

CITY OF LOCUST GROVE

WORKSHOP MEETING AGENDA

TUESDAY JANUARY 17, 2023 - 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 Boone

APPROVAL OF THE AGENDA (Action Needed)

PUBLIC COMMENTS/PRESENTATIONS Register with Clerk Before Meeting

PUBLIC HEARING ITEMS 4 Items

1. Future Land Use Map amendment request from Mixed Historic Neighborhood to Central Business district for 0.91 +/- acres (Parcel ID L02-02011000) in LL 186 of the 2nd district located on Carter Lane
2. Rezoning request from OI (Office/Institutional) to C-2 (General Commercial) for 0.91 +/- acres (Parcel ID L02-02011000) in LL 186 of the 2nd district
3. A city-initiated ordinance amendment to the Locust Grove Municipal Code Section 5.28.065, certain areas exempt from distance restrictions for sale or consumption on premises
4. Request for modification to zoning conditions for 31.43 +/- acres (Parcel IDs 111-01007000 (portion), 111-01007001, 111-01006051, and 111-01006052) in LL 233 of the 2nd district located on Highway 42

OLD BUSINESS/ACTION ITEMS.....None

NEW BUSINESS/ACTION ITEMS..... 2 Items

5. Resolution to award the bid for services associated with the relocation of a city waterline in conjunction with the State Route 42 widening project (Motion Required)
6. Request for a Special Event permit for the 516th American Legion to hold a fundraiser at the intersection of Bill Gardner Parkway and Tanger Blvd on January 20, 2023 (Motion Required)

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

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

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

- Consideration of “Handle with Care” Memorandum of Understanding
- Ordinance to amend Chapter 2.24 Police SOP Section I-037 Unmanned Aircraft System (Motion Required)

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

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

- Georgia Safe Sidewalks – trip hazard removal specialists
- City Council Salary Study

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

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

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

POSTED AT CITY HALL–January 11, 2023 at 16:30

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LOCUST GROVE, GA 30248

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

7. Resolution approving the architectural plans submitted for a proposed C-Store building to be located on Tanger Blvd.
8. Resolution approving the architectural plans submitted for the proposed RangeWater Real Estate Multifamily Development located on Tanger Boulevard.

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

- FY 2022 Budget update – 4th Quarter

COUNCIL COMMENTS Council

MAYOR'S COMMENTS Mayor Robert Price

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

ADJOURN –

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POSTED AT CITY HALL–January 11, 2023 at 16:30



Community Development Department

P. O. Box 900
Locust Grove, Georgia 30248

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

Item Coversheet

Item: Future Land Use Map amendment request from Mixed Historic Neighborhood to Central Business District for 0.91+/- acres (Parcel ID L02-02011000) in Land Lot 186 of the 2nd District located on Carter Lane

Action Item: Yes No

Public Hearing Item: Yes No

Executive Session Item: Yes No

Advertised Date: December 28, 2022

Budget Item: N/A

Date Received: December 2, 2022

Workshop Date: January 17, 2023

Regular Meeting Date: February 6, 2023

Discussion:

The Locust Grove Downtown Development Authority, (the "Applicant"), requests an amendment to the City's Future Land Use Map to change the land-use designation from Mixed Historic Neighborhood to Central Business District for a property located between Smith St. and Carter Ln. (Parcel L02-02011000) in Land Lot 186 of the 2nd District (the "Property"). The Property consists of approximately 0.91 +/- acres and the request is being made in conjunction with a rezoning request for a business incubator/microbrewery.

Recommendation:

Staff recommends APPROVAL

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE FUTURE LAND USE MAP DESIGNATION FOR 0.91+/- ACRES LOCATED ON CARTER LANE (PARCEL L01-02011000) IN LAND LOT 186 OF THE 2ND DISTRICT WITHIN THE CITY OF LOCUST GROVE, GEORGIA; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

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 Locust Grove Downtown Development Authority (the “Applicant”), requests an amendment to the Future Land Use Map designation from Mixed Historic Neighborhood to Central Business District for property located on Carter Lane (Parcel L02-02011000) in land lot 186 of the 2nd District (the “Property), attached hereto as **Exhibit A**; and,

WHEREAS, the Applicant filed a request to amend the Future Land Use Map designation on December 2, 2022 as shown in the application attached hereto and incorporated herein by reference as **Exhibit B**; and,

WHEREAS, the Applicant filed a concurrent request to rezone the Property from OI (Office/Institutional) to C-2 (General Commercial); and,

WHEREAS, the Applicant’s request has been reviewed by the Mayor and City Council at a Public Hearing held on January 17, 2023, as well as by the City Community Development Director; and,

WHEREAS, the Applicant requested that the Property’s Future Land Use Map Designation be amended from Mixed Historic Neighborhood to Central Business District to develop a business incubator/microbrewery; and,

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

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

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

1.

- That the request for amending the Future Land Use Map is hereby **APPROVED**.
- That the request for amending the Future Land Use Map is hereby **DENIED**.

2.

That the use of the Property is subject to:

- The condition(s) 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 is zoned without conditions.

3.

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

4.

That, if granted, this Ordinance shall become effective immediately subject to the corresponding annexation ordinance under consideration.

SO ORDAINED by the Council of this City this 6th day of February 2023.

ROBERT S. PRICE, Mayor

ATTEST:

MISTY SPURLING, City Clerk

(Seal)

APPROVED AS TO FORM:

City Attorney

EXHIBIT A

Application for Rezoning, Conditional Use, Conditional Exception, Variance, Modifications to Zoning Conditions and Future Land Use Plan Amendments

Thank you for your interest in the City of Locust Grove, Georgia. This packet includes the necessary documents for rezoning, conditional use, conditional exception, variance and modifications to zoning conditions to be heard by the Locust Grove City Council.

Please note: All fees are non-refundable. There are no exceptions. In addition, be sure to review current ordinances, as new amended sections of code are to be adopted over the year.

Should you need further assistance, please feel free to contact our office between 8:00 AM to 5:00 PM, Monday through Friday at:
(770) 692-2321 or (770) 957-5043

The location of all City Council meetings is:
Locust Grove Public Safety Building
3640 Highway 42
Locust Grove, GA 30248

WWW.LOCUSTGROVE-GA.GOV

Zoning Application Checklist

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

ALL DOCUMENTS ARE REQUIRED IN ORDER TO ACCEPT APPLICATION

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

Community Development Department

Application Procedures and Requirements

The following application procedures and requirements apply to all amendments to the Official Zoning map. Any deviation from these standards as prescribed by Section 17.04.312 of the Code of the City of Locust Grove, shall be discussed and considered by the Community Development Director.

- Rezoning
- Conditional Use
- Conditional Exception
- Modifications to Zoning Conditions
- Variance
- Amendments to the Future Land Use Plan

APPLICATIONS WILL NOT BE ACCEPTED WITHOUT ALL THE REQUIRED INFORMATION AS STATED FOR THE FOLLOWING. ALL FEES ARE NON-REFUNDABLE.

ARTICLE XVI. AMENDMENTS

Section 17.04.311 Amendments to Chapter and to Official Zoning Map.

This Chapter, including the official zoning map, may be amended by the City Council that shall become effective after review and comment in a public hearing.

Section 17.04.312 Application for amendment.

- (a) A zoning map amendment may be proposed by any public agency or department of Locust Grove, Georgia or by the City Council. Unless initiated by one (1) of the above bodies, all applications for map amendments must be submitted by an individual with fifty-one (51) or more percent ownership in fee simple of the subject property being petitioned for rezoning, or his legal agent authorized in writing over the owner's signature.
- (b) Any petition for amendment of the Locust Grove Zoning Ordinance or official zoning map shall be accompanied by a filing fee maintained by the Locust Grove Community Development Department office.
- (c) Applications for zoning map amendments shall be filed with the Locust Grove Community Development Department, which will schedule the application for public hearing before the City Council.
- (d) Applications for a zoning map amendment must contain the following:
 - (1) A completed and signed copy of the application for zoning map amendment.
 - (2) A conceptual plat/site plan representing information on the location, extent and type of proposed development, which may include, depending upon the type of development, the following minimum types of information:

- a. Correct scale and north arrow.
- b. The present zoning classification of all adjacent parcels.
- c. The location of the parcel relative to existing or proposed public streets.
- d. Required zoning yard setbacks for the zoning district requested.
- e. Topographic information sufficient to show elevation and drainage conditions of the land.
- f. Existing conditions or improvements on the property.
- g. The location and extent of required buffer areas, including the extent of natural vegetation or fences as required.
- h. Proposed lot layout of the property if it is to be a subdivision for residential, commercial or industrial development, with required building line setbacks and buffer areas shown.
- i. Commercial or industrial development on existing individual lots, or proposed shopping center developments shall also indicate the location and dimensions of proposed buildings, parking and loading areas, driveways and storage areas.
- j. Report from the Henry County Health Department and the Henry County Water and Sewerage Authority and/or (as applicable) the City Utility Department.
- k. The Community Development Department may require additional information, or information different from the above depending upon the type of development, to properly evaluate the zoning map amendment.

- (3) A copy of the proposed restrictive covenants to be placed upon property that a rezoning application is being made therefore.

Section 17.04.313 Review of application for amendment.

- (a) All proposed amendments to this chapter or to the Official Zoning Map with required site plans shall be transmitted to the Community Development Department Director and City Council for analysis and public hearing. The Community Development Department Director shall study the need and justification of the following facts:

- (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.
- (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.
- (3) Consistency with the Land Use Plan.
- (4) The potential impact of the proposed amendment on county infrastructure including water and sewerage systems.
- (5) The impact of the proposed amendment on adjacent thoroughfares and pedestrian and vehicular circulation and traffic volumes.
- (6) The impact upon adjacent property owners should the request be approved.
- (7) The ability of the subject land to be developed as it is presently zoned.
- (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.
- (9) The merits of the requested change in zoning relative to any other guidelines and policies for development which the City Council may use in furthering the objectives of the land use plan.

- (b) After completing the analysis and review, the City Council shall conduct a public hearing on the proposed zoning map amendment.

Section 17.04.314 Notification and public hearing.

- (a) If Locust Grove, Georgia is taking action resulting in a zoning decision, it shall provide for a hearing on the proposed action. At least fifteen (15) but not more than forty-five (45) days prior to the date of the hearing, the Community Development Department shall cause to be published within a newspaper of general circulation within the City limits and Henry County a notice of the hearing. The notice shall state the time, place and purpose of the hearing.
- (b) If a zoning decision of Locust Grove, Georgia is for the rezoning of property and the rezoning is initiated by a party other than City officials or a City department then:
 - (1) The notice, in addition to the foregoing requirements, shall include the location of the property, the present zoning classification of the property, and the proposed zoning classification of the property; and
 - (2) A sign containing information required by this chapter shall be placed in a conspicuous location on the property not less than fifteen (15) days prior to the date of the hearing.
- (c) If the property proposed for rezoning does not have frontage on a public street, then the sign may be posted on the right-of-way of the nearest public street which provides access to the site. No public hearing may be held by the City Council until said sign(s) have been posted for at least fifteen (15) days. Said signs shall remain posted until final action has been taken by the City Council.
- (d) Before enacting an amendment to this Chapter, whether the proposed amendment is a text or map amendment, the City Council shall hold a public hearing thereon for the purpose of receiving and considering public comment on the merits of the proposed amendment. Said hearings shall be held only after full compliance with all required public notification of the hearing as set forth herein.
- (e) If the zoning decision of the City Council is to deny the rezoning request, then the same property may not again be considered for rezoning until the expiration of at least six (6) months immediately following the defeat of the rezoning by the City Council.

