

CITY OF LOCUST GROVE

REGULAR MEETING AGENDA
MONDAY OCTOBER 3, 2022 – 6:00 P.M.
PUBLIC SAFETY BUILDING – 3640 HIGHWAY 42 S.
LOCUST GROVE, GA 30248

CALL TO ORDER..... Mayor Robert Price

INVOCATION..... City Manager Tim Young

PLEDGE OF ALLEGIANCE Councilman Taylor

APPROVAL OF THE AGENDA..... Mayor Robert Price (Motion Required)

PUBLIC COMMENTS..... Register with Clerk Before Meeting

PUBLIC HEARING ITEMS None

APPROVAL OF THE MINUTES 3 Items

1. September 6, 2022, Regular Meeting Minutes (Motion Required)
2. September 6, 2022, Executive Session Meeting Minutes (Motion Required)
3. September 19, 2022, Workshop Meeting Minutes (Motion Required)

ACCEPTANCE OF THE FINANCIAL STATEMENT 1 Item

4. August 2022 Financial Statement (Motion Required)

UNFINISHED BUSINESS/ACTION ITEMS 7 Items

5. Ordinance for rezoning 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 – (Motion Required)
6. Ordinance for rezoning from C-2 to PD for 50.16 +/- acres (Parcel IDs:112-01013003) in LL 201 of the 2nd District located on Price Dr. – (Motion Required)
7. Resolution to approve architectural plans submitted for Home2Suites by Hilton Hotel Building, located on Marketplace Blvd. – (Motion Required)
8. Resolution to accept the revised MOU (Memorandum of Understanding) with GDOT for P-3 MMIP CVL Project #0014203 – GDOT (Utilities) – (Motion Required)
9. Ordinance for Sanitation Rate schedule for years 2022-2024

NEW BUSINESS/ACTION/DISCUSSION ITEM..... None

CITY MANAGER'S COMMENTS Tim Young

COUNCIL COMMENTS..... Council

- Councilman Boone – Honorary naming of structures at Claude Gray Park and Train Viewing Platform

MAYOR'S COMMENTS Mayor Robert Price

EXECUTIVE SESSION – (IF NEEDED)

ADJOURN

POSTED AT CITY HALL – September 29, 2022, at 8:30

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.



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: **October 3, 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 required improvements per DRI #3497 and the GRTA Notice of Decision (dated February 10, 2022), as detailed in Attached A and Attachment C Section 1 and ONLY that pertaining to the contribution to the signalization as spelled out in Condition #8 for Section 2 of Attachment C, 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. As referenced in Norfolk Southern Corporation's July 12, 2021 letter to the City of Locust Grove during the annexation of the subject property, as a part of development of this 156+/- acres (the second phase of the overall development), the owner/developer agrees to work with the City of Locust Grove with respect to the construction of a private roadway, 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 Court, as determined by the City Manager or their designee, built to the City of Locust Grove's industrial roadway standards.
8. The owner/developer agrees to contribute up to \$100,000 towards the signalization of S.R. 42 and Bethlehem Road.

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 3rd day of October 2022.

ROBERT S. PRICE, Mayor

ATTEST:

MISTY SPURLING, City Clerk

(Seal)

APPROVED AS TO FORM:

City Attorney

Request for Zoning Map Amendment

Name of Applicant Majestic Realty Co. 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

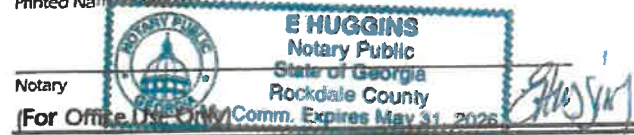
Property Tax Parcel Number: 110-01023000 (Required)

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



Signature of Agent

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 (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)

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

[Signature] _____
 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.



[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.

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 29 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

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 1st day of July, 2022

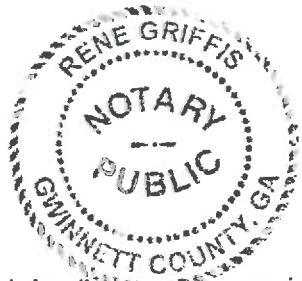
Majestic Realty Co.
Applicant's Name - Printed

[Signature]
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 1st 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.

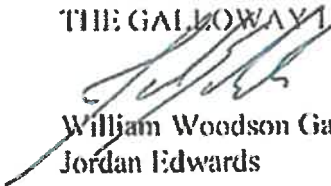
9. The merits of the requested change in zoning relative to any other guidelines and policies for development which the community development commission and city council may use in furthering the objectives of the land use plan.

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.

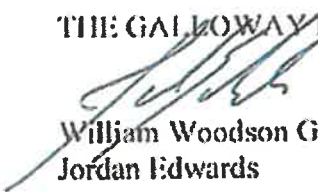
A denial of this Application would also constitute an arbitrary and capricious act by the City Council of the City of Locust Grove without any rational basis therefore, thereby constituting an abuse of discretion in violation of Article I, Section I, Paragraph I of the Constitution of the State of Georgia 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

LAND PLANNERS
ENGINEERS + SURVEYORS
TRANSPORTATION
LANDSCAPE ARCHITECTS
85-A HILL STREET
SUITE 200
ROSWELL, GEORGIA 30075
PHONE: 770.983.1844
FAX: 770.983.1845
www.paulsonmittell.com

PAULSON MITCHELL
INCORPORATED

PROJECT:
PROPOSED DEVELOPMENT
LAND LOTS 230, 246, 247, 250,
251
DISTRICT OF
CITY OF LOCUST GROVE
HENRY COUNTY, GA

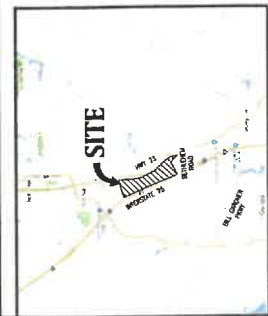
FOR:
MAJESTIC REALTY
COMPANY
10400 WOODHURST DRIVE
3400 Beacon Road NE, Suite 210
Atlanta, GA 30306
(404) 467-0026

COMMENTS: 04/21/24 - REV. 400024

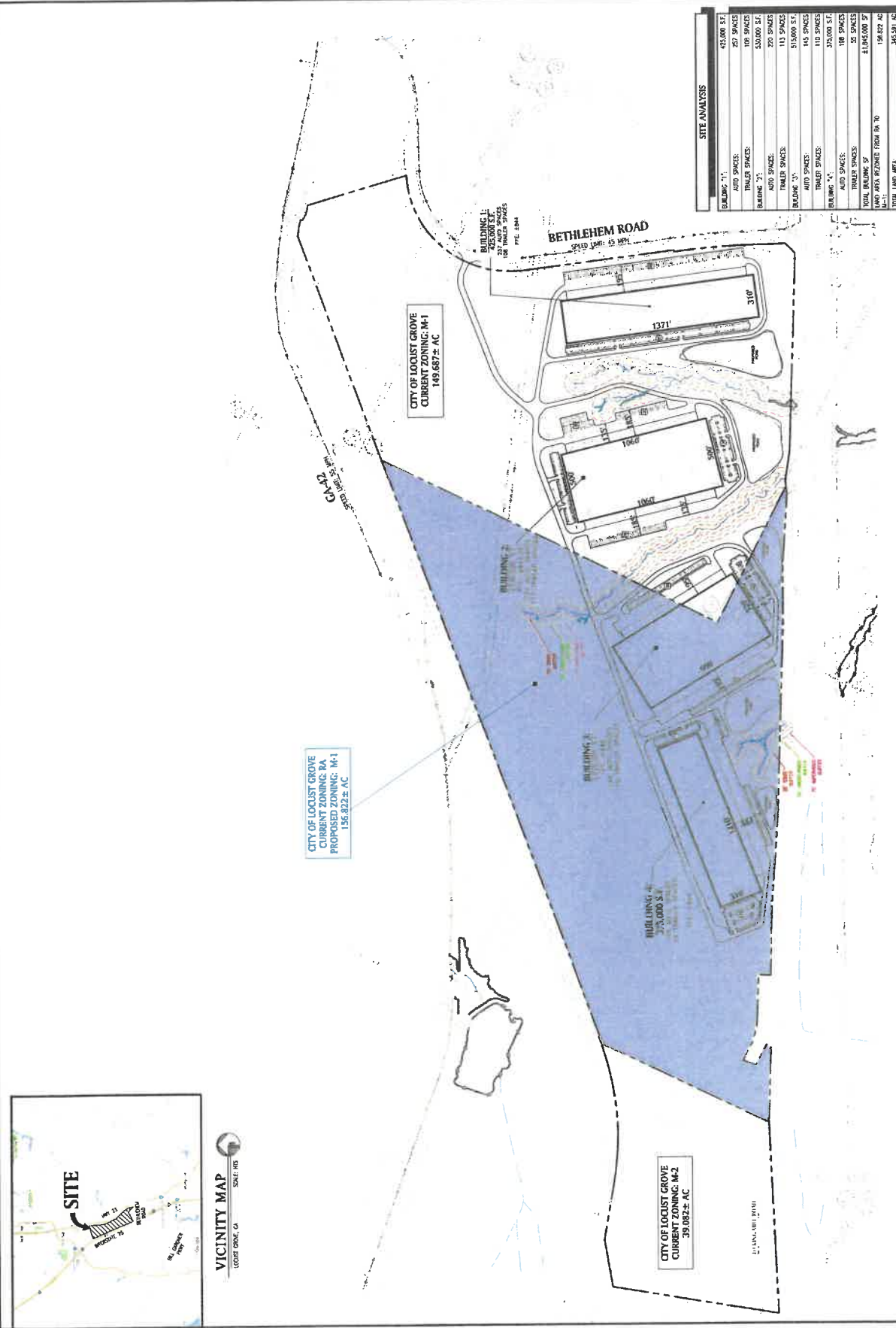


06.30.2022

ZONING PLAN
SHEET **Z-1**



VICINITY MAP
SCALE: 1" = 500'
LOCUST GROVE, GA



SITE ANALYSIS

BUILDING "1"	433,000 S.F.
TRAILER SPACES	267 SPACES
BUILDING "2"	108 SPACES
BUILDING "3"	53,000 S.F.
TRAILER SPACES	270 SPACES
BUILDING "4"	113 SPACES
BUILDING "5"	51,000 S.F.
TRAILER SPACES	115 SPACES
BUILDING "6"	165 SPACES
BUILDING "7"	113 SPACES
BUILDING "8"	228,000 S.F.
TRAILER SPACES	58 SPACES
TOTAL BUILDING SF	4,184,000 SF
LAND AREA REZONED FROM M-2 TO M-1	198,809 AC
TOTAL LAND AREA	340,911 AC

ZONING PLAN
SCALE: 1" = 500'
0 150 300 600 1200
SHEET **Z-1**

PRELIMINARY SITE PLAN DISCLOSURE:
SITE PLAN IS BASED ON GREAT REVEALED APPROXIMATE POSITION, INCLUDING BUT NOT LIMITED TO THE FOLLOWING: (1) ALL PLANS, ELEVATIONS, SECTIONS AND DETAILS SHALL BE SUBJECT TO CHANGE WITHOUT NOTICE, AND THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF LOCUST GROVE AND HENRY COUNTY, GEORGIA, AND THE STATE OF GEORGIA, BEFORE CONSTRUCTION OF THE PROJECT. (2) THE CITY OF LOCUST GROVE AND HENRY COUNTY, GEORGIA, SHALL NOT BE RESPONSIBLE FOR THE DESIGN OR CONSTRUCTION OF THE PROJECT. (3) THE SITE PLAN, REVISIONS AND OTHER CONDITIONS ARE ONLY AS INDICATED IN THE SPECIFICATIONS PROVIDED.

EXHIBIT "B"



REZONING EVALUATION REPORT

October 3, 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

October 3, 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



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 required improvements per DRI #3497 and the GRTA Notice of Decision (dated February 10, 2022), as detailed in Attached A and Attachment C Section 1 and ONLY that pertaining to the contribution to the signalization as spelled out in Condition #8 for Section 2 of Attachment C, 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



