates, the Rezoning satisfies the considerations for proposed amendments to the Locust Grove Zoning Map, enumerated at Section 17.04.315A. of the Locust Grove Zoning Code. Accordingly, the Applicant respectfully asks that the City Council of Locust Grove approve the Rezoning as requested.

Sincerely,

THE GALLOWAY LAW GROUP, LLC



William Woodson Galloway
Jordan Edwards

4062 Peachtree Road NE, Suite A330
Atlanta, Georgia 30360
(404) 965-3680

Tract II

All that tract or parcel of land lying and being in Land Lot 246 of the 2nd District and Land Lots 250 & 251 of the 7th District of Henry County, Georgia and being more particularly described as follows:

COMMENCING at a 5/8" rebar found at the northwest corner of Land Lot 247, which is common to Land Lots 246 & 247, and the 2nd and 7th District Line; said rebar also being the POINT OF BEGINNING;

THENCE, from the POINT OF BEGINNING and southerly along the common line to Land Lots 246 & 247 a bearing of South 01 degrees 22 minutes 37 seconds West, a distance of 1,069.67 feet to a ¾" crimped-top pipe found on the northeasterly right-of-way of Interstate 75 (variable R/W);

THENCE, northerly along said right-of-way of Interstate 75 the following courses and distances: North 30 degrees 54 minutes 57 seconds West, a distance of 55.83 feet to a right-of-way monument found;

THENCE, North 21 degrees 47 minutes 08 seconds West, a distance of 498.90 feet to a right-of-way monument found; THENCE, North 25 degrees 15 minutes 46 seconds West, a distance of 399.26 feet to a right-of-way monument found; THENCE, North 23 degrees 20 minutes 53 seconds West, a distance of 696.97 feet to a point; THENCE, North 23 degrees 33 minutes 17 seconds West, a distance of 99.85 feet to a point; THENCE, North 23 degrees 25 minutes 47 seconds West, a distance of 602.87 feet to a right-of-way monument found; THENCE, North 21 degrees 23 minutes 16 seconds West, a distance of 600.34 feet to a point; THENCE, North 23 degrees 36 minutes 07 seconds West, a distance of 498.71 feet to a right-of-way found; THENCE, North 68 degrees 14 minutes 59 seconds East, a distance of 84.75 feet to a point; THENCE, North 23 degrees 12 minutes 46 seconds West, a distance of 354.06 feet to a right-of-way marker found; THENCE, North 10 degrees 53 minutes 33 seconds West, a distance of 115.04 feet to a right-of-way monument found; THENCE, North 01 degrees 02 minutes 56 seconds East, a distance of 156.82 feet to a right-of-way monument found; THENCE, South 85 degrees 18 minutes 57 seconds West, a distance of 34.96 feet to a right-of-way monument found; THENCE, South 84 degrees 24 minutes 49 seconds West, a distance of 30.08 feet to a right-of-way monument found; THENCE, South 85 degrees 40 minutes 15 seconds West, a distance of 34.56 feet to a right-of-way monument found; THENCE, South 01 degrees 00 minutes 21 seconds West, a distance of 160.61 feet to a right-of-way monument found; THENCE, South 85 degrees 52 minutes 04 seconds West, a distance of 32.64 feet to a right-of-way monument found; THENCE, North 23 degrees 31 minutes 52 seconds West, a distance of 499.15 feet to a right-of-way monument found; THENCE, North 25 degrees 11 minutes 22 seconds West, a distance of 35.32 feet to a point on the common property line with Southern Region Industrial C/O Norfolk Southern Tax (Tract III);

THENCE, easterly leaving said right-of-way along said common property line with Tract III a bearing of South 89 degrees 22 minutes 50 seconds East, a distance of 1,293.49 feet to a point on the westerly right-of-way of Norfolk Southern;

THENCE, southeasterly along said right-of-way of Norfolk Southern a bearing of South 45 degrees 19 minutes 11 seconds East, a distance of 4,396.51 feet to 5/8" rebar found on the common land lot line between Land Lots 247 & 250;

THENCE, westerly leaving said right-of-way along said common land lot line a bearing of North 88 degrees 44 minutes 42 seconds West, a distance of 2,607.12 feet to the POINT OF BEGINNING.

The herein described tract of land contains 6,831,183 square feet or 156.822 acres, more or less.

CONSTITUTIONAL OBJECTIONS
APPLICATION FOR REZONING
CITY OF LOCUST GROVE, GEORGIA

Georgia Law and the procedures of City of Locust Grove require us to raise Federal and State Constitutional objections during the Rezoning application process. While the Owner/Applicant anticipates a smooth application process, failure to raise constitutional objections at this stage may mean that the Owner/Applicant will be barred from raising important legal claims later in the process. Accordingly, we are required to raise the following constitutional objections at this time:

The portions of the Zoning Code of the City of Locust Grove, Georgia, as applied to the Property, that would result in a denial of the Rezoning as requested, are, or would be, unconstitutional in that they would destroy property rights without first paying fair, adequate and just compensation for such rights, in violation of Article I, Section I, Paragraph I of the Constitution of the State of Georgia of 1983, Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983 and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

Any application of the Code of the City of Locust Grove or the Locust Grove Zoning Code to the Property which restricts its use to any use in a manner other than that requested is unconstitutional, illegal and null and void because such an application constitutes a taking of property in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States, Article I, Section I, Paragraph I, and Article I, Section III, Paragraph I, of the Constitution of the State of Georgia of 1983 and the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States because such an application denies the Owner/Applicant an economically viable use of its land while not substantially advancing legitimate state interests.

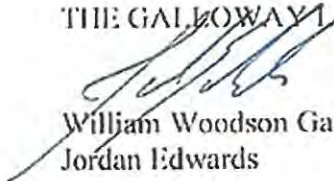
A denial of this Application would also constitute an arbitrary and capricious act by the City Council of the City of Locust Grove without any rational basis therefore, thereby constituting an abuse of discretion in violation of Article I, Section I, Paragraph I of the Constitution of the State of Georgia of 1983, Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983 and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

A refusal to grant the Rezoning as requested would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Owner/Applicant and owners of similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any approval of the Rezoning subject to conditions that are different from the conditions requested, to the extent such different conditions would have the effect of further restricting the utilization of the Property, would also constitute an arbitrary, capricious and discriminatory act and would likewise violate each of the provisions of the State and Federal Constitutions set forth herein above.

In addition, this constitutes formal written notice to the City of Locust Grove, pursuant to O.C.G.A. § 36-33-5, that the Owner/Applicant plans to seek to recover all damages that it sustains or suffers as a result of the denial of this Application and/or the unconstitutional zoning of the Property by the City of Locust Grove. Such damages may include, but are not necessarily limited to, damages related to the diminution in the value of the Property, attorneys' fees and expenses of litigation.

Accordingly, the Owner/Applicant respectfully requests that the City Council of the City of Locust Grove grant the Rezoning as requested.

