

**City of Locust Grove
Council Meeting Minutes
Public Safety Building – Courtroom Chamber
3640 Highway 42 S. – Locust Grove, GA 30248
Monday, February 6, 2023
6:00 PM**

Members Present:	Staff Present:
Robert Price – Mayor	Tim Young – City Manager
Carlos Greer – Councilman	Bert Foster – Assistant City Manager
Willie Taylor – Councilman	Daunté Gibbs – Community Development Director
Keith Boone – Councilman/Pro Tem	Jack Rose – Public Works Director
Vincent Williams – Councilman	Derrick Austin - Police Chief
Rod Shearouse – Councilman	Andy Welch – Attorney
Rudy Breedlove – Councilman	Staff not present:
	Colleen Watts – Main Street Director
	Misty Spurling – City Clerk – in training
	Jennifer Adkins – Assistant City Clerk – in training

Mayor Price called the meeting to order at 6:00 PM

Invocation given by Pastor Ben Fisher of Faith Baptist Church.

Councilman Williams led the Pledge of Allegiance.

APPROVAL OF AGENDA –

Mayor Price asked for a motion. Councilman Breedlove made the motion to approve the February 6, 2023, meeting agenda.

RESULT	APPROVED AGENDA
MADE MOTION	COUNCILMAN BREEDLOVE
2 ND MOTION	COUNCILMAN WILLIAMS
VOTE	MOTION CARRIED - ALL IN FAVOR

PUBLIC COMMENTS –

- **Small Business Administration – Vanessa Santiago**

Ms. Santiago stepped forward to introduce the SBA and how they are assisting people with the storms here in Locust Grove and how they can apply and seek help. Mentioned she met with City Manager Tim Young and the Mayor and also visited businesses affected in the area, including the one mentioned at the meeting. She went on to describe the types of loans, interest rates, and deadlines that are critical for those seeking help to be aware. She mentioned those deadlines in the flyer that was handed out at the meeting to the Council and Mayor. She mentioned there are actually two (2) centers for assistance: Locust Grove Library as well as the Recreation Center with the FEMA mobile office. She also mentioned the SBA.Gov site and FEMA.gov for disaster assistance.

Keith Boone asked if they have been in the hardest hit areas and wanted to confirm that these are loans instead of grants. Have to apply through FEMA first. He mentioned how FEMA may offer assistance in grants; however, she stated this she does not represent FEMA.

She mentioned that folks should get roof inspected to make sure there is may longer term damage they may not be aware of. Council Greer mentioned the same comments on loan versus grant and that some may not be able to get.

Councilman Williams – COVID hit, and there was aid through that program. If they have that load, would this disaster preclude them from getting additional aid. Ms. Santiago said they need to apply and ask the agent about the availability. She then confirmed that the repayment does not begin until a year.

She reiterated that if you apply with FEMA and you are referred to SBA, then you need to go through SBA if there are additional funds available to help over additional time. If you have no cash flow, they will refer that person back to FEMA to go through the entire process to get assistance.

- **Presentation by David Miles, 145 Elkins Boulevard, Locust Grove, GA 30248.** Mr. David Miles came forward to address the Council to ask about addition of sidewalks along Peeksville Road to give a way for those without the availability of an automobile to safely traverse the road to get to school and for other purposes: recreation, work, walking and exercise. This could reduce the number of vehicles and buses along the road if a robust network is created. A copy of the presentation test is made part of the minutes urging City Council to act to place sidewalks along Peeksville Road.

Council asked staff questions about what the city is doing in regard to this request as well as projects members of the council have already noted, expressly along Peeksville Road. City Manager Tim Young noted there are projects in the Joint Master Trail Plan and money allocated in SPLOST for work towards sidewalks in at least a portion of Peeksville Road.

PUBLIC HEARING ITEMS – NONE

APPROVAL OF THE MINUTES –

1. JANUARY 2, 2023 – SPECIAL CALLED EXECUTIVE SESSION MINUTES –

Mayor Price asked for a motion. Councilman williams made the motion to approve the January 2, 2023 Special Called Executive Session minutes.

RESULT	APPROVED JANUARY 2, 2023 SPECIAL CALLED EXECUTIVE SESSION MINUTES
MADE MOTION	COUNCILMAN WILLIAMS
2 ND MOTION	COUNSILMAN BREEDLOVE
FAVOR	MOTION CARRIED – ALL IN FAVOR

2. JANUARY 2, 2023- REGULAR MEETING MINUTES –

Mayor Price asked for a motion. Councilman Williams made the motion to approve the January 2, 2023 regular meeting minutes.

RESULT	APPROVED JANUARY 2, 2023 REGULAR MEETING MINUTES
MADE MOTION	COUNCILMAN WILLIAMS

2 ND MOTION	COUNCILMAN SHEAROUSE
FAVOR	MOTION CARRIED – ALL IN FAVOR

3. JANUARY 17, 2023- WORKSHOP MEETING MINUTES –

Mayor Price asked for a motion. Councilman Williams made the motion to approve the January 17, 2023 workshop meeting minutes.

RESULT	APPROVED JANUARY 17, 2023 WORKSHOP MEETING MINUTES
MADE MOTION	COUNCILMAN WILLIAMS
2 ND MOTION	COUNCILMAN BREEDLOVE
FAVOR	MOTION CARRIED – ALL IN FAVOR

4. JANUARY 17, 2023- EXECUTIVE SESSION MEETING MINUTES –

Mayor Price asked for a motion. Councilman Taylor made the motion to approve the January 17, 2023 executive session meeting minutes.

RESULT	APPROVED JANUARY 17, 2023 EXECUTIVE SESSION MEETING MINUTES
MADE MOTION	COUNCILMAN TAYLOR
2 ND MOTION	COUNCILMAN BREEDLOVE
FAVOR	MOTION CARRIED – ALL IN FAVOR

ACCEPTANCE OF THE FINANCIAL STATEMENT – NONE – FY Closeout.

UNFINISHED BUSINESS/ACTION ITEMS –

5. Resolution to approve architectural plans for RangeWater Real Estate Multifamily Development located on Tanger Blvd (Parcels: 129-01058004 and 129-01058006

Mayor Price asked for a motion. Councilman Williams made the motion to approve the request by approving resolution **#23-02-012.**

RESULT	APPROVED RESOLUTION #23-02-012
MADE MOTION	COUNCILMAN WILLIAMS
2 ND MOTION	COUNCILMAN BREEDLOVE
FAVOR	MOTION CARRIED – FIVE IN FAVOR (WILLIAMS, SHEAROUSE, BREEDLOVE, BOONE, TAYLOR) AND ONE OPPOSED (GREER).

6. Resolution approving architectural plans for a C-store building to be located on Tanger Blvd”–

Mayor Price asked for a motion. Councilman Greer made the motion to approve the request by approving resolution **#23-02-013.**

RESULT	APPROVED RESOLUTION #23-02-013
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MADE MOTION	COUNCILMAN GREER
2 ND MOTION	COUNCILMAN WILLIAMS
FAVOR	MOTION CARRIED – ALL IN FAVOR

7. Ordinance to amend the Future Land Use Map designation for 0.91 +/- acres located on Carter Lane –

Mayor Price asked for a motion. Councilman Greer made the motion to approve the request by approving ordinance **#23-02-014.**

RESULT	APPROVED ORDINANCE #23-02-014
MADE MOTION	COUNCILMAN GREER
2 ND MOTION	COUNCILMAN WILLIAMS
FAVOR	MOTION CARRIED – FIVE IN FAVOR (WILLIAMS, GREER, TAYLOR, SHEAROUSE, BREEDLOVE) AND ONE OPPOSED (BOONE).

8. Ordinance to rezone approximately 0.91 +/- acres located on Carter Lane –

Mayor Price asked for a motion. Councilman Williams made the motion by approving ordinance **#23-02-015.**

RESULT	APPROVED ORDINANCE #23-02-015
MADE MOTION	COUNCILMAN WILLIAMS
2 ND MOTION	COUNCILMAN GREER
FAVOR	MOTION CARRIED – FIVE IN FAVOR (WILLIAMS, GREER, TAYLOR, SHEAROUSE, BREEDLOVE) AND ONE OPPOSED (BOONE)

9. Ordinance to amend Title 5, Section 5.28.065, certain areas exempt from distance restrictions for sale or consumption on premises –

Mayor Price asked for a motion. Councilman Williams made the motion to approve the request by approving ordinance **#23-02-016.** Attorney Andy Welch noted a few edits on the ordinance. The amendment language is that any property located in the exempt area located on the map dated January 4, 2023 map attached hereto.. Councilman Williams amended his motion to accept the amended language by the City Attorney. Second by Breedlove.

RESULT	APPROVED ORDINANCE #23-02-016
MADE MOTION	COUNCILMAN WILLIAMS
2 ND MOTION	COUNCILMAN BREEDLOVE
FAVOR	MOTION CARRIED – FIVE IN FAVOR (WILLIAMS, GREER, TAYLOR, SHEAROUSE, BREEDLOVE) AND ONE OPPOSED (BOONE)

10. Ordinance to amend the zoning conditions for 31.43 +/- acres located on Highway 42 (Parcel IDs 111-01007000 (portion), 111-01007001, 111-01006051, and 111-01006052 -

Mayor Price asked for a motion. Councilman Shearouse made the motion to approve the request by approving ordinance #23-02-017.

RESULT	APPROVED ORDINANCE #23-02-017
MADE MOTION	COUNCILMAN SHEAROUSE
2 ND MOTION	COUNCILMAN BOONE
FAVOR	MOTION CARRIED – THREE IN FAVOR (TAYLOR, BOONE, SHEAROUSE,) AND THREE OPPOSED (BREEDLOVE, GREER, WILLIAMS) MAYOR PRICE CAST HIS VOTE IN FAVOR TO BREAK TIE.

Shearouse asked Community Development about the denial of the first part and approval of the second part. Daunte Gibbs stated that the first request regarding the facades will stay at the current language and that the Condition #5 be removed. Shearouse asked about what will happen if that #5 condition is removed. Daunte’ stated that only permitted land uses in the Land Use Table would be allowed on that property.

Mayor Price asked about the change in conditions to the Attorney. Daunte’ reread the conditions and what the change in removing Condition 5.

Councilman Greer stated that this was the second time this is up for rezoning and that they should have known about these conditions at that time., and there was nothing done. Andy stated there were issues with wetlands. Sometimes you don’t know 100% until you go out and do a specific study. Councilman Greer added that he doesn’t understand if someone spent considerable sums they would not know about the issues.

Discussion on the M-1 uses that were permissible and then a vote was taken with three in favor (Taylor, Boon and Shearouse) and three opposed (Breedlove, Greer and Williams). Mayor Price then he responded that he is in favor to break the tie.

11. Approve the Memorandum of Understanding (MOU) for “Handle with Care” between Henry County and the Locust Grove Police Department

Mayor Price asked for a motion. Councilman Breedlove made the motion to approve the request by approving resolution #23-02-018.

RESULT	APPROVED RESOLUTION #23-02-018
MADE MOTION	COUNCILMAN BREEDLOVE
2 ND MOTION	COUNCILMAN WILLIAMS
FAVOR	MOTION CARRIED – ALL IN FAVOR.

12. Ordinance to amend Chapter 2.24 Police SOP I-037 – Unmanned Aircraft System –

Mayor Price asked for a motion. Councilman Greer made the motion to approve the request by approving ordinance #23-02-019. Attorney Welch had clarification on some internal reference for “herein”. Greer amended motion to approve with changes. Boone concurred with second.

RESULT	APPROVED ORDINANCE #23-02-019
MADE MOTION	COUNCILMAN GREER
2 ND MOTION	COUNCILMAN BOONE
FAVOR	MOTION CARRIED – ALL IN FAVOR

13. Ordinance to revise the Operating and Capital Improvements Budget for the 4th Quarter of FY 2022 –

Mayor Price asked for a motion. Councilman Greer made the motion to approve the request by approving ordinance #23-02-020.

RESULT	APPROVED ORDINANCE #23-02-020
MADE MOTION	COUNCILMAN GREER
2 ND MOTION	COUNCILMAN BREEDLOVE
FAVOR	MOTION CARRIED – ALL IN FAVOR

NEW BUSINESS/ACTION/DISCUSSION ITEMS –

14. Special Event Permit for Ladies and Gents Production to allow filming in the City Council Chambers on February 26, 2023 –

Mayor Price asked for a motion. Councilman Williams made the motion to approve the request for the special event/filming to be held on February 26, 2023 in the City Council Chambers.

RESULT	APPROVED SPECIAL EVENT PERMIT
MADE MOTION	COUNCILMAN WILLIAMS
2 ND MOTION	COUNCILMAN SHEAROUSE
FAVOR	MOTION CARRIED – FIVE IN FAVOR (GREER, TAYLOR, WILLIAMS, SHEAROUSE, BREEDLOVE) IN FAVOR AND ONE OPPOSED (BOONE)

Councilman Greer had question about the process of Special Event and the Fees. We don't have that at the current time. Daunte' stated that the County charges a \$250 fee. Chief Austin came forward to make comment on the film request and that the person is making an independent film with a judge and a staff person (Earlene Patrick) as a Bailiff. Boone suggested that we add on a fee for use of the facilities. Shearouse stated that they should appear here when they are making such a request. Greer questioned about what would happen between now and then would be any different. Greer put in language that they have at least one certified officer for the filming. Discussion continued on fees and conditions. Williams – added a condition that they Amended motion to have the condition that a certified LG officer be paid for this event. Shearouse second.

15. Resolution to award the bid for Construction Management Services for Locust Grove City Hall Structural Repairs –

Mayor Price asked for a motion. Councilman Boone made the motion to approve the resolution #23-02-021.

RESULT	APPROVED RESOLUTION #23-02-021
MADE MOTION	COUNCILMAN BOONE (\$300,000 inclusive)
2 ND MOTION	COUNCILMAN WILLIAMS
FAVOR	MOTION CARRIED – ALL IN FAVOR

Bert came forward to present this item and stated that the only proposal submitted was by JR Bowman that the fees are 10% of the Construction Cost with an additional 10% profit margin of the work. Went over the actions that will be taking place. Greer asked about the issue that they can't give us a number necessarily. Mayor Price stated that he's been over there and seen the work and there may be issues that you will discover as the work progresses. Andy states that they only have one bidder. We can put on there an absolute cost item cap to allow them to begin the work. We can set the ceiling on them and that changes would come back for review. Boone stated about the current proposal with the CM 10% overhead and 10% based on a budget of \$500,000. Discussion continues that the basic is 20% and that the attorney spoke about this is a local company that's doing a lot of work in the community including construction of the Public Safety Building. Discussion continued on interior and exterior types of work and that it's possible it could be lower. Andy Welch said the document on the contract will be different at a later date that would break down their fees.

16. Ordinance to adopt a Moratorium on zoning map amendment applications for the creation of the new multi-family residential developments in the City of Locust Grove for a period of two-hundred seventy (270) days –

Mayor Price asked for a motion. Councilman Greer made the motion to approve Ordinance #23-02-022. Attorney Welsh stated there were a couple of changes that needed to be made, with language on the moratorium for RM zoning as part of a Planned Development. Discussion took place, and that Greer made the motion to approve the ordinance with the additional language to extend requests for RM as part of a Planned Development (PD) in the moratorium. Councilman Boone second.

RESULT	APPROVED ORDINANCE
MADE MOTION	COUNCILMAN GREER (with added language extended to PD to the moratorium)
2 ND MOTION	COUNCILMAN BOONE
FAVOR	MOTION CARRIED – ALL IN FAVOR

CITY MANAGER'S COMMENTS –

Mr. Young gave an update of operations and the proceeded to discuss the request on insurance / benefits for the Mayor and Council. He showed on the visual screen the current policies and amounts and how Section 2.04.015 would need to be amended if there was agreement to have the same deductible amounts as the city employees. Andy stated this could happen through an amendment.

Vince Williams discussed about salary through a Charter Change. That takes for time. Benefits could have that back next week. The majority expressed their interest in that change. Notification is required for salary only and not benefits. Salary change would not go into effect until after then next election cycle. Those taking office in January 2024 would benefit. Discussion continued on how the county was indexed to the Sheriff. Andy stated that after 2015 that changed.

COUNCIL COMMENTS – NONE

MAYOR'S COMMENTS – NONE

EXECUTIVE SESSION – NONE

ADJOURNMENT –

Mayor Price asked for a motion to adjourn. Councilman Williams made the motion to adjourn.

RESULT	APPROVED – ADJOURN MEETING
MADE MOTION	COUNCILMAN WILLIAMS
2 ND MOTION	COUNCILMAN BOONE
FAVOR	MOTION CARRIED MEETING ADJOURNED @ 7:29 PM.

Notes taken by:

Tim Young, City Manager (for Misty Spurling on training)

**City of Locust Grove
 Council Workshop Meeting Minutes
 Public Safety Building – 3640 Highway 42 S.
 Locust Grove, GA 30248
 Monday, February 20, 2023
 6:00 PM**

Members Present:	Staff Present:
Robert Price – Mayor	Tim Young – City Manager
Keith Boone – Councilman/Pro Tem	Bert Foster – Assistant City Manager
Vincent Williams – Councilman	Misty Spurling – City Clerk
Willie Taylor – Councilman	Jennifer Adkins – Assistant City Clerk
Rod Shearouse - Councilman	Jack Rose – Public Works Director
	Daunté Gibbs – Community Development Director
Members not Present:	Colleen Watts – Main Street Manager
Rudy Breedlove - Councilman	Derrick Austin – Police Chief
Carlos Greer – Councilman	Andy Welch –Attorney

Mayor Price called the meeting to order at 6:00 PM.

Invocation given by Chief Derrick Austin

Councilman Shearouse led the Pledge of Allegiance

APPROVAL OF AGENDA –

Mayor Price asked for a motion. Councilman Boone made the motion to approve the agenda.

RESULT	APPROVED AGENDA
MADE MOTION	COUNCILMAN BOONE
2 ND MOTION	COUNCILMAN TAYLOR
VOTE	MOTION CARRIED - ALL IN FAVOR

PUBLIC COMMENTS –

Presentation by Georgia Safe Sidewalks – trip hazard removal specialists –

Mr. Jim Bright with Georgia Safe Sidewalks stepped forward. Mr. Bright said the company was founded over 15 years ago to help manage sidewalks all over the state. This type of service is about 85% less expensive than the demolition process (grinding and lifting of sidewalks). Mr. Bright said his team would take an inventory of the sidewalks in Locust Grove and take notes of the trip and fall hazards and other issues per ADA compliance.

Councilman Williams asked if this is more cost effective versus if our crew done the repairs themselves.

Mr. Bright said his crew would demo, form, and fill in as part of the process. The average cost of a single repair was \$65.00 for his company but that does not guarantee the trip hazard. Discussion took place about inspection process and Mr. Bright said he can't replace a cracked panel; however, the inspection information would be provided to the public works director.

Councilman Boone asked who is liable in the interim after we notify your team of a problem area in relation to repairing (time frame). Mr. Bright said the city would be liable until his team had the opportunity to do the repairs and Mr. Bright said the turnaround time is about six to eight weeks after they are notified. Nothing further.

PUBLIC HEARING ITEMS –

1. Request from R-2 (Single-Family Residential) to OI (Office/Institutional) for 0.44 +/- acres (Parcel ID L05-01003000) in LL 176 of the 2nd district at 24 Peeksville Road -

Community Development Director Daunté Gibbs stepped forward. Mr. Gibbs said the applicant intends to remodel the existing historic single-family residential structure for use as an optometry office. Mr. Gibbs said staff recommends approval with one condition (read aloud).

Mayor Price said this is a public hearing and asked for public comments from anyone in favor of the request.

Mr. Scot Werner and his wife, Brenda Werner, stepped forward to comment. Mr. Werner said he and his wife are the owners of the optometrist office and formerly owned a successful practice in McDonough for 15 years and the business became too big. Mr. Werner said the opportunity came and he and his wife decided to sell the business. Mr. Werner said they live in Locust Grove and want to re-open the business [smaller scale] and this house is perfect for their intended use.

Mayor Price asked for public comments from anyone opposed to the request to come forward. There were no comments.

Mayor Price closed the public hearing and asked for comments from the Council.

Discussion took place about the location of the house. Councilman Shearouse asked if there are any objections from surrounding neighbors and Mr. Werner said no.

Councilman Boone asked if there are any plans to widen Peeksville Road and Mr. Young replied no current plans.

2. Stream Buffer Variance to allow paving and grading into the required 75 and 50 ft. impervious buffers for a 3,100,500 +/- square foot warehousing/industrial development, located on Price Drive south of Bethlehem Road –

Mr. Gibbs said this is a request from CRG Acquisitions, LLC, for an industrial development. The State of Georgia EPD has issued a stream buffer variance to which the applicant has received approval and now requesting approval from the city. Mr. Gibbs said staff recommends approval of this request with two conditions (read aloud).

Mayor Price said this is a public hearing and asked for comments from anyone in favor of the request. There were no comments.

Mayor Price asked for comments from anyone opposed to the request and there were no comments.

Mayor Price closed the public hearing and asked for comments from the Council.

Councilman Shearouse asked if this variance includes all seven of the criteria points and if each are mitigated. Mr. Gibbs said yes; however, this time only the buffer variance which is not part of the seven criteria.

Mr. Young said part of it is wetland mitigation. The EPD has approved the variance on the initial 25ft. buffer and our buffers are an additional 25ft. and the other 25ft [based on the original buffer]. The approval by the Corps (USACE) have been approved through wetland mitigation credits.

Councilman Williams asked Mr. Gibbs to confirm how many stream buffers are in discussion. Mr. Gibbs said six.

OLD BUSINESS/ACTION ITEMS –

3. Ordinance to award the contract for construction management services associated with the structural repairs to City Hall to J.R. Bowman Construction Company, Inc. –

Mayor Price asked for a motion. Councilman Shearouse made the motion to approve the request by approving ordinance **#23-02-023**.

RESULT	APPROVED ORDINANCE # 23-02-023
MADE MOTION	COUNCILMAN SHEAROUSE
2 ND MOTION	COUNCILMAN BOONE
VOTE	MOTION CARRIED - ALL IN FAVOR

NEW BUSINESS/ACTION ITEMS –

4. Resolution to reappoint members to the Locust Grove Events Committee –

Mayor Price asked for a motion. Councilman Williams made the motion to approve the request by approving resolution **#23-02-024**.