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, neighborhood, a particular area, or the community.
 - (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.
 - (3) Consistency with the Land Use Plan.
 - (4) The potential impact of the proposed amendment on City infrastructure including water and sewerage systems.
 - (5) The impact of the proposed amendment on adjacent thoroughfares and pedestrian vehicular circulation and traffic volumes.
 - (6) The impact upon adjacent property owners should the request be approved.
 - (7) The ability of the subject land to be developed as it is presently zoned.
 - (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.
 - (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.
- (b) The following rules of procedure shall govern the public hearing before the City Council:

- (1) Each applicant shall appear before the Council, identify himself/herself by name, address and whether or not applicant is owner or agent for owner.
- (2) Each applicant or other interested party who provides the Council with documents shall have each document numbered and shall identify each document and each such document submitted shall be made a part of the official record of the hearing.
- (3)
 - a. Each applicant shall have thirty (30) minutes to present facts pertinent to the application. An applicant may have additional time to address the Council if the applicant notifies the City Clerk prior to the start of the public hearing that applicant needs additional time. The additional time shall be limited to ten (10) minutes.
 - b. Each person in opposition to rezoning of property and amendment to the zoning ordinance shall have ten (10) minutes to address the Council and shall provide the City Clerk with name and address; however, the total time for all interested parties in opposition shall be thirty (30) minutes unless the applicant requests for additional time in subsection (a) above, and then the total time shall not exceed forty (40) minutes.
- (4) At the conclusion of the hearing, the City Council shall make a final decision and its next regular public meeting and direct the Community Development Department to notify the applicant in writing of the Council's decision. The decision shall be based on the information contained in Section 17.04.315 (a) and from the public hearing. The written notification shall immediately be entered on the minutes and made a part of the record on the date that written notification is given to the applicant.
- (5) Any aggrieved party shall have thirty (30) days from the date of written notification to file an appeal from the Council's decision with the superior court.

Section 17.04.316 Conditional zoning.

- (a) In deciding upon any application for zoning map amendment, the City Council may, on their own motion or upon the suggestion of the applicant, or on consideration of the recommendations of the Community Development Department, grant the application subject to certain conditions necessary to promote and protect the health, safety and general welfare.
- (b) The City Council may grant approval of a zoning map amendment and include conditional approval as follows:
 - (1) Such conditions as deemed necessary to protect neighboring properties and to lessen any potentially adverse effects of the zoning change;
 - (2) That the rezoning is conditional upon the condition that the applicant or any successor in title may construct only those uses and only in such a manner as depicted upon any site plan submitted and approved with the application; and,
 - (3) That the rezoning is conditional upon any written conditions proposed by the applicant and/or City Council, and as further set forth on an approved site plan.
- (c) Prior to a final vote being taken upon any application for a zoning map amendment for which such conditions shall be imposed, such conditions shall be announced at the public hearing and made a part of the motion to approve. If the applicant finds such conditions to be unacceptable, it may, at the time, withdraw the application for zoning map amendment. Such withdrawal shall not enable the applicant to re-file the same zoning map amendment for the same property until six (6) months have elapsed from the date of withdrawal.

- (d) Any zoning map amendment which is adopted with conditions shall be indicated on the official zoning map. The property shall be indicated on the official zoning map with the suffix "c" to indicate that the property has been rezoned with conditions. Such conditions shall remain imposed upon the property until removed or modified by the City Council.
- (e) Conditional requirements may be imposed upon either permitted and/or conditional use within any zoning district. In ruling upon such requirements, the City Council shall utilize the standards of review contained in section 17.04.313 of this Chapter.

Section 17.04.317 Types of zoning conditions.

In adopting an amendment to the zoning map, or approving a conditional use permitted in any zoning district, the City Council may impose conditions, such as, but not limited to, the following:

- (1) Setback requirements from any lot line;
- (2) Specified or prohibited locations for buildings, parking, loading or storage areas;
- (3) Restrictions on land use activities to be permitted;
- (4) Maximum building dimensions and height;
- (5) Landscaping or planted area which may include the location, type and maintenance of plant materials within a designated buffer area;
- (6) Fences, walls, earthen berms, or other landscape buffer provisions or protective measures;
- (7) Preservation of existing trees and vegetation;
- (8) Special conditions to eliminate or reduce undesirable views, light, glare, dust or odor;
- (9) Hours of operation;
- (10) Architectural details to be compatible with existing buildings in the area;
- (11) Adherence to specific site plans as adopted; and
- (12) Any other requirements that the City Council may deem appropriate and necessary for the protection of public health and welfare.

Section 17.04.318 Reversion.

After an approval has been granted for a map amendment to create or extend any zoning district, the applicant, agent or property owner has twelve (12) months in which to make substantial progress in developing the property. Substantial progress shall mean the point of construction at which time the first inspection is carried out. If no substantial construction or alteration of the property or other affirmative action to develop the property has occurred within twelve (12) months of the granting of an application for rezoning, the City Council shall review the situation and report its findings with who can, at a public hearing change, the zoning category to its prior or other appropriate zoning district classification.

Contacts

Henry County Water Authority
1695 Highway 20 West
McDonough, GA 30253
(770) 957-6659

Henry County Fire Department
110 South Zack Hinton Boulevard
McDonough, GA 30253

Henry County Environmental Health Department
137 Henry Parkway
McDonough, GA 30253
(770) 288-6190

City of Locust Grove
PO Box 900
3644 Highway 42 South
(770) 288-6637 Locust Grove, GA 30248
(770) 957-5043
Community Development (770) 692-2321
Public Works/Water-Sewer (770) 692-2333

NOTE: Projects that exceed minimum thresholds for Development of Regional Impact (DRI) review as established by the Department of Community Affairs will be withheld from final Public Hearings until a Notice of Decision is received.

Request for Zoning Map Amendment

Name of Applicant DDA, Aggie Combs Phone: _____ Date: 12.05.2022

Address Applicant: Locust Grove City Hall, 3644 Hwy 42 Cell # _____

City: Locust Grove State: GA Zip: 30248 E-mail: _____

Name of Agent Gabriel Comstock, Architectural Collaborative Phone: 706.355.3010 Date: 12.05.2022

Address Agent: 1328 Prince Avenue Cell # 720.810.3977

City: Athens State: GA Zip: 30606 E-mail: gabe@arcollab.net

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 Office/Institutional OI to General Comm. C-2
(Current Zoning) (Requested Zoning)

Request from Mixed Historic Neighborhood to Central Business District
(Current Land Use Designation) (Requested Land Use Designation)

Restaurants, Limited-Service, without drive-through windows serving alcoholic beverages
For the Purpose of (beer brewed on site and wine only)
(Type of Development)

Address of Property: IN LAND LOT 186, DISTRICT 2, HENRY COUNTY, GEORGIA, 30248

Nearest intersection to the property: Carter Lane and Ridge Street

Size of Tract: 0.918 ACRES acre(s), Land Lot Number(s): IN LAND LOT 186, District(s): DISTRICT 2nd

Gross Density: _____ units per acre Net Density: _____ units per acre

Property Tax Parcel Number: 102-02011000 (Required)

Witness' Signature

Signature of Owners/s

Printed Name of Witness

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 ___ day of _____, 20__.

Applicant's Name - Printed

Signature of Applicant

Applicant's Attorney, if applicable - Printed

Signature of Applicant's Attorney, if applicable

Sworn to and subscribed before me this _____ day of _____, 20__.

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.

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: Gabriel Comstock, Architectural Collaborative

Address/Location of Request: IN LAND LOT 186, DISTRICT 2, HENRY COUNTY, GEORGIA, 30248

Type of Project: Commercial Residential Mixed Use

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

For commercial, amount of square feet: _____

Estimated water usage: Water: 3,730 GPD (GALLONS)

Estimated sewer usage: Sewer: 3,360 GPD (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

LOCUST EST. 1893
GROVE

December 5, 2022

Mr. Daunté Gibbs
Community Development Director
3644 Highway 42
Locust Grove, GA 30248

RE: Rezoning and Future Land Use Map Amendment; Parcel #L02-02011000

Dear Mr. Gibbs,

Please accept this as our letter of intent for Parcel # L02-02011000, consisting of .918 +/- acres located on Carter Lane.

We are requesting a rezoning from OI to C-2 (General Commercial District) and a future land use map amendment from Mixed Historic Neighborhood to Central Business District as illustrated on the proposed conceptual site plan.

The proposed arrangement of the structures on the property are purposefully close to the intersection of Carter Lane and Ridge Street to be visible and walkable from the heart of downtown. This arrangement maximizes an existing beautiful green space with mature trees and maintains an established green buffer to the residential neighborhoods to the west. This site is perfectly situated to expand the downtown edges with low impact development and establishes a public greenspace. Utilizing small-scale commercial structures that are one-story offer an appropriate transition in scale to the residential neighborhoods. In contrast to traditional development that would consume the entire site, these structures have small-scale footprints that operate with walk-up style services, minimizing the amount of conditioned space required. The dining is outside on a covered porch activating the greenspace and encouraging a communal outdoor experience that is family friendly. The covered porch is the backbone of the project – a pavilion that turns the vacant lot into a vibrant and flexible greenspace for the public.

The use of shipping containers for the utilitarian needs of the development offers several advantages to Locust Grove. Not only are they small-scale as described above, but their modularity has economic and construction schedule advantages allowing the quality to be focused on the public portions of the project – the porch and greenspace. The shipping containers will be modified to be code compliant, waterproof, and insulated. There are additional long-term advantages to using shipping containers for the city. For example, if the needs were to change for Locust Grove, the porch has been designed to stand alone – structurally and architecturally. Should the shipping containers ever be removed from the site, the city would still have a pavilion that enhances a public greenspace.

Please do not hesitate to contact me should you have any questions or need further information. I look forward to hearing from you.

Sincerely,
Gabe Comstock, Principal





Letter of Ownership

November 2, 2022

Mr. Daunte' Gibbs
Community Development Director
City of Locust Grove
3644 Highway 42
Locust Grove, GA 30248

RE: Rezoning Application – Carter Lane
+/- 0.918 acres; Parcel # L02-02011000

I, Aggie Combs, am the Chairperson and Representative for the Locust Grove Downtown Development Authority. I grant authorization to Gabe Comstock with Architectural Collaborative to act on behalf of the Downtown Development Authority for all aspects of rezoning of the above-referenced property in conjunction with this application. The Locust Grove Downtown Development Authority is the owner of Parcel # L02-02011000 on Carter Lane.

If you have any questions or need anything further, please do not hesitate to contact me.

Sincerely,

Aggie Combs

Locust Grove Downtown Development Authority

EXHIBIT B



FUTURE LAND USE AMENDMENT EVALUATION REPORT

FILE: FLU-AM-22-12-02

JANUARY 17, 2023

Property Information

Tax ID	L02-02011000
Location/address/area	Land Lot 186 of the 2 nd District Carter Lane
Tract Size	0.91+/- acres
Current Zoning	OI (Office/Institutional)
Request	To amend the Future Land Use Map (FLUM) to change land use designation from Mixed Historic Neighborhood to Central Business District.
Existing Land Use	Vacant/Undeveloped
Future Land Use	(Current) Mixed Historic Neighborhood (As Proposed for Amendment) Central Business District
Recommendation	Approval

Summary

The Locust Grove Downtown Development Authority, (the “Applicant”), requests an amendment to the City’s Future Land Use Map to change the land-use designation from Mixed Historic Neighborhood to Central Business District for a property located between Smith St. and Carter Ln. (Parcel L02-02011000) in Land Lot 186 of the 2nd District (the “Property”). The Property consists of approximately 0.91 +/- acres and the request is being made in conjunction with a rezoning request for a business incubator/microbrewery.

The Property is located in an area designated by the Future Land Use Map as Mixed Historic Neighborhood and is currently zoned OI (Office/Institutional). The Property is undeveloped. The Applicant is seeking a concurrent rezoning of the Property to C-2 (General Commercial) filed concurrently with this FLUM amendment request.

The FLUM is a component of the City’s Comprehensive Land Use Plan. The City Council adopted updates to the Comprehensive Plan in accordance with rules set forth by the Georgia Department of Community Affairs Minimum Planning Standards and Procedures for Local Comprehensive Planning on October 15, 2018.

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

Preserving the Past... ..Planning the Future



FUTURE LAND USE AMENDMENT EVALUATION REPORT

FILE: FLU-AM-22-12-02

JANUARY 17, 2023

Requested Amendment's relationship to Growth:

Dining and entertainment opportunities within the City continue to be in high-demand given the City's rapid residential growth. The development is an expansion of the existing historic downtown, which has reached maximum capacity and 100% storefront occupancy. To further economic development downtown, future developments will need to approach the infill of the very limited vacant land or redevelopment of existing structures.

Requested Amendment's relationship to Capital Improvements:

The proposed amendment has no direct impact on capital improvement projects, but will likely be supported by the future Peeksville Road extension and sanitary sewer expansion.

