



Community Development Department

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

Item Coversheet

Item: An ordinance to amend the City's Future Land Use Map designation from Rural Residential to Low Density Residential for multiple tracts located on South Ola Road and Singley Drive.

Action Item: Yes No

Public Hearing Item: Yes No

Executive Session Item: Yes No

Advertised Date: June 28, 2023

Budget Item: No

Date Received: June 2, 2023

Workshop Date: July 24, 2023

Regular Meeting Date: August 7, 2023

Discussion:

MBT South Ola, LLC of Stockbridge, GA requests a Future Land Use Amendment for multiple tracts located on the northeast quadrant of South Ola Road and Singley Drive (Parcel ID# 161-01025000, 161-01023000, 161-01021005) in Land Lots 161, 162, and 191 of the 2nd District. The applicant intends to develop a 257 lot single family residential subdivision.

Recommendation:

Staff recommends APPROVAL.

ORDINANCE NO. _____

AN ORDINANCE TO APPROVE A FUTURE LAND USE AMENDMENT FOR APPROXIMATELY 189.8+/- ACRES LOCATED NORTHEAST OF THE INTERSECTION OF SOUTH OLA ROAD AND SINGLEY DRIVE PARCEL ID # 161-01025000, 161-01023000, AND 161-01021005) IN LAND LOTS 161, 162, AND 191 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, MBT South Ola, LLC of Stockbridge, GA requests a Future Land Use Amendment for multiple tracts located northeast of the intersection of South Ola Road and Singley Drive (Parcel ID# 161-01025000, 161-01023000, and 161-01021005) in Land Lots 161, 162, and 191 of the 2nd District (the “Property), attached hereto as **Exhibit A**; and,

WHEREAS, the Applicant filed a request for a Future Land Use Map Amendment on June 2, 2023 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 July 24, 2023, as well as by the City Community Development Director; and,

WHEREAS, the Applicant requested a Future Land Use Map Amendment from Rural Residential to Low Density Residential for the purpose of developing a 257 lot single family home subdivision; 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 requested amendment to the Future Land Use Map is hereby **APPROVED**.

That the requested amendment to the Future Land Use Map is hereby **DENIED**.

2.

That, if the request is granted, the Future Land Use Map for the City is hereby amended to reflect such future land use designation 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 7th day of August 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 MBT South Ola, LLC Phone: 770-560-9378 Date: _____
 Address Applicant: 130 Garden Walk Cell # 678-882-9766
 City: Stockbridge State: GA Zip: 30281 E-mail: jon@hnhwlaw.com
 Name of Agent: Hecht Walker Jordan, PC Phone: 404-348-4881 Date: _____
 Address Agent: 205 Corporate Center Dr., Suite B Cell # 770-990-3135
 City: Stockbridge State: GA Zip: 30281 E-mail: jon@hnhwlaw.com; greg@hnhwlaw.com

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

Concept Plan Review Conditional Use Conditional Exception Modifications to Zoning Conditions

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

Request from RA to R-2
(Current Zoning) (Requested Zoning)

Request from Rural Residential (RR) to Low-Density Residential
(Current Land Use Designation) (Requested Land Use Designation)

For the Purpose of Single-Family Residential Subdivision
(Type of Development)

Address of Property: South Ola Rd. & Singley Drive 161-01025000; 161-01023000; 161-01021005

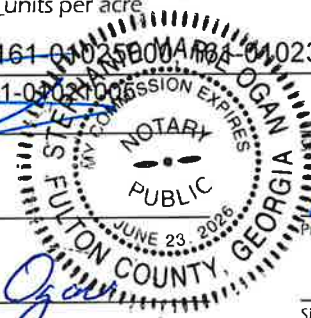
Nearest intersection to the property: South Ola Rd. & Singley Drive

Size of Tract: 189.8 acre(s), Land Lot Number(s): 161, 162, District(s): 2nd

Gross Density: 1.35 units per acre Net Density: 1.62 units per acre

Property Tax Parcel Number: 161-01025000 (Required)

Witness Signature _____
 Signature of Owner/s [Signature] *on behalf of Owners and Applicant*
 Printed Name of Witness Cory K. Hecht
 Printed Name of Owner/s MBT South Ola, LLC + Singley Road Partners, LLC
 Notary [Signature]
 Signature of Agent [Signature]



(For Office Use Only)

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

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

Pre-application meeting: _____ Date: _____

Public Hearing Date: _____

Council Decision: _____ Ordinance: _____

Date Mapped in GIS: _____ Date: _____

Applicant Campaign Disclosure Form

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

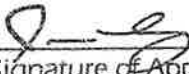
Yes _____ No _____

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

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

We certify that the foregoing information is true and correct, this ____ day of _____, 20____.


MBT South Ola, LLC
Applicant's Name - Printed


Signature of Applicant

Hecht Walker Jordan PC, by Jon W. Jordan, Esq.
Applicant's Attorney, if applicable - Printed

Signature of Applicant's Attorney, if applicable

Sworn to and subscribed before me this 25th day of May, 2023


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.





HECHT WALKER JORDAN, P.C.

ATTORNEYS AT LAW

Greg K. Hecht
Mark C. Walker
Jon W. Jordan
Michael W. Warner
Matthew W. Poe
Mary M. House*
Kirby Glaze*
Brad Baldwin*
**Designates of Counsel Status*

AV Rated Law Firm
Martindale Hubble

Mailing Address:
205 Corporate Center Drive, Suite B
Stockbridge, GA 30281
Phone: (404) 348-4881; Fax: (678) 884-1257
www.hechtwalker.com

Platinum Tower
400 Interstate N Parkway SE
Suite 860
Atlanta, GA 30339

jon@hmnwlaw.com

May 25, 2023

Via Email to dgibbs@locustgrove-ga.gov; and
ktrimble@locustgrove-ga.gov

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

**RE: Letter of Intent – Tax Parcels 161-01025000; 161-01023000; 161-01021005
(the “Subject Property”)**

Dear Mr. Gibbs:

I hope all is going well. Our firm represents MBT South Ola, LLC and Singley Road Partners, LLC, the Owners of the above-referenced parcels. Our clients would like to rezone and amend the Future Land Use Plan designation for the above-referenced parcels in order to develop the property into a Residential Subdivision of single-family homes. This property was annexed into the City of Locust Grove a little more than a year ago, and our clients are now looking to rezone the Subject Property consisting of 189.8 +/- acres, from RA to R-2 in order to develop the single-family subdivision of approximately 257 lots. We are also requesting to amend the Future Land Use Plan from Rural Residential to Low-Density Residential to maintain consistency with the proposed new zoning. Access & roadways for the development would be available from two primary entrances on South Ola Road and an emergency access point on Singley Drive, with interior roads connecting the entire subdivision. Attached is a Conceptual Site Plan with the current intended development specifications.

We greatly appreciate your consideration of this request. Should you have any questions or concerns at all regarding the proposed development or if we can provide any additional

information, please do not hesitate to contact me at 404-348-4881 or jon@hnmhwlaw.com Thank you.

Best Regards,



Jon W. Jordan Esq.
Agent for Applicant and Owners

Enc: Conceptual Site Plan

MBT SOUTH OLA, LLC TRACT

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOTS 161, 162 & 191 OF THE 2ND DISTRICT OF HENRY COUNTY, GEORGIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A FOUND 1" IRON ROD AT THE COMMON CORNER OF LAND LOTS 161, 162, 191, & 192 OF SAID DISTRICT AND COUNTY;

THENCE ALONG THE NORTHERLY LINE OF LAND LOT 161 S89°26'02"E A DISTANCE OF 176.18 FEET TO A POINT IN THE CENTERLINE OF AN UNNAMED CREEK WHICH MEANDERS BETWEEN LAND LOTS 162 AND 161;

THENCE ALONG SAID CENTERLINE OF CREEK THE FOLLOWING NINE (9) COURSES:

- 1 S55°16'12"W A DISTANCE OF 84.16 FEET TO A POINT;
- 2 S72°40'24"W A DISTANCE OF 107.58 FEET TO A ;
- 3 S42°14'55"W A DISTANCE OF 149.48 FEET TO A ;
- 4 S20°12'21"W A DISTANCE OF 35.69 FEET TO A ;
- 5 S10°31'59"E A DISTANCE OF 68.81 FEET TO A ;
- 6 S15°01'48"W A DISTANCE OF 187.13 FEET TO A ;
- 7 S07°23'23"W A DISTANCE OF 94.56 FEET TO A ;
- 8 S00°32'54"E A DISTANCE OF 111.06 FEET TO A ;
- 9 S07°22'09"E A DISTANCE OF 90.36 FEET TO A ;

THENCE N89°22'03"W A DISTANCE OF 64.49 FEET TO A PLACED 1/2" REBAR;

THENCE N89°23'46"W A DISTANCE OF 200.00 FEET TO A PLACED 1/2" REBAR;

THENCE N89°24'58"W A DISTANCE OF 242.74 FEET TO A PLACED 1/2" REBAR;

THENCE S46°27'29"W A DISTANCE OF 736.70 FEET TO A PLACED 1/2" REBAR;

THENCE S78°03'30"W A DISTANCE OF 376.47 FEET TO A PLACED 1/2" REBAR;

THENCE N88°06'38"W A DISTANCE OF 48.67 FEET TO A PLACED 1/2" REBAR;

THENCE ALONG A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 50.15 FEET, WITH A RADIUS OF 230.00 FEET, BEING SUBTENDED BY A CHORD BEARING OF S85°38'35"W, WITH A CHORD LENGTH OF 50.05 FEET, TO A PLACED 1/2" REBAR;

THENCE S79°23'49"W A DISTANCE OF 825.26 FEET TO A PLACED 1/2" REBAR;

THENCE S01°58'15"E A DISTANCE OF 283.88 FEET TO A PLACED 1/2" REBAR ON THE NORTHERLY RIGHT-OF-WAY OF SINGLEY DRIVE (40' RIGHT-OF-WAY);

THENCE FOLLOWING SAID NORTHERLY RIGHT-OF-WAY S80°10'10"W A DISTANCE OF 181.03 FEET TO A PLACED 1/2" REBAR;

THENCE ALONG A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 197.60 FEET, WITH A RADIUS OF 340.01 FEET, BEING SUBTENDED BY A CHORD BEARING OF N83°10'54"W, WITH A CHORD LENGTH OF 194.83 FEET, TO A PLACED 1/2" REBAR;

THENCE N25°00'00"W A DISTANCE OF 40.74 FEET TO A PLACED 1/2" REBAR WHERE THE NORTHERLY RIGHT-OF-WAY OF SINGLEY DRIVE AND THE EASTERLY RIGHT-OF-WAY OF SOUTH OLA ROAD (VARIABLE RIGHT-OF-WAY) CONVERGE.

THENCE FOLLOWING THE SAID EASTERLY RIGHT-OF-WAY ALONG A NON-TANGENTIAL CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 354.39 FEET, WITH A RADIUS OF 700.00 FEET, BEING SUBTENDED BY A CHORD BEARING OF N12°31'57"E, WITH A CHORD LENGTH OF 350.62 FEET, TO A PLACED 1/2" REBAR;

THENCE N01°58'15"W A DISTANCE OF 1,444.71 FEET TO A FOUND 1/2" REBAR ON THE COMMON LINE OF LAND LOTS 162 & 191;

THENCE N02°00'09"W A DISTANCE OF 240.37 FEET TO A FOUND 1/2" REBAR;

THENCE DEPARTING SAID EASTERLY RIGHT-OF-WAY OF SOUTH OLA ROAD S89°42'31"E A DISTANCE OF 830.43 FEET TO A PLACED 1/2" REBAR;

THENCE S00°35'02"W A DISTANCE OF 244.36 FEET TO A PLACED 1/2" REBAR ON THE SOUTHERLY LINE LAND LOT 191;

THENCE ALONG SAID SOUTHERLY LINE OF LAND LOT 191 S89°24'58"E A DISTANCE OF 371.94 FEET TO A PLACED 1/2" REBAR;

THENCE DEPARTING SAID SOUTHERLY LINE OF LAND LOT 191 N00°17'29"E A DISTANCE OF 276.26 FEET TO A PLACED 1/2" REBAR;

THENCE S89°42'31"E A DISTANCE OF 527.75 FEET TO A PLACED 1/2" REBAR;

THENCE S00°00'00"E A DISTANCE OF 228.96 FEET TO A PLACED 1/2" REBAR ON THE SOUTHERLY LINE LAND LOT 191;

THENCE ALONG SAID SOUTHERLY LINE OF LAND LOT 191 N90°00'00"E A DISTANCE OF 377.28 FEET TO A PLACED 1/2" REBAR;

THENCE DEPARTING SAID SOUTHERLY LINE OF LAND LOT 191 N00°06'26"W A DISTANCE OF 377.40 FEET TO A PLACED 1/2" REBAR;

THENCE S89°24'44"W A DISTANCE OF 453.81 FEET TO A PLACED 1/2" REBAR;

THENCE N02°25'37"W A DISTANCE OF 455.38 FEET TO A FOUND 1/2" REBAR;

THENCE N89°54'14"E A DISTANCE OF 1,181.50 FEET TO A FOUND 1/2" REBAR ON THE SHARED LINE OF LAND LOTS 191 & 192;

THENCE ALONG SAID SHARED LINE OF LAND LOTS 191 & 192 S00°40'38"E A DISTANCE OF 890.93 FEET TO A TO A FOUND 1" ROD AT THE COMMON CORNER OF LAND LOTS 161, 162, 191, AND 192, WHICH IS THE POINT OF BEGINNING.

SAID LAND HAVING AN AREA OF 4,586,669 SQUARE FEET, OR 105.295 ACRES, MORE OR LESS.