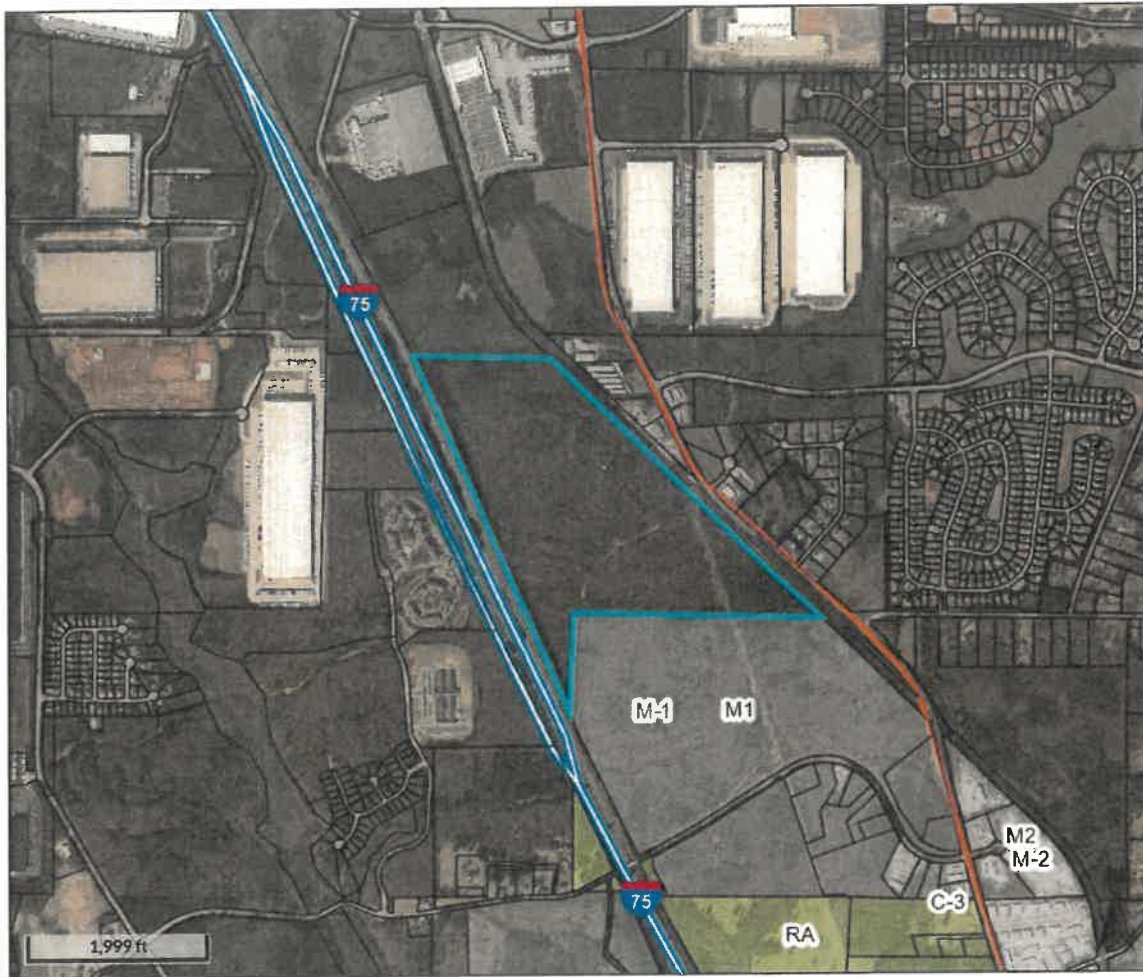
REZONING EVALUATION REPORT

FILE: RZ-22-07-01

August 15, 2022

REZONING RA TO M-1

7. As referenced in Norfolk Southern Corporation's July 12, 2021 letter to the City of Locust Grove during the annexation of the subject property, as a part of the development of this 156+/- acres (the second phase of the overall development), the owner/developer agrees to work with the City of Locust Grove with respect to the construction of a private roadway, 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 Court, as determined by the City Manager or their designee, built to the City of Locust Grove's industrial roadway standards.
8. The owner/developer agrees to contribute up to \$100,000 towards the signalization of S.R. 42 and Bethlehem Road.



Overview



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/Utili

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

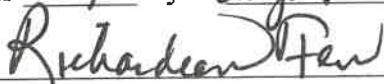

Notary Public



Exhibit "A"



Exhibit "B"



Henry Herald

38 Sloan Street
McDonough, Georgia 30253

PUBLISHER'S AFFIDAVIT

STATE OF GEORGIA
COUNTY OF HENRY

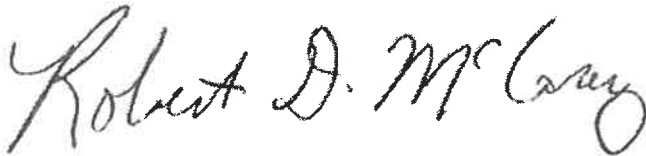
Personally appeared before the undersigned, a notary public within and for said county and state, Robert D. McCray, Vice President of SCNI, which published the Henry Herald, Published at McDonough, County of Henry, State of Georgia, and being the official organ for the publication of legal advertisements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

Ad No.: **76543**

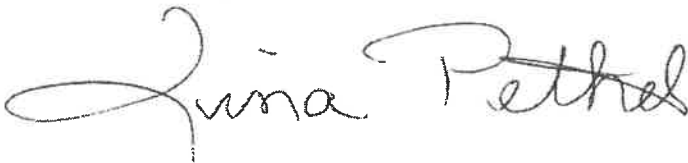
Name and File No.: **PUBLIC HEARING 8/15/2022**

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

07/27/2022

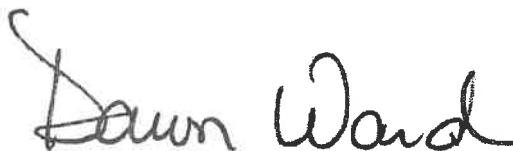
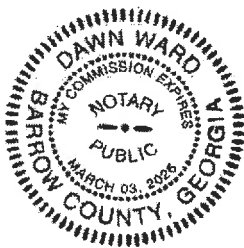


Robert D. McCray, SCNI Vice President of Sales and Marketing



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 required improvements per DRI #3497 and the GRTA Notice of Decision (dated February 10, 2022), as detailed in Attached A and Attachment C Section 1 and ONLY that pertaining to the contribution to the signalization as spelled out in Condition #8 for Section 2 of Attachment C, 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. As referenced in Norfolk Southern Corporation’s July 12, 2021 letter to the City of Locust Grove during the annexation of the subject property, as a part of development of this 156+/- acres (the second phase of the overall development), the owner/developer agrees to work with the City of Locust Grove with respect to the construction of a private roadway, 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 Court, as determined by the City

Manager or their designee, built to the City of Locust Grove's industrial roadway standards.

8. The owner/developer agrees to contribute up to \$100,000 towards the signalization of S.R. 42 and Bethlehem Road.



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 C-2 to PD for 50.16 +/- acres (Parcel IDs: 112-01013003) in Land Lot 201 of the 2nd District located on Price Dr.

Action Item: Yes No

Public Hearing Item: Yes No

Executive Session Item: Yes No

Advertised Date: August 3, 2022

Budget Item: N/A

Date Received: June 6, 2022

Workshop Date: September 19, 2022

Regular Meeting Date: October 3, 2022

Discussion:

Tellus Partners of Chamblee, GA requests a rezoning from C-2 (General Commercial) to PD (Planned Development) for the purpose of developing a multifamily community with commercial outparcels to be located on 50.16 +/- acres on Price Drive in Land Lot 201 of the 2nd District.

The latest submittal for “The Exchange at Locust Grove” includes a revised site plan dated September 22, 2022, a project narrative, and a site map indicating amenity areas available for public use.

The revised site plan dates September 22, 2022, includes RM-1, RM-2, and C-2 pod designations, consisting of 332 apartment units, 56 townhomes, and C-2 (general commercial) space. Concept plan revisions include additional contextual site mapping to illustrate the proposed development’s relationship to existing properties along Price Dr. and Bill Gardner Parkway.

Please note that there are two additional pages of information following this cover sheet. The first is an updated feedback summary checklist, and the second is the Executive Summary portion of the applicant's recently completed traffic study.

Recommendation:

Staff recommends approval with the following conditions:

1. The applicant shall make all recommended improvements from the traffic study in coordination with the City of Locust Grove including, but not limited to, the completion of a continuous right/thru turning lane with curb/gutter along the development's frontage on Price Drive as determined by the City Manager. All additional rights-of-way required shall be dedicated to the City for all required road improvements.
2. Developer shall install a guardrail barrier with appropriate markings at the second driveway entrance/exit to prevent traffic from traveling off the right-of-way onto the adjoining agricultural property.
3. There shall be a mandatory Homeowners' Association that shall oversee the maintenance of all common areas of the proposed development including open space, playgrounds, and other amenity areas.
4. All building exteriors shall be constructed of brick, stone, glass, or any combination thereof that may include cement fiberboard or other materials approved by the City of Locust Grove Community Development Department and the Architectural Review Board.
5. The development shall be in substantial compliance with the conceptual site plan and narrative dated September 22, 2022.

Feedback provided following Preliminary Concept Plan Review

The Community Development Department Director provided the following summary to the applicant on July 21, 2022.

- Provide a traffic study.
- Planned improvements to address traffic feeding into Bill Gardner and Bethlehem Road from Price Drive. (i.e. frontage along your side needs to have a minimum of a 3-lane section with turning lanes into / out of their respective pods and decel lanes.).
- Replace Garden Style apartments with Farmhouse Style townhome style apartments.
- Add details of the type of access control.
- Better defining of multi-use path along Price Drive.
- Details of the percentage 1 bed, 2 bed, and 3 bed.
- Lighting plan/layout along Price Drive multi-use path along with more detail surrounding the landscaping plan along the property frontage.
- Amenities:
 - Consideration to adding a public amenity should be given to allow for relocation of or adding a public park area to the front along Price Drive as a PUBLIC AMENITY that could be dedicated to the City for events or hosted events for the public. Regarding the newly adopted list of amenities to select from, the following list of approved amenities are the RM-1 zoning:
 - Rooftop Decks with Lounge Areas
 - Community Gardens
 - Walking Trails Consisting of City approved material (multi-use paths can be credited as providing a walking trail amenity)
 - Comprehensive Fitness Facility
 - Indoor/Outdoor Sporting Facilities
 - Pet Friendly Amenities
 - Green Space
 - EV Charging Stations
 - Bocce Ball Court
 - Pickle Ball Court

Executive Summary

A new development consisting of 332 apartment units and 56 townhome (single-family attached) units, along with 87,847 square feet of commercial space is planned along Price Drive approximately 0.5 miles west of Interstate 75 (I-75) in the City of Locust Grove, Henry County, Georgia. The development will have three full-access driveways on Price Drive and one full-access driveway on Bill Gardner Parkway via an existing driveway.

When complete, the development is expected to generate a total of 5,546 daily new trips, 297 new trips (129 entering and 168 exiting) during the AM peak hour, and 313 new trips (175 entering and 138 exiting) during the PM peak hour.

Traffic operations at the study intersections are satisfactory in the Existing and No-Build conditions except for four intersections/movements at the I-75 ramp intersections on Bill Gardner Parkway. The undesirable Levels of Service reflected for these movements is primarily due to the through volume on Bill Gardner Parkway.

The addition of project traffic at the study intersections is expected to present nominal operational impacts. Some approaches at each of the Bill Gardner Parkway and I-75 ramp intersections are expected to worsen; however, the operations at the site driveways are expected to be adequate.

A northbound right-turn lane is warranted at all three site driveways along Price Drive; however, a southbound left-turn lane is not warranted at any of the three site driveways along Price Drive.

Based on the analysis prepared for the proposed development, improvements at the study intersections are not required to mitigate the impact of the proposed development, other than signal timing modifications at the I-75 interchange ramps.

ORDINANCE NO. _____

AN ORDINANCE TO REZONE 50.16+/- ACRES FROM C-2 (GENERAL COMMERCIAL) TO PD (PLANNED DEVELOPMENT) FOR PROPERTY LOCATED ON THE EAST SIDE OF PRICE DRIVE, NORTH OF BILL GARDNER PARKWAY; PARCEL 112-01013003 IN LAND LOT 201 OF THE 2ND DISTRICT WITHIN THE CITY OF LOCUST GROVE, GEORGIA

WHEREAS, Tellus Properties of Chamblee, GA (hereinafter referred to as “Applicant”), requests rezoning for 50.16 +/- acres located on Price Drive (Parcel 112-01013003) in Land Lot 201 of the 2nd District (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 C-2 (General Commercial) to PD (Planned Development); 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 September 19, 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 C-2 to PD 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 3rd day of October 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
1. 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" 	
2. Applicant Disclosure Form	01	Required for all applicants filed whether yes or no and must be notarized	
3. Letter of Ownership	01	Letter stating that the owner is aware of the zoning request and owns the property in question	
4. Letter of Intent	01	Must clearly state the proposed use and development intent	
5. 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.	
6. Conceptual Site Plan(s) (24" x 36" max.)	01	Must show minimum 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.	
7. 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.	
8. 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.	
9. 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.	N/A

Request for Zoning Map Amendment

Name of Applicant Thony Meier Phone: N/A Date: 5/23/2022
 Address Applicant: 1231 Shallowford Road Cell # 404-569-5318
 City: Marietta State: GA Zip: 30066 E-mail: N/A
 Name of Agent Jonathon Schrader Phone: 404-877-2984 Date: 6/3/22
 Address Agent: 4983 New Peachtree Rd Cell # 404-877-2984
 City: Atlanta State: GA Zip: 30341 E-mail: jschrader@tellus-partners.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 C-2 (General Commercial) to PD (Planned Development)
(Current Zoning) (Requested Zoning)

Request from C-2 (General Commercial) to PD (Planned Development)
(Current Land Use Designation) (Requested Land Use Designation)

For the Purpose of PD (Planned Development) with multi-family and commercial products
(Type of Development)

Address of Property: Parcel 112-01013003 located on Price Drive

Nearest intersection to the property: Bill Gardner Pkwy and Price Drive

Size of Tract: 50.16 acre(s), Land Lot Number(s): 201, District(s): 2nd

Gross Density: 7.73 units per acre Net Density: 7.73 units per acre

Property Tax Parcel Number: 112-01013003 (Required)

Witness' Signature Karen Lance Signature of Owners/s Thony Meier
 Printed Name of Witness Karen Lance Printed Name of Owner/s Thony Meier
 Notary Dale R Pitts Signature of Agent Jonathon Schrader



(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: _____

Request for Zoning Map Amendment

Name of Applicant: Terry Meier Phone: N/A Date: 5/23/2022
 Address Applicant: 1231 Shallowford Road Cell # 404-569-5317
 City: Marietta State: GA Zip: 30066 E-mail: N/A
 Name of Agent: Jonathon Schrader Phone: 404-877-2984 Date: 6/3/22
 Address Agent: 4983 New Peachtree Rd Cell # 404-877-2984
 City: Atlanta State: GA Zip: 30341 E-mail: jschrader@tellus-partners.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

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Request from C-2 (General Commercial) to PD (Planned Development)
(Current Zoning) (Requested Zoning)

Request from C-2 (General Commercial) to PD (Planned Development)
(Current Land Use Designation) (Requested Land Use Designation)

For the Purpose of PD (Planned Development) with multi-family and commercial products
(Type of Development)

Address of Property: Parcel 112-01013003 located on Price Drive

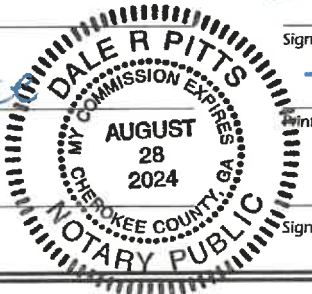
Nearest intersection to the property: Bill Gardner Pkwy and Price Drive