Relationship to the surrounding areas:

The requested Future Land Use Map designation of Central Business District is consistent with the Future Land Use of multiple adjacent properties. The proposed FLUM designation comprises of the existing downtown core, and is projected to expand westward toward Frances Ward Dr. A mix of uses is encouraged in this area that blend office, retail, restaurant, and retail uses. Typical zoning districts within this FLUM designation include C-2 (General Commercial), RM (Residential- Multifamily), with use of planned development (PD) and mixed-use overlay districts for vertical integration of residential and commercial.

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

- North – C-2 (Public parking)
- East – C-2 (General Commercial, Church)
- South – OI (Office/Institutional, Hair Salon)
- West – R-2 (Single-family residential)

Recommendations

Staff recommends APPROVAL of the applicant's request to amend the Future Land Use Map from Mixed Historic Neighborhood to Central Business District. The request aligns with the intent of the Comprehensive Plan.

EXHIBIT C

Henry Herald

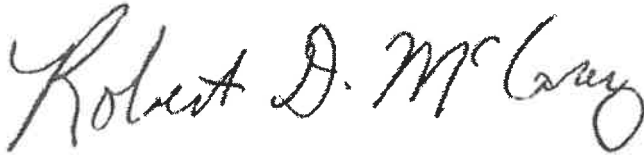
38 Sloan Street
McDonough, Georgia 30253

PUBLISHER'S AFFIDAVIT

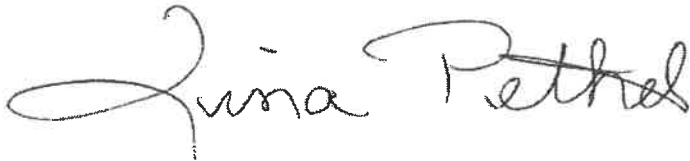
STATE OF GEORGIA
COUNTY OF HENRY

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.: **90394**
Name and File No.: **PUBLIC HEARING 1/17/23**
a true copy of which is hereto attached, was published in said newspaper on the following date(s):
12/28/2022

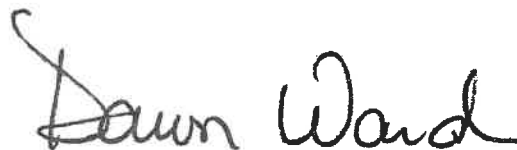
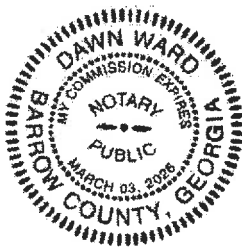


Robert D. McCray, SCNI Vice President of Sales and Marketing



By Tina Pethel
SCNI Controller

Sworn and subscribed to me 12/28/2022



Notary Public
My commission expires 03/03/2026

Ad text : Public Hearing Notice
City of Locust Grove
January 17, 2023
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 Tuesday, January 17, 2023, at 6:00 PM, will conduct public hearings for the purpose of the following:

**FUTURE LAND USE MAP
AMENDMENT**

FLU-AM-22-12-02 The Locust Grove Downtown Development Authority requests a Future Land Use Amendment for 0.91 +/- acres located on Carter Lane in Land Lot 186 of the 2nd District from Mixed Historic Neighborhood to Central Business District for the purpose of developing a business incubator space/micro-brewery.

REZONING

RZ-22-12-01 The Locust Grove Downtown Development Authority requests a rezoning of 0.91 +/- acres located on Carter Lane in Land Lot 186 of the 2nd District from OI (Office/Institutional) to C-2 (General Commercial) for the purpose of developing a business incubator space/micro-brewery.

ORD-AM-22-12-03

A City-Initiated Ordinance Amendment to the Locust Grove Municipal Code Section 5.28.065- Alcohol License Distance Restrictions.

AM-COND-22-12-04

HFG Development, LLC of Stockbridge, GA requests an amendment to zoning conditions for 31.43 +/- acres located at 2854 Hwy 42. The applicant requests to amend the materials conditions and use restrictions.

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
90394-12/28/2022

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.

The Locust Grove Downtown Development Authority requests a Future Land Use Map amendment for 0.91+/- acres located on Carter Lane in Land Lot 186 of the 2nd District from Mixed Historic Neighborhood to Central Business District for the purpose of developing a business incubator/brewpub.

3.

On the 28th day of December 2022, I, Brian 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 17th day of January 2023 at 6:00 p.m. at the Locust Grove Public Safety Building, 3640 Highway 42, Locust Grove, Georgia 30248. A photograph of the same is attached hereto as Exhibit "A" and incorporated herein by reference. The public hearing sign was posted at the following location:

1. Double-sided sign posted at 8:45 AM on the south side of Carter Lane on December 28, 2022.

FURTHER AFFIANT SAYETH NOT.

This 9th day of January 2023


Affiant

Sworn and subscribed before me
this 9th day of January, 2023


Notary Public



Exhibit "A"





Community Development Department

P. O. Box 900
Locust Grove, Georgia 30248

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

Item Coversheet

Item: **Rezoning request from OI (Office/Institutional) to C-2 (General Commercial) for 0.91+/- acres (Parcel ID L02-02011000) in Land Lot 186 of the 2nd District located on Carter Lane**

Action Item: Yes No

Public Hearing Item: Yes No

Executive Session Item: Yes No

Advertised Date: **December 28, 2022**

Budget Item: N/A

Date Received: **December 2, 2022**

Workshop Date: **January 17, 2023**

Regular Meeting Date: **February 6, 2023**

Discussion:

The Locust Grove Downtown Development Authority (the "Applicant"), requests rezoning from OI (Office/Institutional) to C-2 (General Commercial) for property located on Carter Lane (Parcel L02-02011000) in Land Lot 186 of the 2nd District. The applicant intends to develop the property for a business incubator space/microbrewery. This request is being made in conjunction with a rezoning request for a business incubator/microbrewery.

Recommendation:

Staff recommends APPROVAL with the following conditions, provided that the Future Land Use is simultaneously amended from Mixed-Historic Neighborhood to Central Business District:

1. At the developer's expense, connection to water/sewer (if applicable) shall be provided with all necessary improvements.

2. The site shall be developed in substantial compliance with the conceptual site plan dated December 5, 2022.

ORDINANCE NO. _____

AN ORDINANCE TO REZONE APPROXIMATELY 0.91+/- ACRES LOCATED ON CARTER LANE (PARCEL L01-02011000) IN LAND LOT 186 OF THE 2ND DISTRICT WITHIN THE CITY OF LOCUST GROVE, GEORGIA; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

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 Locust Grove Downtown Development Authority (the “Applicant”), requests a rezoning from OI (Office/Institutional) to C-2 (General Commercial) for property located on Carter Lane (Parcel L02-02011000) in land lot 186 of the 2nd District (the “Property”), attached hereto as **Exhibit A**; and,

WHEREAS, the Applicant filed a request to rezone the Property on December 2, 2022 as shown in the application attached hereto and incorporated herein by reference as **Exhibit B**; and,

WHEREAS, the Applicant filed a concurrent request for an amendment to the Future Land Use Map; and,

WHEREAS, the Applicant’s request has been reviewed by the Mayor and City Council at a Public Hearing held on January 17, 2023, as well as by the City Community Development Director; and,

WHEREAS, the Applicant requested that the Property be rezoned from OI (Office/Institutional) to C-2 (General Commercial) to develop a business incubator/microbrewery; and,

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

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

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

1.

- That the request for rezoning is hereby **APPROVED**.
- That the request for rezoning is hereby **DENIED**.

2.

That the use of the Property is subject to:

- The condition(s) 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 is zoned without conditions.

3.

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

4.

That, if granted, this Ordinance shall become effective immediately subject to the corresponding annexation ordinance under consideration.

SO ORDAINED by the Council of this City this 6th day of February 2023.

ROBERT S. PRICE, Mayor

ATTEST:

MISTY SPURLING, City Clerk

(Seal)

APPROVED AS TO FORM:

City Attorney

EXHIBIT A

Application for Rezoning, Conditional Use, Conditional Exception, Variance, Modifications to Zoning Conditions and Future Land Use Plan Amendments

Thank you for your interest in the City of Locust Grove, Georgia. This packet includes the necessary documents for rezoning, conditional use, conditional exception, variance and modifications to zoning conditions to be heard by the Locust Grove City Council.

Please note: All fees are non-refundable. There are no exceptions. In addition, be sure to review current ordinances, as new amended sections of code are to be adopted over the year.

Should you need further assistance, please feel free to contact our office between 8:00 AM to 5:00 PM, Monday through Friday at:
(770) 692-2321 or (770) 957-5043

The location of all City Council meetings is:
Locust Grove Public Safety Building
3640 Highway 42
Locust Grove, GA 30248

WWW.LOCUSTGROVE-GA.GOV

Zoning Application Checklist

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

ALL DOCUMENTS ARE REQUIRED IN ORDER TO ACCEPT APPLICATION

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

Community Development Department

Application Procedures and Requirements

The following application procedures and requirements apply to all amendments to the Official Zoning map. Any deviation from these standards as prescribed by Section 17.04.312 of the Code of the City of Locust Grove, shall be discussed and considered by the Community Development Director.

- Rezoning
- Conditional Use
- Conditional Exception
- Modifications to Zoning Conditions
- Variance
- Amendments to the Future Land Use Plan

APPLICATIONS WILL NOT BE ACCEPTED WITHOUT ALL THE REQUIRED INFORMATION AS STATED FOR THE FOLLOWING. ALL FEES ARE NON-REFUNDABLE.

ARTICLE XVI. AMENDMENTS

Section 17.04.311 Amendments to Chapter and to Official Zoning Map.

This Chapter, including the official zoning map, may be amended by the City Council that shall become effective after review and comment in a public hearing.

Section 17.04.312 Application for amendment.

- (a) A zoning map amendment may be proposed by any public agency or department of Locust Grove, Georgia or by the City Council. Unless initiated by one (1) of the above bodies, all applications for map amendments must be submitted by an individual with fifty-one (51) or more percent ownership in fee simple of the subject property being petitioned for rezoning, or his legal agent authorized in writing over the owner's signature.
- (b) Any petition for amendment of the Locust Grove Zoning Ordinance or official zoning map shall be accompanied by a filing fee maintained by the Locust Grove Community Development Department office.
- (c) Applications for zoning map amendments shall be filed with the Locust Grove Community Development Department, which will schedule the application for public hearing before the City Council.
- (d) Applications for a zoning map amendment must contain the following:
 - (1) A completed and signed copy of the application for zoning map amendment.
 - (2) A conceptual plat/site plan representing information on the location, extent and type of proposed development, which may include, depending upon the type of development, the following minimum types of information:

- a. Correct scale and north arrow.
- b. The present zoning classification of all adjacent parcels.
- c. The location of the parcel relative to existing or proposed public streets.
- d. Required zoning yard setbacks for the zoning district requested.
- e. Topographic information sufficient to show elevation and drainage conditions of the land.
- f. Existing conditions or improvements on the property.
- g. The location and extent of required buffer areas, including the extent of natural vegetation or fences as required.
- h. Proposed lot layout of the property if it is to be a subdivision for residential, commercial or industrial development, with required building line setbacks and buffer areas shown.
- i. Commercial or industrial development on existing individual lots, or proposed shopping center developments shall also indicate the location and dimensions of proposed buildings, parking and loading areas, driveways and storage areas.
- j. Report from the Henry County Health Department and the Henry County Water and Sewerage Authority and/or (as applicable) the City Utility Department.
- k. The Community Development Department may require additional information, or information different from the above depending upon the type of development, to properly evaluate the zoning map amendment.

- (3) A copy of the proposed restrictive covenants to be placed upon property that a rezoning application is being made therefore.

Section 17.04.313 Review of application for amendment.

- (a) All proposed amendments to this chapter or to the Official Zoning Map with required site plans shall be transmitted to the Community Development Department Director and City Council for analysis and public hearing. The Community Development Department Director shall study the need and justification of the following facts:

- (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.
- (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.
- (3) Consistency with the Land Use Plan.
- (4) The potential impact of the proposed amendment on county infrastructure including water and sewerage systems.
- (5) The impact of the proposed amendment on adjacent thoroughfares and pedestrian and vehicular circulation and traffic volumes.
- (6) The impact upon adjacent property owners should the request be approved.
- (7) The ability of the subject land to be developed as it is presently zoned.
- (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.
- (9) The merits of the requested change in zoning relative to any other guidelines and policies for development which the City Council may use in furthering the objectives of the land use plan.