THE GALLOWAY LAW GROUP, LLC

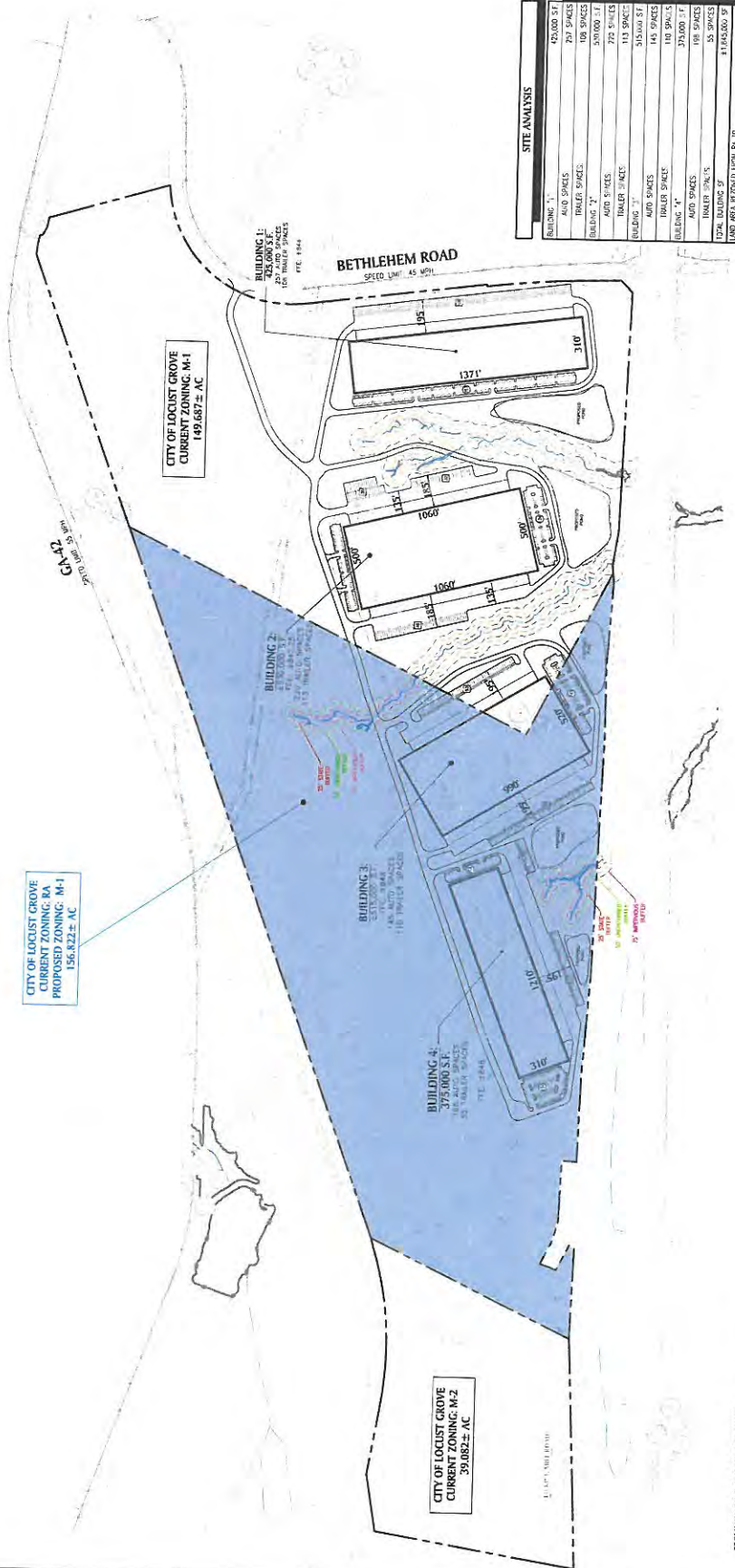


William Woodson Galloway
Jordan Edwards

4062 Peachtree Road, Ste A330
Atlanta, Georgia 30319
(404) 965-3680



VICINITY MAP
LOCUST GROVE, GA
SCALE: NTS



CITY OF LOCUST GROVE
CURRENT ZONING: M-1
149.687 ± AC

CITY OF LOCUST GROVE
CURRENT ZONING: M-1
PROPOSED ZONING: M-1
156.822 ± AC

CITY OF LOCUST GROVE
CURRENT ZONING: M-2
39.082 ± AC

BUILDING 1:
285,000 S.F.
425 PARKING SPACES
FEE: 1994

BUILDING 2:
342,000 S.F.
413 PARKING SPACES
FEE: 1994

BUILDING 3:
375,000 S.F.
487 PARKING SPACES
FEE: 1994

BUILDING 4:
375,000 S.F.
487 PARKING SPACES
FEE: 1994

BETHLEHEM ROAD
SPEED LIMIT: 45 MPH

BUILDING	AREA SPACES	PARKING SPACES
BUILDING 1	42,000 S.F.	297 SPACES
BUILDING 2	108 SPACES	34,000 S.F.
BUILDING 3	113 SPACES	375,000 S.F.
BUILDING 4	145 SPACES	375,000 S.F.
TOTAL BUILDINGS	368 SPACES	1,131,000 S.F.
TOTAL LAND AREA	156,822 AC	

ZONING PLAN

0 150 300 600 1200
SCALE: 1" = 300'

LAND PLANNERS
ENGINEERS + SURVEYORS
TRANSPORTATION
Landscape Architects

85-A Hill Street
Suite 300
Roswell, Georgia 30075

Voice: 770.430.7844
Fax: 770.430.7844
www.paulsonmitchell.com

PAULSON MITCHELL
INCORPORATED

PROPOSED DEVELOPMENT

LAND LOTS: 255, 246, 247, 250, 251
DISTRICT: 07
CITY OF LOCUST GROVE
HEART COUNTY, GA

FOR

MAJESTIC REALTY DEVELOPMENT
Company
3400 Peachtree Road NE, Suite 210
Atlanta, GA 30305
(770) 527-2225

REVISIONS

NO.	DESCRIPTION

COMPILED BY: EJP - 02/20/21

DATE: 06.30.2022

ZONING PLAN

SHEET Z-1

PLANNING SITE PLAN DISCLAIMER:

THIS SITE PLAN IS A PRELIMINARY DESIGN AND DOES NOT CONSTITUTE A FINAL DESIGN. THE CITY OF LOCUST GROVE, HEART COUNTY, GEORGIA, IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THIS SITE PLAN. THE CITY OF LOCUST GROVE, HEART COUNTY, GEORGIA, IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THIS SITE PLAN. THE CITY OF LOCUST GROVE, HEART COUNTY, GEORGIA, IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THIS SITE PLAN.

EXHIBIT "B"



REZONING EVALUATION REPORT

August 15, 2022

FILE: RZ-22-07-01

REZONING RA TO M-1

Property Information

Tax ID	110-01023000
Location/address	Land Lots 246, 250, & 251
Parcel Size	156.82+/- acres
Current Zoning	RA (Residential Agricultural)
Request	Rezoning to M-1 (Light Industrial)
Proposed Use	Warehouse/ Distribution facilities
Existing Land Use	Vacant/undeveloped land
Future Land Use	Industrial
Recommendation	Approval of rezoning from RA to M-1 with Conditions

Summary

Majestic Realty Co., c/o The Galloway Law Group, LLC of Atlanta, GA, requests the rezoning of approximately 156.82 acres that Norfolk Southern Corporation owns located between Interstate 75 (I-75) and the Norfolk Southern Railroad in Locust Grove (Parcel Number 110-01023000) from the Residential Agricultural (RA) zoning district to the Light Manufacturing (M-1) zoning district to allow the development of a light industrial warehouse/distribution use, as shown on the enclosed Site Plan.

The use proposed on the Property is part of an approximately 1,845,000-square foot light industrial development on the approximately 306-acre site between the railroad and I-75 north of Bethlehem Road, which the Atlanta Regional Commission (ARC) and the Georgia Regional Transportation Authority (GRTA) reviewed and approved as a Development of Regional Impact (DRI) earlier this year. The Property was annexed into Locust Grove in 2021 so that entire development could proceed through permitting and inspection phases in a single local jurisdiction.

Because this rezoning is consistent with Locust Grove's Future Land Use Plan and with numerous industrial uses in the vicinity of the Property, the applicant respectfully asks that the Locust Grove City Council approve the Rezoning as requested. Additionally, the rezoning satisfies the considerations for all proposed amendments to the Locust Grove Zoning Map, enumerated at Section 17.04.315A. of the Locust Grove Zoning Code.