SINGLEY ROAD PARTNERS, LLC TRACT

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOTS 161 AND 162 OF THE 2ND DISTRICT OF HENRY COUNTY, GEORGIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND 1" IRON ROD AT THE COMMON CORNER OF LAND LOTS 161, 162, 191, & 192 OF SAID DISTRICT AND COUNTY;

THENCE ALONG THE NORTHERLY LINE OF LAND LOT 161 S89°26'02"E A DISTANCE OF 176.18 FEET TO A POINT IN THE CENTERLINE OF AN UNNAMED CREEK AND THE POINT OF BEGINNING OF THE FOLLOWING PARCEL;

THENCE S89°26'02"E A DISTANCE OF 255.98 FEET TO A FOUND 1/2" REBAR;

THENCE S89°27'52"E A DISTANCE OF 185.28 FEET TO A FOUND 1/2" REBAR;

THENCE S89°25'45"E A DISTANCE OF 247.66 FEET TO A FOUND 1/2" REBAR;

THENCE S89°27'07"E A DISTANCE OF 251.14 FEET TO A FOUND 1/2" REBAR;

THENCE S89°27'12"E A DISTANCE OF 71.22 FEET TO A FOUND 1/2" REBAR;

THENCE S89°08'26"E A DISTANCE OF 429.48 FEET TO A FOUND 36" HARDWOOD TREE;

THENCE N87°48'15"E A DISTANCE OF 214.05 FEET TO A FOUND 1/4" REBAR;

THENCE N88°20'03"E A DISTANCE OF 425.14 FEET TO A FOUND 1/2" REBAR;

THENCE N88°19'30"E A DISTANCE OF 213.77 FEET TO A FOUND 1" OPEN-TOP PIPE;

THENCE DEPARTING SAID NORTHERLY LINE OF LAND LOT LINE 161 S01°31'33"W A DISTANCE OF 199.66 FEET TO A FOUND 1/2" REBAR;

THENCE S01°36'57"W A DISTANCE OF 200.36 FEET TO A FOUND 1/4" REBAR;

THENCE S01°33'08"W A DISTANCE OF 199.94 FEET TO A FOUND 1/4" REBAR;

THENCE S01°32'54"W A DISTANCE OF 226.55 FEET TO A FOUND 1/2" REBAR;

THENCE S01°35'46"W A DISTANCE OF 225.10 FEET TO A FOUND 1/2" REBAR;

THENCE S01°26'52"W A DISTANCE OF 440.96 FEET TO A FOUND 1/2" REBAR;

THENCE S01°32'37"W A DISTANCE OF 96.13 FEET TO A PLACED 1/2" REBAR;

THENCE N79°33'35"W A DISTANCE OF 409.59 FEET TO A PLACED 1/2" REBAR;

THENCE S83°40'42"W A DISTANCE OF 1,221.78 FEET TO A PLACED 1/2" REBAR;

THENCE N61°23'44"W A DISTANCE OF 710.76 FEET TO A PLACED 1/2" REBAR;

THENCE N00°37'55"E A DISTANCE OF 526.98 FEET TO A PLACED 1/2" REBAR;

THENCE N89°22'05"W A DISTANCE OF 200.00 FEET TO A PLACED 1/2" REBAR ON THE COMMON LINE BETWEEN LAND LOTS 161 AND 162;

THENCE N89°22'03"W A DISTANCE OF 135.50 FEET TO A POINT IN THE CENTERLINE OF AN UNNAMED CREEK WHICH MEANDERS BETWEEN LAND LOTS 162 AND 161;

THENCE ALONG SAID CENTERLINE OF CREEK THE FOLLOWING NINE (9) COURSES:

- 1 N07°22'09"W A DISTANCE OF 90.36 FEET TO A POINT;
- 2 N00°32'54"W A DISTANCE OF 111.06 FEET TO A POINT;
- 3 N07°23'23"E A DISTANCE OF 94.56 FEET TO A POINT;
- 4 N15°01'48"E A DISTANCE OF 187.13 FEET TO A POINT;
- 5 N10°31'59"W A DISTANCE OF 68.81 FEET TO A POINT;
- 6 N20°12'21"E A DISTANCE OF 35.69 FEET TO A POINT;
- 7 N42°14'55"E A DISTANCE OF 149.48 FEET TO A POINT;
- 8 N72°40'24"E A DISTANCE OF 107.58 FEET TO A POINT;
- 9 N55°16'12"E A DISTANCE OF 84.16 FEET TO A POINT ON THE NORTHERLY LINE OF LAND LOT 161,
WHICH IS THE POINT OF BEGINNING.

SAID LAND HAVING AN AREA OF 3,679,135 SQUARE FEET, OR 84.461 ACRES, MORE OR LESS.



Henry County Water Authority
ADMINISTRATION

September 10, 2021

Mr. Tim Young
City Manager
City of Locust Grove
P. O. Box 900
Locust Grove, Georgia 30248

Re: Annexation of 254+/- Acres of Various Parcels located East of South Ola Road and North of Singley Drive

Dear Tim:

I am in receipt of and thank you for the copy of your letter to Chair Harrell dated August 26, 2021 concerning the above-referenced annexation of property into the City of Locust Grove. The Authority has no objection to the proposed annexation. Concerning the provision of water and sewer services for said property, the Authority's position is as follows:

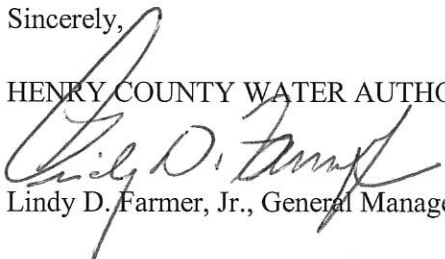
Reference is made to Paragraph 4.H.2. of the Service Area Amendment to Comprehensive Plan Agreement Pertaining to Water and Sewer Services dated April 12, 2018 between the City of Locust Grove and the Authority (Service Area Amendment). The Authority is opposed to the City providing water service to this development through a master meter. Rather, the Authority proposes that it own and maintain the water line distribution system and individual water meters within the proposed development. The Authority will collect and remit all sewer charges and fees to the City.

Regarding Paragraph 4. H. 4. of the Service Area Amendment concerning the provision of sewer services, the Authority takes no issue with the City of Locust Grove providing sewer services to the proposed residential development.

If you have any questions or wish to further discuss this matter, please do not hesitate to contact me.

Sincerely,

HENRY COUNTY WATER AUTHORITY


Lindy D. Farmer, Jr., General Manager

Cc: Carlotta Harrell, Chair, Henry County BOC
Cheri Hobson-Matthews, County Manager
Patrick Jaugstetter, County Attorney
Andy Welch, City Attorney
Warren E. Holder, HCWA Board – District 1

EXHIBIT B



FUTURE LAND USE AMENDMENT EVALUATION REPORT

FILE: FLU-AM-23-05-02

JULY 24, 2023

Property Information

Tax IDs	Multiple Tracts (161-01025000, 161-01023000, 161-01021005)
Location/address/area	Land Lots 161, 162, and 191 of the 2 nd district/ South Ola Road and Singley Drive
Tract Size	189.8+/- acres
Current Zoning	RA (Residential Agricultural)
Request	To amend the Future Land Use Map (FLUM) designation from Rural Residential to Low Density Residential.
Existing Land Use	Vacant/Undeveloped
Future Land Use	(Current) Rural Residential (As Proposed for Amendment) Low Density Residential
Recommendation	Approval

Summary

MBT South Ola, LLC of Stockbridge, GA requests a Future Land Use Amendment for multiple tracts located in the northeast quadrant of South Ola Road and Singley Drive (Parcel ID #: 161-01025000, 161-01023000, and 161-01021005) in Land Lots 161,162, and 191 of the 2nd District from Rural Residential to Low density Residential. The applicant intends to develop a 257-lot single family custom home gated subdivision.

The subject parcels are currently identified as Rural Residential on the Future Land Use Map and are currently zoned RA (Residential Agricultural). The Property is undeveloped. The Applicant is seeking a concurrent rezoning of the Property from RA (Residential Agricultural) to R-2 (Single Family Residential) filed concurrently with this FLUM amendment request.

The FLUM is a component of the City’s Comprehensive Land Use Plan. The City Council adopted updates to the Comprehensive Plan in accordance with rules set forth by the Georgia Department of Community Affairs Minimum Planning Standards and Procedures for Local Comprehensive Planning on October 15, 2018. The City’s Comprehensive Plan is currently under review and is anticipated to be amended in October 2023.

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

Preserving the Past...Planning the Future



FUTURE LAND USE AMENDMENT EVALUATION REPORT

FILE: FLU-AM-23-05-02

JULY 24, 2023

Requested Amendment's relationship to Growth:

Though much of the adjacent property remains undeveloped or sparsely developed with single family homes on large lots, the proposed development is a continuation of the existing development pattern and steady demand for single family homes, particularly for gated and higher-end housing options.

Requested Amendment's relationship to Capital Improvements:

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

Relationship to the surrounding areas:

The proposed amendment is inconsistent with the immediately adjacent parcels, but is in keeping with subdivision development patterns in the area as well as nearby FLUM designations of Low Density Residential along South Ola and Davis Roads.

The permitted zoning designations for the proposed FLUM designation are a higher density than the current or future land use of the abutting parcels.

- North – County Rural Residential (Single Family Residential)
- East – County Rural Residential (Single Family Residential) and County Public Institutional (Locust Grove Highschool)
- South – County Rural Residential (Single Family Residential)
- West – County Rural Residential (Single Family Residential)

Recommendations

Staff recommends APPROVAL of the applicant's request to amend the Future Land Use Map from Rural Residential to Low Density Residential. The request aligns with the intent of the Comprehensive Plan and existing character area being Low Density Residential Future Land Use.

EXHIBIT C

Henry Herald

38 Sloan Street
McDonough, Georgia 30253

Phone (770) 951-9161
Fax (770) 339-5869

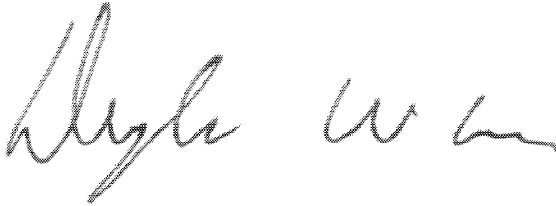
PUBLISHER'S AFFIDAVIT

STATE OF GEORGIA
COUNTY OF HENRY

Personally appeared before the undersigned, a notary public within and for said county and state, Douglas W. Crow, Vice President of Operations, Times Journal Inc., 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

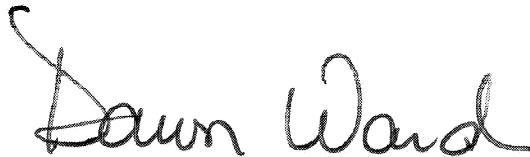
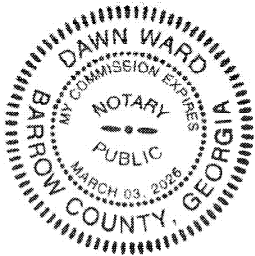
Ad No.: **351187**

Name and File No.: **HDH1548 GPN16 PUBLIC HEAR**
a true copy of which is hereto attached, was published in
said newspaper on the following date(s):
06/28/2023



Douglas W. Crow, Vice President of Operations, Times Journal Inc.

Sworn and subscribed to me 06/29/2023



Notary Public
My commission expires 03/03/2026

Ad text :
Hdh1548
gpn16

Public Hearing Notice
City of Locust Grove
July 24, 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, July 24, 2023, at 6:00 PM, will conduct public hearings for the purpose of the following:

FUTURE LAND USE MAP AMENDMENT
FLU-AM-23-05-02 MBT South Ola, LLC has submitted an application requesting A Future Land Use Map Amendment for 189.8 +/- acres in Land Lots 161, 162, and 191 of the 2nd District, located at the northeast corner of South Ola Road and Singley Drive from Rural Residential to Low Density Residential.

REZONING
RZ-23-05-03 MBT South Ola, LLC has submitted an application requesting rezoning of 189.8 +/- acres in Land Lots 161, 162, and 191 of the 2nd District, located at the northeast corner of South Ola Road and Singley Drive from RA (Residential Agricultural) to R-2 (Single Family Residential).

REZONING
RZ-23-05-01 Lifebuilt Homes has submitted an application requesting rezoning of 0.479 +/- acres in Land Lot 200 of the 2nd District, located at 3536 Highway 42 from R-2 (Single Family Residential) to OI (Office Institutional).

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

Daunt? Gibbs
Community Development Director - City of Locust Grove
6:28, 2023

AFFIDAVIT OF SIGN POSTING

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

1.

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

2.

MBT South Ola, LLC of Stockbridge, GA requests a Future Land Use Amendment for multiple tracts located on the northeast corner of the intersection of South Ola Road and Singley Drive from Rural Residential to Low Density Residential for the purpose of developing a single-family home subdivision.

3.

On the 27th day of June 2023, I, Brian Fornal posted two double-sided sign notifications on the subject parcel advertising a public hearing on the above request to be heard by the Locust Grove City Council on the 24th day of July at 6:00 p.m. at the Locust Grove Public Safety Building, 3640 Highway 42, Locust Grove, Georgia 30248. Photographs of same are attached hereto as Exhibit "A" and Exhibit "B" and incorporated herein by reference. The public hearing signs were posted at the following locations:

1. Double-sided sign posted at 3:38 PM on the north side of Singley Drive, across from 720 Singley Drive on 6/27/23.
2. Double-sided sign posted at 3:45 PM on the east side of South Ola Road, across from 3682 South Ola Road on 6/27/23.

FURTHER AFFIANT SAYETH NOT.

This 28th day of June, 2023.


Affiant

Sworn and subscribed before me
this 28th day of June, 2023

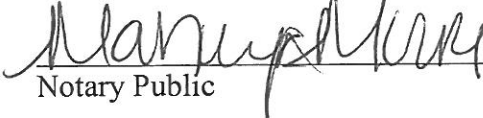

Notary Public



Exhibit "A"



Exhibit "B"





Community Development Department

P. O. Box 900
Locust Grove, Georgia 30248

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

Item Coversheet

Item: Rezoning request from RA (Residential Agricultural) to R-2 (Single Family Residential) for 189.8+/- acres (Parcel IDs 161-01025000, 161-01023000, 161-01021005) in Land Lots 161, 162, and 191 of the 2nd District located at the intersection of South Ola Road and Singley Drive.

Action Item: Yes No

Public Hearing Item: Yes No

Executive Session Item: Yes No

Advertised Date: June 28, 2023

Budget Item: N/A

Date Received: June 2, 2023

Workshop Date: July 24, 2023

Regular Meeting Date: August 7, 2023

Discussion:

MBT South Ola, LLC of Stockbridge, GA (the "Applicant"), requests rezoning from RA (Residential Agricultural) to R-2 (Single-Family Residential) for property located on the northeast quadrant of South Ola Road and Singley Drive (Parcel ID# 161-01025000, 161-01023000, 161-01021005) in Land Lots 161, 162, and 191 of the 2nd District. The applicant intends to develop a 257 lot single family residential subdivision.

Recommendation:

Staff recommends DENIAL of the applicant's request for R-2 (Single Family Residential), as the current Future Land Use Map designation does not support R-2 zoning designation. Based on the current Rural Residential Future Land Use designation, staff does recommend approval of R-1 with conditions.

However, if the council so chooses to approve the applicant's concurrent request to amend the FLUM to Low Density Residential, the policy will thereby be in place to support the applicant's request for rezoning from RA (Residential Agricultural) to R-2 (Single Family Residential).

ORDINANCE NO. _____

AN ORDINANCE TO REZONE APPROXIMATELY 189.8+/- ACRES LOCATED NEAR SOUTH OLA ROAD AND SINGLEY DRIVE (PARCEL ID# 161-01025000, 161-01023000, AND 161-01021005) IN LAND LOTS 161, 162, AND 191 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, MBT South Ola, LLC of Stockbridge, GA (the “Applicant”), requests a rezoning from RA (Residential Agricultural) to R-2 (Single Family Residential) for property located northeast of the intersection of South Ola Road and Singley Drive (Parcel ID# 161-01025000, 161-01023000, and 161-01021005) in Land Lots 161, 162, and 191 of the 2nd District (the “Property), attached hereto as **Exhibit A**; and,

WHEREAS, the Applicant filed a request to rezone the Property on June 2, 2023 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 July 24, 2023, as well as by the City Community Development Director; and,

WHEREAS, the Applicant requested that the Property be rezoned from RA (Residential Agricultural) to R-2 (Single Family Residential) for the purpose of developing a 257 lot single family home subdivision; 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**.
- (X) That the request for rezoning to R-2 is hereby **DENIED**, but approved for R-1 with conditions..