- (b) After completing the analysis and review, the City Council shall conduct a public hearing on the proposed zoning map amendment.

Section 17.04.314 Notification and public hearing.

- (a) If Locust Grove, Georgia is taking action resulting in a zoning decision, it shall provide for a hearing on the proposed action. At least fifteen (15) but not more than forty-five (45) days prior to the date of the hearing, the Community Development Department shall cause to be published within a newspaper of general circulation within the City limits and Henry County a notice of the hearing. The notice shall state the time, place and purpose of the hearing.
- (b) If a zoning decision of Locust Grove, Georgia is for the rezoning of property and the rezoning is initiated by a party other than City officials or a City department then:
 - (1) The notice, in addition to the foregoing requirements, shall include the location of the property, the present zoning classification of the property, and the proposed zoning classification of the property; and
 - (2) A sign containing information required by this chapter shall be placed in a conspicuous location on the property not less than fifteen (15) days prior to the date of the hearing.
- (c) If the property proposed for rezoning does not have frontage on a public street, then the sign may be posted on the right-of-way of the nearest public street which provides access to the site. No public hearing may be held by the City Council until said sign(s) have been posted for at least fifteen (15) days. Said signs shall remain posted until final action has been taken by the City Council.
- (d) Before enacting an amendment to this Chapter, whether the proposed amendment is a text or map amendment, the City Council shall hold a public hearing thereon for the purpose of receiving and considering public comment on the merits of the proposed amendment. Said hearings shall be held only after full compliance with all required public notification of the hearing as set forth herein.
- (e) If the zoning decision of the City Council is to deny the rezoning request, then the same property may not again be considered for rezoning until the expiration of at least six (6) months immediately following the defeat of the rezoning by the City Council.

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, neighborhood, a particular area, or the community.
 - (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.
 - (3) Consistency with the Land Use Plan.
 - (4) The potential impact of the proposed amendment on City infrastructure including water and sewerage systems.
 - (5) The impact of the proposed amendment on adjacent thoroughfares and pedestrian vehicular circulation and traffic volumes.
 - (6) The impact upon adjacent property owners should the request be approved.
 - (7) The ability of the subject land to be developed as it is presently zoned.
 - (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.
 - (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.
- (b) The following rules of procedure shall govern the public hearing before the City Council:

- (1) Each applicant shall appear before the Council, identify himself/herself by name, address and whether or not applicant is owner or agent for owner.
- (2) Each applicant or other interested party who provides the Council with documents shall have each document numbered and shall identify each document and each such document submitted shall be made a part of the official record of the hearing.
- (3)
 - a. Each applicant shall have thirty (30) minutes to present facts pertinent to the application. An applicant may have additional time to address the Council if the applicant notifies the City Clerk prior to the start of the public hearing that applicant needs additional time. The additional time shall be limited to ten (10) minutes.
 - b. Each person in opposition to rezoning of property and amendment to the zoning ordinance shall have ten (10) minutes to address the Council and shall provide the City Clerk with name and address; however, the total time for all interested parties in opposition shall be thirty (30) minutes unless the applicant requests for additional time in subsection (a) above, and then the total time shall not exceed forty (40) minutes.
- (4) At the conclusion of the hearing, the City Council shall make a final decision and its next regular public meeting and direct the Community Development Department to notify the applicant in writing of the Council's decision. The decision shall be based on the information contained in Section 17.04.315 (a) and from the public hearing. The written notification shall immediately be entered on the minutes and made a part of the record on the date that written notification is given to the applicant.
- (5) Any aggrieved party shall have thirty (30) days from the date of written notification to file an appeal from the Council's decision with the superior court.

Section 17.04.316 Conditional zoning.

- (a) In deciding upon any application for zoning map amendment, the City Council may, on their own motion or upon the suggestion of the applicant, or on consideration of the recommendations of the Community Development Department, grant the application subject to certain conditions necessary to promote and protect the health, safety and general welfare.
- (b) The City Council may grant approval of a zoning map amendment and include conditional approval as follows:
 - (1) Such conditions as deemed necessary to protect neighboring properties and to lessen any potentially adverse effects of the zoning change;
 - (2) That the rezoning is conditional upon the condition that the applicant or any successor in title may construct only those uses and only in such a manner as depicted upon any site plan submitted and approved with the application; and,
 - (3) That the rezoning is conditional upon any written conditions proposed by the applicant and/or City Council, and as further set forth on an approved site plan.
- (c) Prior to a final vote being taken upon any application for a zoning map amendment for which such conditions shall be imposed, such conditions shall be announced at the public hearing and made a part of the motion to approve. If the applicant finds such conditions to be unacceptable, it may, at the time, withdraw the application for zoning map amendment. Such withdrawal shall not enable the applicant to re-file the same zoning map amendment for the same property until six (6) months have elapsed from the date of withdrawal.

- (d) Any zoning map amendment which is adopted with conditions shall be indicated on the official zoning map. The property shall be indicated on the official zoning map with the suffix "c" to indicate that the property has been rezoned with conditions. Such conditions shall remain imposed upon the property until removed or modified by the City Council.
- (e) Conditional requirements may be imposed upon either permitted and/or conditional use within any zoning district. In ruling upon such requirements, the City Council shall utilize the standards of review contained in section 17.04.313 of this Chapter.

Section 17.04.317 Types of zoning conditions.

In adopting an amendment to the zoning map, or approving a conditional use permitted in any zoning district, the City Council may impose conditions, such as, but not limited to, the following:

- (1) Setback requirements from any lot line;
- (2) Specified or prohibited locations for buildings, parking, loading or storage areas;
- (3) Restrictions on land use activities to be permitted;
- (4) Maximum building dimensions and height;
- (5) Landscaping or planted area which may include the location, type and maintenance of plant materials within a designated buffer area;
- (6) Fences, walls, earthen berms, or other landscape buffer provisions or protective measures;
- (7) Preservation of existing trees and vegetation;
- (8) Special conditions to eliminate or reduce undesirable views, light, glare, dust or odor;
- (9) Hours of operation;
- (10) Architectural details to be compatible with existing buildings in the area;
- (11) Adherence to specific site plans as adopted; and
- (12) Any other requirements that the City Council may deem appropriate and necessary for the protection of public health and welfare.

Section 17.04.318 Reversion.

After an approval has been granted for a map amendment to create or extend any zoning district, the applicant, agent or property owner has twelve (12) months in which to make substantial progress in developing the property. Substantial progress shall mean the point of construction at which time the first inspection is carried out. If no substantial construction or alteration of the property or other affirmative action to develop the property has occurred within twelve (12) months of the granting of an application for rezoning, the City Council shall review the situation and report its findings with who can, at a public hearing change, the zoning category to its prior or other appropriate zoning district classification.

Contacts

Henry County Water Authority
1695 Highway 20 West
McDonough, GA 30253
(770) 957-6659

Henry County Fire Department
110 South Zack Hinton Boulevard
McDonough, GA 30253

Henry County Environmental Health Department
137 Henry Parkway
McDonough, GA 30253
(770) 288-6190

City of Locust Grove
PO Box 900
3644 Highway 42 South
(770) 288-6637 Locust Grove, GA 30248
(770) 957-5043
Community Development (770) 692-2321
Public Works/Water-Sewer (770) 692-2333

NOTE: Projects that exceed minimum thresholds for Development of Regional Impact (DRI) review as established by the Department of Community Affairs will be withheld from final Public Hearings until a Notice of Decision is received.

Request for Zoning Map Amendment

Name of Applicant DDA, Aggie Combs Phone: _____ Date: 12.05.2022
Address Applicant: Locust Grove City Hall, 3644 Hwy 42 Cell # _____
City: Locust Grove State: GA Zip: 30248 E-mail: _____
Name of Agent Gabriel Comstock, Architectural Collaborative Phone: 706.355.3010 Date: 12.05.2022
Address Agent: 1328 Prince Avenue Cell # 720.810.3977
City: Athens State: GA Zip: 30606 E-mail: gabe@arcollab.net

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 Office/Institutional OI to General Comm. C-2
(Current Zoning) (Requested Zoning)

Request from Mixed Historic Neighborhood to Central Business District
(Current Land Use Designation) (Requested Land Use Designation)

Restaurants, Limited-Service, without drive-through windows serving alcoholic beverages
For the Purpose of beer brewed on site and wine only
(Type of Development)

Address of Property: IN LAND LOT 186, DISTRICT 2, HENRY COUNTY, GEORGIA, 30248

Nearest intersection to the property: Carter Lane and Ridge Street

Size of Tract: 0.918 ACRES acre(s), Land Lot Number(s): IN LAND LOT 186, District(s): DISTRICT 2 2nd

Gross Density: _____ units per acre Net Density: _____ units per acre

Property Tax Parcel Number: 102-02011000 (Required)

Witness' Signature

Signature of Owners/s

Printed Name of Witness

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 ___ day of _____, 20__.

Applicant's Name - Printed

Signature of Applicant

Applicant's Attorney, if applicable - Printed

Signature of Applicant's Attorney, if applicable

Sworn to and subscribed before me this _____ day of _____, 20__.

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.

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: Gabriel Comstock, Architectural Collaborative

Address/Location of Request: IN LAND LOT 186, DISTRICT 2, HENRY COUNTY, GEORGIA, 30248

Type of Project: Commercial Residential Mixed Use

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

For commercial, amount of square feet: _____

Estimated water usage: Water: 3,730 GPD (GALLONS)

Estimated sewer usage: Sewer: 3,360 GPD (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

LOCUST EST.
1893
GROVE

December 5, 2022

Mr. Daunté Gibbs
Community Development Director
3644 Highway 42
Locust Grove, GA 30248

RE: Rezoning and Future Land Use Map Amendment; Parcel #L02-02011000

Dear Mr. Gibbs,

Please accept this as our letter of intent for Parcel # L02-02011000, consisting of .918 +/- acres located on Carter Lane.

We are requesting a rezoning from OI to C-2 (General Commercial District) and a future land use map amendment from Mixed Historic Neighborhood to Central Business District as illustrated on the proposed conceptual site plan.

The proposed arrangement of the structures on the property are purposefully close to the intersection of Carter Lane and Ridge Street to be visible and walkable from the heart of downtown. This arrangement maximizes an existing beautiful green space with mature trees and maintains an established green buffer to the residential neighborhoods to the west. This site is perfectly situated to expand the downtown edges with low impact development and establishes a public greenspace. Utilizing small-scale commercial structures that are one-story offer an appropriate transition in scale to the residential neighborhoods. In contrast to traditional development that would consume the entire site, these structures have small-scale footprints that operate with walk-up style services, minimizing the amount of conditioned space required. The dining is outside on a covered porch activating the greenspace and encouraging a communal outdoor experience that is family friendly. The covered porch is the backbone of the project – a pavilion that turns the vacant lot into a vibrant and flexible greenspace for the public.

The use of shipping containers for the utilitarian needs of the development offers several advantages to Locust Grove. Not only are they small-scale as described above, but their modularity has economic and construction schedule advantages allowing the quality to be focused on the public portions of the project – the porch and greenspace. The shipping containers will be modified to be code compliant, waterproof, and insulated. There are additional long-term advantages to using shipping containers for the city. For example, if the needs were to change for Locust Grove, the porch has been designed to stand alone – structurally and architecturally. Should the shipping containers ever be removed from the site, the city would still have a pavilion that enhances a public greenspace.

Please do not hesitate to contact me should you have any questions or need further information. I look forward to hearing from you.

Sincerely,
Gabe Comstock, Principal





Letter of Ownership

November 2, 2022

Mr. Daunte' Gibbs
Community Development Director
City of Locust Grove
3644 Highway 42
Locust Grove, GA 30248

RE: Rezoning Application – Carter Lane
+/- 0.918 acres; Parcel # L02-02011000

I, Aggie Combs, am the Chairperson and Representative for the Locust Grove Downtown Development Authority. I grant authorization to Gabe Comstock with Architectural Collaborative to act on behalf of the Downtown Development Authority for all aspects of rezoning of the above-referenced property in conjunction with this application. The Locust Grove Downtown Development Authority is the owner of Parcel # L02-02011000 on Carter Lane.

If you have any questions or need anything further, please do not hesitate to contact me.