RESULT	APPROVED RESOLUTION # 23-02-024
MADE MOTION	COUNCILMAN WILLIAMS
2 ND MOTION	COUNCILMAN SHEAROUSE
VOTE	MOTION CARRIED - ALL IN FAVOR

CITY OPERATION REPORTS / WORKSHOP DISCUSSION ITEMS -

MAIN STREET OPERATIONS – COLLEEN COOK

Ms. Cook gave an update we have updated the train platform with new banners. We will have the annual Easter Egg Hunt on April 1, 2023 and Locust Grove Day on April 15, 2023. DDA is still in need of a new director to replace Otis Hammock and we had no HPC meeting this month. The Main Street, Inc. board members are planning regular events including Groovin' in the Grove and Christmas in the Grove. Nothing further.

5. Junkin' in the Grove – Fundraiser hosted by Main Street, Inc. on the front lawn or a city park.

Mrs. Cook said this will be a community event in September to raise money for the façade grant and beautification projects. The event is geared towards antiques and vintage items and a vendor process form will have to be completed. A date has not been finalized at this time. Nothing further.

PUBLIC SAFETY OPERATIONS – CHIEF AUSTIN

Chief Austin reviewed the monthly report and gave an update total collected in January 2023 was \$68,552.59. The department completed 124 training hours in January. We had 28 new cases for investigation and cleared 19 of those cases.

Chief Austin said there was a shooting in Bunn Farms [newly developed area] involving two people. The meeting was supposed to be “shoe sales” but turned into a robbery. The suspect was shot and injured and hopefully we can make arrests soon. Nothing further.

PUBLIC WORKS – JACK ROSE

Public Works Director Jack Rose said we repaired a leak on the blower at the Wastewater Plant. We had a water leak “call out” early Saturday morning that resulted in drastic water loss; however, has since been repaired. We are continuing with storm clean up and regular street maintenance. Mr. Rose made a comment about the sidewalk repairs and the amount of money the city would save. We had 80 water cutoffs today, but didn’t have cutoffs in November, December, or January. Nothing further.

Councilman Boone commended Jack and his crew on repairing the water line and to Tim for the updates regarding the leak on social media.

ADMINISTRATION –BERT FOSTER

Mr. Foster gave an update that the Peeksville Road Extension appraisals are in process and the extra lane on Highway 42 (city portion) is underway. The sidewalk demolition and erosion control have been ongoing for the Bill Gardner Parkway modifications and the next step will be installation of storm pipes. Phase I of the paving project is complete and Phase II will begin soon. Mr. Foster said he walked around with the contractor to review the repairs needed for the City Hall repairs and the contractor will begin repairs in the water department and finish with repairs upstairs. The final design for the Bethlehem Road Interchange will be released in April. The assistant traffic engineer with GDOT said the plans for the signal at Bethlehem Road and Highway 42 have changed slightly and have been forwarded to Atlanta for further review.

6. Second revised MO for P-3 MMIP CVL Project #0014203- GDOT (utilities) –

Mr. Foster said the utility engineers with GDOT submitted a second revision to the MOU. This revision is to force contractors to use American made products when building.

7. CDBG funding – Jackson Street infrastructure improvements –

Mr. Foster said he, Tim, and Bert have been working with the county on the needed infrastructure improvements for Jackson Street. Henry County receives approximately \$1 million annually in CDBG funds from the federal government of which \$600,000 are available for disbursement to qualifying projects. The city will request \$350,000 of the CDBG funds of which \$175,000 will be utilized in the first phase of the project to begin preliminary engineering and design work. Nothing further.

Mr. Young said we are requesting \$350,000 from the county and we will provide a match with the utility funding. Mr. Foster said we have provided a draft version of the city zoning map for council review.

Councilman Williams asked about the (hours of operation) for the improvements on Bill Gardner Parkway. Mr. Foster said the work will begin at night when the milling and paving begin. The daytime work thus far has been removal of sidewalks, etc.

Mr. Foster also handed out the draft Official Zoning Map that will be updated and ready for public hearing in March. This is to reflect all changes in zoning since the last time it was adopted in 2016, including areas annexed. Attorney Andy Welch asked Mr. Foster if there are any changes to the zoning. Mr. Foster said there are no changes to the zoning and Mr. Young said we are essentially done with most of our industrial zoning unless additional industrial property is annexed in.

COMMUNITY DEVELOPMENT OPERATIONS –DAUNTÉ GIBBS

Mr. Gibbs gave an update that the department has issued a total of eight 128 permits (including 37 new house permits) for 2023. We have issued 22 COs [18 residential, and four (4) commercial] and 63 business licenses issued so far for 2023.

ARCHITECTURAL REVIEW BOARD (ARB) –

8. Resolution approving the architectural plans submitted for Tanger Self Storage, Phase 2, located at 620 Tanger Blvd. –

Mr. Gibbs said this is already zoned M-1 and this portion will consist of eight buildings (seven traditional self-storage and one RV storage building). Staff recommends approval with three standard conditions.

Councilman Boone asked where the largest building will be located. Mr. Gibbs said the engineer would need to answer the question; however, Mr. Gibbs said he believes that the building is in the lower area.

Mr. Michael Elliott, of Metro Engineering, stepped forward to comment. Mr. Elliott identified the location of the building in question and discussed the schematic on the overhead screen. Discussion took place about the two detention ponds that will be on the property. Nothing further.

CITY MANAGER'S COMMENTS –TIM YOUNG

9. Resolution for the I-75 Central Corridor Study –

City Manager Tim Young stepped forward to comment. Mr. Young said this is in continuing support of the I-75 Central Corridor Coalition. This is \$1,000 annually for dues for a governing body for transportation enhancements. Nothing further.

Further, Mr. Young said we are working on the benefits section with changes to the language. Attorney Andy Welch said we will advertise for two weeks so that we can adopt the new changes to council salary. Council salary would increase from \$900 monthly to \$1,000 monthly and Mayor salary would increase to \$1,500 monthly. The salary changes will not be effective until the next election cycle; however, the benefits revisions will take effect immediately.

Mr. Young said the FY 2022 audit has begun and we are also working on new state and regional regulations for storm water. We are pursuing the CDBG funding opportunity and targeting Jackson Street for that funding. We are working on how we can achieve a better response time during storm related issues. Mr. Young said we are working on the preparation of the train platform for President Carters funeral train. Nothing further.

COUNCIL COMMENTS –

Councilman Boone asked if the support for the I-75 corridor study is only required from cities. Mr. Young said each jurisdiction in the corridor provides the \$1,000 support.

Councilman Williams asked how we can improve the voice carry over from the microphones in the council meetings. Mr. Young said we improved the system already, including the microphones. Everyone needs to make sure to speak directly into the microphone otherwise the sound will not come out. We are streaming Facebook live now which includes captions.

MAYOR’S COMMENTS – NONE

EXECUTIVE SESSION – NONE

ADJOURNMENT-

Mayor Price asked for a motion to adjourn. Councilman Boone made the motion to adjourn.

RESULT	ADOPTED
MADE MOTION	COUNCILMAN BOONE
2 ND MOTION	COUNCILMAN SHEAROUSE
VOTE	MOTION CARRIED - ALL IN-FAVOR MEETING ADJOURNED @ 7:15PM.

Notes taken by:

Misty Spurling, City Clerk



Community Development Department

P. O. Box 900
Locust Grove, Georgia 30248

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

Item Coversheet

Item: **Rezoning request from R-2 (Single-Family Residential) to OI (Office/Institutional) for 0.44+/- acres (Parcel ID L05-01003000) in Land Lot 176 of the 2nd District located at 24 Peeksville Road.**

Action Item: Yes No

Public Hearing Item: Yes No

Executive Session Item: Yes No

Advertised Date: **February 1, 2023**

Budget Item: **N/A**

Date Received: **December 13, 2022**

Workshop Date: **February 20, 2023**

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

Discussion:

Scot Werner of Locust Grove, GA (the "Applicant"), requests rezoning from R-2 (Single-Family Residential) to OI (Office/Institutional) for property located at 24 Peeksville Road (Parcel L05-01003000) in Land Lot 176 of the 2nd District. The applicant intends to remodel the existing historic single-family residential structure for use as an optometry office.

Recommendation:

Staff recommends APPROVAL with the following conditions:

1. The site shall be developed in substantial compliance with the conceptual site plan dated December 9, 2022.

ORDINANCE NO. _____

AN ORDINANCE TO REZONE APPROXIMATELY 0.44+/- ACRES LOCATED at 24 PEEKSVILLE ROAD (PARCEL ID# L05-01003000) IN LAND LOT 176 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, Scot Werner of Locust Grove, GA (the “Applicant”), requests a rezoning from R-2 (Single-Family Residential) to OI (Office/Institutional) for property located at 24 Peeksville Road (Parcel ID #L05-01003000) in land lot 176 of the 2nd District (the “Property), attached hereto as **Exhibit A**; and,

WHEREAS, the Applicant filed a request to rezone the Property on December 13, 2022 as shown in the application attached hereto and incorporated herein by reference as **Exhibit B**; and,

WHEREAS, the Applicant’s request has been reviewed by the Mayor and City Council at a Public Hearing held on February 20, 2023, as well as by the City Community Development Director; and,

WHEREAS, the Applicant requested that the Property be rezoned from R-2 (Single-Family Residential) to OI (Office/Institutional) to remodel the existing single-family residential structure to serve as an optometry office; 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 March 2023.

ROBERT S. PRICE, Mayor

ATTEST:

MISTY SPURLING, City Clerk

(Seal)

APPROVED AS TO FORM:

City Attorney

EXHIBIT A

DEC 13 2022

RECEIVED
12/13/22

Request for Zoning Map Amendment

Name of Applicant SCOT WERNER Phone: (478)-718-3162 Date: 12/13/22
 Address Applicant: 1525 S. OLA RD Cell # 478-718-3162
 City: LOCUST GROVE State: GA Zip: 30248 E-mail: eyedocs34@gmail.com
 Name of Agent SAME Phone: _____ Date: _____
 Address Agent: _____ Cell # _____
 City: _____ State: _____ Zip: _____ E-mail: _____

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

Concept Plan Review Conditional Use Conditional Exception Modifications to Zoning Conditions

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

Request from RZ to OI
(Current Zoning) (Requested Zoning)

Request from Mixed Historic (nochange) to Mixed Historic
(Current Land Use Designation) (Requested Land Use Designation)

For the Purpose of OPTOMETRY OFFICE
(Type of Development)

Address of Property: 24 PEEKSVILLE RD

Nearest intersection to the property: PEEKSVILLE RD / JACKSON ST.

Size of Tract: .44 acre(s), Land Lot Number(s): 176, District(s): 2nd

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

Property Tax Parcel Number: L05-01003000 (Required)

Witness Signature _____

Signature of Owners/s _____

Printed Name of Witness _____

SCOT WERNER
Printed Name of Owner/s

BRENDA WERNER

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 X

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

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

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

SCOT WERNER
Applicant's Name - Printed

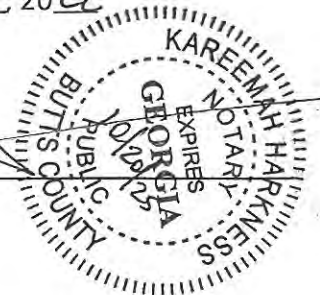
[Signature]
Signature of Applicant

N/A
Applicant's Attorney, if applicable - Printed

N/A
Signature of Applicant's Attorney, if applicable

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

[Signature]
Notary Public



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

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: SCOT WERNER

Address/Location of Request: 24 PEEKSVILLE RD, LOCUST GROVE, GA 30248

Type of Project: Commercial Residential Mixed Use

For residential or mixed-use residential, number of lots or units: 1

For commercial, amount of square feet: 2,250

Estimated water usage: 4,000 (GALLONS)

Estimated sewer usage: 4,000 (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

Letter of Ownership

To Whom it May Concern,

In regard to the property at 24 Peeksville Rd, Locust Grove, GA 30248, this letter expresses that we own this property and are also aware of the zoning request for it.

 12/13/22

Dr. Scot Werner (Co-Owner)

 12/13/22

Dr. Brenda Werner (Co-Owner)

Letter of Intent

RE: 24 Peeksville Rd, Locust Grove GA 30248

To Whom it may Concern,

This letter is to express the proposed use and development intent of the property (listed above) is to remodel inside of the current house on the property as an **optometry office**. The exterior and façade would remain unchanged except for color. A parking lot would be added as required by zoning.

 _____ 12/13/22

Dr. Scot Werner

 _____ 12/13/22

Dr. Brenda Werner

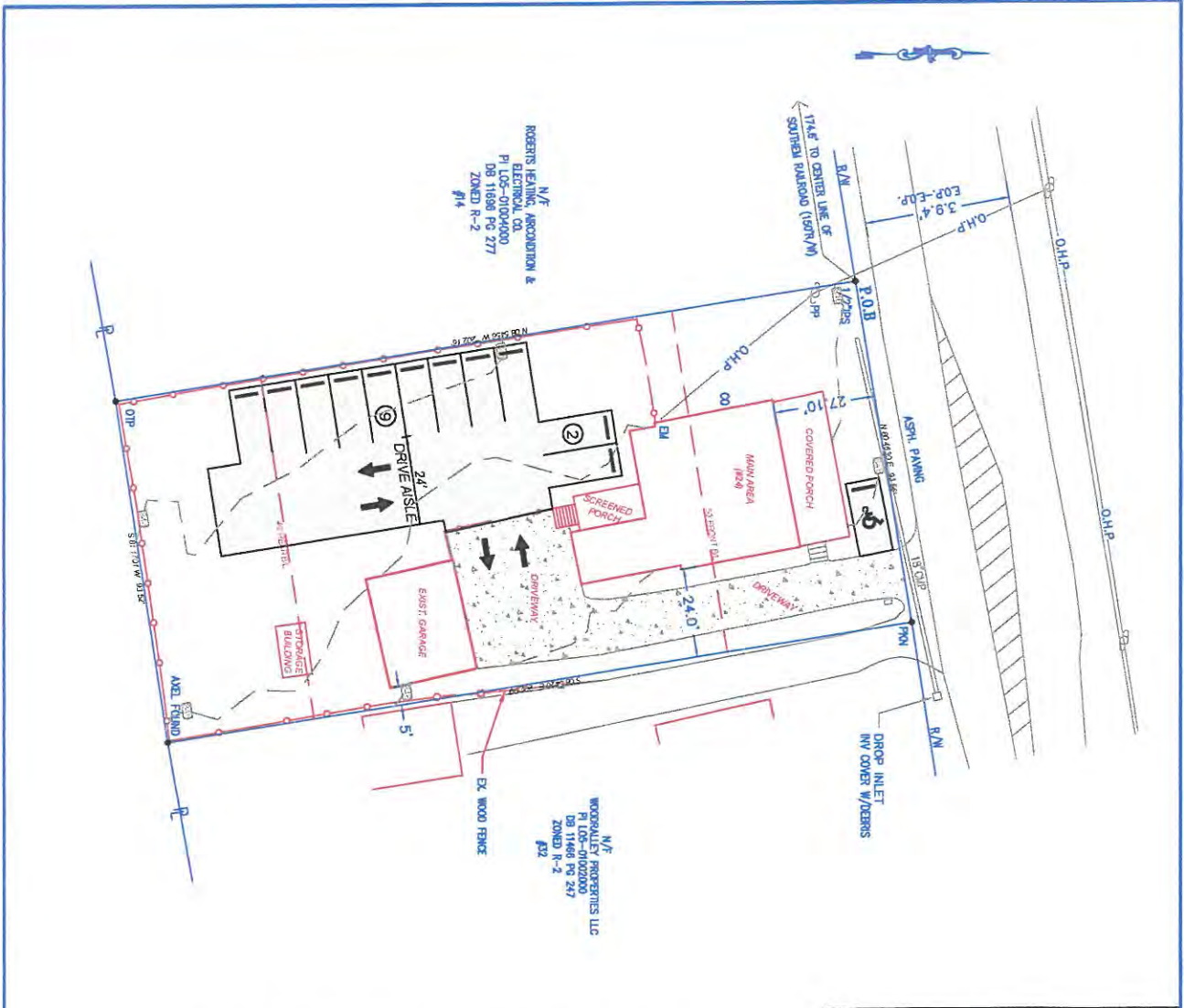
Legal Description

(As recorded in the warranty deed on Oct 7, 2022)

All that tract of land lying and being in the Town of Locust Grove and Land Lot 186 of the 2nd District, Henry County, Georgia said Lot, with frame house thereon, being more particularly described by reference to the play of survey for Doris Bloodworth by Joe Rowan, Jr., Henry County Surveyor, dated 12/07/1978, as follows:

Beginning at an iron pin on the Southeast, right of way line of Peeksville Road, at a point which is 100ft Northeasterly along the Southeast right of way line of Peeksville Road from East right of way line of Southern Railroad (150 foot right of way), and running from saidpoint of beginning North 72 degrees East, along Southease right of way line of Peeksville Road 93.53 feet to an iron pin: thence South 17 degrees 41 minutes East 203.08 feet to an iron pin: thence South 72 degrees 30 minutes West 93.53 feet to an iron pin: thence North 17 degrees 41 minutes West 202.25 feet to the point of beginning.

This conveyance is made subject to any and all restrictions and covenants of record.



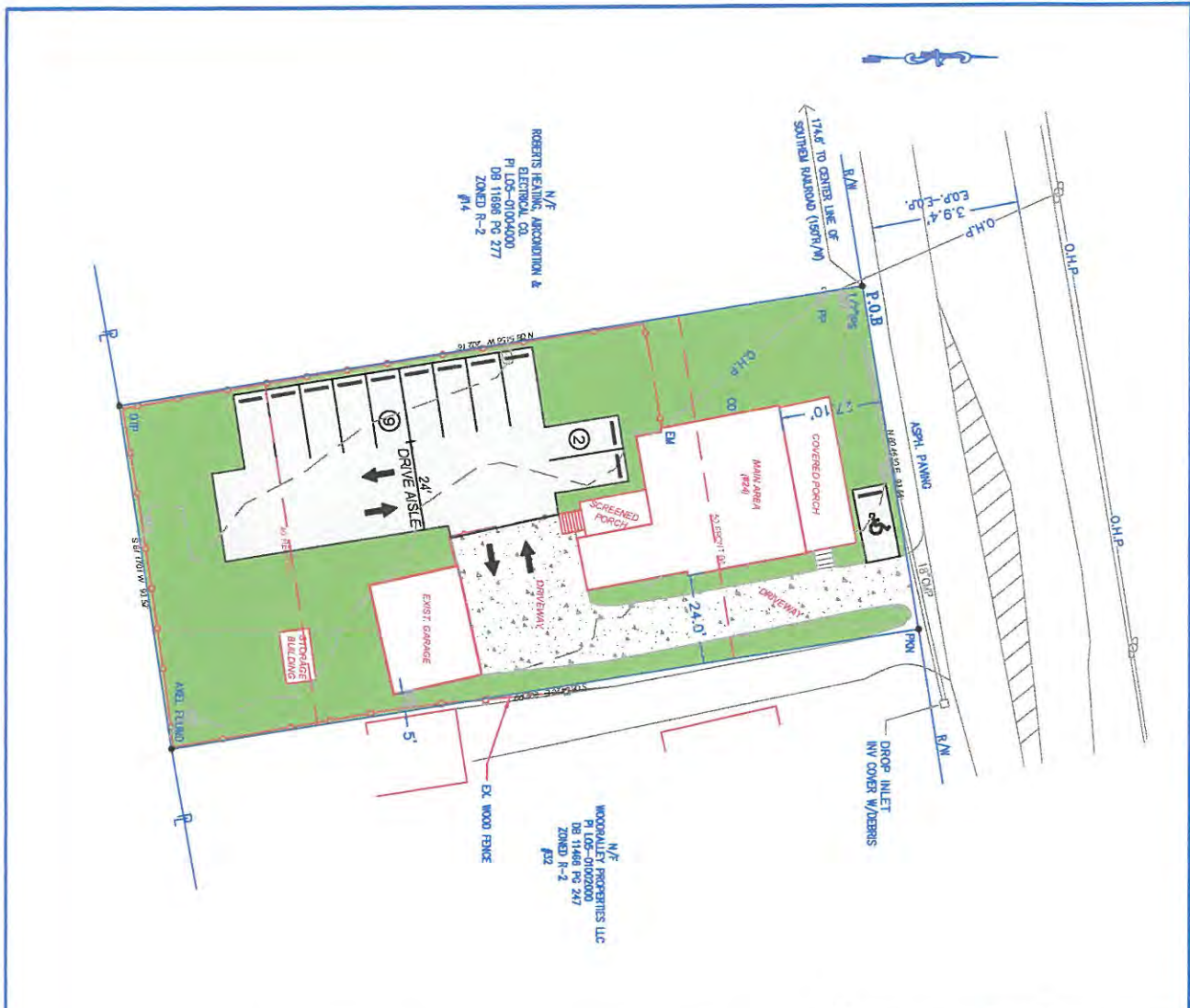
24-Hour Contact
 Scot Werner, (478) 718-3162

GENERAL NOTES

- Owner: Scot Werner, 24 Peeksville Road, Locust Grove, Henry County, Georgia
 - Tax Parcel ID#(s): L05-01003000 City of Locust Grove
 - Exst. Zoning: R-s, Single-Family Residential
 - Proposed Zoning: C-1, Neighborhood Commercial (Proposed Office Use)
 - Parking Spaces Provided: 11 Regular and 1 ADA; Total 12 Spaces (Typical Stall: 9x20)
 - Setbacks: Front (50ft.), Rear (40ft.), Sides (0ft.)
 - All linear distances depicted on this site plan shall be horizontal.
 - This site plan is for Rezoning purposes only.
- Lot Coverage Calculations**
- | | |
|--------------------|--|
| Total Lot Area | +/-18,948 sq. ft. (+/-0.435 acres) |
| Exst. House | 1,873 sq. ft. |
| Covered Porch | 539 sq. ft. |
| Screened Porch | 168 sq. ft. |
| Garage | 725 sq. ft. |
| Storage Building | 112 sq. ft. |
| Exst. Driveway | 2,367 sq. ft. |
| Exst. Lot Coverage | 5,784 sq. ft. (30.52%) |
| Prop. Parking Area | 4,393 sq. ft. |
| Prop. Lot Coverage | 10,177 sq. ft. (53.71%) (Disturbed Area) |
- Boundary data used for this Site Plan was obtained from information provided on the survey prepared for Scot Werner, dated November 21, 2022 prepared by Hurd Pines & Associates, Walter F. Prince, P.L.S. The Site Plan Designer assumes no liability for information taken from this survey and the location of existing structures.
 - This lot is served by public sanitary sewer.
 - According to the F.I.R.M. of Henry County, Panel Number 13151C02780, September 10, 2016, this site IS NOT located in a Special Flood Hazard Area.
 - Where the existing runoff leaves site in a sheet flow condition, runoff shall also leave site in a sheet flow condition after construction. Proposed improvements are not to be altered in a manner which will cause any adverse effects to adjacent properties.
 - Contractor is to maintain erosion control only. Contractor is to remove any sediment tracked into the street as soon as possible, and in no case shall there be any sediment in the street following the completion of the work day.
 - Contractor shall verify all conditions and dimensions before beginning construction. Any discrepancies shall be reported to the civil designer for justification and/or correction before proceeding with the work. Contractor is to assume responsibility for discrepancies which are not reported. All dimensions should be calculated or read.
 - The Contractor shall coordinate any and all utility relocation with the appropriate utility company prior to the start of any utility work.
 - A copy of this plan is to be kept on site during the duration of the project.
 - No trees are impacted with the proposed pool installation project.