Service Delivery / Infrastructure

Water and Sewer: City water and sewer services are not available to the subject properties. Henry County Water Authority is the anticipated water and sewer provider for the proposed development.



REZONING EVALUATION REPORT

August 15, 2022

FILE: RZ-22-07-01

REZONING RA TO M-1

Land Use: The site must be in compliance with the requirements set forth in the City's M-1 (light industrial) districts as well as development standards established in Title 15 of the City Code, including Watershed Protection standards, as applicable to the site.

Development of Regional Impact (DRI)

The proposed warehouse development meets the Georgia Department of Community Affairs (DCA) threshold for a Development of Regional Impact (DRI). For Industrial Developments in areas designated as Developing Suburban, the threshold is 500,000 square feet of development or 1600 workers. The Applicant is proposing 1,845,000 +/- square feet of warehousing on the subject property. Staff received a Notice of Decision for this project (DRI# 3497) on February 10, 2022.

Financial Impacts:

The property tax collections are potentially significant due to the Properties' requested industrial zoning and proposed use; however, there will be variable sales tax collections due to the nature of the business conducted (warehousing and distribution). Employee figures will not be known until a tenant moves into the facility. Fees for water and sewer services, development and building inspections and reviews, occupational tax and impact fees will be collected.

Police Services: The subject property is in the existing city limits and will remain on a regular patrol route. Future development of this area may require additional police patrol for crime prevention and traffic control.

Fire: Fire and emergency services will be performed by Henry County as is similar with other portions of the city as defined by the Service Delivery Strategy.

Criteria for Evaluation of Rezoning Request

Section 17.04.315 Procedure for Hearing before City Council.

(a) All proposed amendments to this chapter or to the official zoning map with required site plans shall be considered at public hearing. The City Council shall consider the following:

(1) The possible effects of the change in the regulations or map on the character of a zoning district, a particular piece of property, a neighborhood, a particular area, or the community.

The proposed rezoning would allow the development of the light industrial warehouse/distribution use shown on the enclosed Site Plan. The property is adjacent to the Heavy Manufacturing (M-2) zoning district to the north and is adjacent to the M-1 district to the south. Both of these districts allow "Distribution of products and merchandise" and "Wholesaling or warehousing" as Permitted Uses per Table 17.04.041 Principal Uses Allowed in Each Zoning District. As situated between these industrial districts, the proposed development would benefit the area by providing a logical continuity of industrial use. More broadly, industrial uses



REZONING EVALUATION REPORT

FILE: RZ-22-07-01

August 15, 2022

REZONING RA TO M-1

are the predominant use type in the area between Highway 20 in the west to King Mill Road in the east. Recognizing the industrial character of the area, both the Henry County Future Land Use Map and the Locust Grove Future Land Use Map classify the area, including the Property, to the Industrial category. Because the development will therefore promote the goals of the Imagine Henry 2040 Comprehensive Plan and would be consistent with uses in the area, the Rezoning will have a positive impact.

- (2) **The relation that the proposed amendment bears to the purpose of the overall zoning scheme with due consideration given to whether or not the proposed change will help carry out the purposes of this Chapter.**

The Zoning Map of Locust Grove assigns adjacent property to the north to the M-2 district and adjacent and nearby property, on both sides of Bethlehem Road, to the M-1 district. In light of the adjacent industrial zoning districts and the Property's location between I-75 and a railroad, the Property is not suitable for the uses allowed in the RA district but is suitable for the uses allowed in the M-1 district. Accordingly, the proposed Rezoning is appropriate for the Property and will carry out the purpose of the overall zoning scheme for the surrounding area and the purposes of the Locust Grove Zoning Code.

- (3) **Consistency with the Land Use Plan.**

As described above, the Henry County Future Land Use Map and the Locust Grove Future Land Use Map both classify the surrounding area, including the Property and the rest of the development site, to each map's Industrial category. The current zoning of the Property to the RA district is therefore not appropriate given these land use plan classifications. In contrast, the proposed Rezoning is consistent with Imagine Henry 2040's land use maps and promotes the goals of the comprehensive plan.

- (4) **The potential impact of the proposed amendment on City infrastructure including water and sewerage systems.**

As described in more detail below, the proposed development anticipates the new I-75 interchange planned at Bethlehem Road, which upon completion would accommodate the vast majority of all traffic to and from the Property. As a result, the long-term impact to local road infrastructure is expected to be minimal. As described in the enclosed Availability Letter provided by the Henry County Water Authority, sufficient water and sewerage capacity exists to serve the proposed use.

- (5) **The impact of the proposed amendment on adjacent thoroughfares and pedestrian vehicular circulation and traffic volumes.**

The proposed Rezoning would allow the development of the light industrial use described above. As shown on the enclosed Site Plan, access to the development would

Preserving the Past... .. Planning the Future



REZONING EVALUATION REPORT

FILE: RZ-22-07-01

August 15, 2022

REZONING RA TO M-1

be provided from a new drive connecting to Bethlehem Road. The Property is adjacent to I-75 to the west, and plans are in place for the Georgia Department of Transportation to construct a new I-75 interchange at Bethlehem Road, providing freight and personal vehicles nearly direct access from the interstate to the Property. With the new interchange, the development proposal is not expected to have significant impacts on local thoroughfares and intersections.

- (6) **The impact upon adjacent property owners should the request be approved.** Norfolk Southern Corporation owns all properties adjacent to the Property included in this Rezoning application and is collaborating with the Applicant to develop the proposed light industrial use. Consequently, the proposed Rezoning will not have an adverse impact upon adjacent property owners.
- (7) **The ability of the subject land to be developed as it is presently zoned.** The Property is not suitable for development of the uses for which it is presently zoned. The Property is adjacent to industrial districts to the north and south, adjacent to a Norfolk Southern railroad to the east, and adjacent to I-75 to the west. Based on these adjacent districts and development, the Property is not suitable for the residential, civic/institutional, and limited commercial uses allowed in the RA district. The Property is also characterized by significant elevation changes and three stream branches, the combination of which would challenge the practicality of developing it for any use other than the proposed use. Accordingly, rezoning the Property as proposed is necessary.
- (8) **The physical conditions of the site relative to its capability to be developed as requested, including topography, drainage, access, and size and shape of the property.** The Property is marked by numerous conditions that would make it difficult to develop for anything other than what the Applicant has proposed. It is not accessible from either the west or the east due to its adjacency to I-75 and a Norfolk Southern railway, respectively. To the north and south the Property is adjacent to industrial zoning districts, which would also limit access for an unrelated, non-industrial use of the Property. The Property's topography is relatively extreme, with elevation changes of up to approximately seventy vertical feet on-site, and it is traversed by multiple streams. For these many reasons, the development proposed by the Applicant is the only practical use of the Property.
- (9) **The merits of the requested change in zoning relative to any other guidelines and policies for development which the Community Development Commission and City Council may use in furthering the objectives of the Land Use Plan.** The proposed Rezoning is consistent with the Henry County Imagine Henry 2040 comprehensive plan. Both the Henry County Future Land Use Map and the Locust Grove



REZONING EVALUATION REPORT

FILE: RZ-22-07-01

August 15, 2022

REZONING RA TO M-1

Future Land Use Map classify the surrounding area, including the Property, to the Industrial category. Based on these policy documents, the proposed Rezoning is appropriate. As the foregoing analysis demonstrates, the Rezoning satisfies the considerations for proposed amendments to the Locust Grove Zoning Map, enumerated at Section 17.04.315A. of the Locust Grove Zoning Code. Accordingly, the Applicant respectfully asks that the City Council of Locust Grove approve the Rezoning as requested.