Sincerely,

Aggie Combs

Locust Grove Downtown Development Authority



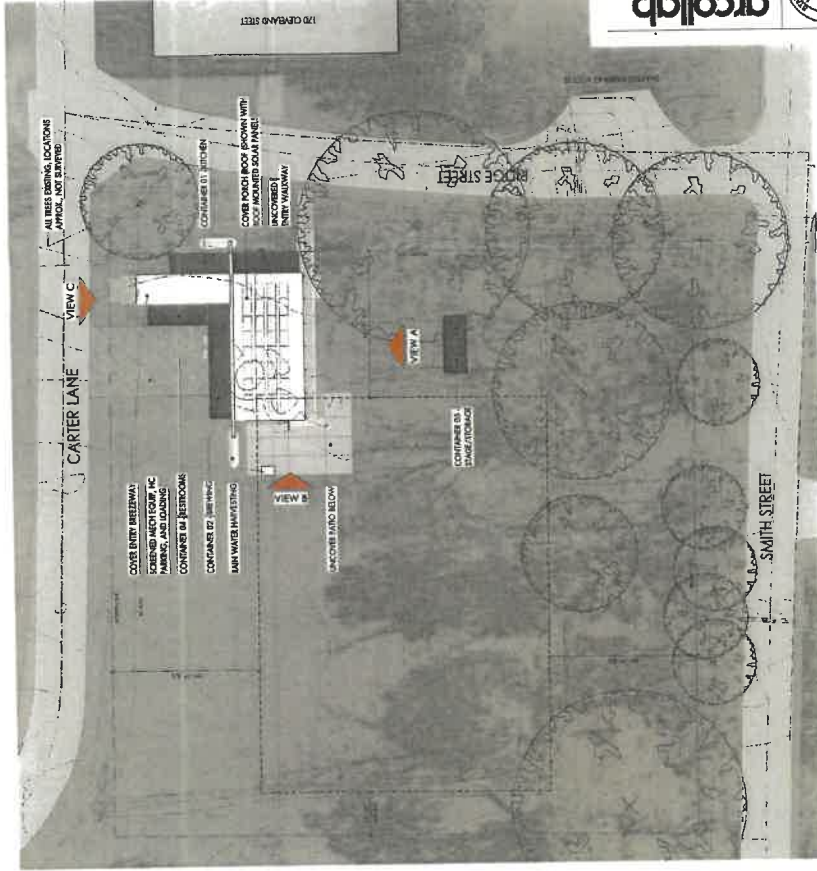
VIEW A



VIEW B



VIEW C



1 00- SITE PLAN
1/16/17

AREA TOLERATIONS

SEE PLAN & ZONING NOTES

- ALL AS-USED EXISTING MATERIALS STANDARDS
 - FRAMING/AGENT MATERIALS BRICK OR STONE
 - ROOFING/AGENT MATERIALS BRICK OR STONE
 - SOIL OF FRONT YARDAGE SHALL CONSIST OF PENETRATION
 - IN 10 TOWNSHIP 70% OF PAGES (ACROSS PUBLIC STREETS)
- 17' MAX 10' SETBACKS
 - MINIMUM 10' FROM FRONT OF WHI BIK
 - REAR YARD SETBACK 10'
 - CONCRETE/STRICTLY FROM ROAD

CONSIDERED SPACES

CONFORMANCE 01 - INTERIOR	360 SF
CONFORMANCE 02 - INTERIORS & REMAINING	310 SF
CONFORMANCE 03 - INTERIORS	1400 SF
CONFORMANCE 04 - INTERIORS	100 SF
CONFORMANCE 05 - INTERIORS	100 SF
TOTAL	2010 SF

OUTDOOR PUBLIC SPACE

COVERED PORCH	1100 SF
WOODS DECK/WALKWAY	210 SF
SCREENED WOOD EQUIP., ICE PARKING, & LOUNGE	210 SF
TOTAL	1520 SF

PROJECT: 01-17-17
 CLIENT: G-004
 TITLE: SITE PLAN
 DATE: 1/16/17
 PROJECT NO.: 1000
 DESIGNER: [Firm Name]

Crrollah
 1700 S. 11th St.
 Phoenix, AZ 85006
 602.433.2010

EXHIBIT B



REZONING EVALUATION REPORT

FILE: RZ-22-12-01

January 17, 2023

REZONING OI TO C-2

Property Information

Tax ID	L02-02011000
Location/address	Land Lot 186 of the 2 nd District Carter Lane
Parcel Size	0.91+/- acres
Current Zoning	OI (Office/Institutional)
Request	Rezoning to C-2 (General Commercial)
Proposed Use	Business Incubator/Micro Brewery
Existing Land Use	Vacant/Undeveloped
Future Land Use	Mixed Historic Neighborhood
Recommendation	Approval with conditions

Summary

The Locust Grove Downtown Development Authority (the “Applicant”), requests rezoning from OI (Office/Institutional) to C-2 (General Commercial) for property located on Carter Lane (Parcel L02-02011000) in land lot 186 of the 2nd District. The applicant intends to develop the property for a business incubator space/microbrewery.

The subject property was donated to the Downtown Development Authority to support economic development in the historic downtown and is currently vacant/undeveloped. The property abuts R-2 Single-Family Residential homes to the west, public parking to the north, and OI (Office/Institutional) to the south.

Current Zoning

The subject property is currently zoned OI (Office/Institutional).



REZONING EVALUATION REPORT

January 17, 2023

FILE: RZ-22-12-01

REZONING OI TO C-2



Future Land Use

The subject property is contained within an area identified on the Future Land Use Map (FLUM) as Mixed Historic Neighborhood. This classification area is primarily located on the eastern side of the railroad along highway 42 and along areas southwest of the Central Business District. This FLUM designation is reserved for the preservation of existing historic residential buildings that may be transformed into professional offices, tourist-related uses, upscale dining facilities, or personal service establishments. Typical zoning districts within the Mixed Historic Neighborhood future land use designation include R-2, R-3, and OI (Office/Institutional).

Concurrent Future Land Use Map Amendment request

The Applicant has filed a concurrent Future Land Use Map amendment requesting the future land use change from Mixed Historic Neighborhood to Central Business District. The Central Business district includes the existing downtown core and is projected to expand westward toward Frances Ward Dr. A mix of uses is encouraged in this area that blend office, retail, restaurant, and retail uses. Typical zoning districts within this FLUM designation include C-2 (General Commercial), RM (Residential- Multifamily), with use of planned development (PD) and mixed-use overlay districts for vertical integration of residential and commercial.

Preserving the Past... ..Planning the Future



REZONING EVALUATION REPORT

FILE: RZ-22-12-01

January 17, 2023

REZONING OI TO C-2

Livable Centers Initiative (LCI) Overlay

The subject property is located in the City of Locust Grove Livable Centers Initiative (LCI) Study Area's Historic Downtown District. The LCI Study identifies opportunities for redevelopment and expansion in this district to increase walkability and proximity to amenities in the downtown. District visioning for the Historic Downtown includes smaller-scale multi-use development on Carter Lane, Cleveland St., and the future Peeksville extension.

Development of Regional Impact (DRI)

The subject property does not trigger the Georgia Department of Community Affairs (DCA) threshold for a Development of Regional Impact (DRI). For Commercial Developments in Rural and Developing Rural areas, the threshold is 300,000 square feet of new development. The Applicant is proposing 990 sq. ft. of heated space and 3610 sq. ft. of outdoor public space (covered/uncovered patios, breezeways, etc.).

Service Delivery / Infrastructure

Water and Sewer: The subject property is located within the City's current water and delivery area and has access to adequate water supply. The subject property is not currently located within the City's sanitary sewer service area, however, plans exist to expand sewer service to this area. Water and sewer (if applicable) connectivity will be provided at the developer's expense.

Land Use: If the requested rezoning to C-2 (General Commercial) is approved, the site must be in compliance with the requirements set forth in the City's C-2 zoning ordinance as well as development standards established in Title 15 of the City Code, including Watershed Protection standards, as applicable to the site.

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.



REZONING EVALUATION REPORT

FILE: RZ-22-12-01

January 17, 2023

REZONING OI TO C-2

Transportation Impacts: The proposed development consists of one restaurant incubator/microbrewery structure with an approximate maximum capacity of 256. Staff anticipates little to no transportation impacts. Traffic volume and parking will be similar to existing downtown food service.

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, neighborhood, a particular area, or the community.** The proposed rezoning extends and enhances the historic visual character of the downtown and provides a new opportunity to expand tourism-related business and dining in the district.
 - (2) **The relation that the proposed amendment bears to the purpose of the overall zoning scheme with due consideration given to whether or not the proposed change will help carry out the purposes of this Chapter.** The proposed amendment is consistent with the surrounding land use and future land use goals for the downtown district.
 - (3) **Consistency with the Land Use Plan.** The Applicant's rezoning request is not compatible with the current FLUM designation (Mixed Historic Neighborhood). However, the applicant has submitted a concurrent request for a FLUM amendment to Central Business District, which is consistent with the surrounding FLUM designations and downtown development goals.
 - (4) **The potential impact of the proposed amendment on City infrastructure including water and sewerage systems.** Staff anticipates little impact on existing infrastructure. The potential impact is mitigated via the collection of impact fees.



REZONING

January 17, 2023

EVALUATION REPORT

FILE: RZ-22-12-01

REZONING OI TO C-2

- (5) **The impact of the proposed amendment on adjacent thoroughfares and pedestrian vehicular circulation and traffic volumes.** The proposed development will likely generate a small increase in existing vehicular and pedestrian circulation in the area, as the proposed development intends to promote walkability.
- (6) **The impact upon adjacent property owners should the request be approved.** Immediate neighboring properties consist of single-family homes, commercial properties, and public parking. Impacts to neighboring single-family housing will be mitigated via buffering as required in the City's landscaping ordinance (17.04.100).
- (7) **The ability of the subject land to be developed as it is presently zoned.** The subject property can be developed as currently zoned (OI-Office/Institutional) should the development support the mission of the Downtown Development Authority.
- (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.** There are no known physical conditions or limitations that could preclude the use of the site.
- (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 merits of the requested change are consistent with the City's overall vision for economic development of the historic downtown.

Recommendations

Staff recommends APPROVAL with the following conditions:

1. At the developer's expense, connection to water/sewer (if applicable) shall be provided with all necessary improvements.



REZONING EVALUATION REPORT

January 17, 2023

FILE: RZ-22-12-01

REZONING OI TO C-2

-
2. The site shall be developed in substantial compliance with the conceptual site plan dated December 5, 2022.

EXHIBIT C

Henry Herald

38 Sloan Street
McDonough, Georgia 30253

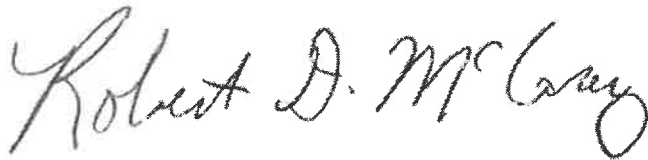
PUBLISHER'S AFFIDAVIT

STATE OF GEORGIA
COUNTY OF HENRY

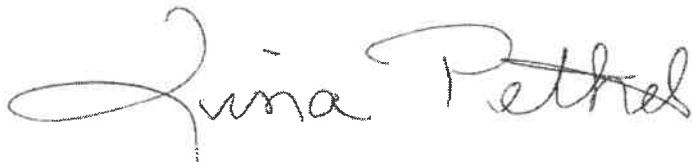
Personally appeared before the undersigned, a notary public within and for said county and state, Robert D. McCray, Vice President of SCNI, which published the Henry Herald, Published at McDonough, County of Henry, State of Georgia, and being the official organ for the publication of legal advertisements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

Ad No.: **90394**

Name and File No.: **PUBLIC HEARING 1/17/23**
a true copy of which is hereto attached, was published in
said newspaper on the following date(s):
12/28/2022

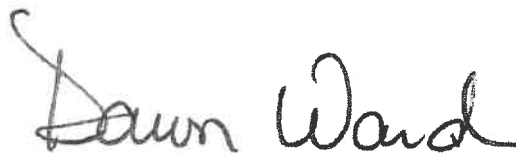
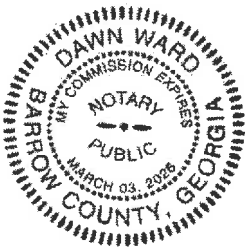


Robert D. McCray, SCNI Vice President of Sales and Marketing



By Tina Pethel
SCNI Controller

Sworn and subscribed to me 12/28/2022



Notary Public
My commission expires 03/03/2026

Ad text : Public Hearing Notice
City of Locust Grove
January 17, 2023
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 Tuesday, January 17, 2023, at 6:00 PM, will conduct public hearings for the purpose of the following:

**FUTURE LAND USE MAP
AMENDMENT**

FLU-AM-22-12-02 The Locust Grove Downtown Development Authority requests a Future Land Use Amendment for 0.91 +/- acres located on Carter Lane in Land Lot 186 of the 2nd District from Mixed Historic Neighborhood to Central Business District for the purpose of developing a business incubator space/micro-brewery.