811 Know what's below. Call before you dig.

GRAPHIC SCALE
 1" = 30.0'
 1 inch = 30ft.



N/E
ROBERTS HEATING &
ELECTRICAL, CO.
P.I. 05-0100400
DB 11688 PG 277
ZONED R-2
P/A

N/E
WOODRALLEY PROPERTIES LLC
P.I. 05-0102000
DB 11468 PG 247
ZONED R-2
P/A



24-Hour Contact
Scot Werner: (478) 718-3162

- GENERAL NOTES**
1. Owner: Scot Werner, 24 Peeksville Road, Louisa, Henry County, Georgia
 2. Tax Parcel ID#: 05-0103000 City of Louisa, Georgia
 3. Existing Zoning: R-5, Single-Family Residential
 4. Proposed Zoning: C-1, Neighborhood Commercial (Proposed Office Use)
 5. Parking Spaces Provided: 11 Regular and 1 ADA; Total 12 Spaces (Typical Stall: 9x20)
 6. Subsets: Front (50%), Rear (40%), Sides (10%)
 7. All linear distances depicted on this site plan shall be horizontal.
 8. This site plan is for Rezoning purposes only.
 9. Lot Coverage Calculations:
Total Lot Area: 41,18,948 sq. ft. (470,435 acres)
Exist. House: 1,873 sq. ft.
Covered Porch: 539 sq. ft.
Screened Porch: 168 sq. ft.
Garage: 725 sq. ft.
Storage Building: 112 sq. ft.
Exist. Driveway: 2,387 sq. ft.
Exist. Lot Coverage: 5,784 sq. ft. (30.52%)
Prop. Lot Coverage: 10,177 sq. ft. (33.71%) (Disturbed Area)
 10. Boundary data used for this Site Plan was obtained from information provided on the survey prepared for Scot Werner, dated November 21, 2022 prepared by Fluid Pinco & Associates, Walter F. Pinco, PLS. The Site Plan Designer assumes no liability for information taken from this survey and the location of existing structures.
 11. This lot is served by public sanitary sewer.
 12. According to the F.I.R.M. of Henry County, Panel Number 13151C0278D, September 10, 2016, this site IS NOT located in a Special Flood Hazard Area.
 13. Where the existing runoff leaves site in a sheet flow condition, runoff shall also leave site in a sheet flow condition after construction. Proposed improvements are not to be altered in a manner which will cause any adverse effects to adjacent properties.
 14. Contractor is to maintain erosion control until. Contractor is to remove any sediment tracked into the street as soon as possible, and in no case shall there be any sediment in the street following the conclusion of the work day.
 15. Contractor shall verify all conditions and dimensions before beginning construction. Any discrepancies shall be reported to the civil designer for justification and/or correction before proceeding with the work. Contractor is to assume responsibility for discrepancies which are not reported. All dimensions should be calculated or read.
 16. The Contractor shall coordinate any and all utility relocation with the appropriate utility company prior to the start of any utility work.
 17. A copy of this plan is to be kept on site during the duration of the project.
 18. No trees are impacted with the proposed pool installation project.

811 Know what's below. Call before you dig.

GRAPHIC SCALE
1" = 30 FT.
(IN FEET)
1 inch = 30ft.

SURVEYORS NOTES:

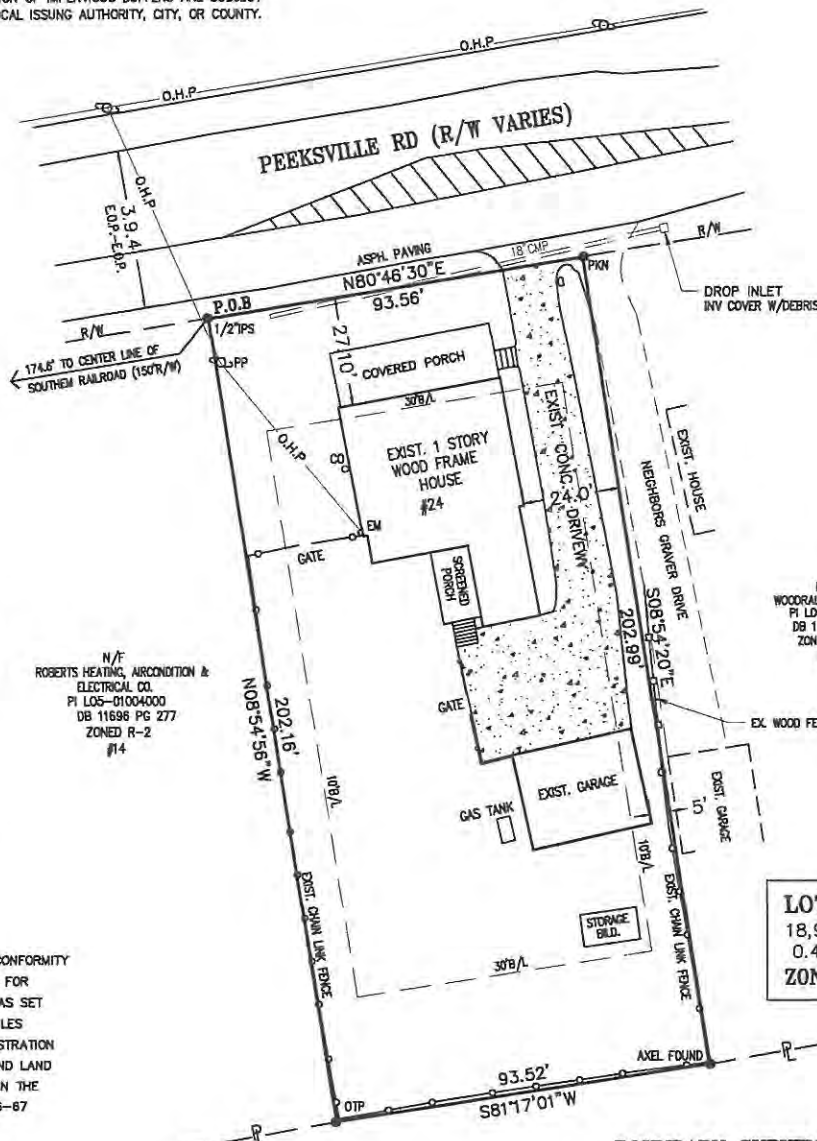
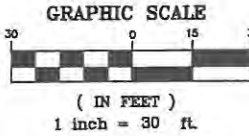
1. STORM SEWER, SANITARY SEWER AND OTHER BURIED UTILITIES MAY HAVE BEEN PAVED OR COVERED OVER. THE LOCATION OF UNDERGROUND UTILITIES AS SHOWN HEREON ARE BASED ON ABOVE GROUND STRUCTURES AND RECORD DRAWINGS PROVIDED TO THE SURVEYOR. LOCATIONS OF UNDERGROUND UTILITIES MAY VARY FROM LOCATIONS SHOWN HEREON ADDITIONAL BURIED UTILITIES MAY BE ENCOUNTERED. NO EXCAVATION WERE MADE DURING THE PROGRESS OF THIS SURVEY TO LOCATE BURIED UTILITIES. BEFORE EXCAVATION ARE BEGUN, CALL THE UTILITIES PROTECTION CENTER FOR ADDITIONAL INFORMATION.
2. SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENT OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS THAT A CURRENT TITLE SEARCH MAY DISCLOSE.
3. THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITY NAMED HEREON. THIS PLAT DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS, OR ENTITY WITHOUT THE EXPRESS RECTIFICATION OF THE SURVEYOR NAMING SUCH PERSON, PERSONS OR ENTITY.
4. BEARINGS SHOWN WERE COMPUTED FROM ANGLES TURNED FROM A SINGLE MAGNETIC OBSERVATION.
5. THIS PROPERTY IS SUBJECT TO CURRENT ZONING REGULATIONS AND RESTRICTIONS.
6. ALL REBARS SET ARA 1/2" REBARS UNLESS OTHERWISE NOTED.
7. THE EXISTENCE, SIZE AND LOCATION OF IMPERVIOUS BUFFERS ARE SUBJECT TO FINAL DETERMINATION BY THE LOCAL ISSUING AUTHORITY, CITY, OR COUNTY.

FLOOD STATEMENT

NO PORTION OF THIS PROPERTY IS LOCATED IN A FEDERAL FLOOD AREA AS INDICATED BY F.I.A. OFFICIAL FLOOD HAZARD MAP PANEL # 1315100276D DATE 9/10/06/2016

INSTRUMENT USED:

GEOMAX ZOOM 90 ROBOTIC TOTAL STATION



LEGEND

- P.O.B. POINT OF BEGINNING
- P.O.R. POINT OF REFERENCE
- O.H.P. OVERHEAD POWER LINE
- P.P. POWER POLE
- L.L.L. LAND LOT LINE
- I.P.F. 1/2" IRON PIN FOUND
- I.P.S. 1/2" IRON PIN SET
- O.T.F. OPEN TOP FOUND
- T.L.P. TRAFFIC LIGHT POLE
- C.L. CENTER LINE
- ⊙ LOT NUMBER
- W.M. WATER METER
- G.W. GUY WIRE
- E/B ELECTRIC BOX
- T/B TELEPHONE BOX
- C/B CABLE BOX
- G.M. GAS METER
- C.T.F. CRIMP TOP FOUND
- T.L.P. TRAFFIC LIGHT POLE
- A.F. ANGLE IRON FOUND
- C.P. COMPUTER POINT

N/F
ROBERTS HEATING, AIRCONDITION &
ELECTRICAL CO.
PI L05-01004000
DB 11698 PG 277
ZONED R-2
#14

N/F
WOODRALLEY PROPERTIES LLC
PI L05-01002000
DB 11466 PG 247
ZONED R-2
#32

LOT AREA
18,948. sq.ft.
0.435 acres
ZONED R-2

THE SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67

NOTE:

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 65,580 FEET AND AN ANGULAR ERROR OF 00 00'06" PER ANGLE POINT AND WAS ADJUSTED USING COMPASS RULE. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN 1: 163,383 FEET

IT IS HEREBY CERTIFIED THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE BY ME OR UNDER MY SUPERVISION: THAT ALL MONUMENTS SHOWN HEREON ACTUALLY EXIST OR ARE MARKED AS "FUTURE" THEIR LOCATION ,SIZE, TYPE AND MATERIAL ARE CORRECTLY SHOWN:



BOUNDARY SURVEY OF EXISTING CONDITION FOR:

SCOT WARNER
24 PEEKSVILLE ROAD
LOCUST GROVE, GA. 30248
PI L05-01003000
LL 186 2nd DISTRICT
HENRY COUNTY GEORGIA
SCALE 1" = 30' DATE SURVEY PLAT 11/21/22

HURD PRINCE & ASSOCIATES, INC.

Consulting Planners & Surveyors
110 MLK SR HERITAGE TRAIL
STOCKBRIDGE, GEORGIA 30281-3424
Phone (678)-593-5450 CELL (404) 372-7304

CITY OF LOCUST GROVE
770-957-5043

REC#: 00542042 12/13/2022 1:32 PM
OPER: RF TERM: 341
REF#: CK#254
PAID BY:

TRAN: BLDG/COM BLDG/COMMUNITY DEVL
202201480 800.00CR
WERNER, SCOT M
24 PEEKSVILLE RD
ZON-001 800.00CR

TENDERED: 800.00 CHECK
APPLIED: 800.00-
CHANGE: 0.00

EXHIBIT B



REZONING EVALUATION REPORT

FILE: RZ-23-01-01

March 6, 2023
REZONING R-2 TO OI

Property Information

Tax ID	L05-01003000
Location/address	Land Lot 176 of the 2 nd District 24 Peeksville Rd
Parcel Size	0.44+/- acres
Current Zoning	R-2 (Single Family Residential)
Request	Rezoning to OI (Office/Institutional)
Proposed Use	Optometry Office
Existing Land Use	Single Family Residential
Future Land Use	Mixed Historic Neighborhood
Recommendation	Approval

Summary

Scot Werner of Locust Grove, GA (the “Applicant”), requests rezoning from R-2 (Single Family Residential) to OI (Office Institutional) for property located at 24 Peeksville Road in land lot 176 of the 2nd District. The applicant intends to repurpose the existing historic single-family home into an optometry office.

The property abuts R-2 Single-Family Residential homes to the east and south, OI to the north, and a vacant/undeveloped R-2 (Single Family Residential) property to the west.

Current Zoning

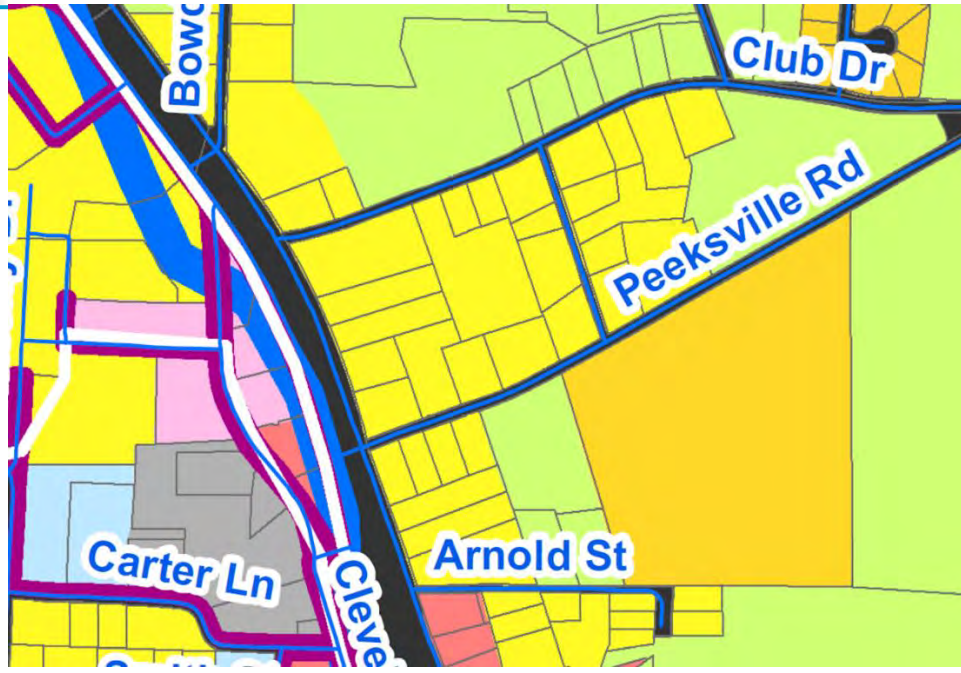
The subject property is currently zoned R-2 (Single Family Residential).



REZONING EVALUATION REPORT

FILE: RZ-23-01-01

March 6, 2023
REZONING R-2 TO OI



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).

Livable Centers Initiative (LCI) Overlay

The subject property is not located in the City of Locust Grove Livable Centers Initiative (LCI) Study Area.

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 a remodel of the existing 1,873 sq. ft. structure.

Preserving the Past...Planning the Future



REZONING EVALUATION REPORT

FILE: RZ-23-01-01

March 6, 2023
REZONING R-2 TO OI

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. City sanitary sewer service is also available to the subject property.

Land Use: If the requested rezoning to OI (Office/Institutional) is approved, the site must be in compliance with the requirements set forth in the City's OI 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.

Transportation Impacts: The proposed development will likely cause little to no transportation impacts. As shown on the site plan dated December 9, 2022, onsite parking will be available for patients and staff.

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 preserves the historic visual character of the downtown as well as the individual historically significant structure through adaptive re-use.

Preserving the Past...Planning the Future



REZONING EVALUATION REPORT

FILE: RZ-23-01-01

March 6, 2023
REZONING R-2 TO O1

- (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 compatible with the current FLUM designation (Mixed Historic Neighborhood).
- (4) **The potential impact of the proposed amendment on City infrastructure including water and sewerage systems.** Staff anticipates little impact on existing infrastructure.
- (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 circulation in the area.
- (6) **The impact upon adjacent property owners should the request be approved.** Immediate neighboring properties consist of vacant/undeveloped single-family homes, and another residential-to-commercial property across Peeksville Rd. Potential 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 used/developed as currently zoned (R-2 Single Family Residential).
- (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.

Preserving the Past...Planning the Future



REZONING EVALUATION REPORT

FILE: RZ-23-01-01

March 6, 2023
REZONING R-2 TO OI

-
- (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 and land use in the historic downtown.

Recommendations

Staff recommends APPROVAL with the following conditions:

1. The site shall be developed in substantial compliance with the conceptual site plan dated December 9, 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.: **93426**

Name and File No.: **PUBLIC HEARING 2/20/2023**

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

02/01/2023



A black rectangular redaction box covers the signature of Robert D. McCray. The signature itself is written in white ink over the redaction.

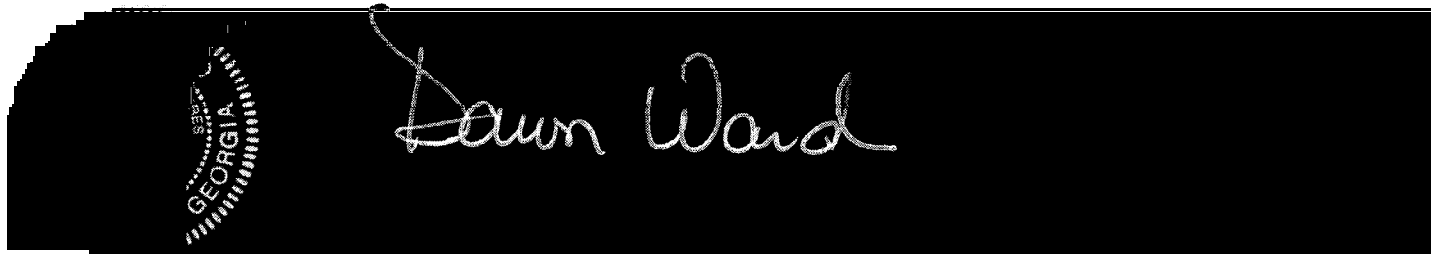
Robert D. McCray, SCNI Vice President of Sales and Marketing



A black rectangular redaction box covers the signature of Tina Pethel. The signature itself is written in white ink over the redaction.

By Tina Pethel
SCNI Controller

Sworn and subscribed to me 02/01/2023



A black rectangular redaction box covers the signature of Dawn Ward. To the left of the signature is a circular notary seal for the State of Georgia. The seal contains the text "STATE OF GEORGIA" and "NOTARY PUBLIC". The signature "Dawn Ward" is written in white ink over the redaction.

Notary Public
My commission expires 03/03/2026

Ad text : Public Hearing Notice
City of Locust Grove
February 20, 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 Monday, February 20, 2023, at 6:00 PM, will conduct public hearings for the purpose of the following:

REZONING

RZ-23-01-01 Scott Werner of Locust Grove, GA requests a rezoning of 0.44 +/- acres located at 24 Peeksville Rd. from R-2 (Single Family Residential) to OI (Office/Institutional) for the purpose of converting the existing residential structure into an optometrist office.

VARIANCE

VR-23-01-02 (DRI# 3805) CRG Acquisitions, LLC of Atlanta, GA requests a variance from development regulations for stream buffer encroachment in multiple locations located on the west side of Price Dr. from Bill Gardner Pkwy. to Bethlehem Rd.

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
93426-2/1/2023

AFFIDAVIT OF SIGN POSTING

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

1.

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

2.

Scot Werner of Locust Grove, GA requests a rezoning of 0.44+/- acres located at 24 Peeksville Road in Land Lot 176 of the 2nd District from R-2 (Single-Family Residential) to OI (Office/Institutional) for the purpose of remodeling the existing historic single-family residential structure into an optometry office.

3.

On the 1st day of February 2023, I, Anna 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 20th day of February 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 10:24 AM at 24 Peeksville Road on February 1, 2023.

FURTHER AFFIANT SAYETH NOT.

This 14th day of February 2023

Anna Williams

Affiant

Sworn and subscribed before me
this 14th day of February 2023

Cynthia Joan Cook
Notary Public



Exhibit "A"



Add a Caption

Wednesday • Feb 1, 2023 • 10:24 AM

[Adjust](#)

IMG_3765

Apple iPhone 13

HEIF

Wide Camera — 26 mm f1.6

12 MP • 3024 × 4032 • 5.5 MB

ISO 50 | 26 mm | 0 ev | f1.6 | 1/864 s

[Add a location...](#)

[Show in All Photos](#)



EXHIBIT D

1. The site shall be developed in substantial compliance with the conceptual site plan dated December 9, 2022.



Community Development Department

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

Item Coversheet

ITEM: A STREAM BUFFER VARIANCE REQUEST TO ALLOW GRADING AND PAVING INTO THE REQUIRED 75 AND 50 FT. IMPERVIOUS BUFFERS FOR A 3,100,500 +/- SQUARE FOOT WAREHOUSING/INDUSTRIAL DEVELOPMENT ON 352 +/- ACRES IN LAND LOTS 202, 215, 234, & 235 OF THE 2ND DISTRICT, LOCATED ON PRICE DRIVE SOUTH OF BETHLEHEM ROAD.

Action Item: Yes No

Public Hearing Item: Yes No

Executive Session Item: Yes No

Advertised Date: February 1, 2023

Budget Item: No

Date Received: January 13, 2023

Workshop Date: February 20, 2023

Regular Meeting Date: March 6, 2023

Discussion:

CRG Acquisitions, LLC of Atlanta, GA has submitted an application requesting a Stream Buffer Variance to allow grading and paving into the 75 and 50 ft. impervious buffers for a proposed 3,100,500+/- square foot warehouse/industrial

development on 352 +/- acres in Land Lots 202, 215, 234, and 235 of the 2nd District, near S.R. 42 and Pine Grove Rd. The potential impact on nearby springs is to be identified and mitigated prior to the issuance of any Land Disturbance Permits.