Recommendations

To remain consistent with comparable industrial warehousing projects and character on neighboring tracts and in keeping with the established Light Manufacturing precedence of abutting and neighboring industrial properties, staff recommends approval of the applicant's request to rezone the subject property from RA to M-1 with the following conditions:

1. Plain painted, baked or acrylic finish corrugated metal panels shall be prohibited on all exterior walls unless otherwise approved by the Architectural Review Board, and then only as an accent feature. Primary facades shall be tilt-up concrete, brick, natural stone, glass with proper fenestration using color, materials and design to break up large expanses of wall space.
2. A lighting plan shall be submitted and approved prior to the issuance of a Certificate of Occupancy. This lighting plan shall detail cutoff-type fixtures on all buildings and in parking lots as well as a photometric plan.
3. The applicant shall be permitted to submit a stand-alone landscape plan for review by the City Council at a regularly scheduled meeting.
4. As many mature trees as possible located will be preserved and protected during construction, under the direction and supervision of a certified arborist, and remain preserved and protected when distribution operations commence.
5. The only permitted industrial uses on the site shall be those permissible M-1 (Light Manufacturing) uses listed in the City of Locust Grove Principal Uses Allowed in Each Zoning District Section 17.04.041.
6. All recommended improvements per DRI #3497 and the GRTA Notice of Decision (dated February 10, 2022) shall be the responsibility of the owner/developer, except for those capital improvement projects actively underway that are determined by the Community Development Director of the City of Locust Grove to overlap.

Preserving the Past... .. Planning the Future



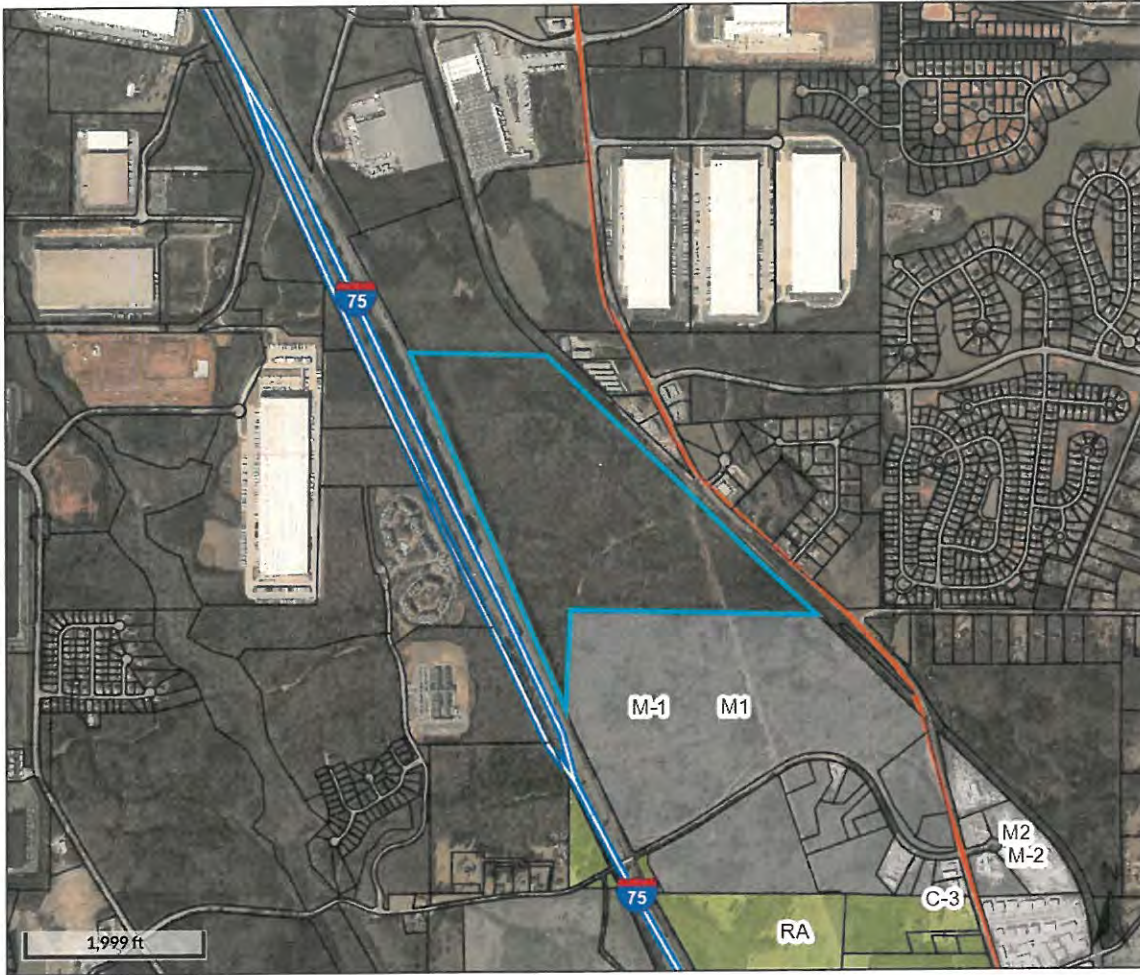
REZONING EVALUATION REPORT

FILE: RZ-22-07-01

August 15, 2022

REZONING RA TO M-1

7. The owner/developer shall construct the “King Mill Court Extension”, providing an alternate route alleviating future additional truck traffic from S.R. 42, from the southern property boundary of Norfolk Southern at Bethlehem Road to the northern property boundary of Norfolk Southern that concludes at King Mill Road, as determined by the City Manager or their designee, built to the City of Locust Grove’s industrial roadway standards.



- Legend**
- Parcels
 - Roads
 - Locust Grove Zoning**
 - <all other values>
 - <blank>
 - Active Adult Res.
 - Neighborhood Comm.
 - General Comm.
 - Heavy Comm.
 - Light Mfg.
 - General Industrial
 - Office/Institutiona
 - Planned Development
 - Single-Family Residential R-1
 - Single-Family Res 2
 - Med-High SF R-3
 - Res. Agricultural
 - Residential Duplex
 - Multifamily Residential
 - Res. Mfg. Home
 - Trans./Comm./Util

Parcel ID	110-01023000 NORFOLK SOUTHERN	Class	n/a	Owner Address	n/a	Land Value:	\$	Last 2 Sales			
Property Address		Acres	n/a			Building Value:	\$	Date	Price	Reason	Qual
District	n/a					Misc Value:	\$	n/a	\$	n/a	n/a
						Total Value:	\$	n/a	\$	n/a	n/a

Parcel lines depicted on the maps do not reflect a true and exact representation of property boundaries and should not be relied upon for said purpose. Property boundary lines are depicted on recorded plats available at the Henry County Courthouse or can be determined by employing the services of a licensed surveyor.

This zoning map is subject to change at any time. The official version of the Zoning map resides within the City of Locust Grove Community Development Department. Please contact the City of Locust Grove Community Development Department at 770-957-5043 to verify current zoning.