REZONING

RZ-22-12-01 The Locust Grove Downtown Development Authority requests a rezoning of 0.91 +/- acres located on Carter Lane in Land Lot 186 of the 2nd District from OI (Office/Institutional) to C-2 (General Commercial) for the purpose of developing a business incubator space/micro-brewery.

ORD-AM-22-12-03

A City-Initiated Ordinance Amendment to the Locust Grove Municipal Code Section 5.28.065- Alcohol License Distance Restrictions.

AM-COND-22-12-04

HFG Development, LLC of Stockbridge, GA requests an amendment to zoning conditions for 31.43 +/- acres located at 2854 Hwy 42. The applicant requests to amend the materials conditions and use restrictions.

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
90394-12/28/2022

EXHIBIT D

1. At the developer's expense, connection to water/sewer (if applicable) shall be provided with all necessary improvements.
2. The site shall be developed in substantial compliance with the conceptual site plan dated December 5, 2022.

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.

The Locust Grove Downtown Development Authority requests a rezoning of 0.91+/- acres located on Carter Lane in Land Lot 186 of the 2nd District from OI (Office/Institutional) to C-2 (General Commercial) for the purpose of developing a business incubator/brewpub.

3.

On the 28th day of December 2022, I, Brian 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 17th day of January 2023 at 6:00 p.m. at the Locust Grove Public Safety Building, 3640 Highway 42, Locust Grove, Georgia 30248. A photograph of the same is attached hereto as Exhibit "A" and incorporated herein by reference. The public hearing sign was posted at the following location:

1. Double-sided sign posted at 8:45 AM on the south side of Carter Lane on December 28, 2022.

FURTHER AFFIANT SAYETH NOT.

This 9th day of January 2023

[Handwritten signature]
Affiant

Sworn and subscribed before me
this 9th day of January, 2023

Cynthia Joan Cook
Notary Public



Exhibit "A"





Community Development Department

P. O. Box 900
Locust Grove, Georgia 30248

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

Item Coversheet

Item: A city-initiated ordinance amendment to the Locust Grove Municipal Code Section 5.28.065, certain areas exempt from distance restrictions for sale or consumption on premises.

Action Item: Yes No

Public Hearing Item: Yes No

Executive Session Item: Yes No

Advertised Date: December 28, 2022

Budget Item: No

Date Received: N/A

Workshop Date: January 17, 2023

Regular Meeting Date: February 6, 2023

Discussion:

A city-initiated ordinance amendment to the Locust Grove Municipal Code Section 5.28.065- Alcohol License Distance Restrictions. The proposed amendment consists of modifications to the area exempt from alcohol licensing distance restrictions and the addition of a map displaying the exempt area. As it currently reads, the HPDO (Historic Preservation District Overlay) serves as the exempt area. The proposed modification specifies the exempt area as separate from the HPDO, making the ordinance more functional and expanding the area to include areas of potential development.

Recommendation:

Staff recommends APPROVAL.

ORDINANCE NO. _____

TO AMEND TITLE 5 - BUSINESS TAXES, LICENSES AND REGULATIONS; AMENDING CHAPTER 5.28.065 – CERTAIN AREAS EXEMPT FROM DISTANCE RESTRICTIONS FOR SALE AND FOR CONSUMPTION ON PREMISES; TO PROVIDE FOR APPLICABILITY; TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR SEVERABILITY; TO REPEAL INCONSISTENT PROVISIONS; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

THE COUNCIL OF THE CITY OF LOCUST GROVE HEREBY ORDAINS

SECTION 1. Title 5 – Business Taxes, Licenses, and Regulations Chapter 5.28.065, entitled “Certain areas exempt from distance restrictions for sale for consumption on premises.” is hereby amended by deleting Subparagraph Number 1 and inserting in lieu thereof the following:

1. Any property located within the Alcohol Ord 5.28.65 Exempt Area as developed by the Locust Grove Community Development/Stormwater Division, dated January 4, 2023 as attached hereto and made part hereof as Exhibit “A”.

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

SECTION 3. Severability.

A. It is hereby declared to be the intention of the City Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are and were, upon their enactment, believed by the City Council to be fully valid, enforceable and constitutional.

B. It is hereby declared to be the intention of the City Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other Section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the City Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other Section, paragraph, sentence, clause or phrase of Ordinance.

C. In the event that any section, paragraph, sentence, clause or phrase of this Ordinance shall for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the City Council that such invalidity, unconstitutionality, or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining sections, paragraphs,

sentences, clauses, or phrases of the Ordinance and that, to the greatest extent allowed by law, all remaining Sections, paragraphs, sentences, clauses, or phrases of the Ordinance shall remain valid, constitutional, enforceable and of full force and effect.

SECTION 4. Repeal of Conflicting Provision. 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 Council of the City of Locust Grove.

SO ORDAINED this 6th day of February 2023.

Robert S. Price, Mayor

ATTEST:

Misty Spurling, City Clerk

(Seal)

APPROVED AS TO FORM:

City Attorney

EXHIBIT A


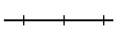

ALCOHOL ORD 5.28.65 EXEMPT AREA MAP

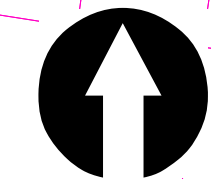
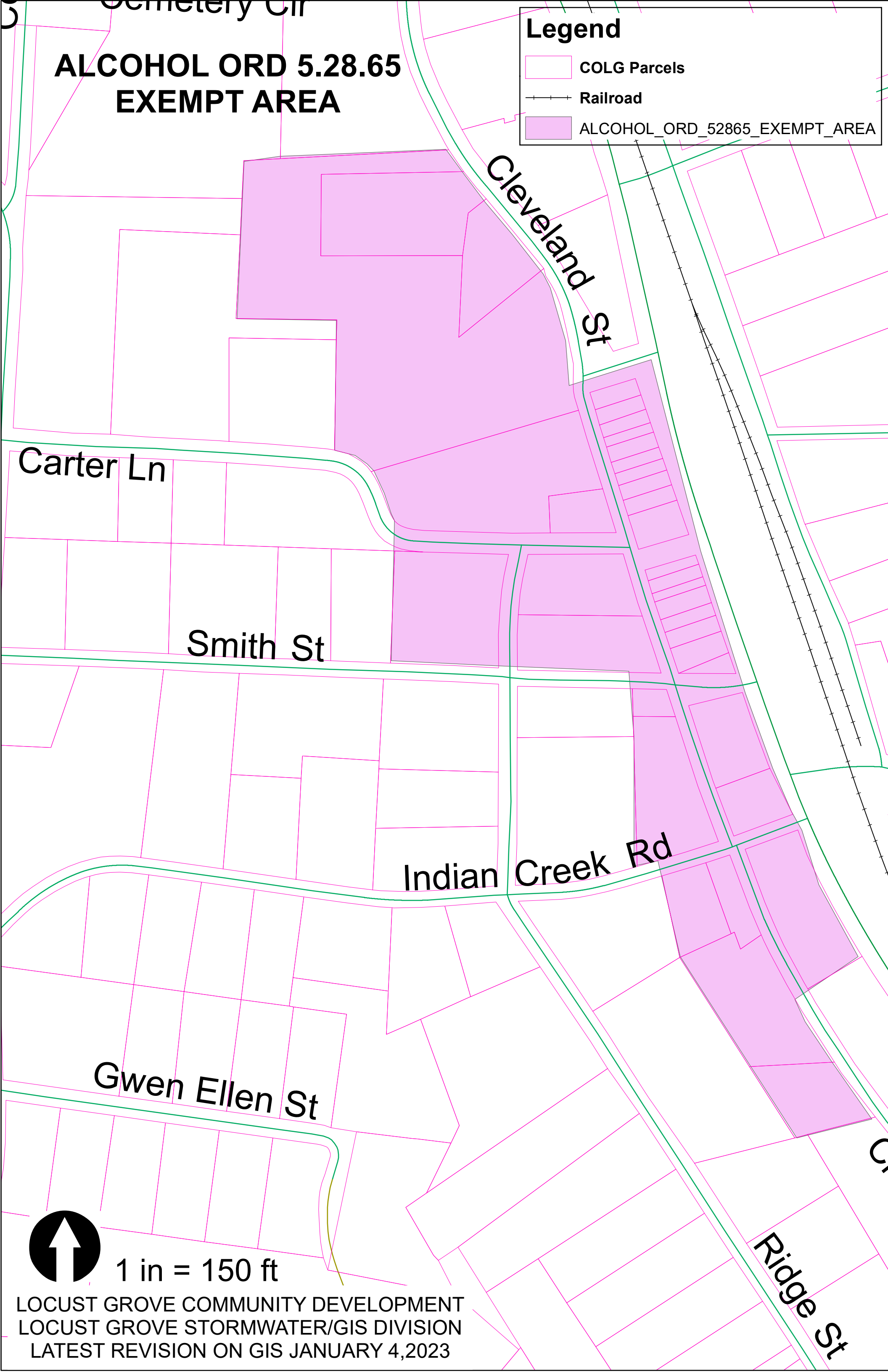
**DEVELOPED BY THE LOCUST GROVE COMMUNITY DEVELOPMENT
DEPARTMENT/STORMWATER DIVISION**

DATED JANUARY 4, 2023

ALCOHOL ORD 5.28.65 EXEMPT AREA

Legend

-  COLG Parcels
-  Railroad
-  ALCOHOL_ORD_52865_EXEMPT_AREA



1 in = 150 ft

LOCUST GROVE COMMUNITY DEVELOPMENT
LOCUST GROVE STORMWATER/GIS DIVISION
LATEST REVISION ON GIS JANUARY 4, 2023



Community Development Department

P. O. Box 900
Locust Grove, Georgia 30248

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

Item Coversheet

Item: Request for modification to zoning conditions for 31.43 +/- acres (Parcel IDs 111-01007000 (portion), 111-01007001, 111-01006051, and 111-01006052) in Land Lot 233 of the 2nd District located on Highway 42.

Action Item: Yes No

Public Hearing Item: Yes No

Executive Session Item: Yes No

Advertised Date: December 28, 2022

Budget Item: N/A

Date Received: December 5, 2022

Workshop Date: January 17, 2023

Regular Meeting Date: February 6, 2023

Discussion:

HFG Development, LLC of Stockbridge, GA requests an amendment to two zoning conditions for 31.43 +/- acres (Parcels: 111-01007000 (portion), 111-01007001, 111-01006051, and 111-01006052) located in Land Lot 233 of the 2nd District. The Properties are located on the west side of SR 42 between Colvin Drive and Pine Grove Road. The Properties were rezoned to M-1 (Light Manufacturing) in January 2022. Specifically, the applicant requests amendment to Condition No. 1 regarding façade materials and the removal of Condition No. 5 restricting the land use solely to warehousing and/or distribution.

Recommendation:

Staff recommends DENIAL of the applicant's request for modification to Condition No. 1 regarding façade materials.

Staff recommends APPROVAL of the applicant's request for the removal of Condition No. 5, with the understanding that the proposed land use must comply with the permitted uses listed in the City's Land Use Table under the M-1 zoning designation.