Recommendation:

Based on the seven criteria points required for issuance of a variance and sufficient mitigation plan provided, Staff recommends APPROVAL with the following conditions:

- 1) The owner/developer shall comply with all GRTA recommendations included in their Notice of Decision for DRI #3805.
- 2) The owner/developer shall confirm the location of any springs on the subject properties and provide acceptable protection measures to the Community Development Department for review and approval prior to the issuance of any Land Disturbance Permits.

ORDINANCE NO. _____

AN ORDINANCE FOR THE PURPOSE OF APPROVING A STREAM BUFFER VARIANCE FOR A WAREHOUSE DEVELOPMENT LOCATED ON PRICE DRIVE, NORTH OF BILL GARDNER, EXTENDING NORTH TO BETHLEHEM ROAD ON APPROXIMATELY 352+/- ACRES LOCATED IN LAND LOTS 202, 215, 234, AND 235 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, CRG Acquisitions LLC of Atlanta, GA (the “Applicant”) requests a stream buffer variance to allow grading and paving into the required 75’ and 50’ impervious buffer; and

WHEREAS, the Applicant submitted a variance application on January 13, 2023, attached hereto and incorporated herein by reference as **Exhibit “A”**; and

WHEREAS, Staff has analyzed the Applicants variance request, as shown in the staff report attached hereto and incorporated herein by reference as **Exhibit “B”**; and

WHEREAS, said request has been reviewed by the Community Development Department (hereinafter referred to as “Staff”) and the City during a public hearing held on February 20, 2023; and

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

WHEREAS, the Mayor and City Council have reviewed and considered the Applicants request and the recommendations of the Staff; and

WHEREAS, the Mayor and City Council have considered the Applicants circumstances in light of those criteria for amendments to the Official Zoning Map under Section 17.04.277 of the *Code of the City of Locust Grove, Georgia*; and

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

1.

(X) That the Applicant is hereby granted a variance to permit g grading and paving into the required 75’ and 50’ impervious buffer.

() The Applicants request in said application is hereby **DENIED**.

2.

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

(X) The conditions set forth on **Exhibit "D"** attached hereto and incorporated herein by reference.

3.

That, if the variance is granted, said variance shall become effective immediately.

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

ROBERT S. PRICE, Mayor

ATTEST:

MISTY SPURLING, City Clerk

(Seal)

APPROVED AS TO FORM:

City Attorney

EXHIBIT "A"

Request for Zoning Map Amendment

Name of Applicant CRG Acquisitions, LLC Phone: 314-370-6801 Date: 01-11-2023

Address Applicant: 2675 Paces Ferry Road, Suite 290 Cell # 314-952-7790

City: Atlanta State: GA Zip: 30339 E-mail: LChapman@seneca-cre.com

Name of Agent _____ Phone: _____ Date: _____

Address Agent: _____ Cell # _____

City: _____ State: _____ Zip: _____ E-mail: _____

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

Concept Plan Review Conditional Use Conditional Exception Modifications to Zoning Conditions

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

Request from n/a _____ to _____
(Current Zoning) (Requested Zoning)

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

For the Purpose of City Stream buffer variance request
(Type of Development) Parcel ID's: 111-01015000, 111-01015001, 111-01015003, 112-01013001

Address of Property: AND 112-01013004. No address at this time

Nearest intersection to the property: Price Drive and Logistics Drive
202, 215,

Size of Tract: 352+/- acre(s), Land Lot Number(s): 234 and 235, District(s): 2nd 2nd

Gross Density: n/a units per acre n/a Net Density: n/a units per acre n/a
111-01015000, 111-01015001, 111-01015003, 112-01013001 AND

Property Tax Parcel Number: 112-01013004 (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: _____

January 25, 2023

City of Locust Grove
PO Box 900
Locust Grove, GA 30248

Attention: Daunte Gibbs (dgibbs@locustgrove-ga.gov)
Anna Williams (AWilliams@locustgrove-ga.gov)

RE: Letter of Intent - Stream Buffer Variance Request
(Stock Project No. 217-6095)

Daunte / Anna,

At the request of the property owners of Locust Grove, “The Cubes at Locust Grove, LLC”, we are formally requesting the City grant a Stream Buffer variance on this project.

The State of Georgia EPD issued a State stream buffer variance (ref. BV-075-17-04) in support of an Army Corp of Engineers 404 permit request on this property.

The Army Corp issued the 404 permit (ref. SAS-2017-00625) on December 21, 2018.

The Army Corp of Engineers permit and State of Georgia EPD stream buffer variance included stream impacts of 4,584 feet. Please see enclosed exhibit.

In support of the property owners being able to perform the permitted impacts of the Army Corp of Engineers permit prior to the permit expiration date of October 15, 2023, we formally request the City of Locust Grove grant a stream buffer variance of 4,584 feet to mimic same locations as earlier permitted by the State of Georgia EPD.

Should you have further question feel free to contact our office.

Sincerely,

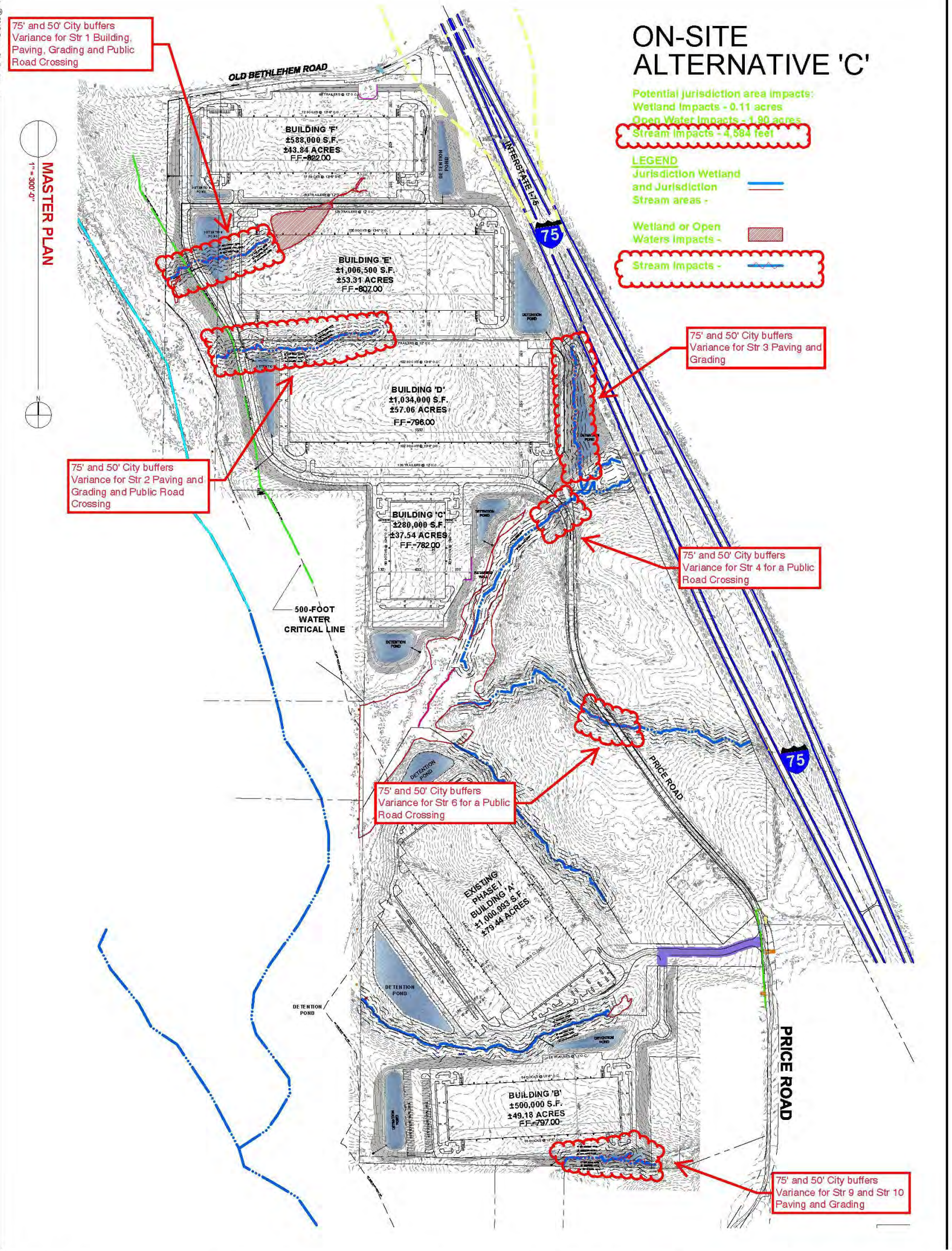


George M. Stock, P.E.

Keith Hornsby

CC: Larry Chapman (Lchapman@Seneca-cre.com)
Rick Whiteside (rwhiteside@corblu.com)
Ryan Schriber, P.E., Associate
File




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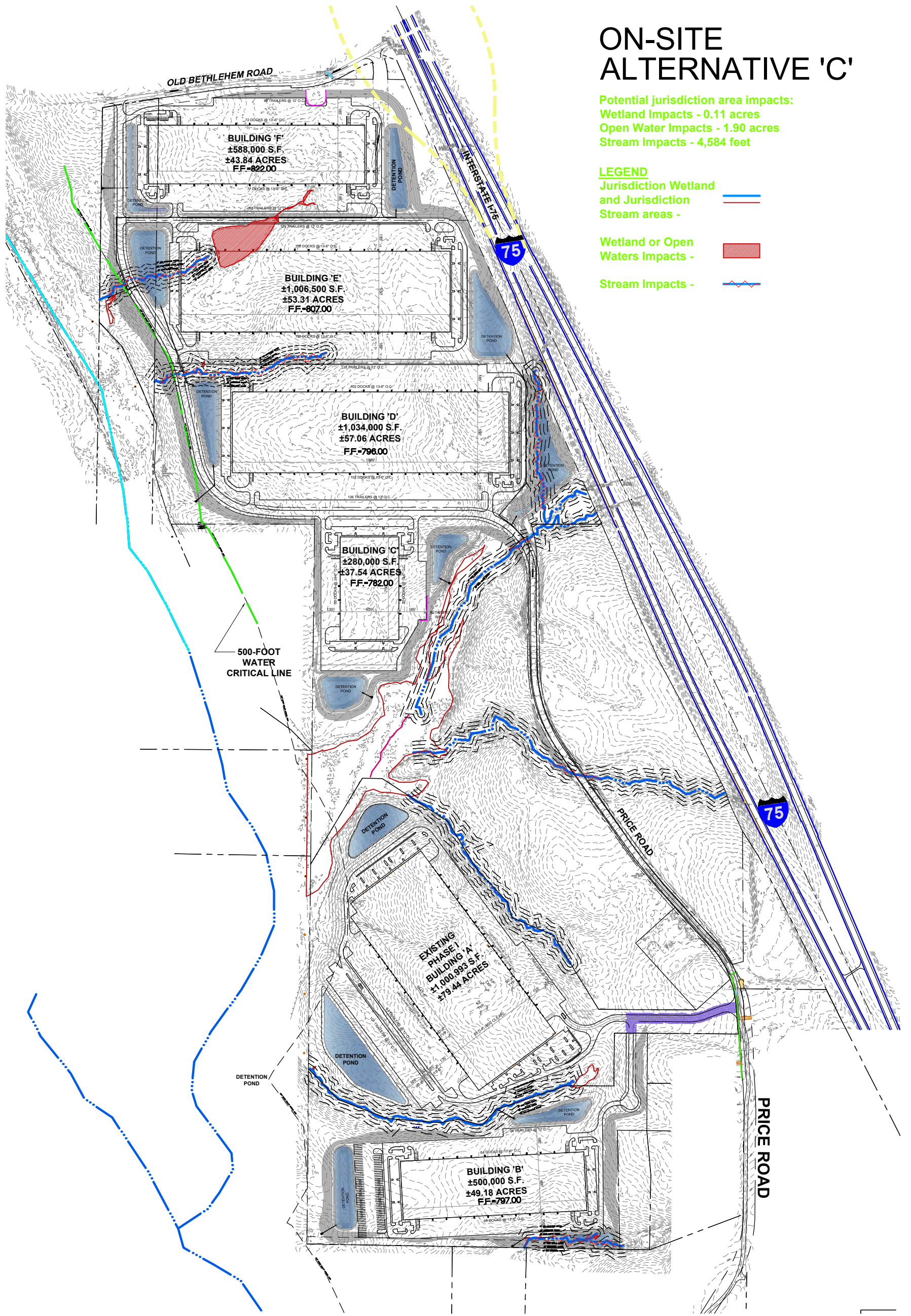
Drawing Title MASTER PLAN	Drawing No. SK-3	DRAWING ISSUE Date of Issue 09/25/2017 0 Jan	PROJECT: LOCUST GROVE Master Plan	Atlanta FORUM REAL ESTATE SOLUTIONS 2675 PACES FERRY ROAD, SUITE 3033B ATLANTA, GEORGIA 30339 Ph 770.767.6342	Architect FORUM	Civil Engineer CONSULTANT NAME	Structural Engineer CONSULTANT NAME	Landscape Architect CONSULTANT NAME	Interior Architect CONSULTANT NAME	MEP Engineer CONSULTANT NAME
			ATLANTA, GA	SEAL	CONSULTANT NAME	CONSULTANT NAME	CONSULTANT NAME	CONSULTANT NAME	CONSULTANT NAME	

ON-SITE ALTERNATIVE 'C'

Potential jurisdiction area impacts:
 Wetland Impacts - 0.11 acres
 Open Water Impacts - 1.90 acres
 Stream Impacts - 4,584 feet

- LEGEND**
- Jurisdiction Wetland and Jurisdiction Stream areas - 
 - Wetland or Open Waters Impacts - 
 - Stream Impacts - 

MASTER PLAN
 1" = 300'-0"

Drawing Title MASTER PLAN	Drawing No. SK-3	PROJECT: LOCUST GROVE Master Plan ATLANTA, GA	Architect FORUM	CRG REAL ESTATE SOLUTIONS
			2675 PACES FERRY ROAD, SUITE 30339 ATLANTA, GEORGIA 30339 Ph 770.767.6342	
Drawing No. SK-3	Drawing Title MASTER PLAN	PROJECT: LOCUST GROVE Master Plan ATLANTA, GA	Architect FORUM	CRG REAL ESTATE SOLUTIONS
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Drawing No. SK-3	Drawing Title MASTER PLAN	PROJECT: LOCUST GROVE Master Plan ATLANTA, GA	Architect FORUM	CRG REAL ESTATE SOLUTIONS



October 12, 2017

Mr. Kevin Thames
U.S. Army Corps of Engineers, Savannah District
Regulatory Division, Piedmont Branch
1590 Adamson Parkway, Suite 200
Morrow, Georgia 30260

**Subject: Individual Permit Application
Locust Grove Phase II Distribution Center
Henry County, Georgia
USACE File No. SAS-2017-00625
Corblu Project No. 02-120116**

Dear Mr. Thames:

On behalf of CRG Acquisitions, LLC, please accept the attached Section 404 individual permit application for a proposed commercial development in Henry County, Georgia, known as Locust Grove Phase II Distribution Center. Based on compliance with Section 404 (b)(1), we consider this application complete. Public Notice mailing labels for the adjacent property owners are attached for your convenience (Permit Application, Appendix K).

Please contact the undersigned at (770) 591-9990 if you have questions regarding the attached permit application.

Sincerely,

CORBLU ECOLOGY GROUP, LLC


Jessica L. Wilson, CAE
Staff Ecologist


Richard W. Whiteside, PhD, CWB, CSE
President

c: Mr. Larry Chapman, CRG Real Estate Solutions (email)
Mr. Keith Hornsby, CRG Acquisitions, LLC (email)
Mr. Steve Wiedl, Georgia EPD, via USPS

Section 404 Permit Application

for

Locust Grove Phase II Distribution Center

Prepared for:

CRG Acquisitions, LLC

Prepared by:

**Corblu Ecology Group, LLC
Woodstock, Georgia**



**Corblu Project No. 02-120116
USACE File No. SAS-2017-00625**

October 12, 2017

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2. Public Interest Factors
3. Alternative Site Summary

FIGURES

1. Preferred Site Location Map
2. Phase I and Phase II Project Boundaries
3. Preferred Site Jurisdictional Waters Map
4. Preferred Site Soils Map
5. Off-site Alternative Overview Map

PHOTOGRAPHS (19)

APPENDICES

- A. R.S. Webb & Associates Letter (July 2017): Phase I Cultural Resources Literature Review
- B. Official IPaC Report
- C. Erosion and Sedimentation Control Plan
- D. Stormwater Management Facilities Report
- E. I-75 and Bethlehem Road East: Off-site Alternative A
- F. Iris Lake Road: Off-site Alternative B
- G. Lester Mill Road and Bill Gardner Parkway: Off-site Alternative C
- H. Highway 42 East: Off-site Alternative D
- I. Locust Grove Distribution Center On-site Alternatives A, B and C
- J. Stream and Wetland Mitigation SOP Forms
- K. Adjacent Property Owners
- L. Joint Application Form

As described above, the preferred alternative site/design has less jurisdictional waters impacts than five of the feasible alternative sites and site design. Minimization has been performed to the most practicable extent possible while meeting CRG Acquisitions, LLC industrial-distribution and logistics development requirements, as well as the City of Locust Grove and EPD requirements.

5.0 CONCEPTUAL MITIGATION PLAN

As required by The Final Mitigation Rule (2008), the required components of a mitigation plan when using a mitigation bank are: baseline information for the impact site; and determination of mitigation credits. The baseline information is included in this document. The required mitigation is determined to be 11.461 wetland credits and 24,889.1 stream credits [USACE, Savannah District, Mitigation Standard Operation Procedures (SOP), Appendix J]. To compensate for unavoidable jurisdictional water impacts, the applicant proposes to purchase the above mentioned mitigation credits from a bank in the primary service area (PSA), which are currently available. If these credits are not available in the PSA, at the time of need, the applicant following coordination with the USACE will buy credits from a bank in the secondary service area (SSA). If SSA credits are not available, the applicant will purchase the required credits from the Georgia Land Trust, as described in the USACE, Savannah District's Mitigation Credit Purchase Guidelines.

The required mitigation credits were calculated using the March 2004 Savannah District SOP (Appendix J). A brief justification for each selection factor follows.

5.1 RIVERINE SYSTEMS

1) Stream Type Impacted

There are 5 intermittent streams (Str 1, 2, 3, 9, and 10) and 2 perennial streams (Str 4 and 6) proposed for impacts, which correspond with a Factor of 0.1 and 0.4, respectively.

2) Priority Area

Str 1, 2, 3, 4, and 6 meet the criteria for consideration as primary priority (Factor of 1.5). These streams are considered waters adjacent to USACE approved mitigation sites/banks (i.e. Bethlehem Bottoms) or other protected lands. Str 9 and 10 are

considered tertiary priority (Factor of 0.5) as these two streams do not meet criteria for consideration as primary or secondary priority

3) Existing Condition

The stream reaches did not meet any of the criteria for selection as a Fully Functional or Fully Impaired stream. The factor of somewhat Impaired was selected for the reach due to the impaired conditions of the streams (areas of bank failure, sediment deposits within the channels, possible dredging/straightening of the channels, and existing culvert entering/exiting the site) (Factor – 0.5).

4) Duration

The proposed impacts will be permanent (Factor – 0.2).

5) Dominant Impact

The impacts are for the construction of building pads and associated attendant features, hence the selection of piping for greater than 100 linear feet or fill. Portions of the streams will be permanently filled for construction of the industrial-distribution site (Factor – 3.0).

6) Scaling Factor

The 0.2 Factor (815.7 ft. and 783.0 ft.) was selected for Str 1 and 9 as they fall in the range of 501-1,000 linear feet of stream impacts. The 0.4 Factor (1,308.0 ft. and 1,035.2 ft.) was selected for Str 2 and 3 as they fall in the range of >1,000 linear feet of stream impacts. The 0.05 Factor (196.0 ft.) was selected for Str 4 as it falls in the range of 100-200 linear feet of stream impacts. The 0.1 Factor (354.0 ft.) was selected for Str 6 as it falls in the range of 201-500 linear feet of stream impacts. The 0 Factor (92.5 ft.) was selected for Str 10 as it falls in the range of <100 linear feet of stream impacts.

5.2 WETLAND

1) Dominant Effect

Wet A, B, C and D as well as the man-made pond are proposed for impacts (i.e. fill) associated with the construction of building pads and associated attendant features, which corresponds with a Factor 2.0.

2) Duration of Effects

The proposed impacts will be permanent (Factor – 2.0).

3) Existing Conditions

Wet A, B C and G are Class 2 (Factor if 1.5)¹ as impacts to aquatic function are considered minor and would therefore fully recover without assistance. The man-made

pond is Class 4 (Factor of 0.5) as major adverse impacts to aquatic function and substantial enhancement would be necessary to regain lost aquatic functions.

4) Lost Kind

Wet A, B, C and G are considered Kind B (Factor of 2.0), non-riverine forested wetlands. The man-made pond is considered Kind D (Factor of 0.5), lakes and impoundments.

5) Preventability

Wet A, B, C, and G as well as the man-made pond are considered low (Factor of 0.5) as there are no known alternatives which satisfy the purpose, are practicable, and are less damaging.