Date created: 8/10/2022
 Last Data Uploaded: 8/10/2022 2:10:29 AM





NOTICE OF DECISION

To: Doug Hooker, ARC
(via electronic mail) Bob Voyles, GRTA
Dick Anderson, GRTA
Kathryn Zickert, GRTA
Sharon Mason, GRTA
Sonny Deriso, GRTA

To: City of Locust Grove
(via electronic mail and certified mail) Barry McCabe

From: Christopher Tomlinson, GRTA Executive Director

Copy: Aileen Daney, ATL/GRTA
(via electronic mail) December Weir, ATL/GRTA
Elizabeth Davis, ATL/GRTA
Andrew Smith, ARC
Aries Little, ARC
Marquitrice Mangum, ARC
Ryan Schlom, ARC
Donald Shockey, ARC
Bert Foster, City of Locust Grove
Daunte' Gibbs, City of Locust Grove
Anna Ogg, City of Locust Grove
Tim Young, City of Locust Grove
Jon West, DCA
Zane Grennell, DCA
Kirk Toussaint, Henry County
Stacey Jordan, Henry County
Yaritza Nieves, Henry County
David Simmons, Henry County
Roque Romero-Muniz, Henry County
Kathe Ahmed, GDOT
Stanford Taylor, GDOT – District 3
Daniel Trevorrow, GDOT – District 3

Megan Wilson, GDOT – District 7
Donald Wilkerson, GDOT – District 3
Kathy Zahul, GDOT
Kevin Khoo, GDOT – District 3
Kristi Blair, Norfolk Southern
Malcolm Roop, Norfolk Southern
Andy Vollmer, Norfolk Southern
Joe Alexander, HNTB
Nick Castronova, HNTB
David Flanders, HNTB
Chris Jackson, RS&H
Shawn Buckley, Arcadis
Eric Seckinger, Arcadis
John Wise, Paulson Mitchell
John Walker, Kimley-Horn
Harrison Forder, Kimley-Horn
Danielle Kronowski, Kimley-Horn
Development, LLC
Will Weston, Majestic Realty
Woody Galloway, The Galloway Law
Group, LLC
Jordan Edwards, The Galloway Law
Group

Date: February 10, 2022

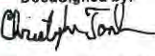
Notice of Decision for Request for Expedited Review of DRI NS Logistics South # 3497

The purpose of this notice is to inform Barry McCabe (the Applicant) and City of Locust Grove (the Local Government), the Georgia Regional Transportation Authority (GRTA) Land Development Committee, the Georgia Department of Community Affairs (DCA), the Georgia Department of Transportation (GDOT), and the Atlanta Regional Commission (ARC) of GRTA's decision regarding Development of Regional Impact DRI #3497 NS Logistics South (the DRI Plan of Development). GRTA has completed an Expedited Review for the DRI Plan of Development pursuant to Section 4.2.2 of the *GRTA DRI Review Procedures* and has determined that the DRI Plan of Development meets the GRTA review criteria set forth in Section 4.3. The DRI Plan of Development as proposed is **approved subject to conditions**, as provided in Attachment A and subject to the limitations placed on allowable modifications to the DRI Plan of Development, as described in Attachment B.

Subject to the conditions set forth in Attachment A and Attachment B, GRTA will approve the expenditure of state and/or federal funds for providing the Land Transportation Services and Access improvements listed in Section 2 of Attachment C. The need for said approval shall terminate and be of no further force and effect after ten (10) years from the date of this Notice of Decision, unless substantial construction of the proposed DRI has been commenced during this ten (year) period.

The notice of decision is based on a review of the applicant's DRI Review Package received by GRTA on January 12, 2022. The review package includes: the site development plan (Site Plan) dated November 1, 2021 titled "Bethlehem Road Industrial" prepared by Paulson Mitchell Incorporated, the Transportation Study dated November 9, 2021 prepared by Kimley Horn received by GRTA on January 12, 2022, and the DCA Initial and Additional forms filed on October 13, 2021 and January 4, 2022.

Pursuant to Section 5 of the *GRTA DRI Review Procedures* the Applicant, the GRTA Land Development Committee and the local government have a right to appeal this decision within five (5) Business Days of the date on this letter by filing a Notice of Appeal with the GRTA Land Development Committee. A Notice of Appeal must specify the grounds for the appeal and present any argument or analysis in support of the appeal. For further information regarding the right to appeal, consult Section 5 of the *GRTA DRI Review Procedures*. If GRTA staff receives an appeal, you will receive another notice from GRTA and the Land Development Committee will schedule the appeal hearing according to the timeline established in Section 5.1.2 of the *GRTA DRI Review Procedures*.

DocuSigned by:


5409E9A65D48478...
Christopher Tomlinson
Executive Director
Georgia Regional Transportation Authority

Attachment A – General Conditions

General Conditions of Approval to GRTA Notice of Decision:

Bicycle, Pedestrian & Transit Facilities

- Provide pedestrian connectivity between all buildings and uses including a connection to public right-of-way into the site.

Roadway & Site Access Improvement Conditions to GRTA Notice of Decision:

Bethlehem Rd at Site Driveway A – Proposed Two-Way Stop Control

- Provide one (1) southbound shared left-turn/right-turn lane exiting the site, and one (1) lane entering the site.
- Provide a westbound right-turn deceleration lane along Bethlehem Road entering the site.

Attachment B – Required Elements of the DRI Plan of Development

Conditions Related to Altering Site Plan after GRTA Notice of Decision:

The on-site development will be constructed materially (substantially) in accordance with the Site Plan. Changes to the Site Plan will not be considered material or substantial so long as the following conditions are included as part of any changes:

- All “Proposed Conditions of Approval to GRTA Notice of Decision” set forth in Attachment A are provided.

Attachment C – Required Improvements to Serve the DRI

As defined by the *GRTA DRI Review Procedures*, a “Required Improvement means a land transportation service or access improvement which is necessary in order to provide a safe and efficient level of service to residents, employees and visitors of a proposed DRI.”

The Required Improvements in the study network were identified in the Review Package as necessary to bring the level of service up to an applicable standard before the build-out of the proposed project. These requirements are identified in Sections 1 and 2 of this Attachment. Section 1 contains improvements that do not require GRTA approval at this time because they are to be constructed prior to the completion of the DRI Plan of Development. However, GRTA approval shall be required in the event state and/or federal funds are proposed at a later date to be used for any portion of the improvements described in Section 1. Section 2 contains improvements that require GRTA approval prior to the expenditure of state and/or federal funding. Subject to the conditions set forth in Attachment A and Attachment B, GRTA approves the expenditure of state/and or federal funding for the improvements contained in Section 2.

Section 1:

General Conditions of Approval to GRTA Notice of Decision:

Bicycle, Pedestrian & Transit Facilities

- Provide pedestrian connectivity between all buildings and uses including a connection to public right-of-way into the site.

Roadway & Site Access Improvement Conditions to GRTA Notice of Decision:

Bethlehem Rd at Site Driveway A – Proposed Two-Way Stop Control

- Provide one (1) southbound shared left-turn/right-turn lane exiting the site, and one (1) lane entering the site.
- Provide a westbound right-turn deceleration lane along Bethlehem Road entering the site.

Section 2:

SR 42 / US 23 at Bethlehem Road

- Install a traffic signal at the intersection.
- Reconfigure the eastbound and westbound approaches of Bethlehem Road and Michaels Drive to include one (1) exclusive left-turn lane and one (1) shared through/right-turn lane.
- Reconfigure the northbound approach of SR 42 / US 23 to include one (1) exclusive left-turn lane and one (1) shared through/right-turn lane.
- Reconfigure the southbound approach of SR 42 / US 23 to include one (1) exclusive right-turn lane, one (1) exclusive through lane, and one (1) exclusive left-turn lane.

SR 42 / US 23 at Bill Gardner Parkway

- Extend storage of the second eastbound left-turn lane

SR 42 / US 23 at King Mill Road

- Extend northbound left-turn storage up to 450 feet
- Extend eastbound right-turn storage in coordination with GDOT

EXHIBIT "C"

AFFIDAVIT OF SIGN POSTING

Personally appeared, before the undersigned officer duly authorized to administer oaths, Mr. Brian Fornal, who, after being duly sworn, testifies as follows:

1.