2.

That the use of the Property is subject to:

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

3.

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

4.

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

SO ORDAINED by the Council of this City this 7th day of August 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 MBT South Ola, LLC Phone: 770-560-9378 Date: _____
 Address Applicant: 130 Garden Walk Cell # 678-882-9766
 City: Stockbridge State: GA Zip: 30281 E-mail: jon@hnhwlaw.com
 Name of Agent Hecht Walker Jordan, PC Phone: 404-348-4881 Date: _____
 Address Agent: 205 Corporate Center Dr., Suite B Cell # 770-990-3135
 City: Stockbridge State: GA Zip: 30281 E-mail: jon@hnhwlaw.com; greg@hnhwlaw.com

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

Concept Plan Review Conditional Use Conditional Exception Modifications to Zoning Conditions

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

Request from RA to R-2
(Current Zoning) (Requested Zoning)

Request from Rural Residential (RR) to Low-Density Residential
(Current Land Use Designation) (Requested Land Use Designation)

For the Purpose of Single-Family Residential Subdivision
(Type of Development)

Address of Property: South Ola Rd. & Singley Drive 161-01025000; 161-01023000; 161-01021005

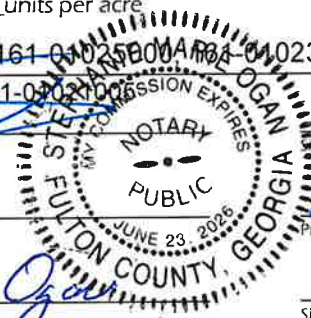
Nearest intersection to the property: South Ola Rd. & Singley Drive

Size of Tract: 189.8 acre(s), Land Lot Number(s): 161, 162, District(s): 2nd

Gross Density: 1.35 units per acre Net Density: 1.62 units per acre

Property Tax Parcel Number: 161-01025000 161-01023000 (Required)

Witness Signature _____
 Signature of Owner/s [Signature] *on behalf of Owners and Applicant*
 Printed Name of Witness Cory K. Hecht
 Printed Name of Owner/s MBT South Ola, LLC + Singley Road Partners, LLC
 Notary [Signature]
 Signature of Agent [Signature]



(For Office Use Only)

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

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

Pre-application meeting: _____ Date: _____

Public Hearing Date: _____

Council Decision: _____ Ordinance: _____

Date Mapped in GIS: _____ Date: _____

Applicant Campaign Disclosure Form

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


Yes _____ No _____

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

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

We certify that the foregoing information is true and correct, this ____ day of _____, 20____.


MBT South Ola, LLC
Applicant's Name - Printed


Signature of Applicant

Hecht Walker Jordan PC, by Jon W. Jordan, Esq.
Applicant's Attorney, if applicable - Printed

Signature of Applicant's Attorney, if applicable

Sworn to and subscribed before me this 25th day of May, 2023


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.





HECHT WALKER JORDAN, P.C.

ATTORNEYS AT LAW

Greg K. Hecht
Mark C. Walker
Jon W. Jordan
Michael W. Warner
Matthew W. Poe
Mary M. House*
Kirby Glaze*
Brad Baldwin*
**Designates of Counsel Status*

AV Rated Law Firm
Martindale Hubble

Mailing Address:
205 Corporate Center Drive, Suite B
Stockbridge, GA 30281
Phone: (404) 348-4881; Fax: (678) 884-1257
www.hechtwalker.com

Platinum Tower
400 Interstate N Parkway SE
Suite 860
Atlanta, GA 30339

jon@hmnwlaw.com

May 25, 2023

Via Email to dgibbs@locustgrove-ga.gov; and
ktrimble@locustgrove-ga.gov

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

**RE: Letter of Intent – Tax Parcels 161-01025000; 161-01023000; 161-01021005
(the “Subject Property”)**

Dear Mr. Gibbs:

I hope all is going well. Our firm represents MBT South Ola, LLC and Singley Road Partners, LLC, the Owners of the above-referenced parcels. Our clients would like to rezone and amend the Future Land Use Plan designation for the above-referenced parcels in order to develop the property into a Residential Subdivision of single-family homes. This property was annexed into the City of Locust Grove a little more than a year ago, and our clients are now looking to rezone the Subject Property consisting of 189.8 +/- acres, from RA to R-2 in order to develop the single-family subdivision of approximately 257 lots. We are also requesting to amend the Future Land Use Plan from Rural Residential to Low-Density Residential to maintain consistency with the proposed new zoning. Access & roadways for the development would be available from two primary entrances on South Ola Road and an emergency access point on Singley Drive, with interior roads connecting the entire subdivision. Attached is a Conceptual Site Plan with the current intended development specifications.

We greatly appreciate your consideration of this request. Should you have any questions or concerns at all regarding the proposed development or if we can provide any additional

information, please do not hesitate to contact me at 404-348-4881 or jon@hnmhwlaw.com Thank you.

Best Regards,



Jon W. Jordan Esq.
Agent for Applicant and Owners

Enc: Conceptual Site Plan

MBT SOUTH OLA, LLC TRACT

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOTS 161, 162 & 191 OF THE 2ND DISTRICT OF HENRY COUNTY, GEORGIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A FOUND 1" IRON ROD AT THE COMMON CORNER OF LAND LOTS 161, 162, 191, & 192 OF SAID DISTRICT AND COUNTY;

THENCE ALONG THE NORTHERLY LINE OF LAND LOT 161 S89°26'02"E A DISTANCE OF 176.18 FEET TO A POINT IN THE CENTERLINE OF AN UNNAMED CREEK WHICH MEANDERS BETWEEN LAND LOTS 162 AND 161;

THENCE ALONG SAID CENTERLINE OF CREEK THE FOLLOWING NINE (9) COURSES:

- 1 S55°16'12"W A DISTANCE OF 84.16 FEET TO A POINT;
- 2 S72°40'24"W A DISTANCE OF 107.58 FEET TO A ;
- 3 S42°14'55"W A DISTANCE OF 149.48 FEET TO A ;
- 4 S20°12'21"W A DISTANCE OF 35.69 FEET TO A ;
- 5 S10°31'59"E A DISTANCE OF 68.81 FEET TO A ;
- 6 S15°01'48"W A DISTANCE OF 187.13 FEET TO A ;
- 7 S07°23'23"W A DISTANCE OF 94.56 FEET TO A ;
- 8 S00°32'54"E A DISTANCE OF 111.06 FEET TO A ;
- 9 S07°22'09"E A DISTANCE OF 90.36 FEET TO A ;

THENCE N89°22'03"W A DISTANCE OF 64.49 FEET TO A PLACED 1/2" REBAR;

THENCE N89°23'46"W A DISTANCE OF 200.00 FEET TO A PLACED 1/2" REBAR;

THENCE N89°24'58"W A DISTANCE OF 242.74 FEET TO A PLACED 1/2" REBAR;

THENCE S46°27'29"W A DISTANCE OF 736.70 FEET TO A PLACED 1/2" REBAR;

THENCE S78°03'30"W A DISTANCE OF 376.47 FEET TO A PLACED 1/2" REBAR;

THENCE N88°06'38"W A DISTANCE OF 48.67 FEET TO A PLACED 1/2" REBAR;

THENCE ALONG A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 50.15 FEET, WITH A RADIUS OF 230.00 FEET, BEING SUBTENDED BY A CHORD BEARING OF S85°38'35"W, WITH A CHORD LENGTH OF 50.05 FEET, TO A PLACED 1/2" REBAR;

THENCE S79°23'49"W A DISTANCE OF 825.26 FEET TO A PLACED 1/2" REBAR;

THENCE S01°58'15"E A DISTANCE OF 283.88 FEET TO A PLACED 1/2" REBAR ON THE NORTHERLY RIGHT-OF-WAY OF SINGLEY DRIVE (40' RIGHT-OF-WAY);

THENCE FOLLOWING SAID NORTHERLY RIGHT-OF-WAY S80°10'10"W A DISTANCE OF 181.03 FEET TO A PLACED 1/2" REBAR;

THENCE ALONG A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 197.60 FEET, WITH A RADIUS OF 340.01 FEET, BEING SUBTENDED BY A CHORD BEARING OF N83°10'54"W, WITH A CHORD LENGTH OF 194.83 FEET, TO A PLACED 1/2" REBAR;

THENCE N25°00'00"W A DISTANCE OF 40.74 FEET TO A PLACED 1/2" REBAR WHERE THE NORTHERLY RIGHT-OF-WAY OF SINGLEY DRIVE AND THE EASTERLY RIGHT-OF-WAY OF SOUTH OLA ROAD (VARIABLE RIGHT-OF-WAY) CONVERGE.

THENCE FOLLOWING THE SAID EASTERLY RIGHT-OF-WAY ALONG A NON-TANGENTIAL CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 354.39 FEET, WITH A RADIUS OF 700.00 FEET, BEING SUBTENDED BY A CHORD BEARING OF N12°31'57"E, WITH A CHORD LENGTH OF 350.62 FEET, TO A PLACED 1/2" REBAR;

THENCE N01°58'15"W A DISTANCE OF 1,444.71 FEET TO A FOUND 1/2" REBAR ON THE COMMON LINE OF LAND LOTS 162 & 191;

THENCE N02°00'09"W A DISTANCE OF 240.37 FEET TO A FOUND 1/2" REBAR;

THENCE DEPARTING SAID EASTERLY RIGHT-OF-WAY OF SOUTH OLA ROAD S89°42'31"E A DISTANCE OF 830.43 FEET TO A PLACED 1/2" REBAR;

THENCE S00°35'02"W A DISTANCE OF 244.36 FEET TO A PLACED 1/2" REBAR ON THE SOUTHERLY LINE LAND LOT 191;

THENCE ALONG SAID SOUTHERLY LINE OF LAND LOT 191 S89°24'58"E A DISTANCE OF 371.94 FEET TO A PLACED 1/2" REBAR;

THENCE DEPARTING SAID SOUTHERLY LINE OF LAND LOT 191 N00°17'29"E A DISTANCE OF 276.26 FEET TO A PLACED 1/2" REBAR;

THENCE S89°42'31"E A DISTANCE OF 527.75 FEET TO A PLACED 1/2" REBAR;

THENCE S00°00'00"E A DISTANCE OF 228.96 FEET TO A PLACED 1/2" REBAR ON THE SOUTHERLY LINE LAND LOT 191;

THENCE ALONG SAID SOUTHERLY LINE OF LAND LOT 191 N90°00'00"E A DISTANCE OF 377.28 FEET TO A PLACED 1/2" REBAR;

THENCE DEPARTING SAID SOUTHERLY LINE OF LAND LOT 191 N00°06'26"W A DISTANCE OF 377.40 FEET TO A PLACED 1/2" REBAR;

THENCE S89°24'44"W A DISTANCE OF 453.81 FEET TO A PLACED 1/2" REBAR;

THENCE N02°25'37"W A DISTANCE OF 455.38 FEET TO A FOUND 1/2" REBAR;

THENCE N89°54'14"E A DISTANCE OF 1,181.50 FEET TO A FOUND 1/2" REBAR ON THE SHARED LINE OF LAND LOTS 191 & 192;

THENCE ALONG SAID SHARED LINE OF LAND LOTS 191 & 192 S00°40'38"E A DISTANCE OF 890.93 FEET TO A TO A FOUND 1" ROD AT THE COMMON CORNER OF LAND LOTS 161, 162, 191, AND 192, WHICH IS THE POINT OF BEGINNING.

SAID LAND HAVING AN AREA OF 4,586,669 SQUARE FEET, OR 105.295 ACRES, MORE OR LESS.

SINGLEY ROAD PARTNERS, LLC TRACT

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOTS 161 AND 162 OF THE 2ND DISTRICT OF HENRY COUNTY, GEORGIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND 1" IRON ROD AT THE COMMON CORNER OF LAND LOTS 161, 162, 191, & 192 OF SAID DISTRICT AND COUNTY;

THENCE ALONG THE NORTHERLY LINE OF LAND LOT 161 S89°26'02"E A DISTANCE OF 176.18 FEET TO A POINT IN THE CENTERLINE OF AN UNNAMED CREEK AND THE POINT OF BEGINNING OF THE FOLLOWING PARCEL;

THENCE S89°26'02"E A DISTANCE OF 255.98 FEET TO A FOUND 1/2" REBAR;

THENCE S89°27'52"E A DISTANCE OF 185.28 FEET TO A FOUND 1/2" REBAR;

THENCE S89°25'45"E A DISTANCE OF 247.66 FEET TO A FOUND 1/2" REBAR;

THENCE S89°27'07"E A DISTANCE OF 251.14 FEET TO A FOUND 1/2" REBAR;

THENCE S89°27'12"E A DISTANCE OF 71.22 FEET TO A FOUND 1/2" REBAR;

THENCE S89°08'26"E A DISTANCE OF 429.48 FEET TO A FOUND 36" HARDWOOD TREE;

THENCE N87°48'15"E A DISTANCE OF 214.05 FEET TO A FOUND 1/4" REBAR;

THENCE N88°20'03"E A DISTANCE OF 425.14 FEET TO A FOUND 1/2" REBAR;

THENCE N88°19'30"E A DISTANCE OF 213.77 FEET TO A FOUND 1" OPEN-TOP PIPE;

THENCE DEPARTING SAID NORTHERLY LINE OF LAND LOT LINE 161 S01°31'33"W A DISTANCE OF 199.66 FEET TO A FOUND 1/2" REBAR;

THENCE S01°36'57"W A DISTANCE OF 200.36 FEET TO A FOUND 1/4" REBAR;

THENCE S01°33'08"W A DISTANCE OF 199.94 FEET TO A FOUND 1/4" REBAR;

THENCE S01°32'54"W A DISTANCE OF 226.55 FEET TO A FOUND 1/2" REBAR;

THENCE S01°35'46"W A DISTANCE OF 225.10 FEET TO A FOUND 1/2" REBAR;

THENCE S01°26'52"W A DISTANCE OF 440.96 FEET TO A FOUND 1/2" REBAR;

THENCE S01°32'37"W A DISTANCE OF 96.13 FEET TO A PLACED 1/2" REBAR;

THENCE N79°33'35"W A DISTANCE OF 409.59 FEET TO A PLACED 1/2" REBAR;

THENCE S83°40'42"W A DISTANCE OF 1,221.78 FEET TO A PLACED 1/2" REBAR;

THENCE N61°23'44"W A DISTANCE OF 710.76 FEET TO A PLACED 1/2" REBAR;

THENCE N00°37'55"E A DISTANCE OF 526.98 FEET TO A PLACED 1/2" REBAR;

THENCE N89°22'05"W A DISTANCE OF 200.00 FEET TO A PLACED 1/2" REBAR ON THE COMMON LINE BETWEEN LAND LOTS 161 AND 162;

THENCE N89°22'03"W A DISTANCE OF 135.50 FEET TO A POINT IN THE CENTERLINE OF AN UNNAMED CREEK WHICH MEANDERS BETWEEN LAND LOTS 162 AND 161;

THENCE ALONG SAID CENTERLINE OF CREEK THE FOLLOWING NINE (9) COURSES:

- 1 N07°22'09"W A DISTANCE OF 90.36 FEET TO A POINT;
- 2 N00°32'54"W A DISTANCE OF 111.06 FEET TO A POINT;
- 3 N07°23'23"E A DISTANCE OF 94.56 FEET TO A POINT;
- 4 N15°01'48"E A DISTANCE OF 187.13 FEET TO A POINT;
- 5 N10°31'59"W A DISTANCE OF 68.81 FEET TO A POINT;
- 6 N20°12'21"E A DISTANCE OF 35.69 FEET TO A POINT;
- 7 N42°14'55"E A DISTANCE OF 149.48 FEET TO A POINT;
- 8 N72°40'24"E A DISTANCE OF 107.58 FEET TO A POINT;
- 9 N55°16'12"E A DISTANCE OF 84.16 FEET TO A POINT ON THE NORTHERLY LINE OF LAND LOT 161,
WHICH IS THE POINT OF BEGINNING.