6) Rarity Ranking

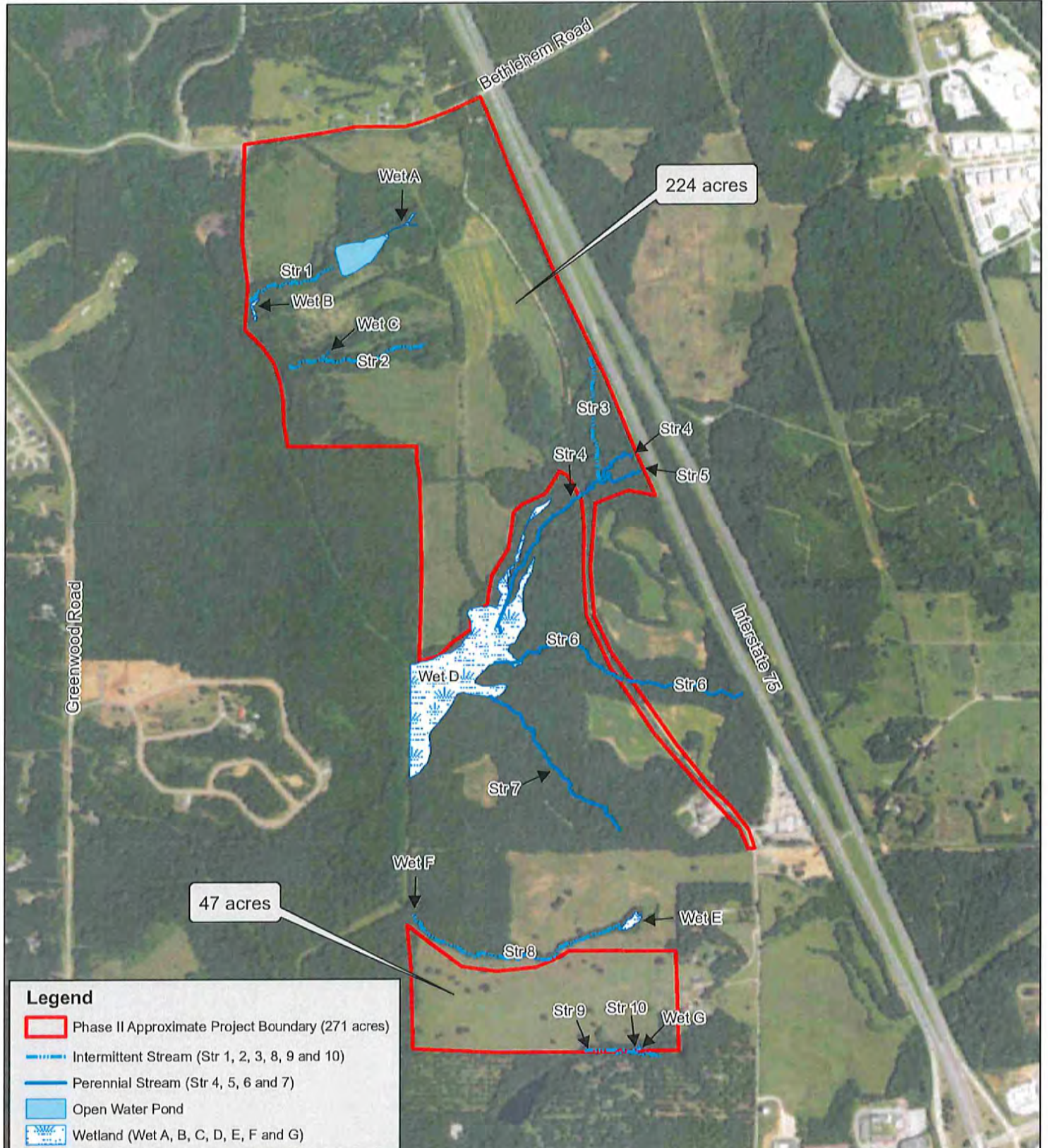
Wet A, B, C, and G as well as the man-made pond are considered common (Factor of 0.1) as they are frequently occurring or widespread in distribution.

6.0 SUMMARY

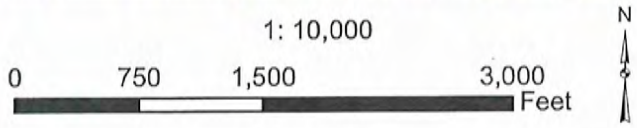
CRG Acquisitions, LLC proposes to construct an industrial-distribution and logistics development located south of Old Bethlehem Road and west of I-75 in the City of Locust Grove, Henry County, Georgia. The industrial development will require unavoidable impacts to 0.11-acre of wetland, 1.90 acres of man-made pond and 4,584 LF of stream.

Four off-site alternative sites and three on-site alternative development designs within the preferred site were investigated (seven alternatives total) were evaluated based on the proposed industrial-distribution and logistics criteria. The Locust Grove Phase II Distribution Center development site and the proposed layout (On-site Alternative C) was found to be the only viable alternative site that currently meets the need and purpose of the proposed CRG Acquisitions, LLC industrial-distribution center, that will result in the least environmental impact to jurisdictional features, and is feasible for the intended use with consideration to project cost and required logistics.

To compensate for the proposed impacts, the required stream/wetland mitigation will be obtained from an USACE-approved mitigation bank(s), as well as the incorporation of an integrated stormwater management system that exceeds EPD requirements. For your assistance in producing the Joint Public Notice (JPN), the adjacent property owners are attached as Appendix K and Joint Application Form attached as Appendix L.



Base Map Source: 2015 NAIP of Henry County, Georgia



Individual Permit
Locust Grove Phase II Distribution Center
 March 3, 2023 Stream Buffer Variance Item
 Henry County, Georgia







Figure 3
Preferred Site
Jurisdictional Waters Map
 Page 18 of 19
Corblu Project No. 02-120116

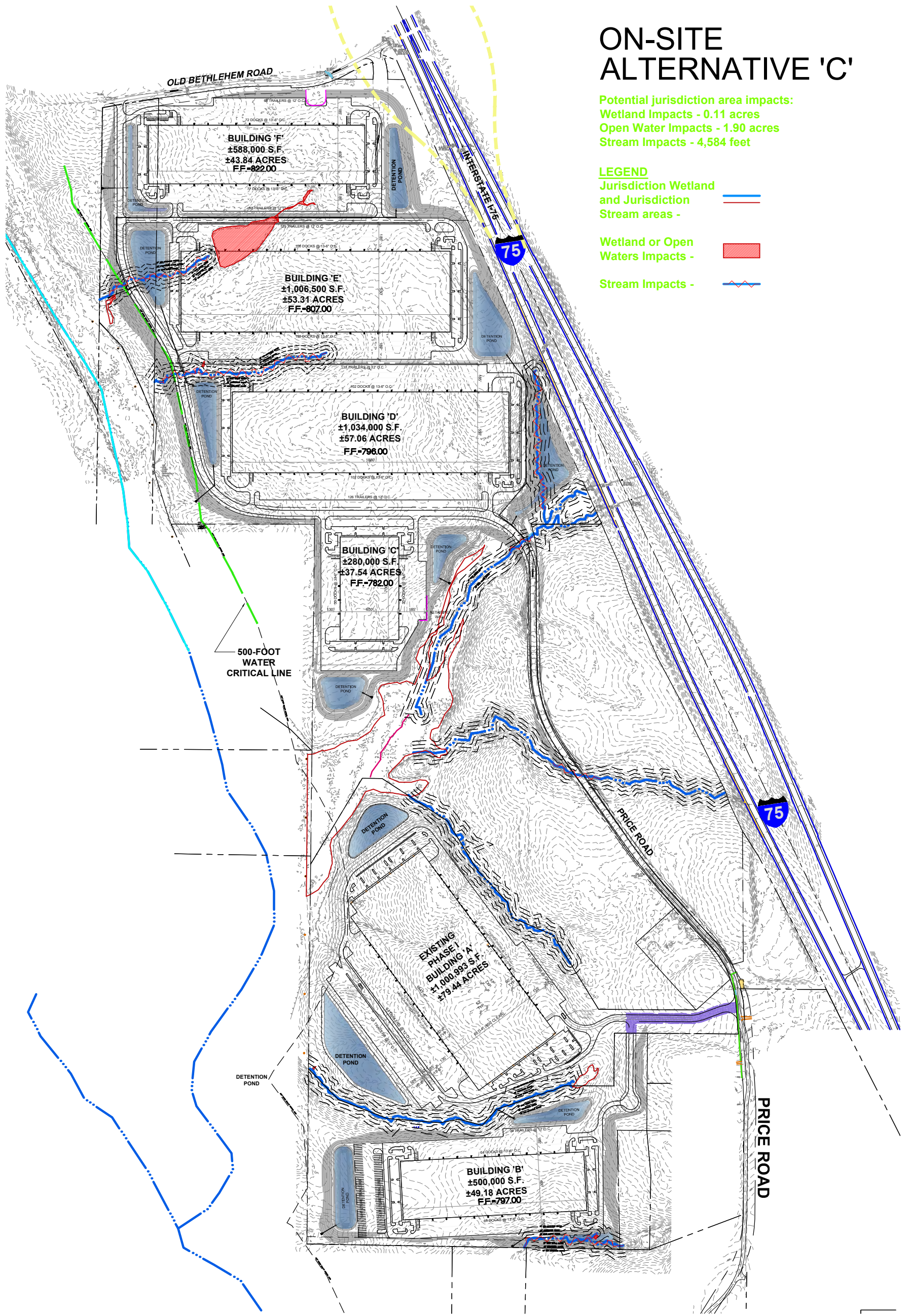
ON-SITE ALTERNATIVE 'C'

Potential jurisdiction area impacts:
 Wetland Impacts - 0.11 acres
 Open Water Impacts - 1.90 acres
 Stream Impacts - 4,584 feet

LEGEND

- Jurisdiction Wetland and Jurisdiction Stream areas - 
- Wetland or Open Waters Impacts - 
- Stream Impacts - 

MASTER PLAN
 1" = 300'-0"




Drawing Title MASTER PLAN	Drawing No. SK-3	PROJECT: LOCUST GROVE Master Plan ATLANTA, GA	Architect FORUM	CRG REAL ESTATE SOLUTIONS	
			2675 PACES FERRY ROAD, SUITE 30339 ATLANTA, GEORGIA 30339 Ph 770.767.6342	Chief Engineer CONSULTANT NAME	Structural Engineer CONSULTANT NAME



GEORGIA
DEPARTMENT OF NATURAL RESOURCES

ENVIRONMENTAL PROTECTION DIVISION

Richard E. Dunn, Director

EPD Director's Office
2 Martin Luther King, Jr. Drive
Suite 1456, East Tower
Atlanta, Georgia 30334
404-656-4713

FEB 11 2019

Mr. Keith Hornsby
CRG Acquisitions, LLC
2675 Paces Ferry Road
Suite 290
Atlanta, Georgia 30339

RE: Request for Variance under Provisions O.C.G.A. 12-7-6(b)(15)
Locust Grove Distribution Center
Phase II
City of Locust Grove

Dear Mr. Hornsby:

The Georgia Environmental Protection Division's Watershed Protection Branch has reviewed your stream buffer variance application for the subject project. The review was conducted to consider the potential impacts of the proposed project's encroachment on State waters within the context of the Georgia Erosion and Sedimentation Act and General Permits for Stormwater Discharges Associated with Construction Activities. This review, and the variance granted herein, is limited to only the request(s) in the stream buffer variance application for permission to conduct land-disturbing activities within 25-foot areas located immediately adjacent to the banks of State waters where vegetation has been wrested by normal stream flow or wave action. To the extent there is a request in the buffer variance application to conduct land-disturbing activities within 25-foot areas located immediately adjacent to State waters where there is no vegetation that has been wrested by normal stream flow or wave action, such request has not been considered, and is not included as a part of the variance granted herein.

Pursuant to DNR Rule 391-3-7-.05(2)(h), authorization is hereby granted to encroach within the 25-foot buffer adjacent to State waters as delineated in your application dated December 12, 2017. ***Buffer impacts authorized by this variance must be completed within five years of the date of this approval letter. If the approved buffer impacts cannot be completed prior to the expiration date, a time extension must be requested in writing at least 90 calendar days prior to the expiration date with justifiable cause demonstrated.***

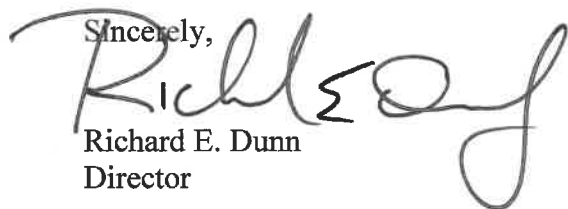
Authorization for the above referenced project is subject to the following conditions:

- 1) All graded slopes 3:1 or greater must be hydroseeded and covered with Georgia DOT approved wood fiber matting or coconut fiber matting. If not hydroseeded, Georgia DOT approved matting that has been incorporated with seed and fertilizer must be used. All slopes must be properly protected until a permanent vegetative stand is established;
- 2) The amount of land cleared during construction must be kept to a minimum;

- 3) All disturbed areas must be seeded, fertilized and mulched as soon as the final grade is achieved. Also, these disturbed areas must be protected until permanent vegetation is established;
- 4) A double row of Georgia DOT type "C" silt fence or an approved high performance silt fence must be installed between the land disturbing activities and State waters where appropriate;
- 5) Buffer variance conditions must be incorporated into any Land Disturbing Activity Permit issued by the City of Locust Grove for this project;
- 6) This project must be conducted in strict adherence to the approved erosion and sedimentation control plan and any Land Disturbing Activity Permit issued by the City of Locust Grove;
- 7) Post-construction stormwater management systems must be maintained to ensure pollutant removal efficiencies for water quality protection; and
- 8) Documentation verifying the legal protection of the permanent conservation easement of the dedicated natural conservation areas must be provided to EPD at least 14 days prior to any land disturbance on the site.

The granting of this approval does not relieve you of any obligation or responsibility for complying with the provisions of any other law or regulations of any federal, local or additional State authority, nor does it obligate any of the aforementioned to permit this project if they do not concur with its concept of development/control. As a delegated "Issuing Authority," the City of Locust Grove is expected to ensure that the stream buffer variance requirements are met for this project and is empowered to be more restrictive in this regard.

If you have questions concerning this letter, please contact Peggy Chambers, Erosion and Sedimentation Control Unit, NonPoint Source Program, at (404) 651-8549.

Sincerely,

Richard E. Dunn
Director

RED:pc

cc: Honorable Robert Price-Mayor, City of Locust Grove
Bert Foster-City of Locust Grove
Jessica Wilson-Corblu Ecology Group
George Stock-Stock and Associates
John Willems-Stock and Associates
Steve Schleiger-DNR-Wildlife Resources Division-Fisheries Region 2
Greg Walker-Georgia Soil and Water Conservation Commission
Mick Smith-EPD-Mountain District-Atlanta Satellite Office

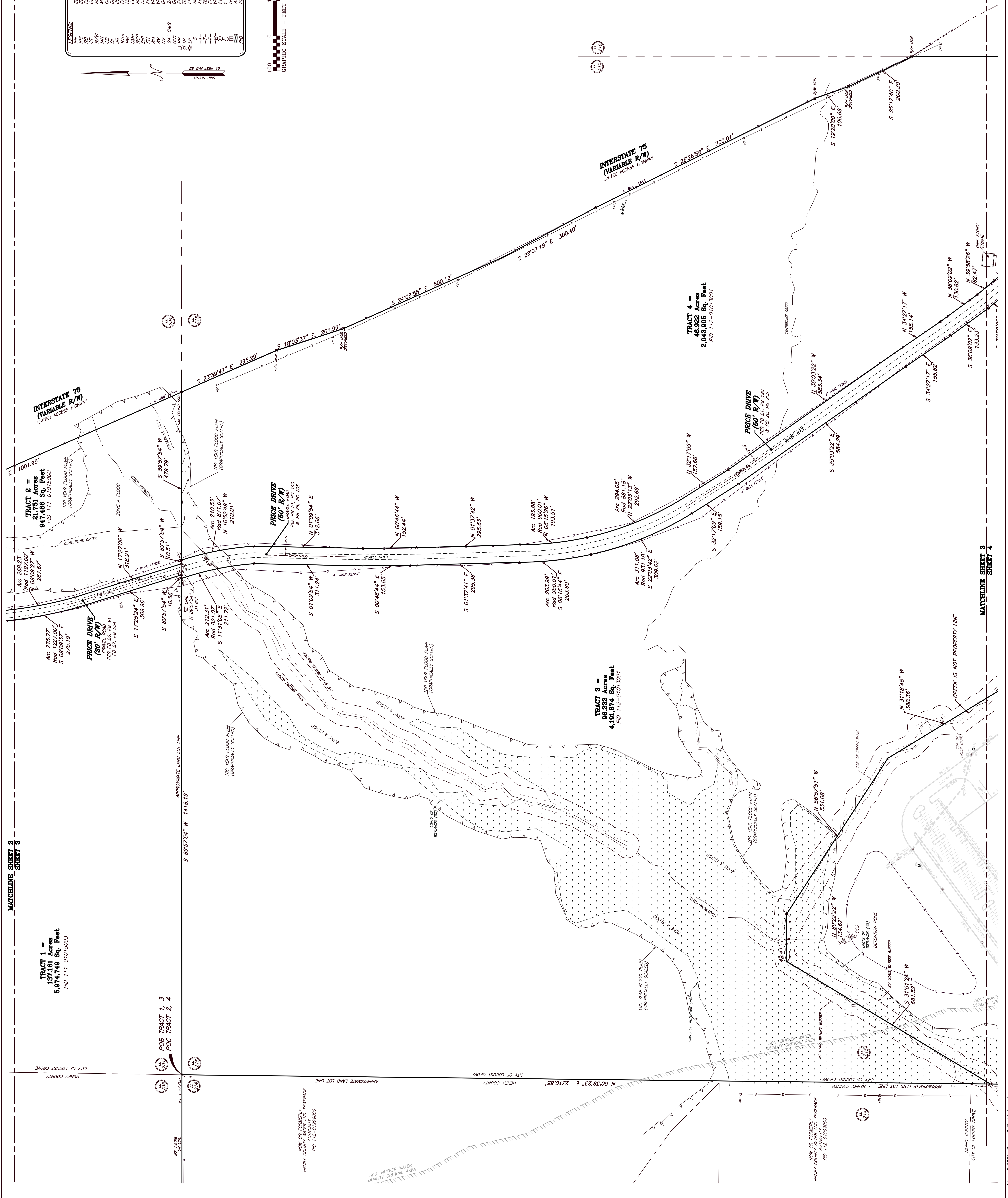
No	Revision	Date

Orig. Body: 6/16/2017
 Field Date: 9/23/2022
 Plat Date: 10/4/2022
 Scale: 1" = 100'

ALTA/NPS LAND TITLE SURVEY
 FOR
 CRG ACQUISITIONS, LLC
 LAND LOTS 202, 215, 234 & 235
 CITY OF LOCUST GROVE, HENRY COUNTY, GEORGIA

LEGEND:

- IRON PIN FOUND
- IRON PIN SET
- OPEN TOP PIPE
- RIGHT OF WAY
- CONCRETE
- CATCH BASIN
- DROP INLET
- RAISED TOP DROP INLET
- HEADWALL
- REINFORCED CONCRETE PIPE
- CONCRETE PIPE
- WATER METER
- WATER VALVE
- 24" CURB & GUTTER
- CONCRETE
- TELEPHONE POLE
- SEWER LINE
- POWER LINE
- WATER LINE
- 1. HANDICAP PARKING SPACE
- 2. HANDICAP PARKING SPACE
- PROPERTY IDENTIFICATION



MATCHLINE SHEET 2
 SHEET 3

MATCHLINE SHEET 3
 SHEET 4

No	Revision	Date

Orig. Body: 6/16/2017
 Field Date: 9/23/2022
 Plot Date: 10/4/2022
 Scale: 1" = 100'

ALTA/NPS LAND TITLE SURVEY
 FOR
 CRG ACQUISITIONS, LLC
 LAND LOTS 202, 215, 234 & 235
 CITY OF LOCUST GROVE, HENRY COUNTY, GEORGIA

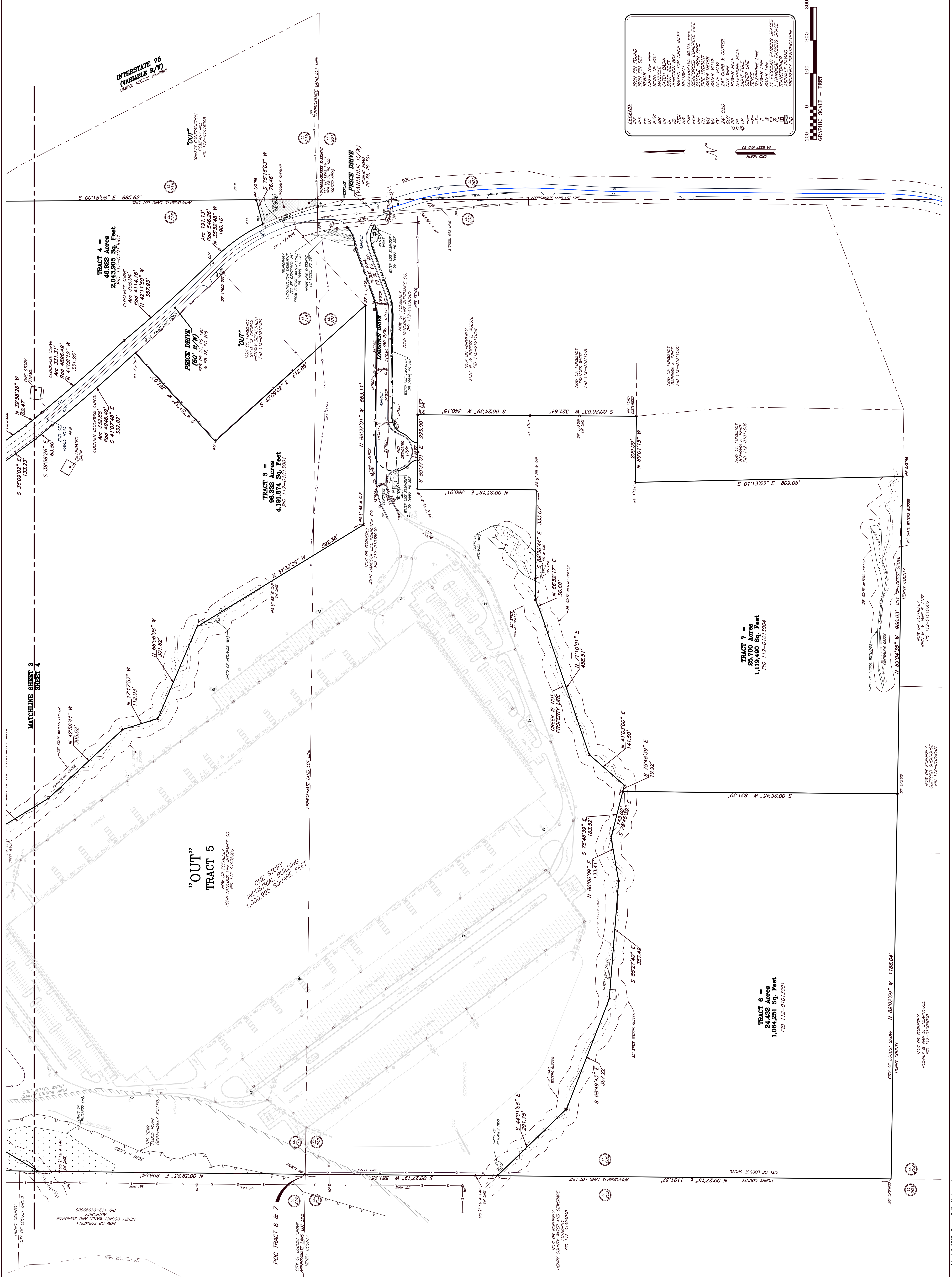


EXHIBIT "B"



VARIANCE EVALUATION REPORT

FILE: VR-23-01-02

March 6, 2023

VARIANCE

Property Information

Tax ID	111-01015000, 111-01015001, 111-10115003, 112-01013001, & 112-0103004
Location/address	Land Lots 202, 215, 234, 235 of the 2 nd District, Price Drive.
Parcel Size	352 +/- acres
Current Zoning	M-1 (Light Manufacturing)
Request	Stream Buffer Variance to allow grading and paving into the required impervious setback
Proposed Use	Warehouse Development
Existing Land Use	Vacant/undeveloped
Future Land Use	Industrial
Recommendation	Approval with conditions

Summary

CRG Acquisitions, LLC of Atlanta, GA has submitted an application requesting a Stream Buffer Variance to allow grading and paving into the required 75' and 50' impervious buffer for a proposed 3,100,500+/- square foot development consisting of 5 warehouse/industrial buildings on 352+/- acres in Land Lots 202, 215, 234, 235 of the 2nd District, along Price Drive north of Bill Gardner Parkway and south of Bethlehem Road.