My name is Brian Fornal. I am over twenty-one years of age and competent to give this, my affidavit, based upon my personal knowledge.

2.

Majestic Realty Co. of Atlanta, GA requests a rezoning of 156.82+/- acres located at on S.R. 42. in Land Lots 246, 250, and 251 of the 2nd District from RA (Residential Agricultural) to M-1 (Light Manufacturing) for the purpose of developing a light industrial warehouse.

3.

On the 27th day of July 2022, I, Brian Fornal posted a double-sided sign notification on the subject parcel advertising a public hearing on the above requests to be heard by the Locust Grove City Council on the 15th day of August at 6:00 p.m. at the Locust Grove Public Safety Building, 3640 Highway 42, Locust Grove, Georgia 30248. Photographs of same are attached hereto as Exhibit "A" and Exhibit "B" and incorporated herein by reference. The public hearing signs were posted at the following locations:

1. Double-sided sign posted at 9:20 AM on the west side of S.R. 42 near Gardner's Grove Drive on 7/27/22.
2. Double-sided sign posted at 9:35 AM on the west side of S.R. 42 near Adventure Way on 7/27/22.

FURTHER AFFIANT SAYETH NOT.

This 9th day of August, 2022.


Affiant

Sworn and subscribed before me
this 9 day of August, 2022

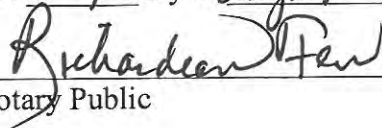

Notary Public



Exhibit "A"



Exhibit "B"



Henry Herald

38 Sloan Street
McDonough, Georgia 30253

PUBLISHER'S AFFIDAVIT

STATE OF GEORGIA
COUNTY OF HENRY

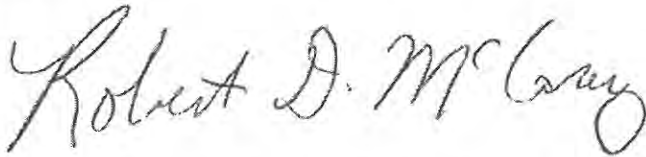
Personally appeared before the undersigned, a notary public within and for said county and state, Robert D. McCray, Vice President of SCNI, which published the Henry Herald, Published at McDonough, County of Henry, State of Georgia, and being the official organ for the publication of legal advertisements for said county, who being duly sworn, states on oath that the report of

Ad No.: **76543**

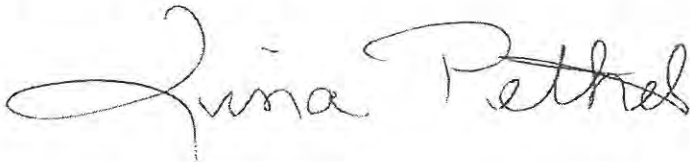
Name and File No.: **PUBLIC HEARING 8/15/2022**

a true copy of which is hereto attached, was published in said newspaper on the following date(s):

07/27/2022

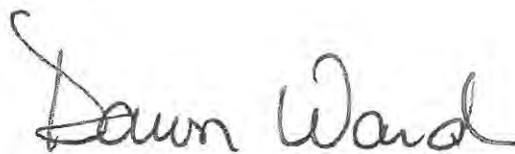


Robert D. McCray, SCNI Vice President of Sales and Marketing



By Tina Pethel
SCNI Controller

Sworn and subscribed to me 07/27/2022



Notary Public
My commission expires 03/03/2026

Ad text : Public Hearing Notice
City of Locust Grove
August 15, 2022
6:00 PM
Locust Grove Public
Safety Building
3640 Highway 42 South
Locust Grove, GA 30248

Notice is hereby given as required by Chapter 66 of Title 36 of the Official Code of Georgia Annotated ("Zoning Procedures Law") and Section 17.04 of the Code of Ordinances, City of Locust Grove, Georgia, that the Locust Grove City Council, on Monday, August 15, 2022, at 6:00 PM, will conduct public hearings for the purpose of the following:

REZONINGS

RZ-22-05-01 Standard Properties of McDonough, GA requests a rezoning of 4.355 +/- acres located on Martin Luther King Jr. Blvd in Land Lot 167 of the 2nd District from OI (Office Institutional) to R-3 (Single Family Residential) for the purpose of developing six single-family homes.

RZ-22-06-01 Tellus Partners of Chamblee, GA requests a rezoning of 50.16 +/- acres located on Price Drive in Land Lot 201 of the 2nd District from C-2 (General Commercial) to PD (Planned Development) for the purpose of developing a multifamily residential community and general commercial parcels.

RZ-22-06-02 The Beverly J. Searles Foundation requests a rezoning of 21.97 +/- acres located on Frances Ward Dr in Land Lot 168 of the 2nd District from R-3 (Single-Family Residential) to PR-4 (Planned Residential District) for the purpose of developing a 100-lot single-family subdivision

RZ-22-07-01 (DRI# 3497) Majestic Realty Co. of Atlanta, GA requests a rezoning of approximately 156.82 +/- acres that Norfolk Southern Corporation owns located between Interstate 75 (I-75) and the Norfolk Southern Railroad in Locust Grove (Parcel Number 110-01023000) from Residential Agricultural (RA) to the Light Manufacturing (M-1) to allow the development of a 1,845,000 +/- s.f. warehouse/distribution facility.

FUTURE LAND USE MAP AMENDMENT

FLU-AM-22-05-02 Standard Properties of McDonough, GA requests an amendment to the Future Land Use Map for 4.355 +/- acres located on Martin Luther King Jr. Blvd, (parcels L06-05001002, L06-05001003, L06-05001004, and L06-05001005) in Land Lot 167 of the 2nd District from Office to Mixed Historic Neighborhood.

FLU-AM-22-06-06 The Beverly J Searles Foundation requests an amendment to the Future Land Use Map for 21.97 +/- acres located on Frances Ward Dr. (Parcel 129-01047000) in Land Lot 168 of the 2nd District from Mixed Historic Neighborhood to High Density Residential.

CAPITAL IMPROVEMENT ELEMENT (CIE) UPDATE

A resolution to transmit an annual update of the Capital Improvement Element for the City of Locust Grove portion of the Henry County-Cities Joint Comprehensive Plan to the Atlanta Regional Commission for regional

and state review; to authorize the Mayor and City Clerk to execute and deliver any documents necessary to carry out this resolution; to repeal inconsistent provisions; to provide an effective date; and for other purposes.

The public hearings will be held in the Locust Grove Public Safety Building, located at 3640 Highway 42 South.

Daunté Gibbs
Community Development
Director - City of Locust
Grove
76543-7/27/2022

EXHIBIT “D”

CONDITIONS

To remain consistent with comparable industrial warehousing projects and character on neighboring tracts and in keeping with the established Light Manufacturing precedence of abutting and neighboring industrial properties, staff recommends approval of the applicant’s request to rezone the subject property from RA to M-1 with the following conditions:

1. Plain painted, baked or acrylic finish corrugated metal panels shall be prohibited on all exterior walls unless otherwise approved by the Architectural Review Board, and then only as an accent feature. Primary facades shall be tilt-up concrete, brick, natural stone, glass with proper fenestration using color, materials and design to break up large expanses of wall space.
2. A lighting plan shall be submitted and approved prior to the issuance of a Certificate of Occupancy. This lighting plan shall detail cutoff-type fixtures on all buildings and in parking lots as well as a photometric plan.
3. The applicant shall be permitted to submit a stand-alone landscape plan for review by the City Council at a regularly scheduled meeting.
4. As many mature trees as possible located will be preserved and protected during construction, under the direction and supervision of a certified arborist, and remain preserved and protected when distribution operations commence.
5. The only permitted industrial uses on the site shall be those permissible M-1 (Light Manufacturing) uses listed in the City of Locust Grove Principal Uses Allowed in Each Zoning District Section 17.04.041.
6. All recommended improvements per DRI #3497 and the GRTA Notice of Decision (dated February 10, 2022) shall be the responsibility of the owner/developer, except for those capital improvement projects actively underway that are determined by the Community Development Director of the City of Locust Grove to overlap.
7. The owner/developer shall construct the “King Mill Court Extension”, providing an alternate route alleviating future additional truck traffic from S.R. 42, from the southern property boundary of Norfolk Southern at Bethlehem Road to the northern property boundary of Norfolk Southern that concludes at King Mill Road, as determined by the City Manager or their designee, built to the City of Locust Grove’s industrial roadway standards.