Size of Tract: 50.16 acre(s), Land Lot Number(s): 201, District(s): 2nd

Gross Density: 7.73 units per acre Net Density: 7.73 units per acre

Property Tax Parcel Number: 112-01013003 (Required)

Witness Signature: Karen Lane Signature of Owners/s: Terry Meier
 Printed Name of Witness: Karen Lane Printed Name of Owner/s: Terry Meier
 Notary: Dale Pitts Signature of Agent: Jonathon Schrader



(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: _____

Request for Zoning Map Amendment

Name of Applicant Karen Meier Phone: N/A Date: 5/23/2022
 Address Applicant: 1231 Shallowford Rd Cell # 404-569-5319
 City: Marietta State: GA Zip: 30066 E-mail: N/A
 Name of Agent Jonathon Schrader Phone: 404-877-2984 Date: 6/3/22
 Address Agent: 4983 New Peachtree Rd Cell # 404-877-2984
 City: Atlanta State: GA Zip: 30341 E-mail: jschrader@tellus-partners.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 C-2 (General Commercial) to PD (Planned Development)
(Current Zoning) (Requested Zoning)

Request from C-2 (General Commercial) to PD (Planned Development)
(Current Land Use Designation) (Requested Land Use Designation)

For the Purpose of PD (Planned Development) with multi-family and commercial products
(Type of Development)

Address of Property: Parcel 112-01013003 located on Price Drive

Nearest intersection to the property: Bill Gardner Pkwy and Price Drive

Size of Tract: 50.16 acre(s), Land Lot Number(s): 201, District(s): 2nd

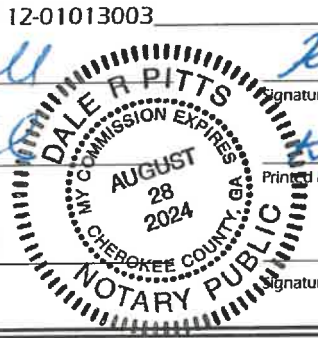
Gross Density: 7.73 units per acre Net Density: 7.73 units per acre

Property Tax Parcel Number: 112-01013003 (Required)

Karen Lance Witness Signature Karen Meier Signature of Owners/s

Karen Lance Printed Name of Witness Karen Meier Pollard Printed Name of Owner/s

Dale Pitts Notary Signature of Agent Jonathon Schrader



(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 27 day of May, 2022

Thomt Meeler
 Applicant's Name - Printed

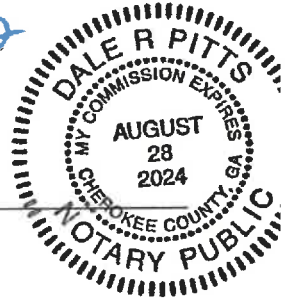
[Signature]
 Signature of Applicant

 Applicant's Attorney, if applicable - Printed

 Signature of Applicant's Attorney, if applicable

Sworn to and subscribed before me this 27th day of May, 2022

[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.

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 27 day of May, 2022

Karen Meter Polkard
Applicant's Name - Printed

Karen Meter Polkard
Signature of Applicant

Applicant's Attorney, if applicable - Printed

Signature of Applicant's Attorney, if applicable

Sworn to and subscribed before me this 27th day of May, 2022

Dale R. Pitts
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 21 day of May, 2022.

Terry Meier
Applicant's Name - Printed

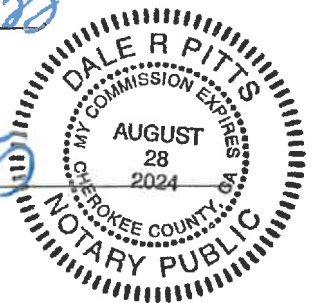
[Signature]
Signature of Applicant

Applicant's Attorney, if applicable - Printed

Signature of Applicant's Attorney, if applicable

Sworn to and subscribed before me this 27th day of May, 2022

[Signature]
Notary Public



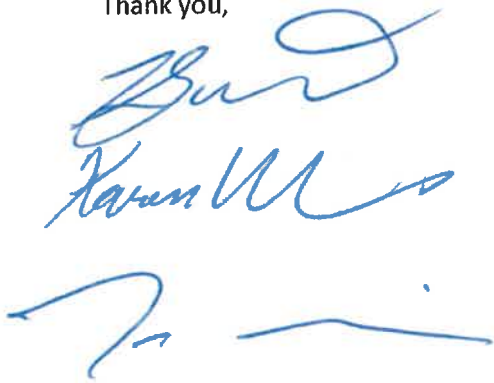
¹ Applicant means any individual or business entity (corporation, partnership, limited partnership, firm enterprise, franchise, association, or trust) applying for rezoning or other action.

May 23, 2022

To whom it may concern,

We, Karen Meier, Terry Meier, and Thomy Meier, own the property at Bill Gardner Parkway and Price Drive (50.16 acres). We agree for the property to be zoned to Planned Development from General Commercial.

Thank you,



The image shows three handwritten signatures in blue ink. The top signature is the most legible and appears to be 'Burd'. The middle signature is 'Karen Meier'. The bottom signature is a stylized signature that is difficult to read but likely belongs to Terry or Thomy Meier.

Zoning Submittal Letter of Intent:

Tellus Partners, LLC would like to develop the ~50-acre site located at Price Drive and I-75 by building a 332-unit apartment complex, developing a community of 56 town homes, and C-2 general commercial lots that we feel will perpetuate the economic growth Henry County has seen over the last decade. Tellus has extensive experience in the town center, mixed use, multifamily development market and has completed over \$500 million in total project costs between Georgia and Florida.

With considerable population, housing and business needs in Locust Grove as well as the communities surrounding it, Tellus is excited about the opportunity to continue these trends by delivering a high-quality product to a budding market.

SURVEY LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 201, DISTRICT 2, CITY OF LOCUST GROVE, HENRY COUNTY, GEORGIA; AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO FIND THE POINT OF BEGINNING, COMMENCE AT THE NORTHWEST CORNER OF LAND LOT 201, SAID POINT ALSO BEING COMMON TO LAND LOTS 202, 215 AND 216; THENCE TRAVELING ALONG THE NORTH LINE OF LAND LOT 202 NORTH 89 DEGREES 41 MINUTES 11 SECONDS WEST FOR A DISTANCE OF 22.03 FEET TO A 1/2" REBAR FOUND ON THE EASTERLY RIGHT OF WAY OF PRICE DRIVE (R/W VARIES); THENCE TRAVELING ALONG SAID RIGHT OF WAY THE FOLLOWING THREE (3) COURSES AND DISTANCES: SOUTH 13 DEGREES 37 MINUTES 21 SECONDS EAST FOR A DISTANCE OF 84.70 FEET TO A POINT; THENCE SOUTH 03 DEGREES 56 MINUTES 37 SECONDS EAST FOR A DISTANCE OF 130.53 FEET TO A POINT; THENCE SOUTH 86 DEGREES 12 MINUTES 28 SECONDS EAST FOR A DISTANCE OF 27.67 FEET TO THE POINT OF BEGINNING;

THENCE LEAVING SAID RIGHT OF WAY SOUTH 86 DEGREES 12 MINUTES 28 SECONDS EAST FOR A DISTANCE OF 186.60 FEET TO AN IRON PIN SET; THENCE NORTH 88 DEGREES 23 MINUTES 33 SECONDS EAST FOR A DISTANCE OF 444.80 FEET TO A CONCRETE MONUMENT FOUND ON THE WESTERLY RIGHT OF WAY OF INTERSTATE 75 (R/W VARIES); THENCE TRAVELING ALONG SAID RIGHT OF WAY THE FOLLOWING FOUR (4) COURSES AND DISTANCES SOUTH 27 DEGREES 03 MINUTES 13 SECONDS EAST FOR A DISTANCE OF 1252.05 FEET TO A POINT; THENCE SOUTH 18 DEGREES 56 MINUTES 07 SECONDS EAST FOR A DISTANCE OF 487.41 FEET TO A CONCRETE MONUMENT FOUND; THENCE SOUTH 03 DEGREES 21 MINUTES 26 SECONDS WEST FOR A DISTANCE OF 144.00 FEET TO A CONCRETE MONUMENT FOUND; THENCE SOUTH 17 DEGREES 16 MINUTES 28 SECONDS EAST FOR A DISTANCE OF 258.55 FEET TO A 1/2" BENT REBAR FOUND; THENCE LEAVING SAID RIGHT OF WAY SOUTH 89 DEGREES 49 MINUTES 20 SECONDS WEST FOR A DISTANCE OF 663.19 FEET TO A 1" OPEN-TOP PIPE FOUND; THENCE SOUTH 00 DEGREES 17 MINUTES 30 SECONDS EAST FOR A DISTANCE OF 307.84 FEET TO A 1" OPEN-TOP PIPE FOUND; THENCE SOUTH 86 DEGREES 02 MINUTES 51 SECONDS WEST FOR A DISTANCE OF 310.00 FEET TO AN IRON PIN SET; THENCE NORTH 12 DEGREES 14 MINUTES 25 SECONDS WEST FOR A DISTANCE OF 413.81 FEET TO AN IRON PIN SET; THENCE NORTH 88 DEGREES 56 MINUTES 09 SECONDS WEST FOR A DISTANCE OF 382.95 FEET TO AN IRON PIN SET ON THE EASTERLY RIGHT OF WAY OF PRICE DRIVE; THENCE TRAVELING ALONG THE EASTERLY RIGHT OF WAY OF PRICE DRIVE THE FOLLOWING ELEVEN (11) COURSES AND DISTANCES: NORTH 01 DEGREES 06 MINUTES 51 SECONDS EAST FOR A DISTANCE OF 175.19 FEET TO A POINT; THENCE ALONG A CURVE TO THE LEFT WITH AN ARC LENGTH OF 178.57 FEET AND A RADIUS OF 550.15 FEET, BEING SUBTENDED BY A CHORD OF NORTH 10 DEGREES 45 MINUTES 09 SECONDS EAST A DISTANCE OF 177.79 FEET TO A POINT; THENCE NORTH 01 DEGREES 50 MINUTES 52 SECONDS EAST FOR A DISTANCE OF 139.79 FEET TO A POINT; THENCE ALONG A CURVE TO THE LEFT WITH AN ARC LENGTH OF 289.72 FEET AND A RADIUS OF 14511.56 FEET, BEING SUBTENDED BY A CHORD OF NORTH 00 DEGREES 46 MINUTES 18 SECONDS EAST A DISTANCE OF 289.72 FEET TO A POINT; THENCE NORTH 00 DEGREES 01 MINUTES 28 SECONDS WEST FOR A DISTANCE OF 272.17 FEET TO A POINT; THENCE NORTH 01 DEGREES 21 MINUTES 17 SECONDS EAST FOR A DISTANCE OF 60.22 FEET TO A POINT; THENCE ALONG A CURVE TO THE LEFT WITH AN ARC LENGTH OF 172.39 FEET AND A RADIUS OF 4533.74 FEET, BEING SUBTENDED BY A CHORD OF NORTH 00 DEGREES 51 MINUTES 28 SECONDS EAST A DISTANCE OF 172.38 FEET TO A POINT; THENCE NORTH 02 DEGREES 09 MINUTES 23 SECONDS WEST FOR A DISTANCE OF 93.93 FEET TO A POINT; THENCE NORTH 12 DEGREES 09 MINUTES 40 SECONDS EAST FOR A DISTANCE OF 94.80 FEET TO A POINT; THENCE NORTH 03 DEGREES 45 MINUTES 10 SECONDS WEST FOR A DISTANCE OF 330.26 FEET TO A POINT; THENCE NORTH 18 DEGREES 33 MINUTES 43 SECONDS WEST FOR A DISTANCE OF 91.03 FEET TO THE POINT OF BEGINNING.

SAID TRACT OR PARCEL OF LAND CONTAINS 50.016 ACRES AND IS DEPICTED ON THAT CERTAIN ALTA/NSPS PLAT OF SURVEY PREPARED BY LANDPRO SURVEYING AND MAPPING, INC., SEALED AND CERTIFIED BY JAMES H. RADER, GRLS NO. 3033, DATED DECEMBER 13, 2021.



City of Locust Grove

P.O. Box 900 Locust Grove, Georgia 30248-0900

Telephone (770) 957—5043 Fax: 1-866-364-0996

November 1, 2021

MAYOR

Robert Price

COUNCIL

Rudy Breedlove

Keith Boone

Randy Gardner

Carlos Greer

Rod Shearouse

Willie J. Taylor

Vincent Williams

CITY MANAGER

Tim Young

CITY CLERK

Misty Spurling

Jonathon Schrader
Tellus Partners, LLC
4983 New Peachtree Rd
Chamblee, GA 30341
jschrader@tellus-partners.com
[delivered electronically]

RE: Zoning Verification Letter for: Parcel 112-01013003 located on Price Drive.

To Whom It May Concern:

Please be advised the property referenced above is located within the incorporated limits of the City of Locust Grove, Georgia. Parcel 112-01013003 is currently zoned C-2 (General Commercial.) Of the proposed uses listed in your application (multi-family housing, single-family attached townhomes, and self-storage) none are identified as permissible uses within the C-2 zoning district.

The Future Land Use Map (FLUM) identifies this parcel as part of the Gateway Town Center. The FLUM is a policy guide for the character of development within the city intended to assist with planning and zoning decisions. Suggested uses within the Gateway Town Center include a mixture of revenue producing and tourism/entertainment related uses such as retail, restaurants, hotel/motel developments, and multiuse developments ranging from 12-20 units per acre. Typical zoning districts under the current zoning ordinance supported by the Gateway Town Center future land use category would be C-2 (General Commercial), C-3 (Heavy Commercial), , with the used of PD (Planned Development) and mixed use overlay districts for vertical integration of residential and commercial.

The current zoning is valid pursuant to the Official Zoning Map ("Map") of the City of Locust Grove. This Map was adopted by the Locust Grove City Council on August 1, 2016. There are no outstanding zoning violations with this property at the current time. All development plans will require review and conformance with all City regulations for zoning, construction codes, and any other regulations existing at the time of development, as applicable.