The State of Georgia EPD issued a State stream buffer variance (ref. BV-075-17-04) in support of an Army Corp of Engineers 404 permit request on this property. The Army Corp issued the 404 permit (ref. SAS-2017-00625) on December 21, 2018.

The Army Corp of Engineers permit and State of Georgia EPD stream buffer variance includes six (6) areas of encroachment into the 75' and 50' stream buffers impacting approximately 4,584 feet. Portions of the proposed realignment of Price Drive border the 500 ft. water critical line. The applicant requests the City of Locust Grove grant a stream buffer variance of 4,584 feet to mimic same locations as earlier permitted by the State of Georgia EPD and Army Corp of Engineers.

Preserving the Past...Planning the Future



VARIANCE
EVALUATION REPORT
FILE: VR-23-01-02

March 6, 2023

VARIANCE

Future Land Use

The subject property is located within an area designated for industrial use on the Future Land Use Map. The purpose of this classification is to provide for areas where light general industrial and warehouse/distribution uses can be located. Primary uses in this category include light manufacturing, warehousing, wholesale/distribution, and assembly. They may also include heavy industrial uses such as bulk production, processing centers and manufacturing if proper sight and noise buffers are provided. Typical zoning district(s) under the current ordinance would be M-1 (light manufacturing) and M-2 (general industrial).

Development of Regional Impact (DRI)

The proposed warehouse development meets the Georgia Department of Community Affairs (DCA) threshold for a Development of Regional Impact (DRI). For Industrial Developments in areas designated as Developing Suburban, the threshold is 500,000 square feet of development or 1600 workers. The Applicant is proposing 3,100,500 +/- square feet of warehousing on the subject property. This project is part of DRI #3805. Staff has not received a Notice of Decision for this project.

Service Delivery / Infrastructure

Water and Sewer: According to the City of Locust Grove Public Works Department, the subject properties will be serviced by the Henry County Water Authority for water and sewer services. The subject properties are located within the Indian Creek Watershed Protection Area.

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

Fire: Fire and emergency services will be performed by Henry County as is the case in other areas of the City.

Transportation Impacts: Transportation impacts associated with the proposed development will be analyzed by GRTA and are included in the Notice of Decision when complete.

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Criteria for Evaluation of Variance Request

Section 17.04.273 of the City Municipal Code allows variances to be granted upon the following principles:

- 1. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography that are not applicable to other lands or structures in the same district.**

Site selection within the subject property is limited by topographical and other location-related constraints. The proposed development and realignment of Price Drive is engineered to best limit and manage buffer intrusion given the existing streams and buffers on the site.

- 2. A literal interpretation of the provisions of this Chapter would deprive the applicant of rights commonly enjoyed by other properties within the City or within a similar zoning or overlay district.**

All lots are subject to the provisions of the City Code. A literal interpretation of the provisions would prevent the Applicant from building the proposed structure on the subject property due to the constraints listed above, as well as prevent the planned realignment of Price Drive. A literal interpretation of the code may also cause an undue hardship by effectively limiting the structure size beyond what is reasonable for the intended use, which is permitted by right under the current zoning.

- 3. Granting the variance requested will not confer upon the property of the applicant any special privileges that are denied to other properties within the City or within a similar zoning or overlay district.**

Any property owner or developer may ask the City Council to consider a similar request.

- 4. The requested variance will be in harmony with the purpose and intent of this Article, the specific zoning of the property and the land use plan and will not be injurious to the general welfare of the community.**

Issuance of the proposed stream buffer variance for this project presents no conflict with current or future land use planning. The proposed industrial use of the property is permitted in the current zoning designation (M-1), land

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VARIANCE
EVALUATION REPORT
FILE: VR-23-01-02

March 6, 2023

VARIANCE

use plan, and is consistent with nearby industrial developments. The applicant has submitted a thorough mitigation plan that provides reasonable evidence that impacts to the buffer are avoided or minimized to the fullest extent practicable in accordance with state and local erosion control policies. Please refer to the mitigation plan attached.

5. The special circumstances or justifications for the variance are not the result or cause of the self-imposed actions or misfortunes of the applicant.

The exceptional conditions related to the topography and location of the site are not the result of any action or misfortune on the part of the applicant.

6. The variance requested is the minimum reasonable variance that will make possible the legal use of the land, building or structure.

The requested variance is the minimum needed by the applicant to develop the site for industrial, provide access to the site, and realign Price Drive to better accommodate future transportation improvements on Bethlehem Road.

7. The variance is not a request to permit a use of land, buildings or structures which is not permitted by right in the overlaying zoning district or scheme of the land use plan.

The requested variance supports the site's development as permitted by right in the M-1 zoning district.



VARIANCE
EVALUATION REPORT
FILE: VR-23-01-02

March 6, 2023

VARIANCE

Recommendation

Based on the seven criteria points required for issuance of a variance, Staff recommends approval with the following conditions:

- 1) The owner/developer shall comply with all GRTA recommendations included in their Notice of Decision for DRI #3805.
- 2) The owner/developer shall confirm the location of any springs on the subject properties and provide acceptable protection measures to the Community Development Department for review and approval prior to the issuance of any Land Disturbance Permits.

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October 10, 2017

Ms. Holly Ross
U.S. Army Corps of Engineers, Savannah District
Regulatory Division, Piedmont Branch
1590 Adamson Parkway, Suite 200
Morrow, Georgia 30260

**Subject: Individual Permit Application
Locust Grove Phase II Distribution Center
Henry County, Georgia
USACE File No. SAS-2017-00625
Corblu Project No. 02-120116**

Dear Ms. Ross:

On behalf of CRG Acquisitions, LLC, please accept the attached Section 404 individual permit application for a proposed commercial development in Henry County, Georgia, known as Locust Grove Phase II Distribution Center. Based on compliance with Section 404 (b)(1), we consider this application complete. Public Notice mailing labels for the adjacent property owners are attached for your convenience (Permit Application, Appendix K).

Please contact the undersigned at (770) 591-9990 if you have questions regarding the attached permit application.

Sincerely,

CORBLU ECOLOGY GROUP, LLC


Jessica L. Wilson, CAE
Staff Ecologist


Richard W. Whiteside, PhD, CWB, CSE
President

c: Mr. Larry Chapman, CRG Real Estate Solutions (email)
Mr. Keith Hornsby, CRG Acquisitions, LLC (email)

Section 404 Permit Application

for

Locust Grove Phase II Distribution Center

Prepared for:

CRG Acquisitions, LLC

Prepared by:

**Corblu Ecology Group, LLC
Woodstock, Georgia**



**Corblu Project No. 02-120116
USACE File No. SAS-2017-00625**

October 10, 2017

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2. Public Interest Factors
3. Alternative Site Summary

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2. Phase I and Phase II Project Boundaries
3. Preferred Site Jurisdictional Waters Map
4. Preferred Site Soils Map
5. Offsite Alternative Overview Map

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APPENDICES

- A. R.S. Webb & Associates Letter (July 2017): Phase I Cultural Resources Literature Review
- B. Official IPaC Report
- C. Erosion and Sedimentation Control Plan
- D. Stormwater Management Facilities Report
- E. I-75 and Bethlehem Road East: Offsite Alternative A
- F. Iris Lake Road: Offsite Alternative B
- G. Lester Mill Road and Bill Gardner Parkway: Offsite Alternative C
- H. Highway 42 East: Offsite Alternative D
- I. Locust Grove Distribution Center On-site Alternatives A, B and C
- J. Stream and Wetland Mitigation SOP Forms
- K. Adjacent Property Owners
- L. Joint Application Form

5.0 CONCEPTUAL MITIGATION PLAN

As required by The Final Mitigation Rule (2008), the required components of a mitigation plan when using a mitigation bank are: baseline information for the impact site; and determination of mitigation credits. The baseline information is included in this document. The required mitigation is determined to be 11.461 wetland credits and 24,889.1 stream credits [USACE, Savannah District, Mitigation Standard Operation Procedures (SOP), Appendix J]. To compensate for unavoidable jurisdictional water impacts, the applicant proposes to purchase the above mentioned mitigation credits from a bank in the primary service area (PSA), which are currently available. If these credits are not available in the PSA, at the time of need, the applicant following coordination with the USACE will buy credits from a bank in the secondary service area (SSA). If SSA credits are not available, the applicant will purchase the required credits from the Georgia Land Trust, as described in the USACE, Savannah District's Mitigation Credit Purchase Guidelines.

The required mitigation credits were calculated using the March 2004 Savannah District SOP (Appendix J). A brief justification for each selection factor follows.

5.1 RIVERINE SYSTEMS

1) Stream Type Impacted

There are 5 intermittent streams (Str 1, 2, 3, 9, and 10) and 2 perennial streams (Str 4 and 6) proposed for impacts, which correspond with a Factor of 0.1 and 0.4, respectively.

2) Priority Area

Str 1, 2, 3, 4, and 6 meet the criteria for consideration as primary priority (Factor of 1.5). These streams are considered waters adjacent to USACE approved mitigation sites/banks (i.e. Bethlehem Bottoms) or other protected lands. Str 9 and 10 are considered tertiary priority (Factor of 0.5) as these two streams do not meet criteria for consideration as primary or secondary priority

3) Existing Condition

The stream reaches did not meet any of the criteria for selection as a Fully Functional or Fully Impaired stream. The factor of somewhat Impaired was selected for the reach due to the impaired conditions of the streams (areas of bank failure, sediment deposits within

Wet A, B, C, and G as well as the man-made pond are considered low (Factor of 0.5) as there are no known alternatives which satisfy the purpose, are practicable, and are less damaging.

6) Rarity Ranking

Wet A, B, C, and G as well as the man-made pond are considered common (Factor of 0.1) as they are frequently occurring or widespread in distribution.

6.0 SUMMARY

CRG Acquisitions, LLC proposes to construct an industrial-distribution and logistics development located south of Old Bethlehem Road and west of I-75 in the City of Locust Grove, Henry County, Georgia. The industrial development will require unavoidable impacts to 0.11-acre of wetland, 1.90 acres of man-made pond and 4,584 LF of stream.

Four off-site alternative sites and three on-site alternative development designs within the preferred site were investigated (seven alternatives total) were evaluated based on the proposed industrial-distribution and logistics criteria. The Locust Grove Phase II Distribution Center development site and the proposed layout (On-site Alternative C) was found to be the only viable alternative site that currently meets the need and purpose of the proposed CRG Acquisitions, LLC industrial-distribution center, that will result in the least environmental impact to jurisdictional features, and is feasible for the intended use with consideration to project cost and required logistics.

To compensate for the proposed impacts, the required stream/wetland mitigation will be obtained from an USACE-approved mitigation bank(s), as well as the incorporation of an integrated stormwater management system that exceeds EPD requirements. For your assistance in producing the Joint Public Notice (JPN), the adjacent property owners are attached as Appendix K and Joint Application Form attached as Appendix L.

APPENDIX J

Stream and Wetland Mitigation SOP Forms

WORKSHEET 1: ADVERSE IMPACT FACTORS FOR RIVERINE SYSTEMS WORKSHEET

Stream Type Impacted	Intermittent 0.1			Perennial Stream > 15' in width 0.4			Perennial Stream ≤ 15' in width 0.8		
Priority Area	Tertiary 0.5			Secondary 0.8			Primary 1.5		
Existing Condition	Fully Impaired 0.25			Somewhat Impaired 0.5			Fully Functional 1.0		
Duration	Temporary 0.05			Recurrent 0.1			Permanent 0.2		
Dominant Impact	Shade/Clear 0.05	Utility X-ing 0.4	Bank Armor 0.7	Detention 1.5	Stream Crossing (≤ 100') 1.7	Impound 2.7	Morphologic Change 2.7	Pipe >100' 3.0	Fill 3.0
Scaling Factor (Based on # linear feet impacted)	< 100' impact 0	100-200' impact 0.05	201-500' impact 0.1	501-1000' impact 0.2	> 1000' impact 0.4 for each 1000' feet of impact (round impacts to the nearest 1000') (example: 2,200' of impact – scaling factor = 0.8; 2,800' of impact – scaling factor – 1.2)				

Reaches to Be Impacted	Stream 1	Stream 2	Stream 3	Stream 4	Stream 6	Stream 9	Stream 10
	Complete the Following for Each Reach to Be Impacted						
Simon Channel Evolution Stage	II	II	II	II	II	II	II
Rosgen Stream Type/D50	E5	E5	E5	E5	E5	E5	E5
Criteria for Selecting Existing Condition for Each Reach	entrenched	entrenched	entrenched	entrenched	entrenched	entrenched	entrenched
Bankfull Width and Depth	Width: 2.5' Depth: 0.25''	Width: 2.5' Depth: 0.25''	Width: 3' Depth: 0.25''	Width: 5' Depth: 0.50''	Width: 4.5' Depth: 0.50''	Width: 2.5' Depth: 0.25''	Width: 2.5' Depth: 0.25''
Bankfull Indicators (attach photograph showing bankfull for each reach)	Photo No. 3	Photo No. 5	Photo No. 8	Photo No. 9	Photo No. 12	Photo No. 17	Photo No. 18
Factors	Stream 1	Stream 2	Stream 3	Stream 4	Stream 6	Stream 9	Stream 10
Stream Type Impacted	0.1	0.1	0.1	0.4	0.4	0.1	0.1
Priority Area	1.5	1.5	1.5	1.5	1.5	0.5	0.5
Existing Condition	0.5	0.5	0.5	0.5	0.5	0.5	0.5
Duration	0.2	0.2	0.2	0.2	0.2	0.2	0.2
Dominant Impact	3.0	3.0	3.0	3.0	3.0	3.0	3.0
Scaling Factor	0.2	0.4	0.4	0.05	0.1	0.2	0
Sum of Factors M =	5.5	5.7	5.7	5.65	5.7	4.5	4.3
Feet Stream in Reach Impacted LF =	815.7	1,308.0	1,035.2	196.0	354.0	783.0	92.5
M X LF =	4,486.4	7,455.6	5,900.6	1,107.4	2,017.8	3,523.5	397.8

Total Mitigation Credits Required = (M X LF) = 24,889.1

WETLAND MITIGATION WORKSHEET

ADVERSE IMPACT FACTORS

Factor	Options						
Dominant Effect	Fill 2.0	Impound 1.8	Dredge 1.6	Drain 1.4	Flood 1.2	Clear 1.0	Shade 0.5
Duration of Effects	7+ years 2.0	5-7 years 1.5	3-5 years 1.0	1-3 years 0.5	0-1 years 0.1	Seasonal 0.1	
Existing Condition	Class 1 2.0	Class 2 1.5	Class 3 1.0	Class 4 0.5	Class 5 0.3	Class 6 0.1	
Lost Kind	Kind A 2.0	Kind B 1.5	Kind C 1.0	Kind D 0.5	Kind E 0.1		
Preventability	High 2.0	Moderate 1.0	Low 0.5	None 0			
Rarity Ranking	Imperiled †	Vulnerable †	Rare 2.0	Uncommon 0.5	Common 0.1		

† These factors are determined on a case-by-case basis.

REQUIRED MITIGATION CREDITS WORKSHEET

Factor	Area 1 Wetland A	Area 2 Wetland B	Area 3 Wetland C	Area 7 Wetland G	Man- made Pond
Dominant Effect	Fill 2.0	Fill 2.0	Fill 2.0	Fill 2.0	Fill 2.0
Duration of Effects	7+ years 2.0	7+ years 2.0	7+ years 2.0	7+ years 2.0	7+ years 2.0
Existing Condition	Class 2 1.5	Class 2 1.5	Class 2 1.5	Class 2 1.5	Class 4 0.5
Lost Kind	B 1.5	B 1.5	B 1.5	B 1.5	D 0.5
Preventability	Low 0.5	Low 0.5	Low 0.5	Low 0.5	Low 0.5
Rarity Ranking	Common 0.1	Common 0.1	Common 0.1	Common 0.1	Common 0.1
Sum of r Factors	R ₁ = 7.6	R ₂ = 7.6	R ₃ = 7.6	R ₄ = 7.6	R ₅ = 5.6
Impacted Area	AA ₁ =0.073	AA ₂ =0.020	AA ₃ =0.006	AA ₄ =0.009	AA ₅ =1.90
R x AA =	0.555	0.152	0.046	0.068	10.64

Total Required Credits = Σ (R x AA)

11.461



Mr. Michael Berry
Watershed Protection Branch
Environmental Protection Division
Georgia Department of Natural Resources
2 Martin Luther King Drive SW, Suite 1462
Atlanta, Georgia 30334

December 12, 2017

**Subject: Stream Buffer Variance Request
Locust Grove Phase II Distribution Center
Henry County, Georgia
Project No. 02-120116**

VIA Email

Dear Mr. Berry:

On behalf of our client, CRG Acquisition LLC, Corblu Ecology Group, LLC (Corblu) is pleased to submit this stream buffer variance request for major impacts to the 25-foot vegetated buffer on waters of the State of Georgia. Please find attached a completed Application for a 25-Foot Vegetative Buffer Encroachment and the necessary supporting documentation.

Corblu respectfully requests a stream buffer variance for the proposed buffer encroachments for the proposed industrial-distribution development located south of Old Bethlehem Road and west of Interstate-75 (I-75) in Locust Grove, Henry County, Georgia, pursuant to Georgia Department of Natural Resources, Environmental Protection Division, Erosion and Sedimentation Control Rules: 391-3-7.05(2)(h). Should you have any questions regarding this submittal or this project, please contact the undersigned at (770) 591-9990. Thank you for your prompt attention in this matter.

Sincerely,

CORBLU ECOLOGY GROUP, LLC

Jessica L. Wilson, CAE
Staff Ecologist

Richard W. Whiteside, PhD, CWB, CSE
President

Enclosure: Application for a 25-foot Vegetative Buffer Encroachment

c: Mr. Larry Chapman, CRG Real Estate Solutions (email)
Mr. Keith Hornsby, CRG Acquisition, LLC (email)

APPLICATION for a 25-foot VEGETATIVE
BUFFER ENCROACHMENT
Rule 391-3-7.05(2)(h)

for

Locust Grove Phase II Distribution Center

Prepared for:

CRG Acquisition, LLC

Prepared by:



Corblu Project No. 02-120116
USACE File No. SAS-2017-00625

December 12, 2017

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2.3 Letter from the Local Issuing Authority (LIA), when applicable, stating that the LIA has visited the site and determined the presence of State waters that require a buffer and that a stream buffer variance is required as per the local erosion and sedimentation control ordinance.....	3
2.4 For projects within the buffer of or upstream and within one linear mile of impaired stream segments on Georgia’s “305(b)/303(d) List Documents (Final),” documentation that the project will have no adverse impacts relative to the pollutants of concern and if applicable, documentation that the project will be in compliance with the TMDL Implementation Plan(s).....	3
2.5 For all minor buffer impacts, a Re-Vegetation Plan with a descriptive narrative as described in the EPD guidance document, <i>Streambank and Shoreline Stabilization</i> , and/or a plan for permanent vegetation as per the <i>Manual for Erosion and Sedimentation Control in Georgia</i>	4
2.6 For all major buffer impacts, a Buffer Mitigation Plan with a descriptive narrative addressing impacts to critical buffer functions based on an evaluation of existing buffer conditions and predicted post buffer conditions pursuant to DNR Rule 391-3-7.05(7).	4
2.7 For variance requests under DNR Rules 391-3-7.05(2)(h), (i), (j) and (k), the application must include documentation that the project will mitigate buffer disturbances based on the EPD guidance document, <i>Stream Buffer Mitigation Guidance</i> , addressing post-development total suspended solids (TSS), stormwater runoff reduction, water quality protection and aquatic/buffer habitat protection.....	11
2.8 For variance requests under DNR Rules 391-3-7.05(2)(i) and (j), the application must include the following:	11
(a) Documentation that post-development stormwater management systems conform to the minimum standards for water quality, channel protection, overbank flood protection and extreme flood protection as established in the Georgia Stormwater Management Manual or the equivalent and if applicable, the Coastal Stormwater Supplement to the Georgia Stormwater Management Manual.	11
(b) Documentation that existing water quality will be maintained or improved based on predicted pollutant loadings under pre- and post-development conditions as estimated by models accepted by EPD.	11

- (c) For projects within the buffer of or upstream and within ten linear miles of impaired stream segments on Georgia's "305(b)/303(d) List Documents (Final)," documentation that the project will have no adverse impacts relative to the pollutants of concern as estimated by models accepted by EPD and if applicable, documentation that the project will be in compliance with the TMDL Implementation Plan(s). 11
- 2.9 For variance requests under DNR Rule 391-3-7.05(2)(h), a copy of the permit application and supporting documentation as submitted to the USACE under Section 404 of the federal Water Pollution Control Act Amendment of 1972, 33 U.S.C. Section 1344. 12
- 2.10 For variance requests under DNR Rule 391-3-7.05(2)(k)(1), the application must include documentation from the USACE verifying the water bodies identified in the application are non-jurisdictional Waters of the U.S. under Section 404 of the Clean Water Act. 12
- 2.11 Narrative description of the shape, size, topography, slope, soils, vegetation and other physical characteristics of the property. 12
- 2.12 Any other reasonable information related to the project that may be deemed necessary to effectively evaluate the variance request. 13
- 2.13 Site map that includes locations of all State waters, wetlands, floodplain boundaries and other natural features, as determined by a field survey..... 13
- 2.14 Erosion, Sedimentation and Pollution Control Plan with a dated and numbered detailed Site Plan delineating the locations of all structures, impervious surfaces, and the boundaries of the area of soil disturbance, both inside and outside of the buffer. Submit only the cover sheet and the sheets of the Erosion, Sedimentation and Pollution Control Plan that pertain to the buffer impacts. 13
- 2.15 Stormwater Control Plan once site stabilization is achieved, when required by a local stormwater ordinance. 13
- 3.0 Conclusion..... 14

LIST OF ATTACHMENTS

FIGURES

1. Site Location Map
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- 3A. Overall Proposed Buffer Impacts
- 3B. Proposed Buffer Impacts Within Northern Portion of Project Site
- 3C. Proposed Buffer Impacts Within Central Portion of Project Site
- 3D. Proposed Buffer Impacts Within Southern Portion of Project Site
4. Alternative Off-Site Locations Map
5. Site Soils Map

PHOTOGRAPHS (8)

APPENDICES

- A. Stream Buffer Variance Application Form
- B. Preferred Alternative Site and Layout (On-site Alternative 'C')
- C. Erosion and Sedimentation Control Plan
- D. Awareness Letter from the City of Locust Grove
- E. Alternative Sites Summary Table
- F. Stormwater Management Facilities Report
- G. TSS Reduction Spreadsheet
- H. U.S. Army Corps of Engineers Joint Application Form

1.0 INTRODUCTION

CRG Acquisition, LLC proposes to develop the Locust Grove Phase II Distribution Center, an industrial-distribution and logistics center of 260.64 acres located in the City of Locust Grove in Henry County, Georgia. The proposed project consists of grading and development of the Locust Grove Phase II Distribution Center as needed to construct an approximately 3.4-million-square foot industrial-distribution development. Specifically, the project site is located south of Old Bethlehem Road and west of Interstate-75 (I-75) in Locust Grove, Henry County, Georgia, which adjoins the Phase I development (Figures 1 and 2).