Community Development Department

P. O. Box 900
Locust Grove, Georgia 30248
Phone: (770) 957-5043
Facsimile (770) 954-1223

Item Coversheet

Item: A resolution to transmit an annual update of the Capital Improvement Element for the City of Locust Grove portion of the Henry County-Cities Joint Comprehensive Plan to the Atlanta Regional Commission for regional and state review; to authorize the Mayor and City Clerk to execute and deliver any documents necessary to carry out this resolution; to repeal inconsistent provisions; to provide an effective date; and for other purposes.

Action Item: Yes No

Public Hearing Item: Yes No

Executive Session Item: Yes No

Advertised Date: July 27, 2022

Budget Item: No

Date Received: N/A – required annual filing

Workshop Date: August 15, 2022

Regular Meeting Date: By October 31, 2022 (deadline for adoption)

Discussion:

These reports will be submitted to the ARC in accordance with the Georgia Planning Act and with requirements set by the Georgia DCA. The reports include:

1. **Capital Improvement Element Update of the City's portion of the Henry County-Cities Joint Comprehensive Plan.** This update is required due to the fact the City collects Development Impact fees.
2. **Report of Accomplishments for 2021/2022.**

A Short-Term Work Program report is NOT included in this transmittal to the State due to the fact that those particular items are included in the Comprehensive Plan Update that will be reviewed by the ARC and adopted by the City Council later in the year.

Acceptance of these reports by the ARC and DCA will allow the City to retain its Qualified Local Government status thus keeping the City eligible for State and Federal funds.

Recommendation:

Approval

RESOLUTION NO. _____

A RESOLUTION TO TRANSMIT AN ANNUAL UPDATE OF THE CAPITAL IMPROVEMENT ELEMENT FOR THE CITY OF LOCUST GROVE PORTION OF THE HENRY COUNTY-CITIES JOINT COMPREHENSIVE PLAN TO THE ATLANTA REGIONAL COMMISSION FOR REGIONAL AND STATE REVIEW; TO AUTHORIZE THE MAYOR AND CITY CLERK TO EXECUTE AND DELIVER ANY DOCUMENTS NECESSARY TO CARRY OUT THIS RESOLUTION; TO REPEAL INCONSISTENT PROVISIONS; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

W I T N E S S E T H :

WHEREAS, the City of Locust Grove, Georgia (“City”) held a public hearing on August 15, 2022 to transmit an update of the Capital Improvement Element (“CIE”) for the City of Locust Grove portion of the Henry County-Cities Joint Comprehensive Plan;

WHEREAS, the City has prepared an amendment in accordance with the guidance of the latest Minimum Standards under the Georgia Planning Act and the Rules and Regulations by the Georgia Department of Community Affairs as shown in **Exhibit “A”**;

WHEREAS, notice of this matter (as attached hereto and incorporated herein as **Exhibit “B”**) has been provided in accordance with applicable state law and local ordinances;

WHEREAS, the Mayor and City Council wish to submit the CIE update to the Atlanta Regional Commission for Regional and State review, as per the requirements of Minimum Planning Standards by the Georgia Department of Community Affairs; and,

WHEREAS, the Mayor and City Council wish to submit a Statement of Accomplishments of the CIE to the Atlanta Regional Commission for Regional and State review, as per the requirements of Minimum Planning Standards by the Georgia Department of Community Affairs; and,

WHEREAS, the Mayor and City Council in the exercise of their sound judgment and discretion, after giving thorough thought to all implications involved, and keeping in mind the public interest and welfare to the citizens of the City, have determined this amendment to be in the best interests of the citizens of the City, that this Resolution be adopted.

THEREFORE, IT IS NOW RESOLVED BY THE CITY COUNCIL OF THE CITY OF LOCUST GROVE, GEORGIA, AS FOLLOWS:

1. **Authorization.** That the Locust Grove City Council hereby authorizes the Mayor to submit the CIE update to the Atlanta Regional Commission for Regional and State review, as per the requirements of the Minimum Planning Standards of the Georgia Department of Community Affairs.

2. **Public Purpose.** The City finds that the foregoing actions constitute a major step in preserving the health, safety, well-being and economic vitality of the community and are, therefore, consistent with its public purposes and powers.
3. **Attestation.** That the Locust Grove City Council hereby authorizes the City Clerk to attest the signature of any City official appearing on documents necessary to carry out this Resolution, to affix the official seal of the City thereto, as necessary, and to place this Resolution and any related documents among the official records of the City for future reference.
4. **Severability.** To extent any portion of this Resolution is declared to be invalid, unenforceable, or nonbinding, that shall not affect the remaining portions of this Resolution.
5. **Repeal of Conflicting Provisions.** All City resolutions are hereby repealed to the extent they are inconsistent with this Resolution.
6. **Effective Date.** This Resolution shall take effect immediately.

THIS RESOLUTION adopted this 15th day of August 2022.

ROBERT S. PRICE, MAYOR

ATTEST:

MISTY SPURLING, CITY CLERK

(seal)

APPROVED AS TO FORM:

City Attorney

EXHIBIT "A"

**AMENDMENT TO CAPITAL IMPROVEMENT ELEMENT FOR THE CITY OF
LOCUST GROVE PORTION OF THE HENRY COUNTY-CITIES JOINT
COMPREHENSIVE PLAN**

CAPITAL IMPROVEMENT ELEMENT -- SCHEDULE OF IMPROVEMENTS FUNDED BY IMPACT FEES - 2022 - 2026+

(1) Project Description	(2) Service Area	(3) Project Start Date	(4) Project Completion Date	(5) Estimated Project Cost	(6) Portion Chargeable to Impact Fees	(7) Sources of Funds (& Share)	(8) Responsible Party
<i>Administration</i>							
Update Plan and methodology, especially Transportation Element upon completion of updated countywide CTP model and project selection	Citywide	2021	2024	\$ 20,000	100%	Local (100%) with Impact Fee Funds	City, Consultant, impact fees (3% CIE fee/Admin)
<i>C/E Cost Recovery</i>							
Update CIE, especially Transportation Element upon completion of updated countywide CTP model and project selection	Citywide	2021	2024	\$ 25,000	100%	Local (100%) with Impact Fee Funds	City, Consultant, impact fees (3% CIE fee/Admin)
<i>Public Safety</i>							
SPLOST IV/V Involved Projects							
Additional Parking as part of Phase II of Municipal Complex along both sides of Claude Gray Drive.	Citywide	2022	2025	\$ 500,000	20%	SPLOST IV - V. Impact fees up to \$100,000	City, Impact Fees, SPLOST
<i>Highways and Streets</i>							
Transportation Planning Related Items							
Central Connector -- Tanger to Frances Ward Blvd	LCI	TBD	TBD	TBD	25%	GDOT, County, City	GDOT, County, City
Peeksville Connector -- State Route 42 to Cleveland Street	LCI	2022	2026	\$ 350,000	25%	GDOT, County, City	GDOT, County, City
Realignment of Price Dr to intersect with Bethlehem Rd	Citywide	2022	2028	\$ 6,800,000	25%	Private, City, ARC, GDOT, SPLOST	Private (R/W and or installation), part of Bethlehem Road Interchange
Industrial Interchange at Bethlehem Road and I-75 (LOC-01) Scoping and Concept	Citywide	2021	2028	\$ 52,000,000	TBD	Private, SPLOST IV (PE/ROW), HB 170, Local (Env + Concept)	GaDOT, County, City, Region
SPLOST / T-SPLOST Involved Projects							
Bill Gardner at SR 42 Intersection - initial was roundabout, but may change to signalization and turning lane additions.	Citywide	2021	2027	\$ 2,250,000	20%	GaDOT (20%), Local (80%), T-SPLOST or SPLOST V	GaDOT, City, County