SAID LAND HAVING AN AREA OF 3,679,135 SQUARE FEET, OR 84.461 ACRES, MORE OR LESS.



Henry County Water Authority
ADMINISTRATION

September 10, 2021

Mr. Tim Young
City Manager
City of Locust Grove
P. O. Box 900
Locust Grove, Georgia 30248

Re: Annexation of 254+/- Acres of Various Parcels located East of South Ola Road and North of Singley Drive

Dear Tim:

I am in receipt of and thank you for the copy of your letter to Chair Harrell dated August 26, 2021 concerning the above-referenced annexation of property into the City of Locust Grove. The Authority has no objection to the proposed annexation. Concerning the provision of water and sewer services for said property, the Authority's position is as follows:

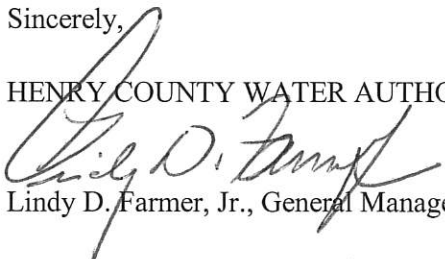
Reference is made to Paragraph 4.H.2. of the Service Area Amendment to Comprehensive Plan Agreement Pertaining to Water and Sewer Services dated April 12, 2018 between the City of Locust Grove and the Authority (Service Area Amendment). The Authority is opposed to the City providing water service to this development through a master meter. Rather, the Authority proposes that it own and maintain the water line distribution system and individual water meters within the proposed development. The Authority will collect and remit all sewer charges and fees to the City.

Regarding Paragraph 4. H. 4. of the Service Area Amendment concerning the provision of sewer services, the Authority takes no issue with the City of Locust Grove providing sewer services to the proposed residential development.

If you have any questions or wish to further discuss this matter, please do not hesitate to contact me.

Sincerely,

HENRY COUNTY WATER AUTHORITY


Lindy D. Farmer, Jr., General Manager

Cc: Carlotta Harrell, Chair, Henry County BOC
Cheri Hobson-Matthews, County Manager
Patrick Jaugstetter, County Attorney
Andy Welch, City Attorney
Warren E. Holder, HCWA Board – District 1

EXHIBIT B



REZONING EVALUATION REPORT

July 24, 2023

FILE: RZ-23-05-03

REZONING

Property Information

Tax IDs	Multiple Tracts (161-01025000, 161-01023000, & 161-01021005)
Location/address	Land Lots 161, 162, and 191 of the 2 nd district/ South Ola Road and Singley Drive
Parcel Size	189.8+/- acres
Current Zoning	RA (Residential Agricultural)
Request	Rezoning to R-2 (Single Family Residential)
Proposed Use	Future Single Family custom home gated residential subdivision
Existing Land Use	Vacant
Future Land Use	RR (County Rural Residential) to RR (City Rural Residential)
Recommendation	Denial

Summary

MBT South Ola, LLC has submitted an application requesting rezoning of 189.8+/- acres located at South Ola Road and Singley Drive (Parcel ID#: 161-01025000, 161-01023000, and 161-01021005) in Land Lots 161,162, and 191 of the 2nd District from RA (Residential Agricultural) to R-2 (Single Family Residential). The applicant intends to develop a 257-lot single family custom home gated subdivision. The Future Land Use Designation of the subject property is Rural Residential. The applicant has also submitted a concurrent request for a Future Land Use Map Amendment from Rural Residential to Low Density Residential.

The subject property is currently vacant/undeveloped and abuts properties zoned City RA (City Residential Agricultural), Henry County RA (County Residential Agricultural). Nearby subdivisions with access on South Ola and Davis Roads are zoned R-2 (Single Family Residential) and PR-4 (Planned Residential).

Current Zoning

The subject property is currently zoned RA (Residential Agricultural).

Future Land Use

The subject property is contained within an area identified on the Future Land Use Map as Rural Residential. This classification area allows single-family residential development including

Preserving the Past...Planning the Future



REZONING EVALUATION REPORT

July 24, 2023

FILE: RZ-23-05-03

REZONING

subdivisions up to 0.8 dwelling units per acre when developed with approved water systems. Typical zoning districts within the Rural Residential future land use designation include RA (Residential Agricultural) and R-1 (Single Family Residential).

Concurrent Future Land Use Map Amendment request

The Applicant has filed a concurrent Future Land Use Map amendment requesting the future land use change from Rural Residential to Low Density Residential. Low Density Residential which allows for 1.5 dwelling units per acre (where sanitary sewer is present and conservation subdivisions are used). Typical zoning designations under the current ordinance would be R-1 and R-2 (Single Family Residential).

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 Housing Developments in Rural and Developing Rural areas, the threshold is 400 new units. The Applicant is proposing 257 new single-family residential units for the subject property.

Service Delivery / Infrastructure

Water and Sewer: Water and sanitary sewer are available to the subject property via the City of Locust Grove or The Henry County Water Authority.

A letter dated September 10, 2021, from the Henry County Water Authority stated the following:

“Concerning the provision of water and sewer services for said property, the Authority’s position is as follows:

Reference is made to Paragraph 4.H.2. of the Service Area Amendment to Comprehensive Plan Agreement Pertaining to Water and Sewer Services dated April 12, 2018 between the City of Locust Grove and the Authority (Service Area Amendment). The Authority is opposed to the City providing water service to this development through a master meter. Rather, the Authority proposes that it own and maintain the water line distribution system and individual water meters within the proposed development. The Authority will collect and remit all sewer charges and fees to the City.

Regarding Paragraph 4. H. 4. of the Service Area Amendment concerning the provision of sewer services, the Authority takes no issue with the City of Locust Grove providing sewer services to the proposed residential development.”

Preserving the Past...Planning the Future



REZONING EVALUATION REPORT

July 24, 2023

FILE: RZ-23-05-03

REZONING

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: This 189.8 +/- acre tract will contain 257 single family residential units. The Institute of Transportation Engineers Trip Generation Manual, 7th Edition assigns a rate of approximately 10 weekday trips per house in a single family housing development; however, caution should be shown as this rate is based on a wide variety of studies. Under the current plan, this development will yield approximately 2,570 trips on average per weekday.

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 will have a considerable impact on the character of the immediate area, which remains sparsely developed with single family homes. However, given the proximity of Bunn Farms and Berkeley Lakes subdivisions it is reasonable to expect the area to continue to develop into single family housing in areas where water and sewer services are available
 - (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 rezoning to R-2 (Single Family Residential) is a more intense use of the subject property than the current zoning and adjacent RA (Residential Agricultural) zoning designations.
 - (3) **Consistency with the Land Use Plan.** The Applicant's request is not consistent with the future land use designation. The Future Land Use Map identifies the subject property as Rural Residential which allows for densities up to 0.8 dwelling units per acre where public water service is available. Typical zoning districts under the current ordinance are RA (Residential Agricultural) and R-1 (Single Family Residential).



REZONING EVALUATION REPORT

July 24, 2023

FILE: RZ-23-05-03

REZONING

- (4) **The potential impact of the proposed amendment on City infrastructure including water and sewerage systems.** Should the subject property be developed as proposed, there impacts to water, sewer, and transportation infrastructure in the area. These impacts were anticipated and can be mitigated through improvements made via the collection of impact fees.
- (5) **The impact of the proposed amendment on adjacent thoroughfares and pedestrian vehicular circulation and traffic volumes.** Development of a 257 unit R-2 (Single Family Residential) subdivision will result in increased traffic volumes than is currently present in the area, particularly on South Ola Road. Access to the proposed subdivision will be located on South Ola Road, with only emergency access off of Singley Drive. The developer will be required to improve frontage along South Ola Road according to the City's subdivision standards. Prior to occupancy, each unit will pay an impact fee. A percentage of this fee will go to offset the impact to the transportation system as a whole.
- (6) **The impact upon adjacent property owners should the request be approved.** Impacts to adjacent property owners will include increases in traffic and population. Immediate neighboring properties consist of single-family homes and undeveloped land. Potential impacts to adjacent residents will be mitigated by a proposed vegetative buffer surrounding the perimeter of the development.
- (7) **The ability of the subject land to be developed as it is presently zoned.** Currently, the subject properties may be developed into permitted uses granted by the RA (Residential Agricultural) zoning.
- (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 subject property.
- (9) **The merits of the requested change in zoning relative to any other guidelines and policies for development which the Community Development Commission and City Council may use in furthering the objectives of the Land Use Plan.** The merits of the requested change are inconsistent with the City's Future Land Use Map as currently proposed, but are consistent with the area's development patterns as demand for single family housing, particularly higher-end custom homes, continues.

Recommendation

Staff recommends DENIAL of the applicant's request for R-2 (Single Family Residential), as the current Future Land Use Map designation does not support R-2 zoning designation. Based on the



REZONING EVALUATION REPORT

July 24, 2023

FILE: RZ-23-05-03

REZONING

current Rural Residential Future Land Use designation, staff does recommend approval of R-1 with the following conditions:

1. The applicant shall provide a traffic study detailing the proposed development's anticipated impact on area transportation infrastructure and traffic flow and shall make all recommended improvements from the traffic study in coordination with the City of Locust Grove.
2. There shall be a mandatory Homeowners' Association that shall oversee the maintenance of all common areas of the proposed development including open space, playgrounds, and other amenity areas.
3. The Applicant shall install streetlights with a decorative post-top or similar LED cutoff fixture.
4. The Applicant shall install sidewalks on both sides of all streets within the development and along public road frontage. Sidewalks must be made of concrete a minimum of four inches in depth and four feet in width and located at least two feet from the backside of the curb so as to provide a buffer between the street and sidewalk.
5. All building exteriors shall be constructed of brick, stone, glass, or any combination thereof that may include cement fiber board or other materials approved by the City of Locust Grove Community Development Department.
6. The minimum house size shall be no less than 2,000 square feet in heated floor area.
7. Multiuse paths shall be constructed to connect each residential lot with all the amenity areas of the development. Multiuse paths shall be constructed of concrete, asphalt, semi-pervious material as approved by the city or a combination thereof. If semi-pervious material is used, it shall not be a loose material (wood chips, gravel, sand, or dirt), and it shall have a life span comparable to or better than that of asphalt.
8. The development shall have two (2) or more of the following amenities:
 - A clubhouse of one thousand three hundred minimum square feet.
 - A swimming pool measuring a minimum of twenty feet by forty feet.
 - A wading pool for children, in addition to the adult sized pool
 - Tennis courts
 - Bocce Ball Court
 - Pickle Ball Court
 - Walking trails - At least two thousand feet, three feet in width. Multiuse paths can constitute walking trails so long as they are appropriately demarcated to designate that at least four feet of the width is solely for pedestrian use.
 - A basketball court with two backboards, hoops, and net structures.
 - A multiuse field

Preserving the Past...Planning the Future



REZONING EVALUATION REPORT

July 24, 2023

FILE: RZ-23-05-03

REZONING

-
- A lake with access to trails.
 - Children's Playground
9. The development shall be in substantial compliance with the conceptual site plan dated March 21, 2023.

However, if the council so chooses to approve the applicant's concurrent request to amend the FLUM to Low Density Residential, the policy will thereby be in place to support the applicant's request for rezoning from RA (Residential Agricultural) to R-2 (Single Family Residential).

EXHIBIT C

AFFIDAVIT OF SIGN POSTING

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

1.

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

2.

MBT South Ola, LLC of Stockbridge, GA requests a rezoning for multiple tracts located on the northeast corner of the intersection of South Ola Road and Singley Drive from RA (Residential Agricultural) to R-2 (Single Family Residential) for the purpose of developing a single-family home subdivision.

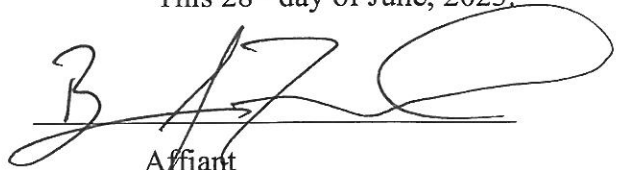
3.

On the 27th day of June 2023, I, Brian Fornal posted two double-sided sign notifications on the subject parcel advertising a public hearing on the above request to be heard by the Locust Grove City Council on the 24th day of July at 6:00 p.m. at the Locust Grove Public Safety Building, 3640 Highway 42, Locust Grove, Georgia 30248. Photographs of same are attached hereto as Exhibit "A" and Exhibit "B" and incorporated herein by reference. The public hearing signs were posted at the following locations:

1. Double-sided sign posted at 3:38 PM on the north side of Singley Drive, across from 720 Singley Drive on 6/27/23.
2. Double-sided sign posted at 3:45 PM on the east side of South Ola Road, across from 3682 South Ola Road on 6/27/23.

FURTHER AFFIANT SAYETH NOT.

This 28th day of June, 2023.