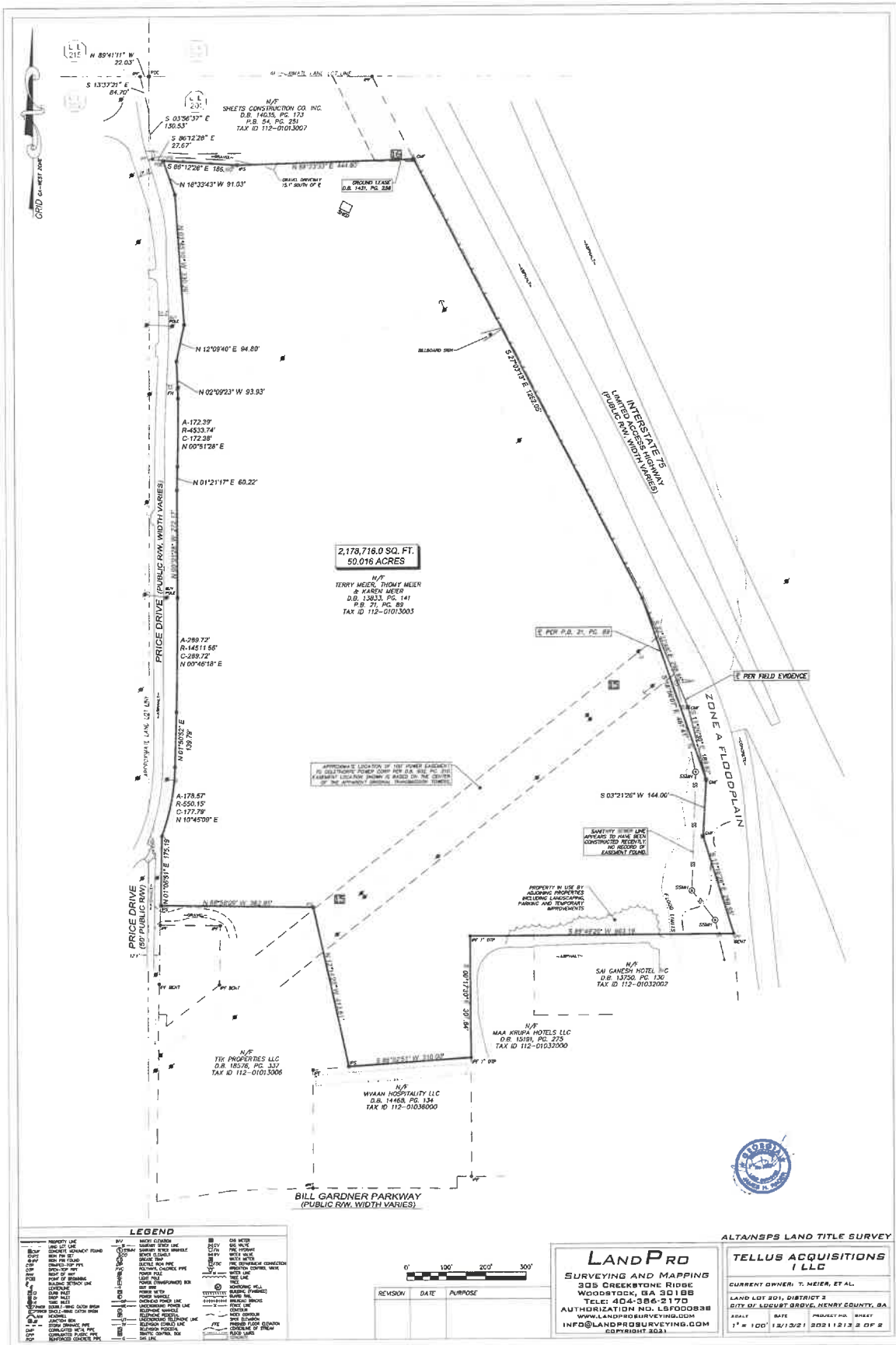
Please feel free to contact me if you have any questions regarding this matter.

Respectfully,

Anna Ogg

Anna Ogg, Planner II
Community Development Department

Attached: Locust Grove Code of Ordinances 17.04.134- general commercial district adopted as amended





City of Locust Grove

P.O. Box 900 Locust Grove, Georgia 30248-0900

Telephone (770) 957-5043 Fax: 1-866-364-0996

MAYOR

Robert Price

COUNCIL

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Willie J. Taylor

CITY MANAGER

Tim Young

CITY CLERK

Misty Spurling

November 1, 2021

Jonathon Schrader
Tellus Partners, LLC
4983 New Peachtree Rd
Chamblee, GA 30341
jschrader@tellus-partners.com
[delivered electronically]

RE: Water/Sewer Availability Letter for: Parcel 112-01013003 located on Price Drive.

To Whom It May Concern:

According to the City of Locust Grove Public Works Department, the City of Locust Grove provides water to the subject property from the right-of-way of Price Drive. City sanitary sewer service is available to the subject property from the I-75 right-of-way.

The City provides water and sanitary sewer services on a first-come, first served basis. Prior to occupancy, the developer will be responsible for making any necessary upgrades to the systems in order to provide proper pressures and flows to the Property.

The information contained in this letter will remain in effect for a period of 365 days from the date of this letter unless otherwise notified in writing by the City.

Please do not hesitate to contact us at 770-957-5043 if you need additional information.

Respectfully,

Anna Ogg

Anna Ogg, Planner II
Community Development Department

LOCUST GROVE
EST 1893

City Water and Sewer Service Capacity Form:

Please fill out the necessary items above for determination of available capacity for water and sewer service.

Applicant: _____ Jonathon Schrader _____

Address/Location of Request: _____ Price Dr. and I-75, Locust Grove, GA. Parcel ID: 112-01013003 _____

Type of Project: Commercial Residential **Mixed Use**

For residential or mixed-use residential, number of lots or units: _____ 388 _____

For commercial, amount of square feet: _____ 87,850sf _____

Estimated water usage: _____ 232,800 _____ (GALLONS)

Estimated sewer usage: _____ 232,800 _____ (GALLONS)

STAFF ANALYSIS

Is this project within current water and sewer delivery area: _____

Does the project have access to adequate water supply: _____

Does city have adequate sewer treatment capacity for this project: _____

Are any improvements required as a result of this project: _____

If so, what types of improvements are necessary

Project Narrative for Price Drive Mixed Use Development:

Tellus Partners, LLC is under contract to purchase with plans to develop the vacant ~50-acre site located at Price Drive and I-75 by developing a 332-unit apartment complex and building a community of 56 town homes to provide the valued customers for intentional and desired C-2 general commercial lots to perpetuate sustained economic growth for Locust Grove and Henry County to build upon for the future. The 388 inhabitants from the residential units of this mixed-use development will attract additional C-2 general commercial tenants to Locust Grove to provide businesses and services this area desires. In addition to the mixed-use town center development, Tellus Partners plans to construct and possibly dedicate a Community Area for the residents of Locust Grove and Henry County to enjoy.

Tellus has extensive experience in the town center, mixed use, multifamily development market and has completed over \$550 million in total project costs between Georgia and Florida over the last decade. Our expertise will help bring to fruition the highest and best use of this property for the City of Locust Grove.

With considerable population, housing and business needs in Locust Grove as well as the communities surrounding it, Tellus is excited for the opportunity to deliver a high-quality product to a budding market.



LAND USE PLAN

LOCUST GROVE, HENRY COUNTY, GEORGIA

BY

ENGLISH ASSOCIATES INC.

ATLANTA, GEORGIA 30341

DAVID A. ENGLISH, AIA

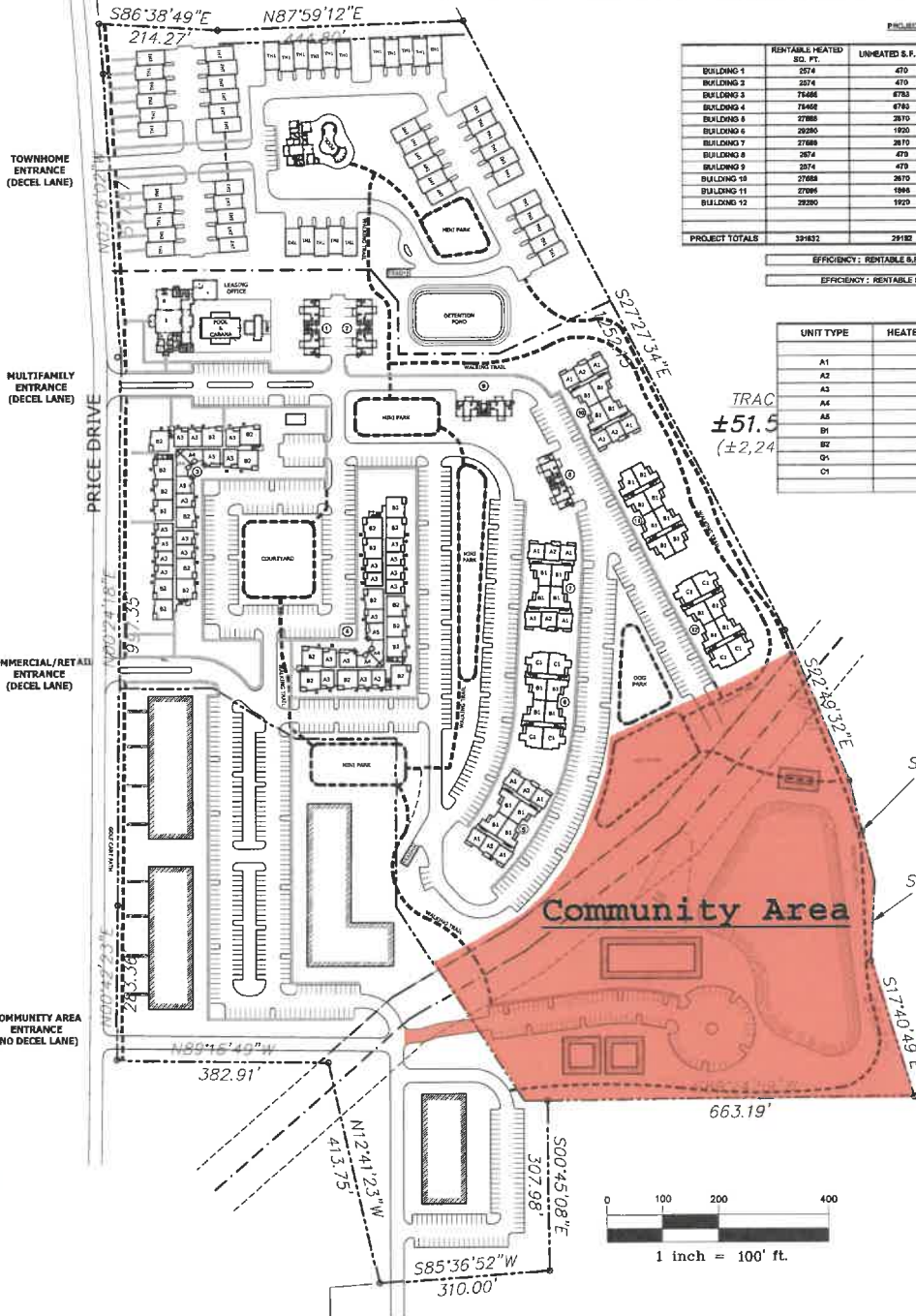
PHONE - (770) 457-0623, FAX - (770) 451-0092

REVISED 09-22-2022

UNIT MIX & BUILDING SCHEDULE

BLDG #	BLDG TYPE	# OF STORIES	UNIT MIX											TOTAL
			1 BD / 1BA	1 BD / 1BA	1 BD / 1BA	1 BD / 1BA	1 BD / 1BA	2BD / 2BA	2BD / 2BA	2BD / 2BA	2BD / 2BA	3BD / 3BA		
1	CARRIAGE	2 STORY	714	782	760	744	812	1120	1177	1287	1311			2
2	CARRIAGE	2 STORY											2	2
3	CORRIDOR	3 STORY			30	8	6			36				81
4	CORRIDOR	3 STORY			30	8	6			36				81
5	FARMHOUSE	3 STORY	12	6					12					30
6	FARMHOUSE	3 STORY	12	6					12				12	24
7	FARMHOUSE	3 STORY	12	6					12					30
8	CARRIAGE	2 STORY											2	2
9	CARRIAGE	2 STORY											2	2
10	FARMHOUSE	3 STORY	12	6					12					30
11	FARMHOUSE	3 STORY							24					24
12	FARMHOUSE	3 STORY							12				12	24
														8
TOTAL LIMITS			84	18	88	12	12		84	72	8		24	332
EACH TYPE			10.84%	5.42%	10.88%	2.61%	2.61%		25.30%	21.09%	2.41%		7.27%	100%

Now or Formerly
STEEL CONSTRUCTION
COMPANY INC.



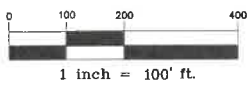
PROJECT TOTAL SQUARE FOOTAGE

BUILDING	RENTABLE HEATED SQ. FT.	UNHEATED S.F. / DECK	GARAGE S.F.	BIKEWAY / CORRIDOR	BUILDING GROSS TOTALS
BUILDING 1	2574	470	2874	462	6380
BUILDING 2	2574	470	2874	462	6380
BUILDING 3	7646	478		13798	27598
BUILDING 4	7646	478		13798	27598
BUILDING 5	2788	2870		3650	5417
BUILDING 6	29280	1920		2132	34222
BUILDING 7	2788	2870		3650	5417
BUILDING 8	2874	478	2874	462	6688
BUILDING 9	2574	478	2874	462	6380
BUILDING 10	2788	2870		3650	5417
BUILDING 11	2788	1888		2875	5187
BUILDING 12	29280	1920		2132	34222
PROJECT TOTALS	394832	29182	10296	10402	497218

EFFICIENCY : RENTABLE S.F. (WITHOUT GARAGES) / GROSS TOTAL = 88.64%
EFFICIENCY : RENTABLE S.F. (WITH GARAGES) / GROSS TOTAL = 83.14%

UNIT TYPE	HEATED SQ. FOOTAGE	UNHEATED SQ. FOOTAGE	TOTAL GROSS
A1	714	63	857
A2	782	121	913
A3	782	77	827
A4	744	63	807
A5	812	115	925
B1	1128	19	1206
B2	1177	68	1285
C1	1287	229	1522
C1	1311	81	1382

Community Area



LAND USE PLAN

LOCUST GROVE, HENRY COUNTY, GEORGIA

BY
ENGLISH ASSOCIATES INC.