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE ZONING CONDITIONS FOR 31.43+/- ACRES LOCATED ON HIGHWAY 42 (PARCELS 111-01007000 (portion), 111-01007001, 111-01006051, and 111-01006052) LOCATED IN LAND LOT 233 OF THE 2nd DISTRICT WITHIN THE CITY OF LOCUST GROVE, GEORGIA; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

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, HFG Development of Stockbridge, GA (the “Applicant”), requests an amendment to the existing zoning conditions for property located on Highway 42 (Parcels 111-01007000 (portion), 111-01007001, 111-01006051, and 111-01006052) located in Land Lot 233 of the 2nd District (the “Property), attached hereto as **Exhibit A**; and,

WHEREAS, the Applicant filed a request to amend the zoning conditions on December 5, 2022 as shown in the application attached hereto and incorporated herein by reference as **Exhibit B**; and,

WHEREAS, the Properties were rezoned to M-1 (Light Manufacturing) 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 warehouse and/or distribution.

WHEREAS, the Applicant's request has been reviewed by the Mayor and City Council at a Public Hearing held on January 17, 2023, as well as by the City Community Development Director; and,

WHEREAS, the Applicant requested that Condition No. 1 be amended to read as follows:

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, front of road facing, shall be concrete, brick, natural stone, glass with proper fenestration using color, materials and design to break up large expanses of wall space"; and,

WHEREAS, the Applicant requested that Condition No. 5 be removed in its entirety; and,

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

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

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

1.

(X) That the request for amendment of zoning condition #5 by its removal in entirety is hereby **APPROVED**.

(X) That the request for amendment of zoning conditions #1 is hereby **DENIED**.

2.

That the use of the Property is subject to:

(X) The condition(s) 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 is zoned without conditions.

3.

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

4.

That, if granted, this Ordinance shall become effective immediately subject to the corresponding annexation ordinance under consideration.

SO ORDAINED by the Council of this City this 6th day of February 2023.

ROBERT S. PRICE, Mayor

ATTEST:

MISTY SPURLING, City Clerk

(Seal)

APPROVED AS TO FORM:

City Attorney

EXHIBIT A

EXHIBIT A

Application for Rezoning, Conditional Use, Conditional Exception, Variance, Modifications to Zoning Conditions and Future Land Use Plan Amendments

Thank you for your interest in the City of Locust Grove, Georgia. This packet includes the necessary documents for rezoning, conditional use, conditional exception, variance and modifications to zoning conditions to be heard by the Locust Grove City Council.

Please note: All fees are non-refundable. There are no exceptions. In addition, be sure to review current ordinances, as new amended sections of code are to be adopted over the year.

Should you need further assistance, please feel free to contact our office between 8:00 AM to 5:00 PM, Monday through Friday at:
(770) 692-2321 or (770) 957-5043

The location of all City Council meetings is:
Locust Grove Public Safety Building
3640 Highway 42
Locust Grove, GA 30248

WWW.LOCUSTGROVE-GA.GOV

Zoning Application Checklist

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

ALL DOCUMENTS ARE REQUIRED IN ORDER TO ACCEPT APPLICATION

REQUIRED ITEMS	COPIES	PROCEDURE	CHECK
Application Form	01	<ol style="list-style-type: none"> 1. Signed and notarized by owner. Original signature 2. In lieu of owner's signature, applicant has signed and notarized 3. A copy of "Contract", "Power of Attorney" or "Lease" 	X
Applicant Disclosure Form	01	Required for all applicants filed whether yes or no and must be notarized	X
Letter of Ownership	01	Letter stating that the owner is aware of the zoning request and owns the property in question	Exh. A
Letter of Intent	01	Must clearly state the proposed use and development intent	Exh. B
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.	Exh. C
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.	Exh. D
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.	Exh. E
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.	X
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

December 2, 2022

Mr. Daunte Gibbs
Community Development Director
City of Locust Grove, Georgia
3644 Highway 42
Locust Grove, Georgia 30248

Re: Rezoning Application No. _____

Dear Mr. Gibbs,

We are the owners of a tract of property designated by the Henry County Tax Assessor as follows:

Parcel 111-01007001
Parcel 111-01006051
Parcel 111-01006052

cumulatively consisting of 21.29 acres (the "Subject Properties"). The Subject Properties are the subject of the above referenced rezoning application which seeks to rezone them from M-1 Conditional (Light Industrial) to M-1 Conditional (Light Industrial). I consent to the rezoning of the Subject Properties, and I have authorized HFG Development, LLC to proceed with the request to rezone.

Sincerely,

 Traci Carr, Executor of Estate of Bonnie Carr

Request for Zoning Map Amendment

Name of Applicant: HFG Development, LLC Phone: 865-207-8847 Date: December 5, 2022
 Address Applicant: 827 Fairways Court Ste 306, Cell # 865-207-8847
 City: Stockbridge State: GA Zip: 30281 E-mail: robert@hospitalityfinancialgroup.com/al@hospitalityfinancialgroup.com
 Name of Agent: Robert Knight/Al Hosford Phone: _____ Date: _____
 Address Agent: Same as applicant Cell # Same as applicant
 City: _____ State: _____ Zip: _____ E-mail: _____

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

Concept Plan Review Conditional Use Conditional Exception Modifications to Zoning Conditions

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

Request from _____ M-1 Conditional to _____ M-1 Conditional
(Current Zoning) (Requested Zoning)

Request from Light Industrial (limited to warehouse distribution) to M-1 Light Industrial
(Current Land Use Designation) (Requested Land Use Designation)

For the Purpose of Industrial Outside Storage
(Type of Development)

Address of Property: 2854 HIGHWAY 42 S, Locust Grove, Ga

Nearest intersection to the property: Pine Grove Road

Size of Tract: ^{31.436}~~36.436~~ total acre(s), Land Lot Number(s): 233, District(s): 2 2nd

Gross Density: N/A units per acre Net Density: N/A units per acre

Property Tax Parcel Number: 111-01007000/111-01007001/111-01006051/111-01006052
(Required)

Witness Signature: _____ Signature of Owners/s: Al Hosford RK

Printed Name of Witness: Newton M. Gallaway Printed Name of Owner/s: Al Hosford

Notary: Cleveland Wozans 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:

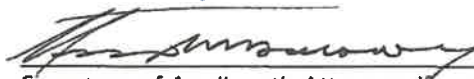
Council/Planning Commission Member Name	Dollar amount of Campaign Contribution	Description of Gift \$250 or greater given to Council/Planning Commission Member

We certify that the foregoing information is true and correct, this 5th day of December 2022.

HFG Development, LLC by Al Hosford
Applicant's Name - Printed


Signature of Applicant

Newton M. Galloway
Applicant's Attorney, if applicable - Printed


Signature of Applicant's Attorney, if applicable

Sworn to and subscribed before me this 5th day of December, 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

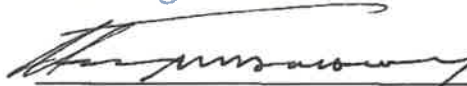
We certify that the foregoing information is true and correct, this 5th day of December 2022.

HFG Development, LLC by Robert Knight
Applicant's Name - Printed



Signature of Applicant

Newton M. Galloway
Applicant's Attorney, if applicable - Printed



Signature of Applicant's Attorney if applicable

Sworn to and subscribed before me this 5th day of December 2022.

Edward Lozano

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.

Exhibit "A"

December 2, 2022

Mr. Daunte Gibbs
Community Development Director
City of Locust Grove, Georgia
3644 Highway 42
Locust Grove, Georgia 30248

Re: Rezoning Application No. _____

Dear Mr. Gibbs,

We are the owners of a tract of property designated by the Henry County Tax Assessor as follows:

Parcel 111-01007000

cumulatively consisting of 14.960 acres, excluding the 5 acres west of the Georgia Power transmission lines of this parcel (the "Subject Property"). The Subject Property is the subject of the above referenced rezoning application which seeks to rezone from M-1 Conditional (Light Industrial) to M-1 Conditional (Light Industrial). I consent to the rezoning of the Subject Property, and I have authorized HFG Development, LLC to proceed with the request to rezone.

Sincerely,

Beth A. Floyd
Beth A. Floyd

Exhibit "B"

December 2, 2022

Letter of Intent

Applicant/Developer: HFG Development, LLC

Property Parcels: 111-01007000
111-01007001
111-01006051
111-01006052

Proposed Use: Industrial Outside Storage

HFG Development, LLC has agreed to acquire approximately 31.436 total acres along the west side of HWY 42 S, east of I-75, and south of Pine Grove Road subject to re-zoning approval. HFG plans to use the site for Industrial Outside Storage. The proposed development is shown on the Preliminary Site Plan, for Highway 42 Industrial use, prepared by Falcon Design Consultants, dated September 20, 2022. The proposed site plan provides for single access point off Georgia Highway 42 S.

Acreage: 31.436 total Acres
Impacted Acreage: Not yet determined
Existing Zoning: M-1 Conditional (Light Industrial)
Proposed Zoning: M-1 Conditional (Light Industrial)
Density: N/A

The Subject Property was zoned M-1 Conditional pursuant to Ordinance No. 22-01-001 on January 3, 2022. During the development process, it was determined that the Subject Property has substantial wetland areas that prevent development proposed and approved in Ordinance No. 22-01-001. Of the five (5) conditions imposed on rezoning approval, this application seeks to change two (2) conditions as follows;

- a. Condition No. 1 shall be revised to read: 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, front of road facing, shall be concrete, brick, natural stone, glass with proper fenestration using color, materials and design to break up large expanses of wall space.
- b. Condition No. 5 shall be deleted.

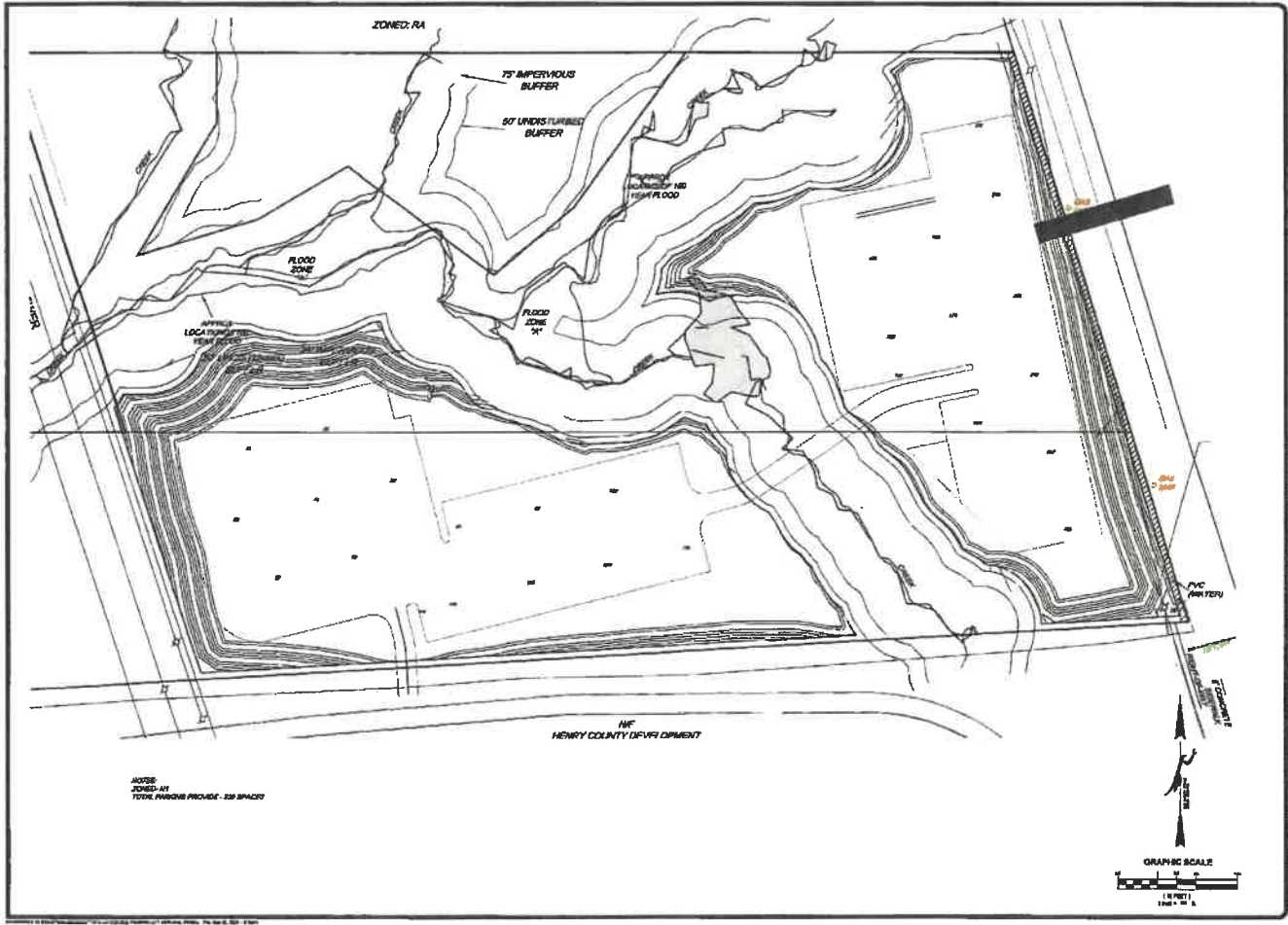
Exhibit "C"

Legal Description

All that tract or parcel of land situate, lying and being in Land Lot 233 of the Second Land District of Henry County, Georgia consisting of 36.436 acres, more or less, as shown on the "Zoning Boundary Survey," prepared for Hospitality Financial Group, by Metro Engineering and Surveying Co., Inc., James R. Green, RLS, No. 2543, November 1, 2021, attached hereto as Exhibit "A," the metes and bounds of which are incorporated herein as if fully set forth, less and except five (5) acres, more or less, west of the Georgia Power transmission lines.