Affiant

Sworn and subscribed before me
this 28th day of June, 2023

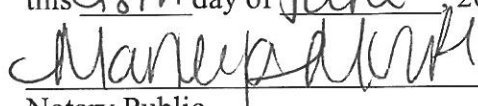

Notary Public



Exhibit "A"



Exhibit "B"



Henry Herald

38 Sloan Street
McDonough, Georgia 30253

Phone (770) 951-9161
Fax (770) 339-5869

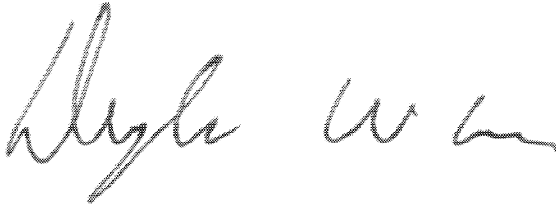
PUBLISHER'S AFFIDAVIT

STATE OF GEORGIA
COUNTY OF HENRY

Personally appeared before the undersigned, a notary public within and for said county and state, Douglas W. Crow, Vice President of Operations, Times Journal Inc., 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

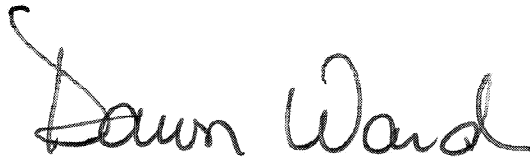
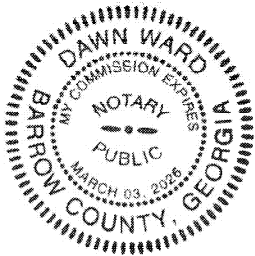
Ad No.: **351187**

Name and File No.: **HDH1548 GPN16 PUBLIC HEAR**
a true copy of which is hereto attached, was published in
said newspaper on the following date(s):
06/28/2023



Douglas W. Crow, Vice President of Operations, Times Journal Inc.

Sworn and subscribed to me 06/29/2023



Notary Public
My commission expires 03/03/2026

Ad text :
Hdh1548
gpn16

Public Hearing Notice
City of Locust Grove
July 24, 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, July 24, 2023, at 6:00 PM, will conduct public hearings for the purpose of the following:

FUTURE LAND USE MAP AMENDMENT

FLU-AM-23-05-02 MBT South Ola, LLC has submitted an application requesting A Future Land Use Map Amendment for 189.8 +/- acres in Land Lots 161, 162, and 191 of the 2nd District, located at the northeast corner of South Ola Road and Singley Drive from Rural Residential to Low Density Residential.

REZONING

RZ-23-05-03 MBT South Ola, LLC has submitted an application requesting rezoning of 189.8 +/- acres in Land Lots 161, 162, and 191 of the 2nd District, located at the northeast corner of South Ola Road and Singley Drive from RA (Residential Agricultural) to R-2 (Single Family Residential).

REZONING

RZ-23-05-01 Lifebuilt Homes has submitted an application requesting rezoning of 0.479 +/- acres in Land Lot 200 of the 2nd District, located at 3536 Highway 42 from R-2 (Single Family Residential) to OI (Office Institutional).

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

Daunt? Gibbs
Community Development Director - City of Locust Grove
6:28, 2023

EXHIBIT D

1. The applicant shall provide a traffic study detailing the proposed development's anticipated impact on area transportation infrastructure and traffic flow and shall make all recommended improvements from the traffic study in coordination with the City of Locust Grove.
2. There shall be a mandatory Homeowners' Association that shall oversee the maintenance of all common areas of the proposed development including open space, playgrounds, and other amenity areas.
3. The Applicant shall install streetlights with a decorative post-top or similar LED cutoff fixture.
4. The Applicant shall install sidewalks on both sides of all streets within the development and along public road frontage. Sidewalks must be made of concrete a minimum of four inches in depth and four feet in width and located at least two feet from the backside of the curb so as to provide a buffer between the street and sidewalk.
5. All building exteriors shall be constructed of brick, stone, glass, or any combination thereof that may include cement fiber board or other materials approved by the City of Locust Grove Community Development Department.
6. The minimum house size shall be no less than 2,000 square feet in heated floor area.
7. Multiuse paths shall be constructed to connect each residential lot with all the amenity areas of the development. Multiuse paths shall be constructed of concrete, asphalt, semi-pervious material as approved by the city or a combination thereof. If semi-pervious material is used, it shall not be a loose material (wood chips, gravel, sand, or dirt), and it shall have a life span comparable to or better than that of asphalt.
8. The development shall have two (2) or more of the following amenities:
 - A clubhouse of one thousand three hundred minimum square feet.
 - A swimming pool measuring a minimum of twenty feet by forty feet.
 - A wading pool for children, in addition to the adult sized pool
 - Tennis courts
 - Bocce Ball Court
 - Pickle Ball Court
 - Walking trails - At least two thousand feet, three feet in width. Multiuse paths can constitute walking trails so long as they are appropriately demarcated to designate that at least four feet of the width is solely for pedestrian use.
 - A basketball court with two backboards, hoops, and net structures.
 - A multiuse field

- A lake with access to trails.
 - Children's Playground
9. The development shall be in substantial compliance with the conceptual site plan dated March 21, 2023.



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 0.479+/- acres (Parcel ID 128-01011000) in Land Lot 200 of the 2nd District located at 3536 Highway 42.**

Action Item: Yes No

Public Hearing Item: Yes No

Executive Session Item: Yes No

Advertised Date: **June 28, 2023**

Budget Item: N/A

Date Received: **May 12, 2023**

Workshop Date: **July 24, 2023**

Regular Meeting Date: **August 7, 2023**

Discussion:

Lifebuilt Homes of Locust Grove, GA (the "Applicant"), requests rezoning from R-2 (Single-Family Residential) to OI (Office/Institutional) for property located at 3536 Highway 42 (Parcel 128-01011000) in Land Lot 200 of the 2nd District. The applicant intends to repurpose the existing historic single-family residential structure for office use.

Recommendation:

Staff recommends APPROVAL with the following conditions:

1. A decorative fence, a minimum of six (6) feet in height shall be installed along the northern and southern property lines. This fence shall be subject to review and approval by the Community Development Director or their designee.

2. All vehicles shall be parked in a marked parking stall upon a paved, dust-free surface.
3. A commercial entrance shall be installed, pending review and approval of the Georgia Department of Transportation prior to the issuance of a Certificate of Occupancy for any office or institutional use on the subject property.
4. All new buildings and/or additions shall consist of architectural features that are generally consistent with the existing residences found in the mixed-historic neighborhood district.

ORDINANCE NO. _____

AN ORDINANCE TO REZONE APPROXIMATELY 0.479+/- ACRES LOCATED AT 3536 HIGHWAY 42 (PARCEL ID# 128-01011000) IN LAND LOT 200 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, Lifebuilt Homes of Locust Grove, GA (the “Applicant”), requests a rezoning from R-2 (Single-Family Residential) to OI (Office/Institutional) for property located at 3536 Highway 42 (Parcel ID 128-01011000) in land lot 200 of the 2nd District (the “Property), attached hereto as **Exhibit A**; and,

WHEREAS, the Applicant filed a request to rezone the Property on May 12, 2023 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 July 24, 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 office space; 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 7th day of August 2023.

ROBERT S. PRICE, Mayor

ATTEST:

MISTY SPURLING, City Clerk

(Seal)

APPROVED AS TO FORM:

City Attorney

EXHIBIT A

RZ-23-05-01

Request for Zoning Map Amendment

Name of Applicant: Life Built Homes - Harrison Phone: 770-250-8548 Date: 3-28-23
 Address Applicant: 3390 Hwy 42 Cell #: 678-361-8192
 City: Locust Grove State: GA Zip: 30248 E-mail: Charrison@lifebuilthomes.com
 Name of Agent: Clifton Harrison Phone: 678-361-8192 Date: 3-28-23
 Address Agent: 2015 Weems Rd. Cell #: 678-361-8192
 City: Locust Grove State: GA Zip: 30248 E-mail: Charrison@lifebuilthomes.com

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

Concept Plan Review Conditional Use Conditional Exception Modifications to Zoning Conditions
 Variance Rezoning DRI Review/Concurrent Amendment to the Future Land Use Plan

Request from R-2 (Current Zoning) to O1 (Requested Zoning)

Request from _____ (Current Land Use Designation) to _____ (Requested Land Use Designation)

For the Purpose of making current home into an office (Type of Development)

Address of Property: 3536 Highway 42

Nearest intersection to the property: Highway 42 and Bill Gardner Pkwy

Size of Tract: .479 acre(s), Land Lot Number(s): 200, District(s): 2nd

Gross Density: 1 units per acre Net Density: 1 units per acre

Property Tax Parcel Number: 128-01011000 (Required)

Witness Signature: Carla Daniel

Signature of Owners/s: Clifton Harrison

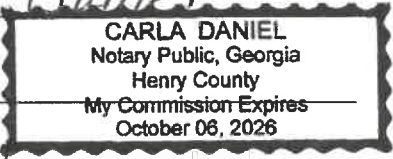
Printed Name of Witness: Carla Daniel

Printed Name of Owner/s: Clifton Harrison

Notary

Signature of Agent: Clifton Harrison

(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: _____

RECEIVED
 MAY 12 2023
 City of Locust Grove
 Community Development

Applicant Campaign Disclosure Form

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

Yes _____ No ✓

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

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

We certify that the foregoing information is true and correct, this 9th day of May, 2023

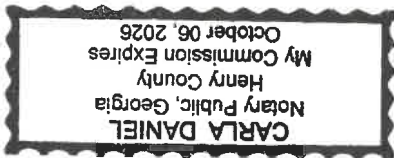
Clifton Harrison
 Applicant's Name - Printed

[Signature]
 Signature of Applicant

 Applicant's Attorney, if applicable - Printed

 Signature of Applicant's Attorney, if applicable

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



Carla Daniel
 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: Life Built Homes

Address/Location of Request: 3536 Hwy 42

Type of Project: Commercial Residential Mixed Use

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

For commercial, amount of square feet: 2,630

Estimated water usage: _____ (GALLONS)

Estimated sewer usage: _____ (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 Intent

RE: 3536 Hwy 42, Locust Grove, GA 30248

To Whom It May Concern:

I am the owner of this property and am aware of the zoning request.

The intent for this property is to renovate and add an addition, in order to turn this property into an O&I zoning for offices.

Sincerely,

Clifton Harrison

Life Built Homes LLC

770-250-8548

RECEIVED
MAY 12 2023
City of Locust Grove
Community Development
[Signature]

May 12, 2023

3536 Hwy 42, Locust Grove, GA 30248

Re: Constitutional Objection to the Potential Actions of the City of Locust Grove (“City”) Concerning the property of Life Built Homes, LLC located at 2015 Weems Road, Locust Grove, GA 30248 (the “Subject Property”).

Dear Sir or Madam:

To the extent required by law, Life Built Homes, LLC submits this Constitutional Objection to you as agent for the City concerning Life Built Homes, LLC’s requested change of zoning of the Subject Property from R-2 to O/I. The failure to approve such a rezoning request would be an unconstitutional act and a violation of Life Built Homes, LLC’s constitutional rights. Should the City deny any portion of the rezoning requested above, such an act would be in violation of the law in the State of Georgia and the Constitution of the State of Georgia. Life Built Homes, LLC further asserts and/or reserves all other or additional objections or rights it may have including, but not limited to, objections to the procedure and timing of the consideration and/or denial of the rezoning request noted above.

Clifton Harrison

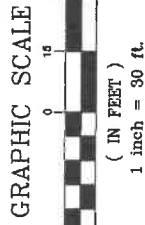
RECEIVED
MAY 12 2023
City of Locust Grove
Community Development


SURVEYORS NOTES

1. STORM SEWER, SANITARY SEWER AND OTHER BURIED UTILITIES MAY HAVE BEEN PASSED 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 UNDERGROUND SEARCH FOR EASEMENT OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, 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. I.E. SEWER, STORM, GAS, WATER, ETC.
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.

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.P.F. OPEN TOP PIPE FOUND
- ⊙ CENTER LINE
- ⊗ LOT NUMBER
- W/M WATER METER
- E/B ELECTRIC METER
- T/B TELEPHONE BOX
- C/B CABLE BOX
- G/M GAS METER
- CIF CRIMP TOP FOUND
- CLF CHAIN LINK FENCE



INSTRUMENT USED:

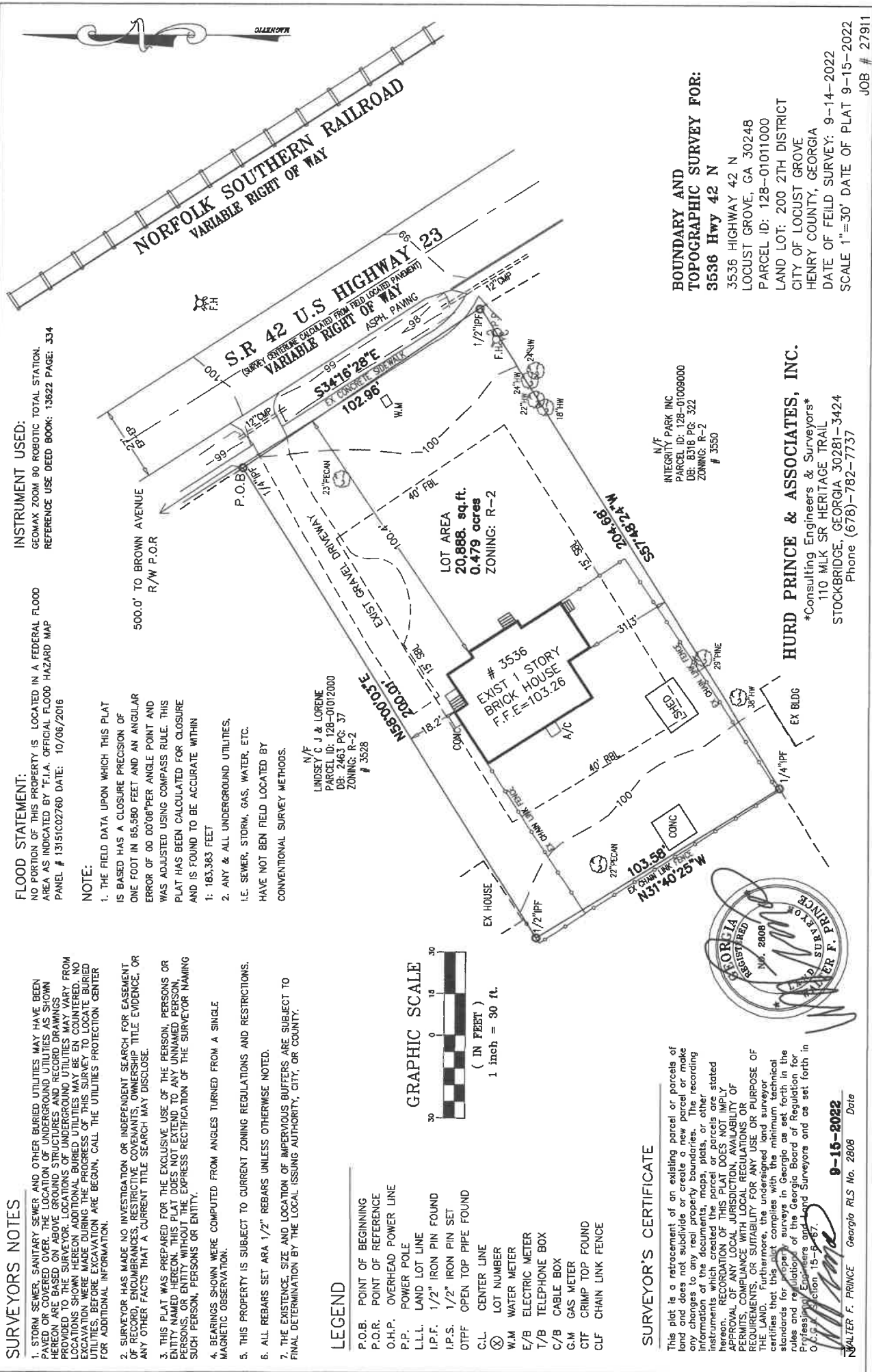
GEOMAX ZOOM 90 ROBOTIC TOTAL STATION
REFERENCE USE DEED BOOK: 13622 PAGE: 334

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 # 13151C02760 DATE: 10/06/2016

NOTE:

1. 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: 183,383 FEET
2. ANY & ALL UNDERGROUND UTILITIES, I.E. SEWER, STORM, GAS, WATER, ETC. HAVE NOT BEN FIELD LOCATED BY CONVENTIONAL SURVEY METHODS.