ATLANTA, GEORGIA 30341
DAVID A. ENGLISH, AIA
PHONE - (770) 457-0623, FAX - (770) 451-0092

REVISED 09-22-2022



CLUBHOUSE

ENGLISH & ASSOCIATES
ARCHITECTS, INC.

3084 MERCER UNIVERSITY DRIVE, SUITE 100
ATLANTA, GEORGIA 30341
DENGLISH@ENGLISHASSOCIATESINC.COM

30% PROGRESS

ITEM DATE:

REVISIONS:

NO. DATE:

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308 NOVEMBER, 2014
DRAWN BY:
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SHEET NO.
1



CLUBHOUSE

ENGLISH & ASSOCIATES
ARCHITECTS, INC.

3084 MERCER UNIVERSITY DRIVE, SUITE 100
ATLANTA, GEORGIA 30341
DENGLISH@ENGLISHASSOCIATESINC.COM

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2



POOLSIDE

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ARCHITECTS, INC.**

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ATLANTA, GEORGIA 30341
DENGLISH@ENGLISHASSOCIATESINC.COM

JOB PROGRESS
ITEM DATE

REVISIONS
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3



GARDEN AREA

ENGLISH & ASSOCIATES ARCHITECTS, INC.

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ATLANTA, GEORGIA 30341
DENGLISH@ENGLISHASSOCIATESINC.COM

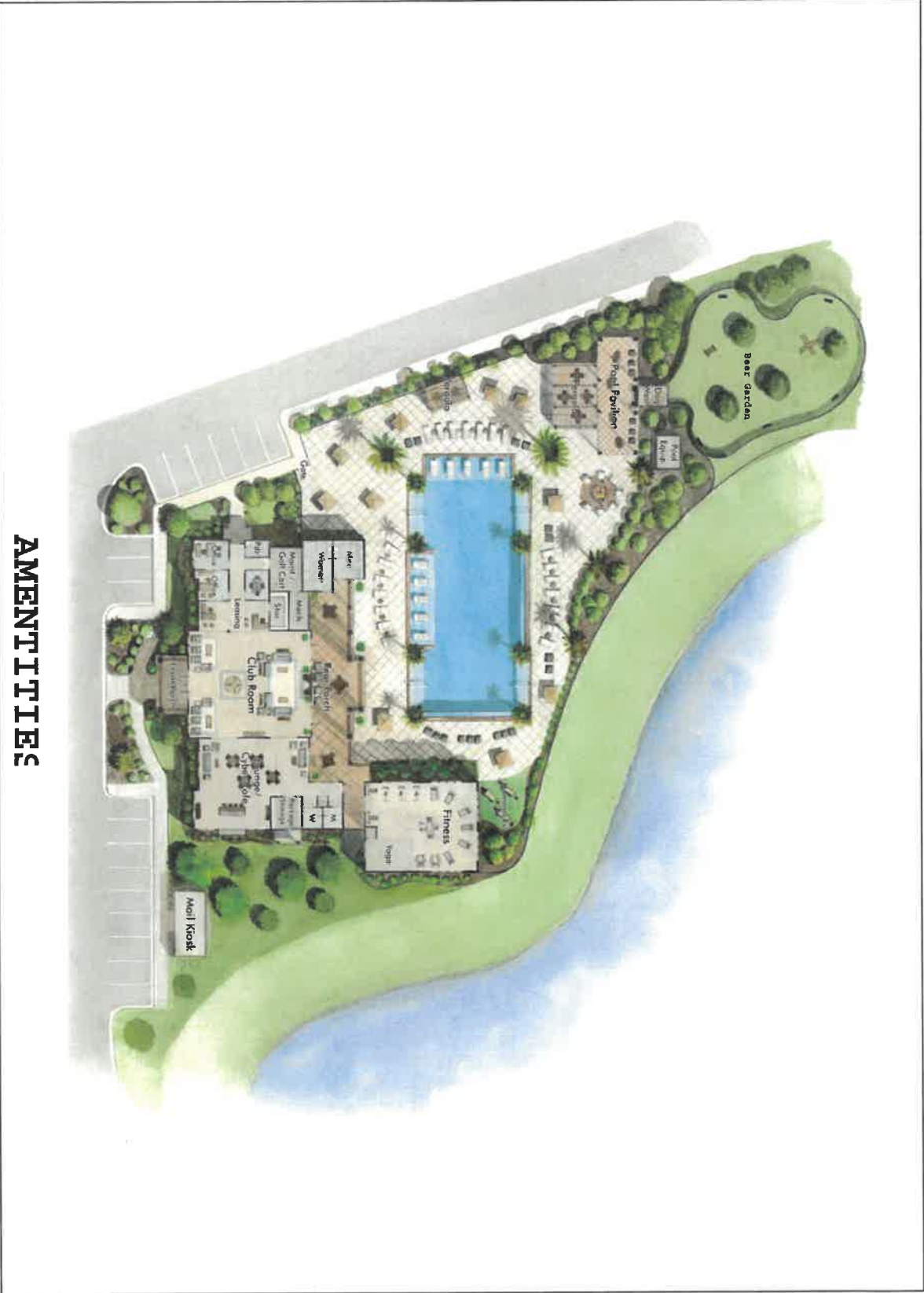
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SHEET NO.
4



AMENITIES

<p>ENGLISH & ASSOCIATES ARCHITECTS, INC.</p> <p>3084 MERCER UNIVERSITY DRIVE, SUITE 100 ATLANTA, GEORGIA 30341 DENGLISH@ENGLISHASSOCIATESINC.COM</p>	<p>30% PROGRESS</p> <p>DATE: _____</p>	<p>REVISIONS</p> <p>NO. DATE</p>	<p><small>This drawing shall be subject to all provisions of the Georgia Professional Service Act, Chapter 40 of the Official Code of Georgia Annotated, as amended, and the rules of the State Board of Professional Service Regulation, as amended. The use of this drawing for any purpose other than that intended by the architect is strictly prohibited. The architect shall not be responsible for any errors or omissions in this drawing or for any consequences arising therefrom. The architect's liability is limited to the amount of the fee paid to the architect for the preparation of this drawing.</small></p>	<p>SHEET NO. 5</p> <p>JOS MORALES, 2014-C OWNER, SR. CINCINNATI, OH.</p>
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APARTMENT BUILDINGS

**ENGLISH & ASSOCIATES
ARCHITECTS, INC.**

3084 MERCER UNIVERSITY DRIVE, SUITE 100
ATLANTA, GEORGIA 30341
DENGGLISH@ENGLISHASSOCIATESINC.COM

JOB PROGRESS
ITEM: _____
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TAB: _____
DATE: _____

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6



APARTMENT BUILDING

**ENGLISH & ASSOCIATES
ARCHITECTS, INC.**

3084 MERCER UNIVERSITY DRIVE, SUITE 100
ATLANTA, GEORGIA 30341
DENGLISH@ENGLISHASSOCIATESINC.COM

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7



APARTMENT BUILDING

ENGLISH & ASSOCIATES
ARCHITECTS, INC.

3084 MERCER UNIVERSITY DRIVE, SUITE 100
ATLANTA, GEORGIA 30341
DENGLISH@ENGLISHASSOCIATESINC.COM

JOB INFORMATION
TITLE: DATE:

REVISIONS
TAG: DATE:

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JOB NUMBER: 2023114
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SHEET NO.
8



TOWNHOME BUILDINGS

ENGLISH & ASSOCIATES
ARCHITECTS, INC.

3004 MERCER UNIVERSITY DRIVE, SUITE 100
ATLANTA, GEORGIA 30341
ENGLISH@ENGLISHASSOCIATESINC.COM

JOB PROGRESS:
TITLE: _____
DATE: _____

REVISIONS:
TAG: _____
DATE: _____

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JOB NUMBER: 2011-1-5
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SHEET NO.
9



CARRIAGE UNITS

ENGLISH & ASSOCIATES
ARCHITECTS, INC.

3004 MERCER UNIVERSITY DRIVE, SUITE 100
ATLANTA, GEORGIA 30341
DENGLISH@ENGLISHASSOCIATESINC.COM

JOB PROGRESS
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RESPONS:
DATE:

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JOB NUMBER: 2011-4
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SHEET NO.
10

EXHIBIT "B"



REZONING EVALUATION REPORT

October 3, 2022

FILE: RZ-22-06-01

REZONING C-2 TO PD

Property Information

Tax ID	112-01013003
Location/address	Land Lot 201 of the 2 nd District
Parcel Size	50.16 +/- acres
Current Zoning	C-2 (General Commercial)
Request	PD (Planned Development)
Proposed Use	Multifamily Residential Community with Commercial
Existing Land Use	Vacant/undeveloped land
Future Land Use	Gateway Town Center
Recommendation	Approval

Summary

Tellus Partners of Chamblee, GA requests a rezoning from C-2 (General Commercial) to PD (Planned Development) for a proposed multifamily community with commercial outparcels to be located on 50.16 +/- acres on Price Drive in Land Lot 201 of the 2nd District.

The subject property (Parcel ID 112-01013003) is adjacent to commercial properties along Bill Gardner Parkway to the south, industrial (M-1) development to the north, and low-density (RA) residential to the west side of Price Drive. The Property is undeveloped and vacant land, identified on the City’s Official Zoning Map as C-2 (General Commercial).

The Preliminary Concept Plan hearing for this development was held on July 18, 2022. Staff provided comments to the applicant on July 21, 2022. These recommendations were based on City Council’s feedback at the July 18, 2022 preliminary Concept Plan Review Public Hearing. The applicant submitted a revised site plan based on Council’s feedback on August 31, 2022.

The site plan for “The Exchange at Locust Grove” includes RM-1, RM-2, and C-2 pod designations, consisting of 332 apartment units, 56 townhomes, and C-2 (general commercial) space. The apartment community portion of the development consists of 10 garden-style apartment buildings and four that are a “carriage house” design with attached garages.

Service Delivery / Infrastructure

Preserving the Past... ..Planning the Future



REZONING

EVALUATION REPORT

FILE: RZ-22-06-01

October 3, 2022

REZONING C-2 TO PD

Water and Sewer: The City of Locust Grove does provide water service to the subject property via an existing water line along Price Drive. City sanitary sewer service is available off of Bill Gardner Parkway near the southern border of the property.

Land Use: The site must be in compliance with the requirements set forth in the City's PD zoning district and individual pod zoning designations 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 subject property is located within the area identified in the Joint Comprehensive Plan as "Gateway Town Center, which permits higher density residential development and a mixture of uses. The proposed development plan supports the City's vision for the Gateway Town Center and the future character of the area. The rezoning is likely to have a positive impact on the surrounding parcels and may serve as a catalyst for mutually-supporting development in the area.



REZONING

October 3, 2022

EVALUATION REPORT

FILE: RZ-22-06-01

REZONING C-2 TO PD

- (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 applicant's requested rezoning and development plan 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 from C-2 to PD is consistent with the intent of the Comprehensive Land Use Plan.

- (4) **Impact 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 applicant is providing Council and Staff with a traffic study to determine the development's potential impact on surrounding transportation infrastructure.

- (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 that portion of the I-75 corridor. The applicant's rezoning, if approved, will greatly benefit and promote the value and viability of surrounding commercial properties and spur investment in adjacent properties.

Direction	Zoning	Current Land Use	Future Land Use
North	C-3 (Heavy Commercial)	Sheets Construction	Gateway Town Center
East	East of I-75: C-2 General Commercial	QT, Marketplace Retail/Restaurants	Regional Commercial
South	C-2 (General Commercial)	Retail, Hotels/Motels	Gateway Town Center
West	RA (Residential/Agricultural)	Single Family Residential	Regional Commercial

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

The property can be developed as currently zoned but remains vacant after several years with a C-2 (general commercial) designation.

Preserving the Past... ..Planning the Future



REZONING

EVALUATION REPORT

FILE: RZ-22-06-01

October 3, 2022

REZONING C-2 TO PD

- (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 mixed-use 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 C-2 to PD presents an opportunity for a quality multi-family community within the emerging Gateway Town Center, and a new housing option for current and future residents.

Recommendations

Staff recommends approval with the following conditions:

1. The applicant shall make all recommended improvements from the traffic study in coordination with the City of Locust Grove including, but not limited to, the completion of a continuous right/thru turning lane with curb/gutter along the development's frontage on Price Drive as determined by the City Manager. All additional rights-of-way required shall be dedicated to the City for all required road improvements.
2. Developer shall install a guardrail barrier with appropriate markings at the second driveway entrance/exit to prevent traffic from traveling off the right-of-way onto the adjoining agricultural property.
3. There shall be a mandatory Homeowners' Association that shall oversee the maintenance of all common areas of the proposed development including open space, playgrounds, and other amenity areas.
4. All building exteriors shall be constructed of brick, stone, glass, or any combination thereof that may include cement fiberboard or other materials approved by the City of Locust Grove Community Development Department and the Architectural Review Board.
5. The development shall be in substantial compliance with the conceptual site plan and narrative dated September 22, 2022.

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.

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 RD (Planned Development) for the purpose of developing a multifamily residential community with commercial outparcels.

3.

On the 31st day of August, 2022, I, Brian posted double-sided sign notifications on the subject parcel advertising a public hearing on the above requests to be heard by the Locust Grove City Council on the 19th day of September 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 2:52 PM on the east side of Price Dr. north of Bill Gardner Parkway on 8/31/22.
2. Double-sided sign posted at 2:55 PM on the east side of Price Dr. south of Sheets Construction on 8/31/22.

FURTHER AFFIANT SAYETH NOT.

This 12th day of September 2022.