Exhibit "D"

Exhibit "E"



NOTE:
 JOINED BY
 TOTAL PARKING PROVIDED - 239 SPACES

PRELIMINARY DRAINAGE AND SITE PLAN
 FOR
**HIGHWAY 42
 PARKING EXPANSION**
 LAND LOT 286, 280 DISTRICT
 HENRY COUNTY, GEORGIA

FALCON DESIGN CONSULTANTS
 1111 N. HENRY STREET
 SUITE 100
 LAWRENCEVILLE, GA 30046
 (770) 962-1111
 www.falcondesign.com

PRELIMINARY DRAINAGE AND SITE PLAN
 FOR
**HIGHWAY 42
 PARKING EXPANSION**
 LAND LOT 286, 280 DISTRICT
 HENRY COUNTY, GEORGIA

NO.	REVISIONS

DATE	PROJECT

SHEET NUMBER
1.0

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: HFG Development, LLC

Address/Location of Request: 2854 HIGHWAY 42 S, Locust Grove, Ga

Type of Project: Commercial Residential Mixed Use

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

For commercial, amount of square feet: _____

Estimated water usage: TBD _____ (GALLONS)

Estimated sewer usage: TBD _____ (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

EXHIBIT B



REZONING EVALUATION REPORT

January 17, 2023

FILE: AM-COND-22-12-04

MODIFICATION TO ZONING CONDITIONS

Property Information

Tax ID	111-01007000 (portion), 111-01007001, 111-01006051, and 111-01006052
Location/address	Land Lot 233 of the 2 nd District Multiple Tracts
Parcel Size	31.43 +/- acres
Current Zoning	M-1 (Light Manufacturing)
Request	Modification to Zoning Conditions
Proposed Use	Industrial Outdoor Storage
Existing Land Use	Single-family dwelling and undeveloped land rezoned to M-1 January, 2022
Future Land Use	Industrial
Recommendation	Denial of modification to Condition No. 1 Approval of removal of Condition No. 5

Summary

HFG Development, LLC of Stockbridge, GA has submitted an application requesting an amendment to two zoning conditions for 31.43 +/- acres (Parcels: 111-01007000 (portion), 111-01007001, 111-01006051, and 111-01006052) located in Land Lot 233 of the 2nd District. The Properties are located on the west side of SR 42 between Colvin Drive and Pine Grove Road. The Properties were rezoned to M-1 (Light Manufacturing) with the following conditions, January 2022:

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.



REZONING EVALUATION REPORT

January 17, 2023

FILE: AM-COND-22-12-04

MODIFICATION TO ZONING CONDITIONS

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 warehouse and/or distribution.

HFG requests a revision to Condition No. 1 to read as follows: "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, front of road facing, shall be concrete, brick, natural stone, glass with proper fenestration using color, materials and design to break up large expanses of wall space".

The applicant also requests that Condition No. 5 be removed in its entirety, as the condition currently limits the property's use to warehousing and/or distribution.

Recommendations

Staff recommends DENIAL of the applicant's request for modification to Condition No. 1 regarding façade materials.

Staff recommends APPROVAL of the applicant's request for the removal of Condition No. 5, with the understanding that the proposed land use must comply with the permitted uses listed in the City's Land Use Table under the M-1 zoning designation.

EXHIBIT C

Henry Herald

38 Sloan Street
McDonough, Georgia 30253

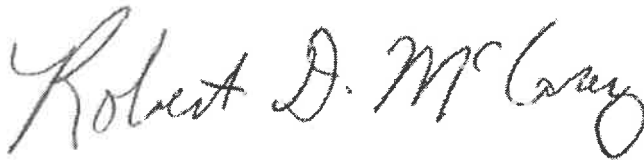
PUBLISHER'S AFFIDAVIT

STATE OF GEORGIA
COUNTY OF HENRY

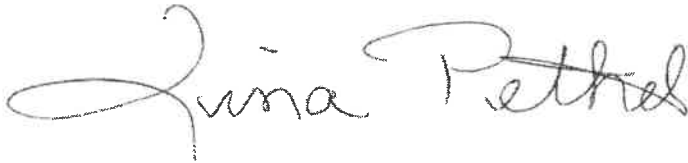
Personally appeared before the undersigned, a notary public within and for said county and state, Robert D. McCray, Vice President of SCNI, which published the Henry Herald, Published at McDonough, County of Henry, State of Georgia, and being the official organ for the publication of legal advertisements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

Ad No.: **90394**

Name and File No.: **PUBLIC HEARING 1/17/23**
a true copy of which is hereto attached, was published in
said newspaper on the following date(s):
12/28/2022

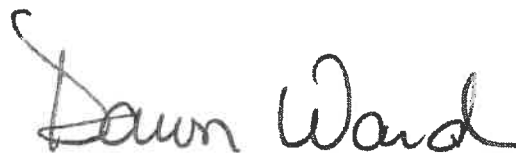
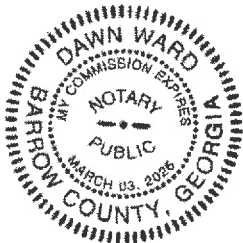


Robert D. McCray, SCNI Vice President of Sales and Marketing



By Tina Pethel
SCNI Controller

Sworn and subscribed to me 12/28/2022



Notary Public
My commission expires 03/03/2026

Ad text : Public Hearing Notice
City of Locust Grove
January 17, 2023
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 Tuesday, January 17, 2023, at 6:00 PM, will conduct public hearings for the purpose of the following:

**FUTURE LAND USE MAP
AMENDMENT**

FLU-AM-22-12-02 The Locust Grove Downtown Development Authority requests a Future Land Use Amendment for 0.91 +/- acres located on Carter Lane in Land Lot 186 of the 2nd District from Mixed Historic Neighborhood to Central Business District for the purpose of developing a business incubator space/micro-brewery.

REZONING

RZ-22-12-01 The Locust Grove Downtown Development Authority requests a rezoning of 0.91 +/- acres located on Carter Lane in Land Lot 186 of the 2nd District from OI (Office/Institutional) to C-2 (General Commercial) for the purpose of developing a business incubator space/micro-brewery.

ORD-AM-22-12-03

A City-Initiated Ordinance Amendment to the Locust Grove Municipal Code Section 5.28.065- Alcohol License Distance Restrictions.

AM-COND-22-12-04

HFG Development, LLC of Stockbridge, GA requests an amendment to zoning conditions for 31.43 +/- acres located at 2854 Hwy 42. The applicant requests to amend the materials conditions and use restrictions.

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
90394-12/28/2022

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.

HFG Development, LLC of Stockbridge, GA requests a modification to zoning conditions for 31.43 +/- acres (Parcels: 111-01007000 (portion), 111-01007001, 111-01006051, and 111-01006052) located in Land Lot 233 of the 2nd District.

3.

On the 28th day of December 2022, I, Brian 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 17th day of January 2023 at 6:00 p.m. at the Locust Grove Public Safety Building, 3640 Highway 42, Locust Grove, Georgia 30248. A photograph of the same is attached hereto as Exhibit "A" and incorporated herein by reference. The public hearing sign was posted at the following location:

1. Double-sided sign posted at 8:55 AM at 2854 Highway 42 on December 28, 2022.

FURTHER AFFIANT SAYETH NOT.

This 9th day of January 2023


Affiant

Sworn and subscribed before me
this 9th day of January, 2023


Notary Public



Exhibit "A"

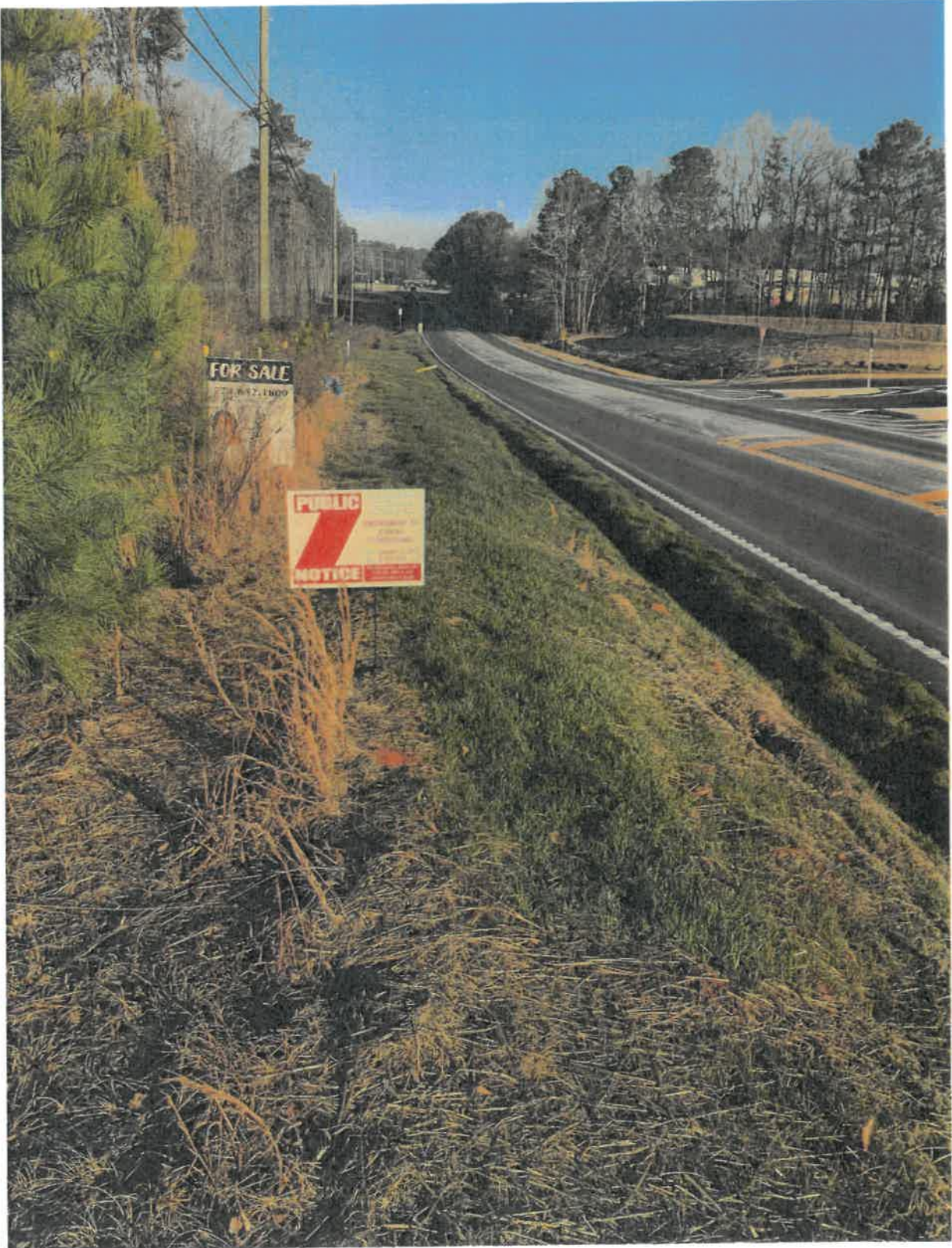


EXHIBIT D

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.