SURVEYOR'S CERTIFICATE

This plat is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording instruments which created the parcel or parcels are stated herein. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for topographic surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Regulation for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-5-67.

WALTER F. PRINCE Georgia RLS No. 2808 Date 9-15-2022



BOUNDARY AND TOPOGRAPHIC SURVEY FOR:

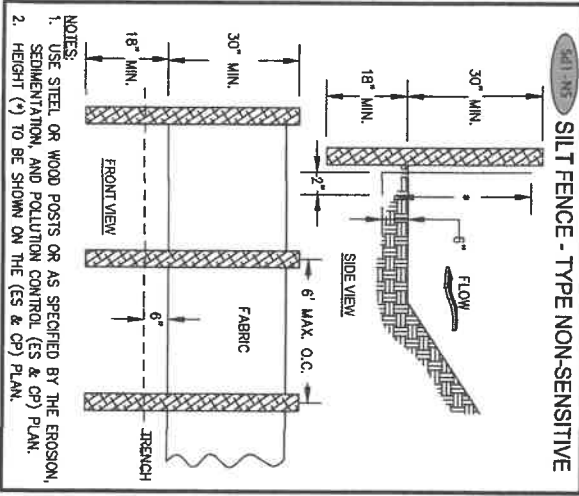
3536 Hwy 42 N
3536 HIGHWAY 42 N
LOCUST GROVE, GA 30248
PARCEL ID: 128-01011000
LAND LOT: 200 2TH DISTRICT
CITY OF LOCUST GROVE
HENRY COUNTY, GEORGIA
DATE OF FIELD SURVEY: 9-14-2022
SCALE 1" = 30' DATE OF PLAT 9-15-2022

HURD PRINCE & ASSOCIATES, INC.

Consulting Engineers & Surveyors
110 MLK SR HERITAGE TRAIL
STOCKBRIDGE, GEORGIA 30281-3424
Phone: (678)-782-7737

JOB # 27911

Ds1	DISTURBED AREA STABILIZATION (WITH MULCHING ONLY)		Ds1	Establishing temporary protection for disturbed areas where seedlings may not have a suitable growing season to produce an erosion retarding cover.
Ds2	DISTURBED AREA STABILIZATION (WITH TEMP SEEDING)		Ds2	Establishing a temporary vegetative cover with fast growing seedlings on disturbed areas.
Ds3	DISTURBED AREA STABILIZATION (WITH PERM SEEDING)		Ds3	Establishing a permanent vegetative cover such as trees, shrubs, vines, grasses, or legumes on disturbed areas.
Ds4	DISTURBED AREA STABILIZATION (WITH PERM SEEDING)		Ds4	A permanent vegetative cover using seeds on highly erodible or critically eroded lands.
Du	DUST CONTROL ON DISTURBED AREAS		Du	Controlling surface and air movement of dust on construction site, roadways and similar sites.



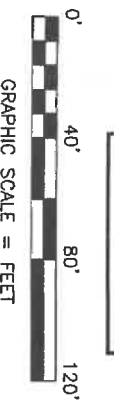
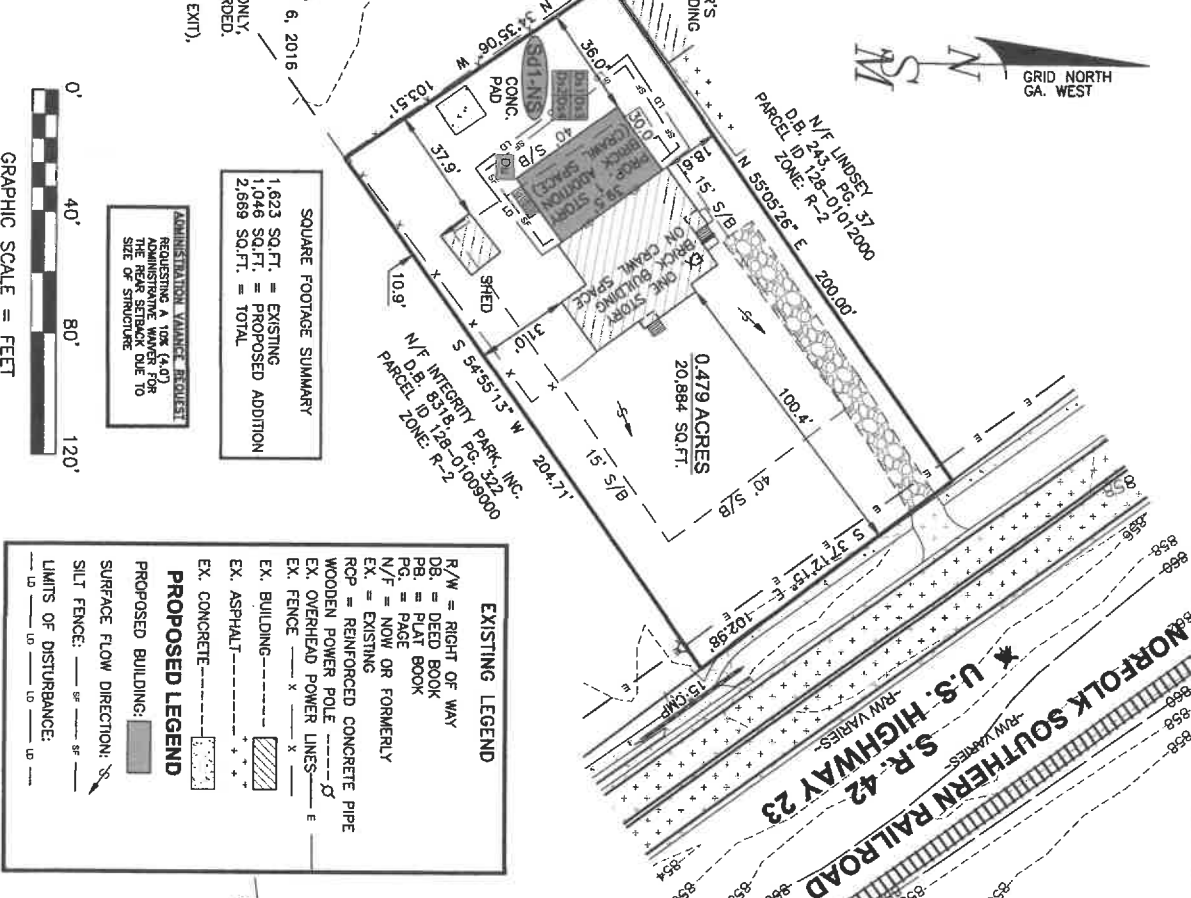
GENERAL NOTES:
 AREA: 0.479 ACRES / 20,884 SQ. FT.
 OWNER: LIFE BUILT HOMES
 ADDRESS: 3536 S.R. 42
 LOCUST GROVE, GA 30248
 PARCEL: 128-01011000
 DEED BOOK 19222, PAGE'S 1219

ZONED R-2
 MINIMUM LOT AREA= 30,000 SQ.FT.
 FRONT SETBACK: 40'
 REAR SETBACK: 40'
 SIDE SETBACK: 15'

SEWER AS PER HENRY COUNTY WATER AS PER CITY OF LOCUST GROVE
 NO FLOOD ON PROPERTY AS PER FEMA PANEL # 13151C02780 DATED: OCTOBER 6, 2016
 HENRY FLOOD MAP 276 OF 305

NOTE: THIS REPRESENTS A SITE PLAN ONLY, THEREFORE IS NOT TO BE RECORDED, NO CO NEEDED. (CONSTRUCTION EXIT), WITH EXISTING DRIVE

24 HOUR CONTACT:
 CLIF HARRISON
 charrison@lifebuilthomes.com
 PHONE = (678) 361-8192



SQUARE FOOTAGE SUMMARY

1,623 SQ.FT. = EXISTING
1,046 SQ.FT. = PROPOSED ADDITION
2,669 SQ.FT. = TOTAL

ADMINISTRATIVE WAIVER REQUEST
 REQUESTING A 10% (4.0') ADMINISTRATIVE WAIVER FOR SITE OF STRUCTURE

EXISTING LEGEND

- R/W = RIGHT OF WAY
- DB. = DEED BOOK
- PB. = PLAT BOOK
- PG. = PAGE
- N/F = NOW OR FORMERLY
- EX. = EXISTING
- ROP = REINFORCED CONCRETE PIPE
- WOODEN POWER POLE
- EX. FENCE
- EX. BUILDING
- EX. ASPHALT
- EX. CONCRETE

PROPOSED LEGEND

- PROPOSED BUILDING
- SURFACE FLOW DIRECTION
- SILT FENCE
- LIMITS OF DISTURBANCE

PROFESSIONAL SEAL
 SIBLEY-MILLER SURVEYING & PLANNING INC.
 No. 3190
 01-05-202

PROJECT #: B22092
 SITE PLAN
 DRAWN BY: PWF
 SCALE: 1" = 40'
 DATE: 01/05/2023
 SHEET: 1 OF 1

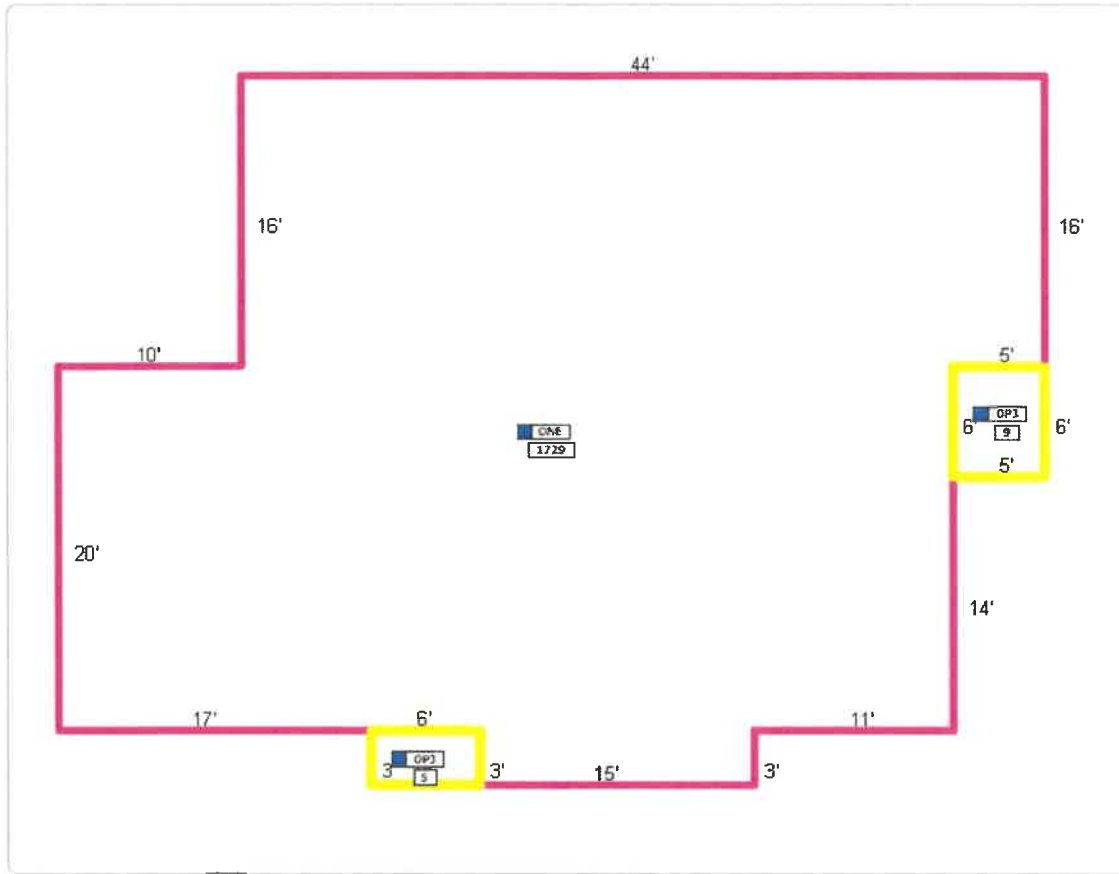
SITE PLAN for BUILDING ADDITION WITH AN ADMINISTRATION WAIVER

LIFEBUILT HOMES, LLC
 0.479 ACRES
 CITY OF LOCUST GROVE
 LAND LOT 200, 2nd. DISTRICT
 HENRY COUNTY, GEORGIA

SIBLEY-MILLER SURVEYING & PLANNING INC.