Affiant

Sworn and subscribed before me
this _____ day of _____, 2022

Notary Public (seal)

Exhibit "A"



Exhibit "B"



Newton commemorates bicentennial with time capsule



Former longtime Covington City Council member Janet Goodman helps to cover the county's bicentennial capsule Monday. Monday was also Goodman's birthday.



This commemorative paver will be placed atop the time capsule.

From staff reports

COVINGTON — Newton County unveiled its Bicentennial Brick Walkway Monday morning in a ceremony that included burial of a time capsule containing items from the county and each of its municipalities.

The walkway, located off Pace Street outside the north entrance to the county Administration Building, is paved with commemorative bricks. The time capsule is buried at the center of the walkway.

Board of Commissioners Chairman Marcello Banes used the occasion to call the community to greater unity in the next 200 years.

"Our theme is '200 years behind us, OneNewton in front of us,'" said Banes. "So what I put in (the time capsule) is a lot of prayer that our community can rise up and be the OneNewton that we talk about — that we can stop fighting each other, that we can stop fighting against each other, that we don't look at skin color, we don't look at Black or white, we don't look at west side or east side. We're going to keep saying that same prayer, and anybody who comes up against OneNewton, we're going to pray that God has mercy on their soul."

Covington Mayor Steve Hutton noted that the achievements of the past are the foundation of the present and the future.

"Newton County is a great place to live, to work and to play," said Hutton. "In the years I have lived here, I've seen some changes, and all of it wasn't as great as we wanted it to be, but it has led us to being as great as we are today."

The city of Covington is also celebrating its bicentennial this year.

County Manager Jarvis Sims urged the community to use the county's accomplishments to build toward a better future.

"We need to sit back and think about all of the accomplishments that have occurred over these 200 years, as well as look forward to what we can do to make our



Newton County Commission Chairman Marcello Banes prepares to place a time capsule into the ground at the center of the county's Bicentennial Walkway. The walkway is located outside the north entrance to the county Administration Building.



Newton County Commission Chairman Marcello Banes places a time capsule into the ground at the center of the county's new Bicentennial Walkway. The capsule is set to be opened in 200 years.

- accomplishments more over the next 200 years," Sims said.
- The following items were placed in the time capsule, which is expected to be opened on Dec. 21, 2022:
- ♦ From Newton County — Bicentennial lapel pin, bicentennial mask, bicentennial banner, Bicentennial Committee pictures, bark from the 150-year-old magnolia tree recently removed from the Square;
 - ♦ From the city of Covington — Laminated copy of city employee listing;
 - ♦ From the city of Oxford — Yarbrough oak acorns;
 - ♦ From the city of Newborn — Historic Newborn Schoolhouse T-shirt;
 - ♦ From the city of Mansfield — City Commission meeting agenda, minutes and town plat;
 - ♦ From the city of Social Circle — Gold key to the city of Social Circle;
 - ♦ From the city of Porterdale — City of Porterdale picture booklet and small cotton twine spool.

Fernbank Museum set to be next home for Tiny Doors ATL

From staff reports

Fernbank Museum is set to debut its newly commissioned "Tiny Door" next week during its adult-only Fernbank After Dark event.

The installation of the creative, "fun-sized" artwork will permanently add Fernbank to a list of Atlanta partners that have become a part of the Tiny Doors ATL community since its inception in 2014.

Boasted as "bringing big wonder to tiny spaces," Tiny Doors ATL is an Atlanta-based art project by artist Karen Anderson Singer. Businesses and public locations, alike, have been debuting their own Tiny Doors ATL showpieces, carving themselves a permanent space in Atlanta culture.

The small installations are meant to reflect the spirit, architecture and other unique elements of the surrounding community. Fernbank's Tiny Door will surprise guests as they make their way along the nature paths outdoors in WildWoods.

Framed with Giganotosaurus claws — a depiction relating to the famous Giants of the Mesozoic skeletons that fill Fernbank's Great Hall — Fernbank Museum's Tiny Door will be the newest 7-inch, one-of-a-kind installation. The sculpture will be added to Tiny Doors ATL's map, which is a popular go-to for tourists and locals alike.

Singer is excited that Fernbank will be the newest Tiny Door ATL partner.

"When Fernbank inquired



Fernbank Museum is set to debut its newly commissioned "Tiny Door" Sept. 9 during its adult-only Fernbank After Dark event.

about a Tiny Door, I jumped at the chance to create a piece for such an iconic Atlanta institution," she said. "The design of this Tiny Door is outside of the typical architecture style, with lots of animal-like features.

"There are giant Giganotosaurus claws holding the door in place, windows that resemble eyes, and hardware that looks like the nostrils of a large raptor! I hope that adults and children, alike, will stop by the Tiny Door and take a moment to engage with their imagination."

In recent years, Singer has added an augmented reality component to some of her newest installations. Known as "Atlanta's Home to Dinosaurs" Fernbank chose to highlight its iconic dinosaurs,

including a virtual peek into the incredible dinosaur discoveries that await visitors to the museum every day, better allowing the museum to showcase the incredible content that it brings to the Atlanta community.

"It's been a pleasure to work with such a talented local artist like Karen on Fernbank's own 'Tiny Door,'" Fernbank Exhibits Designer Emily Schroeder said. "Her whimsical, unique art connects people throughout Atlanta and inspires creativity. Fernbank's Tiny Door will have a huge impact on visitor connectivity in Atlanta and we're excited to add an augmented reality component that will bring the famous dinosaur skeletons inside Fernbank to life!"

FY 2023 (October 1, 2022 - September 30, 2023) PROPOSED BUDGET NOTICE OF BUDGET WORKSHOPS AND PUBLIC HEARINGS

The City of Hampton's Mayor and Council's proposed FY 2023 budget, covering the 2023 Fiscal Year of October 1, 2022, through September 30, 2023, will be available on August 30th. The FY 2023 budget will be available at City Hall, located at 17 East Main Street Hampton, Ga 30228, during normal business hours and on the City's website at www.hamptonga.gov.

The Mayor and Council will conduct a Budget Workshop, two Public Hearings, two public Budget Ordinance reads, and then the public adoption of the FY 2023 budget. All Hampton citizens are invited to attend the announced public meetings below.

- Budget Workshop — August 30, 2022, 11 am, City Hall 17 E Main St S, Hampton, GA 30228
- Budget Public Hearing #1 — September 15, 2022, 6:00 pm, City Hall 17 E Main St S, Hampton, GA 30228
- Budget Public Hearing #2 — September 22, 2022, 6:00 pm, City Hall 17 E Main St S, Hampton, GA 30228
- Budget Ordinance First Read — September 22, 2022, 6:30 pm, City Hall 17 E Main St S, Hampton, GA 30228
- Budget Ordinance Second Read and Adoption — September 29, 2022, 6:00pm, City Hall 17 E Main St S, Hampton, GA 30228

Public Hearing Notice
City of Locust Grove
September 19, 2022
6:00 PM
Locust Grove Public Safety Building
3648 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, September 19, 2022, at 6:00 PM, will conduct public hearings for the purpose of the following:

REZONINGS
RZ-22-06-01 The Beverly J. Scarles Foundation requests a rezoning of 50.16 +/- acres located on Prince 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. Scarles 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 FR-4 (Planned Residential District) for the purpose of developing a 100-unit single-family subdivision.

FUTURE LAND USE MAP AMENDMENT
FLU-22-06-06 The Beverly J. Scarles Foundation requests an amendment to the Future Land Use Map for 21.97 +/- acres located on Frances Ward Dr. (Parcel 129-01047009) in Land Lot 168 of the 2nd District from Mixed Historic Neighborhood to High-Density Residential.

The public hearings will be held in the Locust Grove Public Safety Building, located at 3648 Highway 42 South.

Dannic Gibbs
Community Development Director - City of Locust Grove

EXHIBIT “D”

1. The applicant shall make all recommended improvements from the traffic study in coordination with the City of Locust Grove including, but not limited to, the completion of a continuous right/thru turning lane with curb/gutter along the development’s frontage on Price Drive as determined by the City Manager. All additional rights-of-way required shall be dedicated to the City for all required road improvements.
2. Developer shall install a guardrail barrier with appropriate markings at the second driveway entrance/exit to prevent traffic from traveling off the right-of-way onto the adjoining agricultural property.
3. There shall be a mandatory Homeowners’ Association that shall oversee the maintenance of all common areas of the proposed development including open space, playgrounds, and other amenity areas.
4. All building exteriors shall be constructed of brick, stone, glass, or any combination thereof that may include cement fiberboard or other materials approved by the City of Locust Grove Community Development Department and the Architectural Review Board.
5. The development shall be in substantial compliance with the conceptual site plan and narrative dated September 22, 2022.



Community Development Department

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

Item Coversheet

Item: Resolution approving the architectural plans submitted for Home2 Suites by Hilton hotel building, located on Marketplace Blvd.

Action Item: Yes No

Public Hearing Item: Yes No

Executive Session Item: Yes No

Advertised Date: NA

Budget Item: No

Date Received: August 30, 2022

Workshop Date: September 19, 2022

Regular Meeting Date: October 3, 2022

Discussion:

Kalpesh Patidar/Golden Eye Hospitality of Stockbridge GA has submitted building elevation renderings for a hotel building to be located on Marketplace Boulevard.

As part of the requirements for building permits for new structures or major renovations, it is necessary for the Mayor and City Council, acting in their capacity as the Architectural Review Board, to review the proposed building exterior elevations for comment and approval.

The applicant proposes a four-story hotel building 60,392+/- sq. ft. building consisting of 100 guest rooms and an outdoor pool.

The proposed building facades feature a mixture of modern industrial-chic wall cladding materials including brick, concrete masonry panels, cement fiber planks, textured architectural wall panels, and stucco. Finish colors consist of neutral earth tones and the hotel's corporate brand color as a secondary accent. City ordinance 15.44.050 does permit corporate branding "to the extent used for decorative trim or for signage as part of the overall exterior features".

Chapter 15.44 Architectural Review

15.44.050 - Exterior materials standards.

A. Except where otherwise provided in this chapter or in the Code of Ordinances, the exterior architectural features of buildings and structures within multifamily, office/institutional, commercial, and industrial zoning districts shall adhere to the following minimum standards:

1. All primary/accent exterior siding materials shall be limited to:

Primary: Brick; natural stone including granite, marble, sandstone, fieldstone, or any other natural stone approved by the board; manufactured stone including imitation fieldstone, marble terrazzo, and wood and any other manufactured architectural finish stone approved by the board as a primary siding material.

Accent: Clay tile with baked-on enamel finish; architecturally treated decorative concrete block; architecturally treated slabs or block either fluted or with exposed aggregate; stucco; EFIS; masonry siding such as cement fiberboard siding ("hardiplank"), wood; or acceptable substitute approved by the board. "Tilt-up" concrete shall be permitted as a primary exterior siding material for buildings in industrial zoning districts or acceptable substitute as approved by the board.

2. All exterior siding material such as aluminum, steel, vinyl, mirrored or reflective glass, cinderblock, unfinished concrete, fiberglass or plastic are prohibited except that architectural fiberglass or plastic can be used to such extent that such material is used as detailing and decorative trim if approved by the board.
3. Fifty percent of the width of the front facade of the building shall consist of fenestration. All fenestration comprised of glass shall be multi-paned in appearance. Single-paned plate glass windows greater than six square feet in surface area without the appearance of being multi-paned shall be prohibited unless approved by the board.
4. All exterior painted surfaces, where visible from the public street shall be painted in earth tones. Colors shall be non-primary colors including darker and cooler shades of green, red, such as brick, yellow including beige, and lighter shades of brown including tan. However, white may be permitted if approved by the board. Corporate graphics, trademarks, corporate logos, corporate service marks and corporate branding items may be permitted by the board to the extent used for decorative trim or for signage as part of the overall exterior features.
5. Roofs on multifamily and commercial or office buildings shall generally consist of a pitch of 7/12 or greater with exception of porches and porticos and be comprised of asphalt, cedar shake, cement tile material. Standing seam metal roofing shall be allowed as approved by the board. Flat roofs shall be permitted in larger commercial

and industrial zoning where rooftop equipment is screened from view by raised parapet walls and shall be consistently flat across the building length with exception of features of fenestration to break up building mass and long, monotonous facades. Flat roofs may be permitted on larger multifamily and office buildings as approved by the board.

6. Burglar bars and steel roll down doors or curtains shall not be visible from the public street, with exception to buildings in industrial zoning districts as approved by the board.
 7. Service bays shall be designed so that the openings of service bays are not visible from a public street (i.e., side entry), with exception to buildings in industrial zoning districts as approved by the board.
 8. Fabric and canvas awnings and all other building materials must be of durable quality and shall be compatible with materials used in adjoining buildings.
 9. All exterior building elevations that face public streets and/or customer parking areas shall be designed so that there are no large expanses of blank walls. This requirement can be met by employing the use of architectural features including, but not limited to, the following: Doors, windows, pilasters, columns, horizontal and vertical offsets, material and color variations, decorative cornices, awnings, canopies, murals, and graphics.
- B. Additional requirements. Properties with material changes of structures lying within the historic preservation district overlay shall abide by the certificate of appropriateness process for the historic preservation district and follow the design guidelines as promulgated by the historic preservation commission. Properties within the Gateway Town Center and/or the Locust Grove Town Center LCI area shall abide by the applicable design guidelines in addition to this chapter.
- C. The exterior architectural features of buildings and structures within the office/institutional and commercial zoning classifications shall adhere to the following additional requirement:
- Front facades and any exterior sides facing public streets shall consist of a minimum of seventy percent of brick or natural or manufactured stone or a combination thereof, except where a building over three stories in height and/or greater than twenty thousand square feet in total building area may reduce this requirement as approved by the board where the structure provides adequate fenestration and design features or where a building is designed under LEED Silver, Gold, or Green standards.

Recommendation:

STAFF RECOMMENDS APPROVAL OF THE ARCHITECTURAL BUILDING ELEVATIONS SUBMITTED BY KALPESH PATIDAR/GOLDEN EYE HOSPITALITY.