The proposed industrial-distribution development will result in unavoidable impacts to 0.09-acre of forested wetland, 1.90-acre of a man-made pond and 4,419 linear feet (LF) of streams. With respect to protected state water buffers, the development will result in unavoidable major stream buffer impacts to: 1) 33,858.1 square feet/0.78-acre associated with Stream 1 (Str 1); 2) 63,929 square feet/1.47-acre associated with Str 2; 3) 51,013.3 square feet/1.17-acre associated with Str 3; 4) 39,135.5 square feet/0.90-acre associated with Str 9; and 5) 2,605.2 square feet/0.06-acre associated with Str 10. The proposed project also will result in unavoidable major buffer impacts of 33,569.8 square feet/0.77-acre associated with a man-made pond (total buffer impacts - 224,111.9 square feet/5.14-acre). Compensatory mitigation will be provided through the purchase of stream mitigation credits from an approved bank(s) in the primary service area per the U.S. Army Corps of Engineers (USACE), Savannah District and Georgia Environmental Protection Division (EPD) mitigation guidelines (i.e., Upper Ocmulgee River watershed; HUC – 03070103), the proposed stormwater management facilities and the preservation of 17.81 acres (primarily within the 500-foot wide Henry County Water Authority protected riparian buffer) adjacent to the Bethlehem Bottoms state water drainage feature (tributary to Indian Creek/Gardner Reservoir).

CRG Acquisition, LLC submits this buffer variance request pursuant to Georgia Department of Natural Resources (GDNR), Environmental Protection Division (EPD) Rule 391-3-7.05(2)(h) for a project requiring an USACE permit and an approved mitigation plan.

This submittal identifies the Permanent Buffer Impact Checklist items as specified in the EPD 25-foot Buffer Encroachment Application form (Appendix A) and our response to each of the applicable checklist items (Section 2.0). Also, the appropriate figures and other required supporting documentation are provided as indicated within the text of this submittal.

2.0 BUFFER IMPACT CHECKLIST

2.1 Narrative description of the project, with details of the buffer disturbance, including estimated length of time for the disturbance and justification for why the disturbance is necessary.

The Locust Grove Phase II Distribution Center brings the opportunity to positively contribute to the existing industrial and logistics development within the City of Locust Grove, Henry County and the southern Atlanta-Metro Area, which will be enhanced by the proposed Georgia Department of Transportation (GDOT) interchange north of I-75 exit 212 at the Bethlehem Road crossover. The project site not only offers the ability to build multiple one million square foot warehouse-distribution buildings, but is able to accommodate loading and unloading docks, trailer storage, truck traffic, employee parking and available utilities, as well as provide separate ingress/egress for truck and employee (2 work shifts per day) traffic. Additionally, this site allows for the ability to design and build large industrial buildings in areas of the community that do not overlap with routine daily traffic or other commercial and retail areas. Further, the Locust Grove Distribution Center will front on I-75, providing the required visibility for tenants (Appendix B). The development is located a few miles south of the 2,800 acres of existing industrial/business parks and will aid in connecting business in a synergistic market area. Also, as the project site is adjacent to the Locust Grove Phase I Development center and situated in an area currently dominated by pasture and undeveloped land, thus initiating further expansion of industrial distribution and logistics developments within the City of Locust Grove.

The proposed stormwater control plan has been designed in accordance with Henry County stormwater management ordinances and EPD's Georgia Stormwater Management Manual (GSMM) requirements. Further, the proposed stormwater management plan has been developed in accordance with the EPD's total suspended solids (TSS) reduction and the pollutant of concern reduction requirements for stream buffer variances. The site's stormwater management plan exceeds the TSS reduction requirement of 80% (i.e., 85% TSS reduction), and will provide stormwater controls which meet or exceed EPD requirements (Appendix C). Also, the majority of oil and grease (i.e., the pollutant of concern) generated on the project site via parking areas and roads will be removed through the TSS reduction, as hydrocarbon constituents will adhere to these captured sediments. The proposed project will direct stormwater to 11 wet retention ponds located throughout the site allowing runoff from each rain event to be detained and treated through gravitational settling and biological uptake prior to discharge into Bethlehem Bottoms, a critical water quality area within proximity of the Gardner Reservoir watershed district, located immediately west of the project site. Additionally,

CRG Acquisition, LLC has agreed with the City of Locust Grove to enter into a binding long-term management/maintenance plan for the wet retention basins to continue in perpetuity property with future owners. Therefore, the proposed project is not expected to have adverse impacts to the Bethlehem Bottoms or other downstream waters (i.e., Indian Creek/Gardner Reservoir) as the stormwater management exceeds GSMM requirements. Further, the applicant will preserve properties within the 500-foot wide riparian buffer (17.81 acres) adjacent to the eastern boundary to the Bethlehem Bottoms Mitigation area and immediately west of the proposed Phase II development via ownership transfer (i.e. fee simple) to the Henry County Water Authority for their long-term stewardship and management.

The industrial-distribution development on the project site will result in the impact to 4,419 LF of streams, 1.90-acre of man-made pond and their associated buffers (Figure 3, Appendix B). Based on evaluations of multiple alternatives, the proposed project is the least environmentally damaging practicable alternative that meets the projects purpose.

2.2 Calculation of total area and length of buffer disturbance.

The development will result in unavoidable major stream buffer impacts associated with the following proposed stream impacts: 1) 33,858.1 square feet/0.78-acre associated with Str 1; 2) 63,929 square feet/1.47-acre associated with Str 2; 3) 51,013.3 square feet/1.17-acre associated with Str 3; 4) 39,135.5 square feet/0.90-acre associated with Str 9; and 5) 2,605.2 square feet/0.06-acre associated with Str 10. The proposed project also will result in unavoidable major buffer impacts of 33,569.8 square feet/0.77-acre associated with a man-made pond (total buffer impacts - 224,111.9 square feet/5.14-acre) (Appendix B).

2.3 Letter from the Local Issuing Authority (LIA), when applicable, stating that the LIA has visited the site and determined the presence of State waters that require a buffer and that a stream buffer variance is required as per the local erosion and sedimentation control ordinance.

See Appendix D for letter from LIA.

2.4 For projects within the buffer of or upstream and within one linear mile of impaired stream segments on Georgia's "305(b)/303(d) List Documents (Final)," documentation that the project will have no adverse impacts relative to the pollutants

of concern and if applicable, documentation that the project will be in compliance with the TMDL Implementation Plan(s).

Not applicable. The project site is not located within one linear mile of impaired stream segments under Section 303(d) of the Federal Water Pollution Control Act Amendment of 1972.

2.5 For all minor buffer impacts, a Re-Vegetation Plan with a descriptive narrative as described in the EPD guidance document, *Streambank and Shoreline Stabilization*, and/or a plan for permanent vegetation as per the *Manual for Erosion and Sedimentation Control in Georgia*.

Not applicable; impacts for the proposed industrial-distribution development are considered major buffer impacts.

2.6 For all major buffer impacts, a Buffer Mitigation Plan with a descriptive narrative addressing impacts to critical buffer functions based on an evaluation of existing buffer conditions and predicted post buffer conditions pursuant to DNR Rule 391-3-7.05(7).

(a) The variance shall be the minimum reduction in buffer width necessary to provide relief. Streams shall not be piped if a buffer width reduction is sufficient to provide relief.

The proposed industrial-distribution development has been designed to occupy the minimum space necessary to construct the proposed distribution warehouses and attendant features (Appendix B). Also, constructing the proposed development at this location will complement the existing Phase I facility and current industrial area located within the I-75 and GA Hwy 155 corridor, 3.5 miles northeast of the project site, as well as being served by the proposed GDOT interchange at the Bethlehem Road crossover immediately east of the project site. The proposed Locust Grove Phase II Distribution Center will meet the need for the rapidly growing e-commerce industry within the City of Locust Grove, Metro-Atlanta Area and the southeastern U.S. Filling of the streams and man-made pond on site as well as impacting the associated buffers is necessary to accomplish the development and meet the project purpose.

Four off-site alternative sites and three on-site alternative development designs within the preferred site (seven alternatives total) were investigated and evaluated for the construction of a large industrial-distribution development for the Locust

Grove Phase II Distribution Center. This alternative analysis assessed available development sites that included: 1) acreage sufficient to accommodate the proposed development [i.e., 200 or more acres for 3,000,000+ square feet of building space and attendant features (e.g., ingress/egress, parking, stormwater control, etc.)]; 2) reasonably suitable site dimensions to accommodate multiple 500,000 to over 1,000,000 square foot industrial distribution facilities and attendant features; 3) access to interstate transportation infrastructure (within 1.5 miles); 4) interstate visibility; 5) connectivity to a road network that can support tractor trailer traffic; 6) provide separate ingress/egress entrances for employee and truck traffic; 7) minimization/avoidance of potential wetlands/open water/floodplain and state buffer impacts; 8) an assessment of potential stream impacts; 9) ability to be served by existing utilities; 10) suitable topography (limited grading); 11) juxtaposition to nearby similar developments; and 12) no at grade railroad crossings near site access or within the property.

CRG Acquisition, LLC identified their market area as undeveloped land tracts near the City of Locust Grove, over 200 acres in size and within proximity to I-75 and GA Hwy 155 corridor. The proposed industrial center will operate (shipping/receiving) on a 24 hours per day, 7 days a week schedule, with 2 employee work shifts. The seven (7) alternative site/design layouts identified are: 1) I-75 and Bethlehem Road East: Off-Site Alternative A; 2) Iris Lake Road: Off-Site Alternative B; 3) Lester Mill and Bill Gardner Parkway: Off-Site Alternative C; 4) Highway 42 East: Off-Site Alternative D; 5) Locust Grove Phase II Distribution Center On-site Alternative A; 6) Locust Grove Phase II Distribution Center On-site Alternative B; and 7) Locust Grove Phase II Distribution Center On-site Alternative C, the preferred site and design.

The I-75 and Bethlehem Road East (Off-site Alternative A), Iris Lake Road and Lester Mill Road (Off-site Alternative B) and Bill Gardner Parkway (Off-site Alternative C) alternatives would result in significantly more wetland and/or stream and protected state buffer impacts than the preferred alternative. The Highway 42 East (Off-site Alternative D) alternative would result in less stream/wetland (and associated buffer) impacts, however it is not a viable/feasible alternative due to the existing Norfolk Southern rail line which would result in major ingress/egress traffic complications with respect to truck (1,486 per day) and employee traffic (853 employees at 2 shifts per day), as well as result in a significant disruption of existing

local traffic and transportation. A "fly-over" bridge/interchange could possibly reduce (likely not eliminate) this complication, but the cost of this structure is prohibitive and not likely GDOT acceptable (i.e., due to complications with Highway 42), which renders the proposed project economically and logistically unfeasible (i.e., fails to meet the project's purpose/need).

All On-site Alternatives avoid the unmarked cemetery within the northeast corner of the Phase II project site. On-site Alternatives A and B result in significantly more wetland and/or stream impacts than the preferred alternative (i.e., On-site Alternative C) and would result in impervious encroachments into the 500-foot buffer of the water quality critical area within the Indian Creek/Gardner Reservoir Watershed. Therefore, the preferred site and design (i.e., On-site Alternative C; Appendix B) represents the least environmental damaging alternative, and the only practicable and viable alternative for CRG Acquisition, LLC to construct the proposed industrial-distribution and logistics development center which meets the project requirements with consideration of costs and logistics (Appendix E).

Impacting the streams and man-made pond on-site, as well as their associated buffers are necessary to accomplish the industrial-distribution development. Proposed buffer encroachment has been minimized to the practicable extent possible that meets the proposed project's purpose and need. To offset potential impacts to water quality features associated with the proposed unavoidable buffer impacts, the applicant proposes to purchase 11.31 and 23,966.55 wetland and stream mitigation credits, respectively, within the same watershed as the project and the development of an integrated stormwater management system that meets/exceeds EPD and Henry County requirements. Further, the applicant will preserve in perpetuity their properties within the 500-foot wide water critical area (17.81 acres) to protect water quality to Henry County's Gardner Water Supply Reservoir and the Bethlehem Bottoms mitigation area via a transfer of ownership (i.e. fee simple) of these properties to Henry County Water Authority for perpetual preservation and management.

(b) Disturbance of existing buffer vegetation shall be minimized.

The proposed industrial-distribution development will impact the following protected buffers: 1) 33,858.1 square feet/0.78-acre associated with Str 1; 2)

63,929 square feet/1.47-acre associated with Str 2; 3) 51,013.3 square feet/1.17-acre associated with Str 3; 4) 39,135.5 square feet/0.90-acre associated with Str 9; and 5) 2,605.2 square feet/0.06-acre associated with Str 10. The proposed project also will result in unavoidable major buffer impacts of 33,569.8 square feet/0.77-acre associated with a man-made pond (total buffer impacts - 224,111.9 square feet/5.14-acre). The structure orientation, ingress/egress, parking areas, and stormwater management area have been designed to occupy the area with the least amount of impacts practicable (Appendix B).

- (c) Mitigation is required for all major buffer impacts and shall offset the buffer encroachment and any loss of buffer functions. Where lost functions cannot be replaced, mitigation shall provide other buffer functions that are beneficial. Buffer functions include, but are not limited to:**

Temperature Control (shading)

Stormwater will be collected from the impervious areas within the development and directed to 11 wet retention ponds located on the project site. The storage/management of stormwater onsite will prevent the direct discharge of stormwater with elevated temperatures into receiving surface waters off site. Also, the impervious pavement on the Locust Grove CRG site for the truck court (i.e. truck loading, parking and storage) will be constructed of 100% concrete as opposed to black asphalt. Further, the building roofs will be constructed with a white thermoplastic polyolefin (TPO) membrane, which reflects heat as opposed to absorbing heat. These added features exhibit a much higher Surface Differential Reflectivity value (SDR) than asphalt. The proposed truck court and roof construction features coupled with the retention of stormwater described below, will ensure that heated stormwater runoff will be cooled and will not result in measured elevated temperatures of treated-discharged stormwater.

Streambank Stabilization

As proposed, 4,419 LF of stream on-site and associated buffer will be filled or piped. As designed, 11 wet retention ponds are proposed within the project site (Appendix F). The stormwater management system exceeds the minimum State-required TSS reduction requirement of 80% (i.e. 85% TSS reduction) and will

provide downstream channel and bank protection and peak discharge attenuation as required by EPD/Henry County (Appendices F and G).

Trapping of Sediments

As presented above, the proposed stormwater management system with the use of an additional Best Management Practice (BMP) devices, will exceed (i.e. 85%) the State-required 80% TSS reduction from stormwater. Specifically, at each headwall where stormwater enters the wet retention ponds, a rock forebay has been provided that is designed to accommodate 20-30% of the total water quality volume rather than typically sized forebays designed to accommodate 10% of the required water quality volume. The larger volume forebays will allow runoff from the site to have a longer period of pre-treatment prior to passing through the rock filter berm and entering the permanent pool. In addition to the stabilized rock outfall aprons, the incorporation of a plunge pool and level spreader ensure discharge downgradient of the wetland area at two feet per second or less velocity to provide additional sedimentation trapping and eliminate erosion concerns. The retention basins stormwater system will treat stormwater runoff by removing sediments and attached pollutants, prior to discharging into Bethlehem Bottoms (wetland habitat) located immediately west of the project site (Appendices F and G).

Removal of Nutrients, Heavy Metals, Pesticides, and Other Pollutants

The proposed stormwater management system has been designed to provide water quality treatment of a 1.2-inch rainfall event and 85% reduction in post-development total suspended solid (TSS) loadings to receiving waters exceeding EPD's Georgia Stormwater Management Manual (GSMM) requirements. These controls will prevent the discharge of suspended solids and attached oil and grease typically associated with this type of industrial development (i.e., vehicle parking areas and rooftops) to downstream waters, including Bethlehem Bottoms, Indian Creek and Gardner Reservoir.

The majority of oil and grease (i.e., the pollutant of concern) generated on the project site via parking areas and roads will be removed through the TSS reduction requirement, as hydrocarbon constituents will adhere to these captured sediments.

Therefore, the proposed stormwater management system will exceed the EPD requirement of 60% removal of the pollutants of concern; oil and grease (i.e., hydrocarbons), as discussed in more detail below.

Water Quality Protection

The project is not expected to generate or contribute phosphorus, nitrogen or fecal coliform to State waters since the proposed site development is served by public sanitary wastewater controls. Oil and grease however, can result from parking lot and roadway run-off; therefore, oil and grease are considered the pollutants of concern associated with the proposed industrial-distribution development.

There are no known sources of oil and grease removal efficiencies, due to an apparent lack of study. Most authorities associate oil and grease removal with removal of TSS, because "Over 50% and as much as 90% of oil and grease in stormwater runoff is attached to solids, including sediment, trash, and debris¹." The National Pollutant Removal Performance Database for Stormwater Treatment Practices 2nd Edition states "In nearly every case, hydrocarbon removal was within 15% of observed sediment removal."² Therefore, based on these sources and the proposed stormwater management system which has a 85% TSS reduction, well over 60% removal of the pollutant of concern, oil and grease (i.e., hydrocarbons), will be removed from stormwater runoff, exceeding EPD requirements.

Further, the proposed stream and wetland mitigation credit purchase, in conjunction with the proposed stormwater management plan and 17.81 acre buffer preservation (i.e. adjacent to Bethlehem Bottoms) for the site, will offset impacts to critical buffer functions and result in maintaining the water quality onsite and within Bethlehem Bottoms and the Upper Ocmulgee River watersheds.

¹ Roger B. James, "Measurement and BMP Removal of Suspended Material in Stormwater Runoff," <http://www.stormwaterauthority.org/assets/30measurement.pdf>.

² National Pollutant Removal Performance Database for Stormwater Treatment Practices, 2nd Ed, by R. Winer, March 2000.

Aquatic Habitat and Food Chain

The proposed stormwater and water quality management plan is designed to provide stormwater control and the removal of pollutants and sediments from runoff in accordance with GSMM requirements and the TMDL Implementation Plan to maintain the fish community of Bethlehem Bottoms and Indian Creek. Therefore, water quality controls from the proposed industrial-distribution development serve to prevent the degradation of the downstream aquatic habitats or the aquatic food chain.

Terrestrial Habitat, Food Chain and Migration Corridor

The 260.64-acre project site is located in a developing rural area adjacent to I-75 and associated interchange in Henry County. The Locust Grove Phase II Distribution Center will complement the existing adjoining Phase I development. The majority of the project site is currently undeveloped, with areas comprised of mixed pine-hardwood forest in the northern parcel and agriculture- pasture in the southern parcel. Immediately west of the project site is a large wetland area and braided stream system known as Bethlehem Bottoms, of approximately 120 acres. Bethlehem Bottoms is a wetland mitigation area that drains southwest to Indian Creek that is impounded to form the Gardner Reservoir less than 0.5 mile south of the project site. The proposed industrial-distribution development will avoid the wooded wetland area along the western and southern borders of the northern parcel, thereby the forested terrestrial wildlife habitat, food chains, and wildlife travel corridors within proximity of the project site will remain intact. The properties within the 500-foot wide water quality critical area located west of the proposed development and adjacent to Bethlehem Bottoms (17.81 acres), as acquired by the applicant, will be transferred to Henry County Water Authority for perpetual preservation; therefore these properties will serve to maintain terrestrial habitat, food chains and wildlife migration corridors within the vicinity of the project.

Buffer of Flood Flows

The stormwater management system has been designed in accordance with the GSMM requirements and the local requirements of Henry County to capture and attenuate storm flows and protect upland areas from flooding.

Mitigation Bank Credit Purchase

As per the USACE, Savannah District, Standard Operating Procedures (SOP) worksheets, the proposed project will require 23,966.55 stream mitigation credits to compensate for the 4,419 LF of permanent stream impacts and 11.31 wetland mitigation credits to compensate for 1.90-acre of permanent pond impacts (Appendix H). All mitigation credits will be purchased from an approved mitigation bank within the same watershed as the project site.