212 WEST CAMPGROUND RD
 McDONOUGH, GA. 30253
 PHONE: (770) 320-7555
 FAX: (770) 320-7333
 www.sibleysurveying.com

- TOPOGRAPHICAL SURVEYS
- LAND SURVEYING
- LAND PLANNING
- CONSTRUCTION LAYOUT
- LAND DEVELOPMENT DESIGN
- CIVIL ENGINEERING

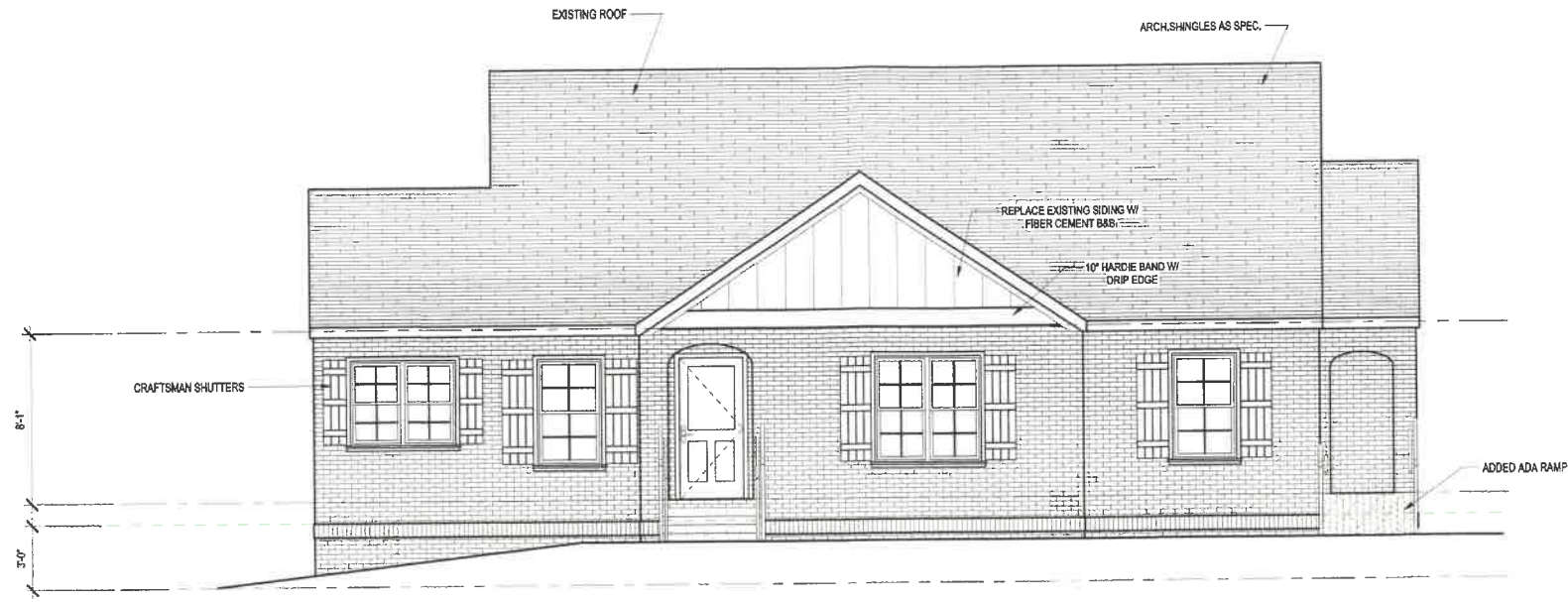


Data contained on this website represent a work in progress toward completion of the annual tax digest. As such, data is subject to change at any time. Ownership and map information correspond with the most current information processed by our office. Search deed records at the Henry County Courthouse to ensure the most current ownership information. Parcel lines depicted on the maps do not reflect a true and exact representation of property boundaries. Contact 770-288-7526 to verify zoning.
[User Privacy Policy](#)
[GDPR Privacy Notice](#)

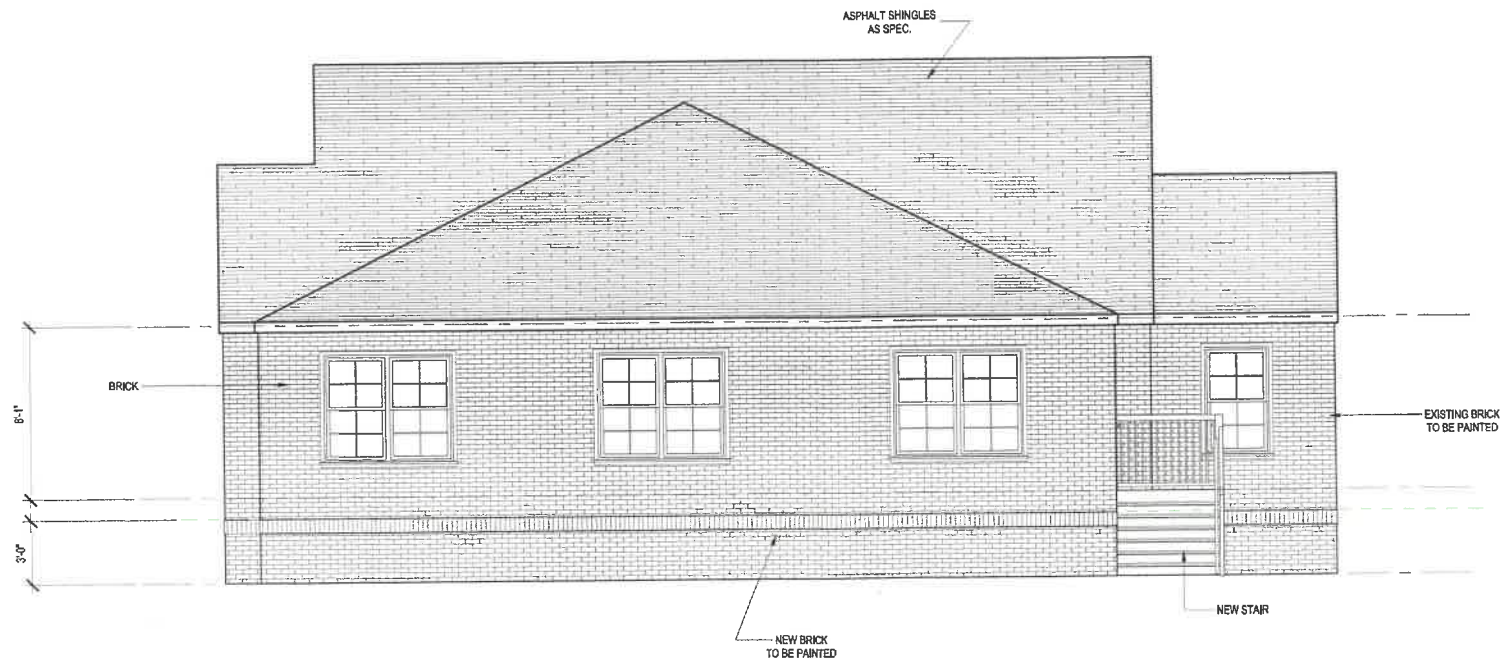


Last Data Upload: 5/11/2023, 1:29:53 AM

Version 3.1.8




1 FRONT ELEVATION
1/4" = 1'-0"



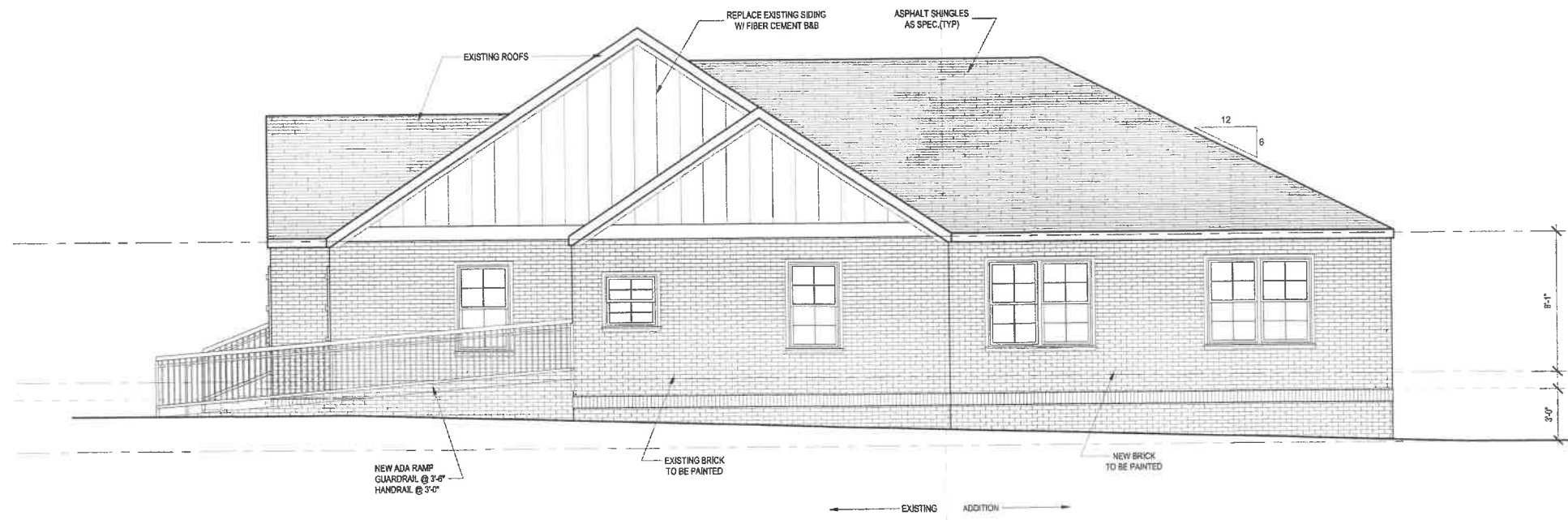
2 REAR ELEVATION
1/4" = 1'-0"




 MDM DESIGN SOLUTIONS MATT@MDMDESIGN.NET 770.316.0677	LIFE BUILT OFFICE REMODEL	
	FRONT & REAR EXTERIOR ELEVATIONS	Issued: 01.07.2023 Scale: 1/4" = 1'-0"
By: MM Draw #: A101		



① LEFT SIDE ELEVATION
1/4" = 1'-0"



② RIGHT SIDE ELEVATION
1/4" = 1'-0"

 MDM DESIGN SOLUTIONS MAIT@MDMDESIGN.NET 770.316.0677	LIFE BUILT OFFICE REMODEL	
	LEFT & RIGHT SIDE EXTERIOR ELEVATIONS	
	Issued: 01.07.2023	Drawn By: MM
	Scale: 1/4" = 1'-0"	Dwg #: A102



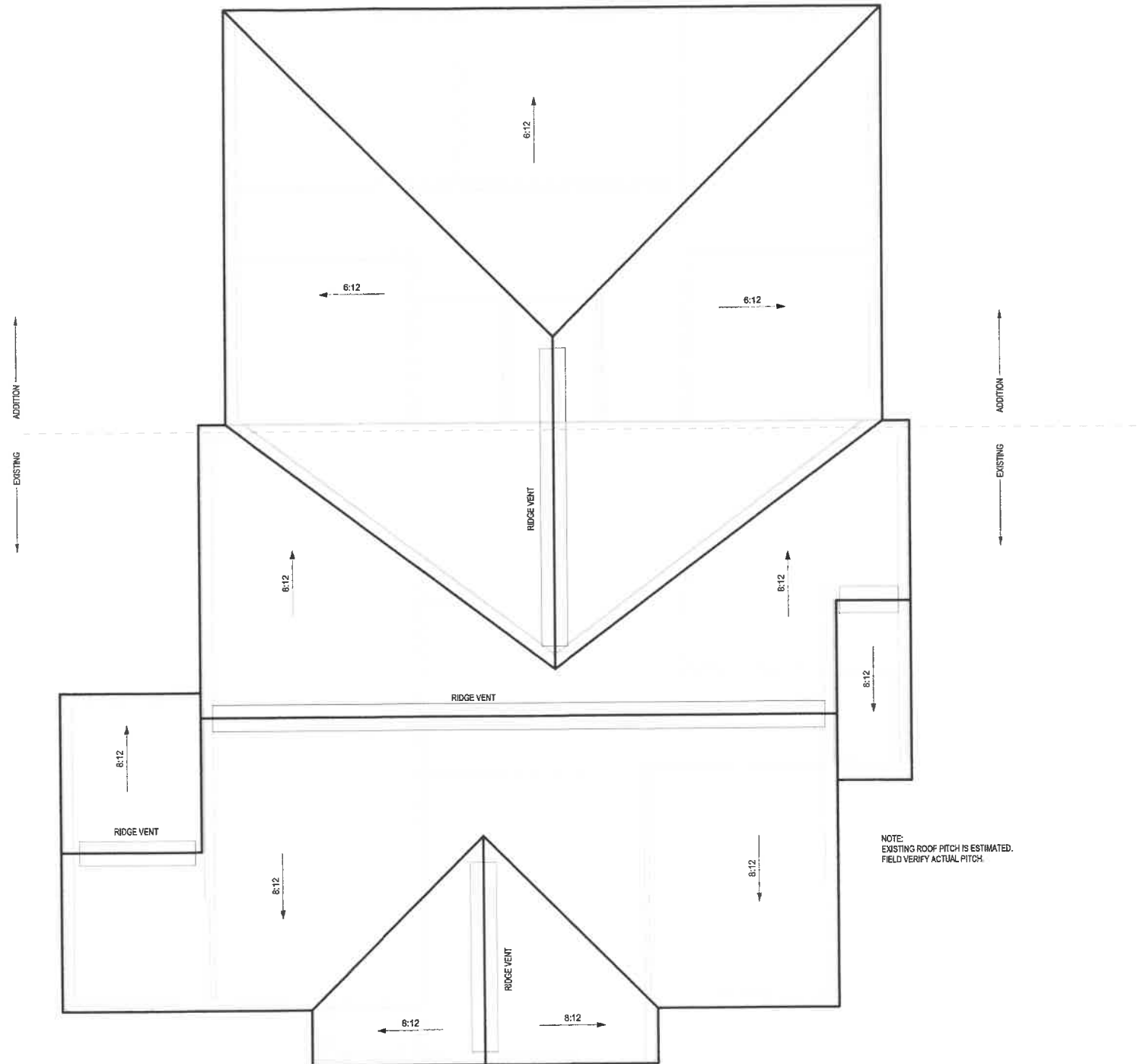
GENERAL REMODEL NOTES:

- MODIFY ALL DOORS & OPENINGS TO BE 3'-0" WIDTH
- ALL WINDOWS TO BE REPLACED AS EXISTING DIMENSIONS, UNLESS NOTED OTHERWISE. FIELD VERIFY RO.OPNGS.
- ALL ELECTRICAL, HVAC, & PLUMBING SYSTEMS TO BE REPLACED W/ NEW
- PROVIDE INSTA-PAK WATER HEATERS @ EACH SINK

SQUARE FOOTAGE CALCULATIONS	
EXISTING :	1,823
ADDED:	1,007
TOTAL:	2,830

1 FLOOR PLAN
1/4" = 1'-0"

	LIFE BUILT OFFICE REMODEL	
	FLOOR PLAN	
MA1T@MDMDESIGN.NET 770.316.0677	Issued: 01.07.2023	Drawn By: MM Dwg #: A301



NOTE:
EXISTING ROOF PITCH IS ESTIMATED.
FIELD VERIFY ACTUAL PITCH.

1 ROOF PLAN
1/4" = 1'-0"


 MDM DESIGN SOLUTIONS MATT@MDMDESIGN.NET 770.316.0677	LIFE BUILT OFFICE REMODEL	
	ROOF PLAN	
	Issued: 01.07.2023	By: MM
	Scale: 1/4" = 1'-0"	Dwg #: A103

EXHIBIT B



REZONING EVALUATION REPORT

FILE: RZ-23-05-01

July 24, 2023

REZONING R-2 TO OI

Property Information

Tax ID	128-01011000
Location/address	Land Lot 200 of the 2 nd District 3536 Highway 42
Parcel Size	0.479 +/- acres
Current Zoning	R-2 (Single Family Residential)
Request	Rezoning to OI (Office Institutional)
Proposed Use	Repurpose existing single-family home for office use
Existing Land Use	Single-family home
Future Land Use	Mixed Historic Neighborhood
Recommendation	Approval with Conditions

Summary

Lifebuilt Homes of Locust Grove, GA (the “Applicant”), requests rezoning from R-2 (Single Family Residential) to OI (Office Institutional) for property located at 3536 Highway 42 in land lot 200 of the 2nd District. The property consists of 0.479 acres and a single-family home constructed in 1950. The applicant intends to repurpose the existing historic compact-subtype ranch house for office use.