CAPITAL IMPROVEMENT ELEMENT -- SCHEDULE OF IMPROVEMENTS FUNDED BY IMPACT FEES - 2022 - 2026+

(1) Project Description	(2) Service Area	(3) Project Start Date	(4) Project Completion Date	(5) Estimated Project Cost	(6) Portion Chargeable to Impact Fees	(7) Sources of Funds (& Share)	(8) Responsible Party
Additional right-turn lane, Hwy 42 NB onto Bill Gardner Parkway (reconfiguration of existing intersection with enhanced split-phase signalization - striping as deemed necessary by GaDOT). Includes extending turning lane between Bill Gardner towards Cleveland Street to allow for turning onto Bowden Street crossing and to Peeksville Road.	Citywide	2022	2026	\$ 200,000	20%	GaDOT/Local (utilities)/HB 170	GaDOT/City
Interchange Reconstruction, Exit 212 at I-75 (formerly TIA-HE-015)	Citywide	2023	2029	\$ 20,900,000	20%	Local (SPLOST-V and future T-SPLOST) and regional	City, County, GaDOT, Region
Bill Gardner Parkway between I-75 and Tanger: enhancements for safety and traffic operations, including possible north side turning lane for dual turning and raised median between I-75 to Tanger along with additional left turning lane for WB Bill Gardner to SB I-75.	Citywide	2021	2027	\$ 2,000,000	20%	Local (PE), GDOT/HB-170	City, GaDOT
Bill Gardner Parkway (HE-126B, CR 650) Widen from 2>4 lanes from Hwy 155 to Lester Mill Road and from 2>6 lanes from Lester Mill Road to west side of I-75 interchange. (former project to upgrade existing 2-lane facility)	Citywide	2023	2028	\$ 3,200,000	20%	Private (15%), County (15%), GaDOT (10%), Local (15%) through future SPLOST and regional efforts (45%)	City, County, GaDOT, Region
Overhead Bridge Crossing Study: Study for feasibility and location of overhead bridge over N-S Railway between Bill Gardner and Bethlehem Road.	Citywide	2022	2024	\$ 150,000	100%	Local (SPLOST-IV future) and regional	City, County, GaDOT, Region
Signal Installation at Hwy 42 and Marketplace Blvd	Citywide	2021	2024	\$ 300,000	20%	LMIG, Local, SPLOST V	City, GaDOT
Parks and Recreation							
Install walking trails/passive recreation along Davis Lake property	Citywide	2022	2025	\$ 135,000	25%	Local funds through possible future impact fees	City

CAPITAL IMPROVEMENT ELEMENT -- SCHEDULE OF IMPROVEMENTS FUNDED BY IMPACT FEES - 2022 - 2026+

(1) Project Description	(2) Service Area	(3) Project Start Date	(4) Project Completion Date	(5) Estimated Project Cost	(6) Portion Chargeable to Impact Fees	(7) Sources of Funds (& Share)	(8) Responsible Party
Construct new passive recreation park on old oxidation pond site	Citywide	2020	2021	\$ 815,000	100%	Impact Fees and City	City
Parks Improvements	Citywide	Ongoing	Ongoing	\$ 50,000	10%	Henry County (65%), Local (35%) through possible future SPLOST and Impact Fees	City, County
				\$ 89,695,000			

EXHIBIT "B"

PUBLIC NOTICE OF TRANSMITTAL RESOLUTION

Henry Herald

38 Sloan Street
McDonough, Georgia 30253

PUBLISHER'S AFFIDAVIT

STATE OF GEORGIA
COUNTY OF HENRY

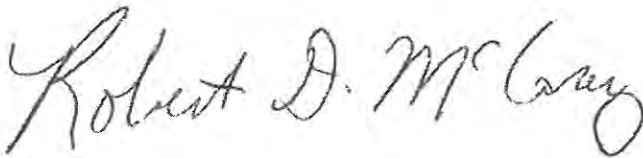
Personally appeared before the undersigned, a notary public within and for said county and state, Robert D. McCray, Vice President of SCNI, which published the Henry Herald, Published at McDonough, County of Henry, State of Georgia, and being the official organ for the publication of legal advertisements for said county, who being duly sworn, states on oath that the report of

Ad No.: **76543**

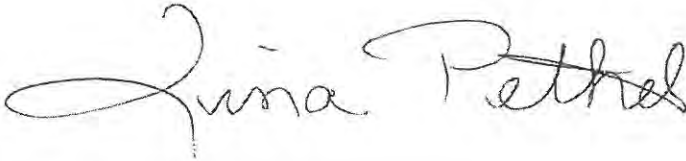
Name and File No.: **PUBLIC HEARING 8/15/2022**

a true copy of which is hereto attached, was published in said newspaper on the following date(s):

07/27/2022

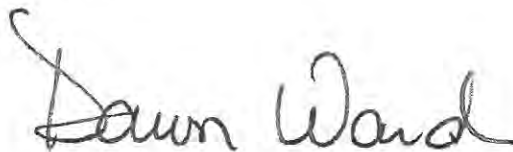


Robert D. McCray, SCNI Vice President of Sales and Marketing



By Tina Pethel
SCNI Controller

Sworn and subscribed to me 07/27/2022



Notary Public
My commission expires 03/03/2026

Ad text : Public Hearing Notice
City of Locust Grove
August 15, 2022
6:00 PM
Locust Grove Public
Safety Building
3640 Highway 42 South
Locust Grove, GA 30248

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FUTURE LAND USE MAP AMENDMENT

FLU-AM-22-05-02 Standard Properties of McDonough, GA requests an amendment to the Future Land Use Map for 4.355 +/- acres located on Martin Luther King Jr. Blvd, (parcels L06-05001002, L06-05001003, L06-05001004, and L06-05001005) in Land Lot 167 of the 2nd District from Office to Mixed Historic Neighborhood.

FLU-AM-22-06-06 The Beverly J Searles Foundation requests an amendment to the Future Land Use Map for 21.97 +/- acres located on Frances Ward Dr. (Parcel 129-01047000) in Land Lot 168 of the 2nd District from Mixed Historic Neighborhood to High Density Residential.

CAPITAL IMPROVEMENT ELEMENT (CIE) UPDATE

A resolution to transmit an annual update of the Capital Improvement Element for the City of Locust Grove portion of the Henry County-Cities Joint Comprehensive Plan to the Atlanta Regional Commission for regional

and state review; to authorize the Mayor and City Clerk to execute and deliver any documents necessary to carry out this resolution; to repeal inconsistent provisions; to provide an effective date; and for other purposes.

The public hearings will be held in the Locust Grove Public Safety Building, located at 3640 Highway 42 South.

Daunté Gibbs
Community Development
Director - City of Locust
Grove
76543-7/27/2022