RESOLUTION NO. _____

A RESOLUTION TO APPROVE ARCHITECTURAL PLANS FOR A HOTEL BUILDING LOCATED ON MARKETPLACE BLVD IN ACCORDANCE WITH CHAPTER 15.44 OF THE LOCUST GROVE CITY CODE; TO AUTHORIZE THE MAYOR AND CITY CLERK TO EXECUTE 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”) adopted Chapter 15.44 (“Chapter”) entitled “Architectural Review”, and;

WHEREAS, the purpose of the Chapter is to regulate the aesthetics, quality of exterior building materials and to the promotion of health, safety, prosperity and general welfare of the citizens of Locust Grove, and;

WHEREAS, the Mayor and City Council consist of the Architectural Review Board for the City of Locust Grove (“Board”) per Section 15.44.040, and;

WHEREAS, Kalpesh Patidar/Golden Eye Hospitality of Stockbridge, GA submitted building elevation renderings for a proposed hotel building to be located on Marketplace Blvd. attached hereto and made part thereof as **Exhibit “A”**, and;

WHEREAS, the Board may review and make comment on architectural plans and issue approval per Chapter 15.44 (“Chapter”) of the Code of Ordinances for the City of Locust Grove, and;

WHEREAS, the Board 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 request for architectural review to be in the best interests of the citizens of the City, that this Resolution be adopted.

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

1. **Finding.** That the Locust Grove Architectural Review Board hereby finds that the Plans submitted by Kalpesh Patidar/Golden Eye Hospitality dated September 13, 2022, appear to meet the requirements of Chapter 15.44 of City of Locust Grove Code.
2. **Conditions.** That the Locust Grove Architectural Review Board finding in Item 1 above is subject to the following conditions:
 - a. **Final Colors.** That final colors and type of materials be reviewed and approved by the Community Development Director to meet all requirements of Chapter 15.44

- of City of Locust Grove Code as “earth tone” in nature.
- b. **Material Changes.** That any material deviations in exterior architectural features, materials, or colors as depicted in the plans in **Exhibit “A”** require review and approval by the Architectural Review Board.
 - c. **Extension of Approved Plans.** That the approval granted herein may be in effect for a period not to exceed eighteen (18) months from the approval date of this Resolution.
3. **Public Purpose.** The Board finds that the foregoing actions constitute a major stem in preserving the health, safety, well-being and economic vitality of the community and are, therefore, consistent with its public purposes and powers.
 4. **Authority.** That the Board hereby authorizes the City Clerk to affix a stamp of the date of approval on the revised architectural plans in accordance with Section 15.44.060 J, to affix the City Seal if necessary, to carry out this Resolution, and to place this Resolution and any related documents among the official records of the City for future reference.
 5. **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.
 6. **Repeal of Conflicting Provisions.** All Board resolutions are hereby repealed to the extent they are inconsistent with this Resolution.
 7. **Effective Date.** This Resolution shall take effect immediately.

THIS RESOLUTION adopted this 3rd day of October, 2022.

ROBERT S. PRICE, Mayor

ATTEST:

MISTY SPURLING, City Clerk

(Seal)

APPROVED AS TO FORM:

City Attorney

EXHIBIT "A"



Administration Department

P. O. Box 900
Locust Grove, Georgia 30248

Phone: (770) 957-5043
Facsimile: (866) 364-0996

Item Coversheet

Item: Revised MOU for P-3 MMIP CVL Project #0014203 – GDOT
(Utilities)

Action Item: Yes No

Public Hearing Item: Yes No

Executive Session Item: Yes No

Advertised Date: N/A

Budget Item: Yes, Enterprise Revenues and Expenditures Fund 505.

Date Received: August 23, 2022 – revised MOU
December 15, 2021 – initial MOU

Workshop Date: September 19, 2022 – revised MOU
December 20, 2021 – initial MOU

Regular Meeting Date: October 3, 2022 – revised MOU
January 3, 2022 – initial MOU

Discussion:

Attached is a revised Memorandum of Understanding (“MOU”) with GDOT for work along I-75 for the Commercial Vehicles Lanes Project, the MMIP major investment of nearly \$2 billion for truck lanes between I-475 and Bethelhem Road.

This revised MOU establishes a framework whereby the City elects to use Turnipseed (*Option 3B in the revised MOU*) for design work for any relocation of utilities (sanitary sewer and water) along the commercial vehicle lane corridor, but will be reimbursed by the P3 Contractor when chosen. The relocation costs will be covered by the Contractor once the project commences.

Revisions to the initial MOU, adopted by the Council last January, include

- The removal of references to Master Utility Adjustment Agreement (“MUAA”)
- Clarifies the process for Betterment with the Developer in that there must be a mutual agreement between the Owner (ie, the City) and the Developer.
- Changes the deadline for submitting prior rights

- Clarifies maintenance responsibilities after utility adjustments are made and accepted.

Recommendation:

APPROVE RESOLUTION OF THE CITY OF LOCUST GROVE TO ACCEPT THE REVISED MEMORANDUM OF UNDERSTANDING WITH THE GEORGIA DEPARTMENT OF TRANSPORTATION FOR THE P3 I-75 COMMERCIAL VEHICLE LANES PROJECT #0014203 FOR CERTAIN DESIGN AND CONSTRUCTION COSTS RELATED TO UTILITIES.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF LOCUST GROVE TO ACCEPT THE REVISED MEMORANDUM OF UNDERSTANDING WITH THE GEORGIA DEPARTMENT OF TRANSPORTATION FOR THE P3 I-75 COMMERCIAL VEHICLE LANES PROJECT #0014203 FOR CERTAIN DESIGN AND CONSTRUCTION COSTS; TO REPEAL INCONSISTENT RESOLUTIONS; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WITNESSETH:

WHEREAS, the City of Locust Grove (“City”) is a municipal corporation duly organized and existing under the laws of the State of Georgia; and

WHEREAS, the Georgia Department of Transportation (“GDOT”) is organized by the State of Georgia for the planning, designing, construction and maintenance of roads and bridges throughout the State; and,

WHEREAS, GDOT is working on Project #0014203 for the design and construction of Commercial Vehicle Lanes along Interstate 75 (“I-75”) between Bethlehem Road and Interstate 475 (“Project”) that are a part of the Major Mobility Investment Program (“MMIP”) of GDOT; and,

WHEREAS, the is aware that the Project has certain effects regarding the city’s utilities within the Project Area that must be addressed with a Memorandum of Understanding; and,

WHEREAS, the City is aware that this Project is critical in the mobility of vehicles and freight within the southern portion of Henry County, including relief for the Bill Gardner Interchange and the heavily-congested State Route 155 Interchange; and,

WHEREAS, the City seeks to use Turnipseed Engineers as their designation as “City Engineer” to perform the design related to the utilities affected by the Project; and,

WHEREAS, the MOU has been reviewed for acceptance at a public meeting held by the City Council on December 20, 2021 and January 3, 2022; and,

WHEREAS, on August 23, 2022, GDOT submitted a revised MOU to the City for review; and,

WHEREAS, the City Council reviewed the revised MOU during a Workshop Meeting held on September 19, 2022; and,

WHEREAS, the Mayor and Council believe that acceptance of the revised MOU with GDOT to advance this Project in the best interest of the County and the City, and their citizens;

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

1. **Acceptance of the revised Memorandum of Understanding.** The Mayor, by and with the advice and consent of the City Council, hereby accepts the revised MOU as attached hereto and incorporated herein as **Exhibit "A"**.
2. **Severability.** To the extent any portion of this Resolution is declared to be invalid, unenforceable, or nonbinding, that shall not affect the remaining portions of this Resolution.
3. **Repeal of Conflicting Provisions.** All City resolutions are hereby repealed to the extent they are inconsistent with this Resolution.
4. **Effective Date.** This Resolution shall take effect immediately.

THIS RESOLUTION adopted this 3rd day of October , 2022.

ROBERT S. PRICE, Mayor

ATTEST:

APPROVED AS TO FORM:

Misty Spurling, City Clerk

City Attorney

(seal)

EXHIBIT A
REVISED MEMORANDUM OF UNDERSTANDING BETWEEN
THE CITY OF LOCUST GROVE
AND THE GEORGIA DEPARTMENT OF TRANSPORTATION
ON PROJECT #0014203
REGARDING UTILITY RELOCATION FOR THE P-3 MMIP PROJECT

Georgia DOT Project: I-75 Commercial Vehicle Lanes
GDOT P.I. 0014203

**PUBLIC PRIVATE PARTNERSHIP (P3)
MEMORANDUM OF UNDERSTANDING**

between the
Georgia Department of Transportation (hereinafter the DEPARTMENT)
and
City of Locust Grove (hereinafter the OWNER)

Whereas the DEPARTMENT proposes to procure a P3 project, hereinafter referred to as the PROJECT, to construct Commercial Vehicle Lanes along I-75, from the I-475 interchange to just south of Bethlehem Road and add an auxiliary lane from Bethlehem Road to SR 155 and from SR 155 to SR 20, an approximate distance of 41 miles in Monroe, Butts, Lamar, Spalding, and Henry Counties, Georgia as authorized by O.C.G.A. § 32-2-80; and

Whereas the DEPARTMENT will accomplish the PROJECT through (i) a developer, hereinafter referred to as the DEVELOPER, which will enter into a contract, hereinafter referred to as the CONTRACT, for the design, build and finance of the PROJECT and will subcontract certain work to a combination of contractors, design consultants (or design consultant team) and other entities; and (ii) the OWNER; and

Whereas, pursuant to O.C.G.A. § 32-6-170(b), the DEPARTMENT is authorized to pay or participate in the payment of the costs of removal, relocation, protection, or adjustment of the OWNER'S facilities, hereinafter referred to as the UTILITY ADJUSTMENT WORK, where the DEPARTMENT has made the determination that (i) the type of facility is one of those delineated in Section 1. below; (ii) such payments are in the best interest of the public and necessary in order to expedite the staging of the PROJECT; and (iii) the costs of the UTILITY ADJUSTMENT WORK are included as part of the PROJECT.

Whereas the OWNER may elect for the UTILITY ADJUSTMENT WORK to be carried out (i) by the OWNER; or (ii) by the DEVELOPER under the CONTRACT either utilizing the OWNER'S pre-approved design consultants and contractors or utilizing the DEVELOPER'S own design consultants and contractors.

1. Type of Utility

The OWNER has the following utility facilities in respect of which UTILITY ADJUSTMENT WORK may need to be carried out as a result of the proposed PROJECT:

Type of facility or facilities of the OWNER: [*Check to signify*]

- Domestic water mains and distribution lines and associated appurtenances
- Sanitary Sewer facilities and/or Storm Drainage System
- Electrical Distribution (overhead and underground) wires, poles, etc.
- Electrical Transmission (overhead and underground) wires, poles, etc.
- Natural Gas Distribution Facilities (underground)
- Natural Gas Transmission Facilities (underground)

- Petroleum Pipeline (underground)
- Telecommunications facilities and equipment
- Cable TV facilities
- Street Lighting
- Internet Data Service
- Other Facilities contemplated under O.C.G.A. § 32-6-170(b) (Description) [Click or tap here to enter text.](#)

2. New Utility Facilities Proposed (Betterment)

The OWNER desires the following to be installed as new additional facilities within the PROJECT right of way, hereinafter referred to as a BETTERMENT:

[Insert here or attach a detailed description of proposed new additional utility installations]

[Click or tap here to enter text.](#)

[Click or tap here to enter text.](#)

The OWNER acknowledges and agrees that (i) any BETTERMENT will be subject to terms to be mutually agreed between the DEVELOPER and the OWNER and documented pursuant to a separate betterment agreement between the DEVELOPER and the OWNER, a copy of which betterment agreement must be provided to the DEPARTMENT; (ii) any such BETTERMENT will be subject to the same standards and requirements as if it were necessary UTILITY ADJUSTMENT WORK; and (iii) the OWNER will be responsible for all costs relating to any BETTERMENT and the DEPARTMENT will have no obligation to pay for or facilitate any such BETTERMENT.

3. Assignment of Responsibilities for Design and Construction

The OWNER hereby acknowledges and agrees that (i) prior to the award of the CONTRACT, the DEPARTMENT will not have in its possession final plans to be utilized to determine exact locations of the UTILITY ADJUSTMENT WORK; (ii) Overhead/Subsurface Utility Engineering (SUE) investigations plans exist providing the best information and signifying the layout of known existing facilities; and (iii) the OWNER has used the SUE plans for developing its determination of commitments as indicated below.

The DEVELOPER-developed plans will be developed by the DEVELOPER and provided to the OWNER after the CONTRACT is awarded. The OWNER hereby acknowledges and agree that if option 3A below has been selected (i) the DEVELOPER-developed plans shall be used by the DEPARTMENT as the final basis for the Standard Utility Agreement; and (ii) the OWNER will enter into the Standard Utility Agreement on the basis of such DEVELOPER-developed plans.

The OWNER hereby makes the following commitments with regard to the PROJECT and the UTILITY ADJUSTMENT WORK:

- 3A. The OWNER, at the DEPARTMENT'S cost pursuant to a Standard Utility Agreement, will provide the following services in respect of the UTILITY ADJUSTMENT WORK for the properties for which it has established prior rights: *[Check to signify]*

Design
Construction

The OWNER must provide documented proof of the prior right and that documentation must be verified and approved by the DEPARTMENT prior to execution of this MEMORANDUM OF UNDERSTANDING.

- 3B. The OWNER elects for the following services in respect of the UTILITY ADJUSTMENT WORK to be included in the CONTRACT (regardless of prior rights) pursuant to O.C.G.A. § 32-6-170(b). The UTILITY ADJUSTMENT WORK will be included in the scope of the CONTRACT and the costs of the UTILITY ADJUSTMENT WORK will be included in the overall PROJECT costs under the CONTRACT:

Option 1: Work to be performed under the CONTRACT by the OWNER's pre-approved design consultants and/or contractors identified in attached "Exhibit A": [*Check to signify*]

Design
Construction

Option 2: Work to be performed under the CONTRACT by the DEVELOPER: [*Check to signify*]

Design
Construction

[*If both are checked under Option 2, please leave Exhibit A blank*]

As per this section, all work necessary for the UTILITY ADJUSTMENT WORK in accordance with the plans, when approved, shall be included in the CONTRACT and accomplished by the DEVELOPER except as follows: [*Check none or list any work items to be performed by the OWNER and identify whether such work items will be at the DEPARTMENT's cost pursuant to a Standard Utility Agreement under option 3A above or at the OWNER's cost under option 3C below.*]

None

Excluded Items Click or tap here to enter text.
Click or tap here to enter text.
Click or tap here to enter text.