2.7 For variance requests under DNR Rules 391-3-7.05(2)(h), (i), (j) and (k), the application must include documentation that the project will mitigate buffer disturbances based on the EPD guidance document, *Stream Buffer Mitigation Guidance*, addressing post-development total suspended solids (TSS), stormwater runoff reduction, water quality protection and aquatic/buffer habitat protection.

Please see the attached TSS sheets in Appendix G, and Section 2.6 and Terrestrial Habitat, Food Chain, and Migration Corridor discussion provided above.

2.8 For variance requests under DNR Rules 391-3-7.05(2)(i) and (j), the application must include the following:

- (a) Documentation that post-development stormwater management systems conform to the minimum standards for water quality, channel protection, overbank flood protection and extreme flood protection as established in the Georgia Stormwater Management Manual or the equivalent and if applicable, the Coastal Stormwater Supplement to the Georgia Stormwater Management Manual.**
- (b) Documentation that existing water quality will be maintained or improved based on predicted pollutant loadings under pre- and post-development conditions as estimated by models accepted by EPD.**
- (c) For projects within the buffer of or upstream and within ten linear miles of impaired stream segments on Georgia's "305(b)/303(d) List Documents (Final)," documentation that the project will have no adverse impacts relative to the pollutants of concern as estimated by models accepted by EPD and if applicable, documentation that the project will be in compliance with the TMDL Implementation Plan(s).**

Not applicable; project seeks authorization under DNR Rule 391-3-7.05(2)(h). However, the proposed project has been designed to meet: 1) GSMM requirements; 2) water quality protection will be provided meeting Henry County/EPD requirements (Section 2.6); and 3) the project is located within a watershed (i.e., Indian Creek that meets it's designed use) (Section 2.4).

2.9 For variance requests under DNR Rule 391-3-7.05(2)(h), a copy of the permit application and supporting documentation as submitted to the USACE under Section 404 of the federal Water Pollution Control Act Amendment of 1972, 33 U.S.C. Section 1344.

See Appendix H for the submitted Joint Application Form. Due to the large size of the submitted USACE Permit Application (188 pages), the entire package was not included in this submittal, but can be provided upon request.

2.10 For variance requests under DNR Rule 391-3-7.05(2)(k)(1), the application must include documentation from the USACE verifying the water bodies identified in the application are non-jurisdictional Waters of the U.S. under Section 404 of the Clean Water Act.

Not applicable; project seeks authorization under DNR Rule 391-3-7.05(2)(h).

2.11 Narrative description of the shape, size, topography, slope, soils, vegetation and other physical characteristics of the property.

The project site is located on the Locust Grove, Georgia U.S. Geologic Survey (USGS) 7.5-minute topographic quadrangle map (Figure 1). The jurisdictional waters on the 260.64-acre project site were delineated by Corblu Ecology Group on April 19 and 20, 2017 and September 19, 2017 and include a total of 6,519 LF of six intermittent (Str 1, 2, 3, 8, 9 and 10) and four perennial streams (Str 4, 5, 6 and 7), as well as 0.28-acres of seven forested wetlands (Wet A - Wet G), and 1.90-acre of a man-made pond. The project will require unavoidable impacts to 4,419 LF of streams, 0.09-acre of wetlands, 1.90-acre of man-made pond and associated state water buffer impacts as described above (224,111.9 square feet/5.14-acre) (Appendix B; Figure 3).

The project site is currently undeveloped, with forested areas comprised of mixed pine-hardwood forest. The project site receives significant stormwater runoff from the surrounding interstate and local roads. All jurisdictional waters drain west to a large wetland area and braided stream system known as Bethlehem Bottoms, located above Indian Creek/Gardner Reservoir. The existing wetland areas and stream buffers within the proposed areas of development are primarily comprised of mixed pine and hardwood forest to include a large component of *Ligustrum sinense* (Chinese privet) and *Woodwardia areolata* (netted chain fern).

The soils within the Locust Grove Phase II Distribution Center as described by the U.S. Department of Agriculture, Natural Resources Conservation Service are predominantly upland soils such as Appling sandy loam (AmB), Ashlar sandy loam (AtE), Cecil sandy loams (CeB and CeC), Cecil sandy clay loam (CfC2), Gwinnett sandy clay loam (GwE2), Madison sandy loams (MdB and MdC), Pacolet sandy loam (PaE), and water (W). There is only one hydric and/or poorly drained soil on the project site, Cartecay soils (CA), which occurs in floodplains (Figure 5).

2.12 Any other reasonable information related to the project that may be deemed necessary to effectively evaluate the variance request.

The applicant will provide additional information as requested by EPD.

2.13 Site map that includes locations of all State waters, wetlands, floodplain boundaries and other natural features, as determined by a field survey.

Appendix B and Figure 3 include all natural features as determined by field survey.

2.14 Erosion, Sedimentation and Pollution Control Plan with a dated and numbered detailed Site Plan delineating the locations of all structures, impervious surfaces, and the boundaries of the area of soil disturbance, both inside and outside of the buffer. Submit only the cover sheet and the sheets of the Erosion, Sedimentation and Pollution Control Plan that pertain to the buffer impacts.

Appendix C includes the proposed erosion and sedimentation control plan.

2.15 Stormwater Control Plan once site stabilization is achieved, when required by a local stormwater ordinance.

The proposed stormwater control plan has been designed in consultation and direction of Henry County local stormwater management ordinance and EPD's GSMM requirements. Further, the proposed stormwater management plan has been developed in accordance with the EPD's TSS reduction and the pollutants of concern (i.e., oil and grease) reduction requirements for stream buffer variances. The site's stormwater management plan will provide an 85% TSS reduction (Appendices F and G). Also, the majority of oil and grease (i.e., the pollutant of concern) generated on the project site via parking areas and roads will be removed through the TSS reduction, as hydrocarbon constituents will adhere to these captured sediments as described in Section 2.6. The proposed project is not expected to contribute to fecal coliform contamination (i.e., connection to public sanitary sewer) or fish and macroinvertebrate biota impacts to Bethlehem Bottoms and Indian Creek as the stormwater management system meets GSMM requirements.

3.0 CONCLUSION

CRG Acquisition, LLC proposes to construct an industrial-distribution development that will serve the City of Locust Grove and Henry County. The development will result in unavoidable major state water buffer impacts to 224,111.9 square feet. As mentioned above, the stormwater management plan (85% TSS reduction) along with the USACE approved mitigation plan will offset the loss of buffer associated with this project.

APPENDIX A
Stream Buffer Variance Application Form

GEORGIA DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION DIVISION

REVISED MAY 2016
APPLICATION FOR A 25-FOOT VEGETATIVE BUFFER ENCROACHMENT
ON DESIGNATED WARM WATERS OF THE STATE

(Required prior to conducting land disturbing activities within the State-mandated 25-foot buffer in accordance with the Erosion and Sedimentation Act of 1975, as amended, O.C.G.A. 12-7-6(b)(15))

Property Owner's Name (Person): Mr. Keith Hornsby

Company Name (if applicable): CRG Acquisitions, LLC

Current Mailing Address: 2675 Paces Ferry Road Suite 290 Atlanta, Georgia 30339

Telephone: 770.317.9635 E-Mail: hornsbyk@realcrg.com

Contact Person's Name and Address: Jessica Wilson, 3225 S. Cherokee Lane, Bldg. 800 Woodstock, GA 30188

Contact Person's Telephone: 770-591-9990 E-Mail: jjwilson@corblu.com

Contact Person's Company Name (if applicable): Corblu Ecology Group, LLC

Project Name: Locust Grove Phase II Distribution Center

Total Project Disturbed Acreage: 260.64

Type of Project: Industrial-distribution development

Buffer Variance Criteria (391-3-7.05(2)(a) – (k)): (h)

Location of Buffer Impacts:

City (list only if the buffer impacts are located within jurisdictional boundaries of the municipality): Locust Grove
County (list only if the buffer impacts are located within jurisdictional boundaries of the county): Henry

GPS Coordinates (decimal degrees): Latitude: 33.364925 Longitude: -84.138253

Watershed Name and 8-digit HUC (Hydrologic Unit Code): Upper Ocmulgee (03070103)

Detailed Directions to Project (attach location map and USGS quad sheet): The project site is located south of Old Bethlehem Road and west of Interstate-75 (I-75) in Locust Grove, Henry County, Georgia and adjoins the Phase I development. Please see Figures 1 and 2.

Name of State water(s) Impacted: Bethlehem Bottoms
(if unnamed, indicate the first named waterbody that this State water flows into)

Total Area of Stream Buffer Disturbance (square feet): 190,541.1

Total Area of Pond Buffer Disturbance (square feet): 33,569.8

Total Length of Stream Buffer Disturbance (linear feet): 4,419

Total acreage of Pond Buffer Disturbance: 1.90

Signature: Richard W. White

Date: 12-12-17

- 1) Pursuant to DNR Rule 391-3-7.05, buffer variance applications will be reviewed by the Director only where the applicant provides reasonable evidence that impacts to the buffer have been avoided or minimized to the fullest extent practicable and only for the following criteria:
- (a) The project involves the construction or repair of an existing infrastructure project or a structure that, by its nature, must be located within the buffer. Such structures include, but are not limited to dams, public water supply intake structures, detention/retention ponds, waste water discharges, docks including access ways, boat launches including access ways, and stabilization of areas of public access to water; or
 - (b) The project will result in the restoration or enhancement to improve water quality and/or aquatic habitat quality; or
 - (c) Buffer intrusion is necessary to provide reasonable access to a property or properties; or
 - (d) The intrusion is for water and sewer lines that cannot reasonably be placed outside the buffer, and stream crossings and vegetative disturbance are minimized; or
 - (e) Crossing for utility lines, including but not limited to gas, liquid, power, telephone, and other pipelines, provided that the number of crossings and the amount of vegetative disturbance are minimized; or
 - (f) Recreational foot trails and viewing areas, providing that impacts to the buffer are minimal; or
 - (g) The project involves construction of one (1) single family home for residential use by the owner of the subject property and, at the time of adoption of this rule, there is no opportunity to develop the home under any reasonable design configuration unless a buffer variance is granted. Variances will be considered for such single family homes only if construction is initiated or local government approval is obtained prior to January 10, 2005; or
 - (h) For non-trout waters, the proposed land disturbing activity within the buffer will require a permit from the United States Army Corps of Engineers under Section 404 of the federal Water Pollution Control Act Amendment of 1972, 33 U.S.C. Section 1344, and the Corps of Engineers has approved a mitigation plan to be implemented as a condition of such a permit; or
 - (i) For non-trout waters, a plan is provided for buffer intrusion that shows that, even with the proposed land disturbing activity within the buffer, the completed project will result in maintained or improved water quality downstream of the project; or
 - (j) For non-trout waters, the project with a proposed land disturbing activity within the buffer is located in, or upstream and within ten linear miles of, a stream segment listed as impaired under Section 303(d) of the federal Water Pollution Control Act Amendment of 1972, 33 U.S.C. Section 1313(d) and a plan is provided that shows that the completed project will result in maintained or improved water quality in such listed stream segment and that the project has no adverse impact relative to the pollutants of concern in such stream segment; or
 - (k) The proposed land disturbing activity within the buffer is not eligible for a permit from the United States Army Corps of Engineers under Section 404 of the federal Water Pollution Control Act Amendment of 1972, 33 U.S.C. Section 1344, but includes required mitigation in accordance with the current EPD Buffer Mitigation Guidance document, and involves:
 - (1) piping, filling or re-routing of non-trout waters that are not jurisdictional Waters of the U.S.; or
 - (2) stream buffer impacts due to new infrastructure projects adjacent to State waters (jurisdictional and non-jurisdictional Waters of the U.S.). This criterion shall not apply to maintenance and/or modification to existing infrastructure, which are covered under 391-3-7.05(2)(a).

NOTE: Projects that include "streambank or shoreline stabilization" (e.g., criterion (a)) or "streambank restoration" (e.g., criterion (b)) should adhere to the most current guidance documents: Streambank and Shoreline Stabilization Guidance, Guidelines for Streambank Restoration and Streambank and Shoreline Stabilization – Techniques to Control Erosion and Protect Property.

Projects reviewed under criteria (h), (i), (j) or (k) should adhere to the most current EPD guidance document, Buffer Mitigation Guidance, when applicable. All guidance documents are available on the EPD website, www.epd.georgia.gov.

- 2) **Mail completed buffer variance application to:** Erosion and Sedimentation Control Unit
Georgia Environmental Protection Division
2 Martin Luther King Jr Drive SW, Suite 1462
Atlanta, GA 30334

NOTE: APPLICATIONS MUST BE ON THE MOST CURRENT FORMS PROVIDED BY EPD.

- 3) **Address all items on the attached Buffer Impact Checklist and submit the completed checklist and other pertinent information with the buffer variance application to EPD.**

NOTE: INCOMPLETE APPLICATIONS WILL BE RETURNED TO THE APPLICANT.

- 4) **Within 60 days of receipt of a complete buffer variance application, EPD will either provide written comments to the applicant or propose to issue a buffer variance. EPD may request additional information related to the project necessary to effectively evaluate the buffer variance application. When EPD proposes to issue a buffer variance, the application process will continue in the following order:**
- (a) EPD will issue a public notice.
 - (b) The public notice shall describe the proposed buffer encroachment, the location of the project, where the public can review site plans, and where comments should be sent.
 - (c) The public shall have 30 days to comment on the proposed buffer variance.
 - (d) Public notices are posted on EPD's website at <https://epd.georgia.gov/public-advisories-requests-state-waters-buffer-variance>.

BUFFER IMPACT CHECKLIST

Pursuant to DNR Rule 391-3-7.05, all buffer variance applications must include the following information. All narrative descriptions, calculations and documentation must be provided on the Buffer Impact Checklist form below or in a separate report. All plans, letters from Local Issuing Authorities, copies of USACE permit applications, mitigation calculations for the appropriate criteria and permit approvals and site maps should be submitted as attachments:

Y / N / NA

- Y (1) Narrative description of the project, with details of the buffer disturbance, including estimated length of time for the disturbance and justification for why the disturbance is necessary.
- Y (2) Delineate the total area (square feet) and length (linear feet) for each criterion and Calculate the totals for all buffer disturbances.
- Y (3) Letter from the Local Issuing Authority (LIA), when applicable, stating that the LIA has visited the site and determined the presence of State waters that have a point of wrested vegetation that require a buffer and that a buffer variance is required as per the local erosion and sedimentation control ordinance.
- NA (4) For projects within the buffer of or upstream and within one **linear** mile of impaired stream segments on Georgia's "305(b)/303(d) List Documents (Final)," documentation that the project will have no adverse impacts relative to the pollutants of concern and if applicable, documentation that the project will be in compliance with the TMDL Implementation Plan(s).
- NA (5) For all **minor buffer impacts*** (as defined in DNR Rules 391-3-7.01), a **Re-Vegetation Plan** with a descriptive narrative as described in the EPD guidance document, *Streambank and Shoreline Stabilization*, and/or a plan for permanent vegetation as per the *Manual for Erosion and Sedimentation Control in Georgia*.
- Y (6) For all **major buffer impacts*** (as defined in DNR Rules 391-3-7.01), a **Buffer Mitigation Plan** with a descriptive narrative addressing impacts to critical buffer functions based on an evaluation of existing buffer conditions and predicted post buffer conditions pursuant to DNR Rule 391-3-7.05(7).
- Y (7) For variance requests under DNR Rules 391-3-7.05(2)(h),(i), (j) and (k), the application must include documentation that the project will mitigate buffer disturbances based on the EPD guidance document, *Buffer Mitigation Guidance*, addressing post-development total suspended solids (TSS), stormwater runoff reduction, water quality protection and aquatic/buffer habitat protection.
- NA (8) For variance requests under DNR Rules 391-3-7.05(2)(i) and (j), the application must include the following:
- (a) Documentation that post-development stormwater management systems conform to the minimum standards for water quality, channel protection, overbank flood protection and extreme flood protection as established in the *Georgia Stormwater Management Manual* or the equivalent and if applicable, the *Coastal Stormwater Supplement to the Georgia Stormwater Management Manual*.
 - (b) Documentation that existing water quality will be maintained or improved based on predicted pollutant loadings under pre- and post-development conditions as estimated by models accepted by EPD.
 - (c) For projects within the buffer of or upstream and within ten **linear** miles of impaired stream segments on Georgia's "305(b)/303(d) List Documents (Final)," documentation that the project will have no adverse impacts relative to the pollutants of concern as estimated by models accepted by EPD and if applicable, documentation that the project will be in compliance with the TMDL Implementation Plan(s).

BUFFER IMPACT CHECKLIST

Pursuant to DNR Rule 391-3-7.05, all buffer variance applications must include the following information. All narrative descriptions, calculations and documentation must be provided on the Buffer Impact Checklist form below or in a separate report. All plans, letters from Local Issuing Authorities, copies of USACE permit applications, mitigation calculations for the appropriate criteria and permit approvals and supporting documentation, and site maps should be submitted as attachments:

Y / N / NA

- Y (9) For variance requests under DNR Rule 391-3-7.05(2)(h), a copy of the permit application and mitigation calculations as submitted to the United States Army Corps of Engineers (USACE) under Section 404 of the federal Water Pollution Control Act Amendment of 1972, 33 U.S.C. Section 1344.
- NA (10) For variance requests under DNR Rule 391-3-7.05(2)(k)(1), the application must include documentation from the USACE verifying the water bodies identified in the application are **non-jurisdictional** Waters of the U.S. under Section 404 of the Clean Water Act.
- Y (11) Narrative description of the shape, size, topography, slope, soils, vegetation and other physical characteristics of the property.
- Y (12) Any other reasonable information related to the project that may be deemed necessary to effectively evaluate the variance request.
- Y (13) **Site Map** that includes locations of all State waters, wetlands, floodplain boundaries and other natural features, as determined by a field survey.
- Y (14) **Erosion, Sedimentation and Pollution Control Plan** with a dated and numbered detailed **Site Plan** delineating the locations of all structures, impervious surfaces, and the boundaries of the area of soil disturbance, both inside and outside of the buffer. Submit only the cover sheet and the sheets of the Erosion, Sedimentation and Pollution Control Plan that pertain to the buffer impacts.
- NOTE: THE EXACT AREA OF THE BUFFER TO BE IMPACTED MUST BE ACCURATELY AND CLEARLY INDICATED ON THE PLANS.**
- Y (15) **Stormwater Control Plan** once site stabilization is achieved, when required by a local stormwater ordinance.

NOTES:

Minor Buffer Impact, as defined in DNR Rules 391-3-7.01, means an impact that upon completion yields no additional above ground, man-made materials or structures within the buffer, and maintains the original grade, and results in less than 5,000 square feet of buffer impacts per stream crossing and/or less than 5,000 square feet of buffer impacts per individual area of encroachment for each project.

Major Buffer Impact, as defined in DNR Rules 391-3-7.01, means any impact that does not meet the definition of **Minor Buffer Impact**.

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.: **93426**

Name and File No.: **PUBLIC HEARING 2/20/2023**

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

02/01/2023

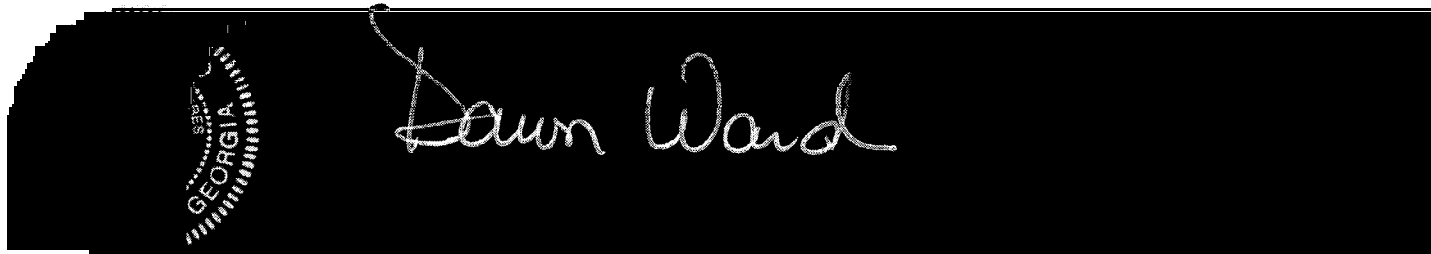


Robert D. McCray, SCNI Vice President of Sales and Marketing



By Tina Pethel
SCNI Controller

Sworn and subscribed to me 02/01/2023



Notary Public
My commission expires 03/03/2026

Ad text : Public Hearing Notice
City of Locust Grove
February 20, 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 Monday, February 20, 2023, at 6:00 PM, will conduct public hearings for the purpose of the following:

REZONING

RZ-23-01-01 Scott Werner of Locust Grove, GA requests a rezoning of 0.44 +/- acres located at 24 Peeksville Rd. from R-2 (Single Family Residential) to OI (Office/Institutional) for the purpose of converting the existing residential structure into an optometrist office.

VARIANCE

VR-23-01-02 (DRI# 3805) CRG Acquisitions, LLC of Atlanta, GA requests a variance from development regulations for stream buffer encroachment in multiple locations located on the west side of Price Dr. from Bill Gardner Pkwy. to Bethlehem Rd.

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
93426-2/1/2023

AFFIDAVIT OF SIGN POSTING

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

1.

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

2.

pCRG Acquisitions, LLC of Atlanta, GA requests a variance from development regulations for stream buffer encroachment in multiple locations located on the west side of Price Dr. from Bill Gardner Pkwy. to Bethlehem Rd.

3.

On the 1st day of February 2023, I, Anna Williams, posted double-sided sign notifications on the property advertising a public hearing on the above requests to be heard by the Locust Grove City Council on the 20th day of February 2023 at 6:00 p.m. at the Locust Grove Public Safety Building, 3640 Highway 42, Locust Grove, Georgia 30248. Photographs of same are attached hereto as Exhibit "A" and incorporated herein by reference. The public hearing signs were posted at the following locations:

- 1) Two Double-sided sign posted at 10:08 AM and 10:13 AM, respectively, on Price Drive on 2/1/2023.

FURTHER AFFIANT SAYETH NOT.

This 15th day of February 2023.

Affiant

Sworn and subscribed before me
this _____ day of _____, 2023

Notary Public (seal)

Exhibit "A"

EXHIBIT "D"

- 1. The owner/developer shall comply with all GRTA recommendations included in their Notice of Decision for DRI #3805.**
- 2. The owner/developer shall confirm the location of any springs on the subject properties and provide acceptable protection measures to the Community Development Department for review and approval prior to the issuance of any Land Disturbance Permit.**