Comments Click or tap here to enter text.
Click or tap here to enter text.
Click or tap here to enter text.
Click or tap here to enter text.

3C. OWNER, at OWNER'S cost, will provide the following services: [*Check to signify*]

- Design
Construction

The following is hereby mutually agreed to and understood by both parties:

1. The identification of existing facilities including preparation of Overhead/Subsurface Utility Engineering (SUE) investigations plans will be accomplished by the DEPARTMENT prior to award of the CONTRACT and thereafter supplemented by the DEVELOPER.
2. The DEVELOPER shall coordinate reviews of the utility relocation information and obtain acceptance from the OWNER and the DEPARTMENT when required. The OWNER shall apply for and obtain any required permits from the DEPARTMENT and perform any final design or proprietary design needed to administer its own relocation work if the work will not be included in the CONTRACT. If the preliminary plans indicate that no conflict exists, and the OWNER concurs with this information, the OWNER shall provide a letter of "no conflict" to the DEVELOPER and submit a No Conflict GUPS Permit.
3. All construction engineering and contract supervision shall be the responsibility of the DEPARTMENT and the DEVELOPER to ensure that all UTILITY ADJUSTMENT WORK included in the CONTRACT is accomplished in accordance with the PROJECT's plans and specifications. The DEVELOPER will consult with the OWNER before authorizing any changes or deviations which affect the OWNER's facility.
4. For UTILITY ADJUSTMENT WORK included in the CONTRACT, the DEVELOPER shall ensure that the design, construction, and installation of the OWNER'S facilities is performed by the OWNER'S pre-approved design consultant and/or contractor (if option 3B, Option 1 has been selected) and/or by the DEVELOPER (if option 3B, Option 2 has been selected).
5. For UTILITY ADJUSTMENT WORK included in the CONTRACT, the OWNER or the OWNER's consultant shall have the right to visit and inspect the work at any time and advise the DEVELOPER and the DEPARTMENT's Engineer of any observed discrepancies or potential issues. The DEPARTMENT agrees to notify the OWNER when all UTILITY ADJUSTMENT WORK included in the CONTRACT is completed and ready for final inspection by the OWNER.
6. Upon completion of the UTILITY ADJUSTMENT WORK included in the CONTRACT and upon certification by the DEPARTMENT's project manager and the OWNER that the work has been completed in accordance with the plans and specifications, the OWNER will accept the adjusted, relocated, and additional facilities and will thereafter operate and maintain said facilities located within the PROJECT right of way subject to the DEPARTMENT's "Utility Accommodations Policy and Standards Manual (UAM), current edition" and any agreements in effect without further cost to the DEPARTMENT or the DEVELOPER. Final acceptance of the UTILITY ADJUSTMENT WORK shall be accomplished by the execution of the Utility Facility Relocation Acceptance Form. The DEVELOPER shall provide the OWNER with a complete set of "As-Built Plans" for review and approval reflecting the UTILITY ADJUSTMENT WORK performed by the DEVELOPER. Upon completion of the Utility Facility Relocation Acceptance Form and the exchange of the final OWNER approved "As-Built Plans", the OWNER will operate and maintain the installed facilities going

forward based on the date of execution of the Utility Facility Relocation Acceptance Form by the DEPARTMENT.

7. For all coordination, work, services, reimbursement, and other matters in respect of UTILITY ADJUSTMENT WORK under this MEMORANDUM OF UNDERSTANDING, the OWNER shall comply with all requirements under the DEPARTMENT'S UAM and shall cooperate with the DEVELOPER in the same manner as if coordinating directly with the DEPARTMENT in accordance with the laws of the State of Georgia, the DEPARTMENT'S UAM and any agreements in effect between the DEPARTMENT and the OWNER. The OWNER agrees to cooperate in good faith with the DEVELOPER and to respond to all requests for information or meetings required to reach a resolution of any disputed items.
8. All UTILITY ADJUSTMENT WORK performed by the OWNER, at the DEPARTMENT's cost, through a Standard Utility Agreement under option 3A above and all UTILITY ADJUSTMENT WORK included in the CONTRACT under option 3B above shall be performed in accordance with the BUY AMERICA requirements of the Federal regulations (23 U.S.C. 313 and 23 CFR 635.410). All manufacturing processes for steel and iron products or predominantly of steel or iron furnished for permanent incorporation into the work on the PROJECT shall occur in the United States. The only exception to this requirement is the production of pig iron and the processing, pelletizing and reduction of iron ore, which may occur in another country. Other than these exceptions, all melting, rolling, extruding, machining, bending, grinding, drilling, coating, etc. must occur in the United States.
 - a. Products of steel include, but are not limited to, such products as structural steel piles, reinforcing steel, structural plate, steel culverts, and guardrail steel supports for signs, signals, and luminaires. Products of iron include, but are not limited to, such products as cast iron frames and grates and ductile iron pipe. Coatings include, but are not limited to, the applications of epoxy, galvanizing and paint. The coating material is not limited to this clause, only the application process.
 - b. A Certificate of Compliance shall be furnished for steel and iron products as part of the backup information with the billing. The form for this certification entitled "Buy America Certificate of Compliance" is attached to this MEMORANDUM OF UNDERSTANDING as "Exhibit B." Records to be maintained by the DEVELOPER for this certification shall include a signed mill test report and a signed certification by each supplier, distributor, fabricator, and manufacturer that has handled the steel or iron product affirming that every process, including the application of a coating, performed on the steel or iron product has been carried out in the United States, except as allowed by this section. The lack of these certifications will be justification for rejection of the steel and/or iron product or nonpayment of the work.

The requirements of said law and regulations do not prevent the use of miscellaneous steel or iron components, subcomponents, and hardware necessary to encase, assemble and construct the above products, manufactured products that are not predominantly steel or iron or a minimal use of foreign steel and iron materials if the cost of such materials used does not exceed one-tenth of one percent (0.1%) of the total contract price or \$2,500.00, whichever is greater.

[signature page follows]

This MEMORANDUM OF UNDERSTANDING will be incorporated into the CONTRACT by reference or exhibit.

APPROVED FOR THE OWNER BY:

THE CITY OF LOCUST GROVE, GEORGIA

BY: _____
Robert Price, Mayor

ATTEST:

Misty Spurling, City Clerk

[SEAL]

APPROVED AS TO FORM:

City Attorney

APPROVED FOR THE DEPARTMENT BY:

(Signature)

Click or tap to enter a date.
(Date)

STATE UTILITIES ADMINISTRATOR

Exhibit A

OWNER Pre-Approved Contractor List

Company Name: Click or tap here to enter text.

Address: Click or tap here to enter text.

Phone: Click or tap here to enter text.

Contact Person: Click or tap here to enter text.

E-Mail: Click or tap here to enter text.

Company Name: Click or tap here to enter text.

Address: Click or tap here to enter text.

Phone: Click or tap here to enter text.

Contact Person: Click or tap here to enter text.

E-Mail: Click or tap here to enter text.

Company Name: Click or tap here to enter text.

Address: Click or tap here to enter text.

Phone: Click or tap here to enter text.

Contact Person: Click or tap here to enter text.

E-Mail: Click or tap here to enter text.

Please provide a minimum of three.

OWNER Pre-Approved Design Consultant List

Company Name: Turnipseed Engineers

Address: 2255 Cumberland Parkway Building 400, Atlanta, GA 30339

Phone: 770-333-0700

Contact Person: J. Lamar Rogers, P.E.

E-Mail: lrogers@gbtengineers.com

Company Name: Click or tap here to enter text.

Address: Click or tap here to enter text.

Phone: Click or tap here to enter text.

Contact Person: Click or tap here to enter text.

E-Mail: Click or tap here to enter text.

Company Name: Click or tap here to enter text.

Address: Click or tap here to enter text.

Phone: Click or tap here to enter text.

Contact Person: Click or tap here to enter text.

E-Mail: Click or tap here to enter text.

Please provide a minimum of three.

Exhibit B

To be completed after the Project is awarded

**GEORGIA DEPARTMENT OF TRANSPORTATION
BUY AMERICA
CERTIFICATE OF COMPLIANCE**

Date _____

WE, _____

(UTILITY/RAILROAD OWNER)

Address:

Hereby certify that we are in compliance with the "Buy America" requirements of the Federal regulations 23 U.S.C. 313 and 23 CFR 635.410 of this project.

P.I. No. 0014203

As required, we will maintain all records and documents pertinent to the Buy America requirement, at the address given above, for not less than 3 years from the date of project completion and acceptance, if we do not provide the records and documents during invoicing. If all records and documents pertinent to the Buy America requirement are delivered during invoicing, then we will maintain all records and documents pertinent to the Buy America requirement for not less than three (3) years from the date conditional final payment has been received by the COMPANY.

These files will be available for inspection and verification by the Department and/or FHWA.

We further certify that the total value of foreign steel as described in the Buy America requirements for this project does not exceed one-tenth of one percent (0.1%) of the total contract price or \$2,500.00, whichever is greater.

Signed by

Title

(Officer of Organization)

Subscribed and sworn to me before this ___ day of _____, _____.

Notary Public / Justice of the Peace My commission expires: _____



Administration Department

P. O. Box 900
Locust Grove, Georgia 30248

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

Item Coversheet

Item: Sanitation Rate Schedule for Years 2022 - 2024

Action Item: Yes No

Public Hearing Item: Yes No

Executive Session Item: Yes No

Advertised Date: N/A

Budget Item: Yes, Fund 540 - Sanitation

Date Received: September 15, 2022

Workshop Date: September 19, 2022

Regular Meeting Date: October 3, 2022

Discussion:

As you know, we just approved a set of adjustments with Advanced Disposal/Waste Management regarding trash service to our customers. This is similar with what other cities and counties all over are having to experience with the recent rapid increases in fuel, supplies and labor costs. In all, the approval was for a 24% increase in our costs.

Part of that discussion was that we would be increasing our own sanitation rates to our customers to pass along that increase, with provisions for additional increase to keep up with the recent inflationary costs. As such, the attached Ordinance would increase the rates from \$13.00 to \$15.50 per month for basic services along with additional can services also increasing. Further, the ordinance will increase rates by fifty cents (\$0.50) on January 1 and July 1 of each calendar year through year 2024. This would then cease at \$18.00 for basic service and provide us with what will likely be future increases by our service provider into part of Calendar Year 2023.

Recommendation:

APPROVE Ordinance establishing new Sanitation Rates 2022 - 2024

I | *... in The Grove*

ORDINANCE NO. _____

TO AMEND TITLE 8 CHAPTER 8.16 ENTITLED “SOLID WASTE COLLECTION AND DISPOSAL” OF CODE OF ORDINANCES OF THE CITY OF LOCUST GROVE TO PROVIDE FOR REVISED RATES AND SCHEDULES; TO PROVIDE FOR AUTOMATIC PERIODIC RATE INCREASES; TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

THE COUNCIL OF THE CITY OF LOCUST GROVE HEREBY ORDAINS

SECTION 1. Title 8, Chapter 8.16 of the Code of Ordinances of the City of Locust Grove is hereby amended by striking code Section 8.16.080 and inserting in lieu of as follows:

8.16.080 Rate schedule

- A. Rates for sanitation services shall be determined from time to time by the mayor and council, a current schedule of which shall be maintained on file in the office of the city clerk and is set out at the end of this chapter as Exhibit A.
- B. Extraordinary circumstances, such as multiple dwelling units, commercial users, and industrial users may be governed by special contract agreements made by the mayor and council on recommendation of the city manager and city waste hauler.
- C. At any time a customer requests sanitation service to be temporarily turned on or off by the city, except for termination of service, there will be a fee of twenty-five dollars applied to the utility bill for the initial month of that period.

Section 2. Codification. This ordinance shall be codified in a manner consistent with the laws of the State of Georgia.

SECTION 3. Severability. The preamble of this Ordinance is incorporated herein and made a part hereof by reference to same. In the event any portion of this ordinance shall be declared or adjudged invalid or unconstitutional, it is the intention of the City Council of Locust Grove that such adjudications shall in no manner affect the other sections, sentences, clauses, or phases of this ordinance which shall remain in full force and effect as if the invalid or unconstitutional section, sentence, clause or phrase were not originally part of the ordinance.

SECTION 4. Repeal of conflicting provisions. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed, except as otherwise provided herein, all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 5. Effective date. This ordinance shall become effective immediately upon its adoption by the Mayor and the City Council of Locust Grove.

SO ORDAINED this __3rd__ day of _October_, 2022.

ROBERT S. PRICE, Mayor

ATTEST:

MISTY SPURLING, City Clerk
(seal)

EXHIBIT A
RATE SCHEDULES

A. SANITATION RATE SCHEDULE:

Effective October 1, 2022, the following rate schedule is adopted for the city:

A. Residential Collection.	
One pickup per week – Standard container	\$15.50 per month
Each additional Standard container service	\$11.00 per month
B. Commercial per Week.	
One standard container service	\$20.00 per month
Each additional Standard container service	\$7.50 per month
C. Limb Chipping. / Bagged Leaves	
First 20 minutes	No charge
Each additional 20 minutes	\$15.00

B. AUTOMATIC INCREASE TO RATE SCHEDULE:

Rates as established in Items A above shall increase by fifty cents (\$0.50) per month each January 1st and each July 1st of every calendar year beginning on January 1, 2023 until July 1, 2024, unless otherwise paused or ceased by the action of the Mayor and City Council. These automatic increases shall be reflected in a current rate schedule to be retained in City Hall by the City Clerk.