The property abuts R-2 (Single Family Residential) properties to the northwest and southeast along Highway 42. This portion of Highway 42 features multiple examples of the adaptive reuse of historic structures, in keeping with the Mixed Historic Future Land Use Map designation.

Current Zoning

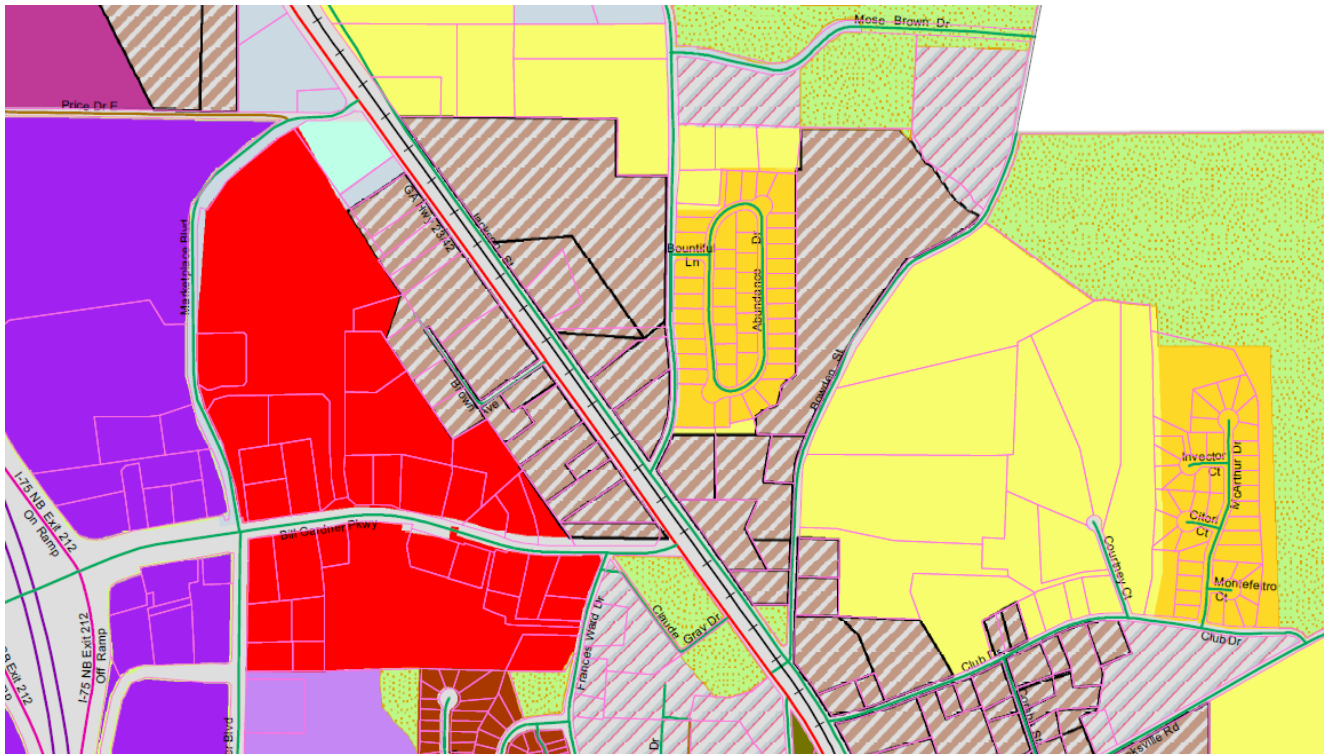
The subject property is currently zoned R-2 (Single Family Residential).



REZONING EVALUATION REPORT

FILE: RZ-23-05-01

July 24, 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 FLUM designation is primarily east of the railroad along Highway 42 and along areas southwest of the Central Business District. This area is reserved for the preservation of the existing historic residential buildings that may be transformed into professional offices, tourist-related uses, upscale dining, or personal services establishments. All existing structures should be preserved, and all new construction should be of similar architectural style. Typical zoning districts under the current ordinance would be R-2 and R-3 (Single Family Residential), OI (Office Institutional), or Conditional Uses as appropriate for tourist-related, personal services, and other facilities.

Livable Centers Initiative (LCI) Overlay

The subject property is located in the 2016 City of Locust Grove Livable Centers Initiative (LCI) Study Area. 3536 Highway 42 is not included in any of the three character districts presented in the recommendations but is located near the intersection of the Gateway and Historic Downtown Districts, both of which identify future market demand for office space.

Preserving the Past...Planning the Future



REZONING EVALUATION REPORT

FILE: RZ-23-05-01

July 24, 2023
REZONING R-2 TO OI

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 Office Developments in Rural and Developing Rural areas, the threshold is 400,000 square feet of new development. The Applicant is proposing an additional 1,007 square feet to the existing 1,823 square feet structure for a total of 2,630 square feet of office space.

Service Delivery / Infrastructure

Water and Sewer: The subject property is located within the City's current water service delivery area and has access to adequate water supply. City sanitary sewer service is available within the immediate vicinity, however, the property is currently on a septic tank.

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.

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 is unlikely to cause any significant traffic increase on nearby streets. According to the *Institute of Transportation Engineers Trip Generation Manual, 7th Edition, Volume 3 of 3, Page 1173*, a single tenant office building generally contains offices, meeting rooms and space for file storage and data processing for a single business or company should generate fewer than 100 trips per average weekday typically.

Criteria for Evaluation of Rezoning Request

Section 17.04.315 Procedure for Hearing before City Council.

Preserving the Past...Planning the Future



REZONING EVALUATION REPORT

FILE: RZ-23-05-01

July 24, 2023
REZONING R-2 TO OI

- (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 use maintains the historic character of the property and is consistent with other nearby adaptive uses.
 - (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 City's Future Land Use Map and Comprehensive Plan. Due to the proximity of C-2 (General Commercial) and C-3 (Heavy Commercial) zoning districts along Marketplace Boulevard, it is reasonable to expect the existing residential homes along this heavily traveled portion of Highway 42, properties to evolve over time to a higher commercial or office use. The current request retains the residential character of the area while allowing the property to transition to non-residential use as identified on the Future Land Use Map.
 - (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. Any upgrade, extension, and/or tap into the existing City sanitary sewer will be at the property owner's expense.
 - (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 of fewer than 100 trips per workday in existing vehicular circulation on Highway 42.



REZONING EVALUATION REPORT

FILE: RZ-23-05-01

July 24, 2023
REZONING R-2 TO OI

-
- (6) **The impact upon adjacent property owners should the request be approved.** Immediate neighboring properties consist of R-2 Single Family homes. 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.
- (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, preservation of historic character, and land use within the Mixed Historic Neighborhood FLUM designation.

Recommendations

Staff recommends APPROVAL with the following conditions:

1. A decorative fence, a minimum of six (6) feet in height shall be installed along the northern and southern property lines. This fence shall be subject to review and approval by the Community Development Director or their designee.
2. All vehicles shall be parked in a marked parking stall upon a paved, dust-free surface.
3. A commercial entrance shall be installed, pending review and approval of the Georgia Department of Transportation prior to the issuance of a Certificate of Occupancy for any office or institutional use on the subject property.

Preserving the Past...Planning the Future



REZONING EVALUATION REPORT

FILE: RZ-23-05-01

July 24, 2023
REZONING R-2 TO OI

4. All new buildings and/or additions shall consist of architectural features that are generally consistent with the existing residences found in the mixed-historic neighborhood district.

EXHIBIT C

AFFIDAVIT OF SIGN POSTING

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

1.

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

2.

Lifebuilt Homes of Locust Grove, GA requests a rezoning for property located at 3536 Highway 42 from R-2 (Single Family Residential) to OI (Office Institutional) for the purpose of remodeling an existing single family home for office use.

3.

On the 27th day of June 2023, I, Brian Fornal posted a double-sided sign notification on the subject parcel advertising a public hearing on the above request to be heard by the Locust Grove City Council on the 24th day of July at 6:00 p.m. at the Locust Grove Public Safety Building, 3640 Highway 42, Locust Grove, Georgia 30248. A photograph of same is attached hereto as Exhibit "A" and incorporated herein by reference. The public hearing sign was posted at the following location:

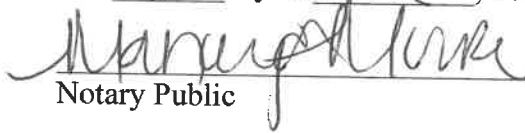
1. Double-sided sign posted at 3:15 PM at 3536 Highway 42 on 6/27/23.

FURTHER AFFIANT SAYETH NOT.

This 28th day of June, 2023.


Affiant

Sworn and subscribed before me
this 28th day of June, 2023


Notary Public

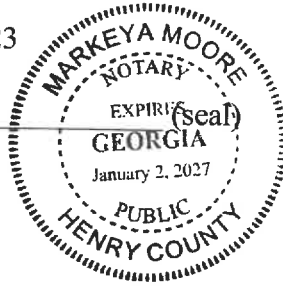


Exhibit "A"



TIMES JOURNAL, INC.
P.O. BOX 1633
ROME GA 30162-1633
(770)795-3050

ORDER CONFIRMATION

Salesperson: DAWN WARD

Printed at 06/22/23 09:39 by dward-tj

Acct #: 238991

Ad #: 351187

Status: New

CITY OF LOCUST GROVE / L
PO BOX 900
ATTN TIM YOUNG
LOCUST GROVE GA 30248

Start: 06/28/2023 Stop: 06/28/2023
Times Ord: 1 Times Run: ***
LEGLV 1.00 X 6.52 Words: 300
Total LEGLV 6.52
Class: 9003 PUBLIC HEARING
Rate: LEGL Cost: 55.00
Affidavits: 1

Contact:

Phone: (770)957-7055

Fax#:

Email: mspurling@locustgrove-ga.gov

Agency:

Ad Descrpt: HDH1548 GPN16 PUBLIC HEAR

Given by: *

P.O. #:

Created: dward 06/22/23 09:20

Last Changed: dward 06/22/23 09:38

PUB ZONE EDT TP RUN DATES
HDH A 95 S 06/28

AUTHORIZATION

Under this agreement rates are subject to change with 30 days notice. In the event of a cancellation before schedule completion, I understand that the rate charged will be based upon the rate for the number of insertions used.

Name (print or type)

Name (signature)

(CONTINUED ON NEXT PAGE)

EXHIBIT D

1. A decorative fence, a minimum of six (6) feet in height shall be installed along the northern and southern property lines. This fence shall be subject to review and approval by the Community Development Director or their designee.
2. All vehicles shall be parked in a marked parking stall upon a paved, dust-free surface.
3. A commercial entrance shall be installed, pending review and approval of the Georgia Department of Transportation prior to the issuance of a Certificate of Occupancy for any office or institutional use on the subject property.
4. All new buildings and/or additions shall consist of architectural features that are generally consistent with the existing residences found in the mixed-historic neighborhood district.



Administration Department

P. O. Box 900
Locust Grove, Georgia 30248

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

Retreat Item Coversheet

Item: Resolution -

Action Item: Yes No

Public Hearing Item: Yes No

Executive Session Item: Yes No

Advertised Date: N/A

Budget Item: Fund 100 in Department 1510 primarily

Date Received: July 19, 2023, at Planning Retreat

Workshop Date: July 24, 2023

Regular Meeting Date: N/A

Discussion:

Attached is the Resolution of the City of Locust Grove pledging to promote and to practice Civility within and throughout the City of Locust Grove.

As discussed previously, this is a new initiative by the Georgia Municipal Association (GMA) to better publicize and education Councils, Staff, and the Citizens of the need to practice civility in all aspects of government, including practice at Public Meetings and in general contact in the public.

Thus far, 80 of the 580+ cities have adopted this Resolution.

Once Adopted, we will make sure that the guidance is issued to our staff along with public relations posts on our city website and social media.

RESOLUTION _____

A RESOLUTION OF THE CITY OF LOCUST GROVE, GEORGIA PLEDGING TO PRACTICE AND PROMOTE CIVILITY WITHIN AND THROUGHOUT THE CITY OF LOCUST GROVE

WITNESSETH

WHEREAS, the City Council of the City of Locust Grove (the “Council”), the governing body of the City of Locust Grove, Georgia (the “Municipality”), recognizes that robust debate and the right to self-expression, as protected by the First Amendment to the United States Constitution, are fundamental rights and essential components of democratic self-governance; and

WHEREAS, the City Council further recognizes that the public exchange of diverse ideas and viewpoints is necessary to the health of the community and the quality of governance in the Municipality; and

WHEREAS, the members of City Council, as elected representatives of the community and stewards of the public trust, recognize their special role in modeling open, free and vigorous debate while maintaining the highest standards of civility, honesty and mutual respect; and

WHEREAS, City Council meetings are open to the public and thus how City officials execute their legal duties is on public display; and

WHEREAS, civility by City officials in the execution of their legislative duties and responsibilities fosters respect, kindness and thoughtfulness between City officials, avoiding personal ill will which results in actions being directed to issues made in the best interests of residents; and

WHEREAS, civility between City officials presents an opportunity to set a positive example of conduct and promotes thoughtful debate and discussion of legislative issues, resulting in better public policy and a more informed electorate while also encouraging civil behavior between residents; and

WHEREAS, civility between City officials is possible if each member of the elected body remembers that they represent not only themselves, but the constituents of their district and city; and

WHEREAS, in order to publicly declare its commitment to civil discourse and to express its concern for the common good and well-being of all of its residents, the City Council has determined to adopt this resolution.

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

1. **Pledge.** The City of Locust Grove pledges to practice and promote civility within the governing body as a means of conducting legislative duties and responsibilities.
2. **Pledge Purpose.** The elected officials of the City Council enact this civility pledge to build a stronger and more prosperous community by advocating for civil engagement, respecting others and their viewpoints, and finding solutions for the betterment of the City of Locust Grove.
3. **Communication** This pledge strives to ensure that all communication be open, honest, and transparent as this is vital for cultivating trust and relationships.

4. **Respectful Manner.** This pledge strives to show courtesy by treating all colleagues, staff and members of the public in a professional and respectful manner whether in-person, online or in written communication, especially when we disagree.
5. **Mutual Respect.** This pledge strives to ensure mutual respect to achieve municipal goals, recognizing that patience, tolerance and civility are imperative to success and demonstrates the Council’s commitment to respect different opinions, by inviting and considering different perspectives, allowing space for ideas to be expressed, debated, opposed, and clarified in a constructive manner.
6. **No Violence/Incivility.** This pledge demonstrates our commitment against violence and incivility in all their forms whenever and wherever they occur in all our meetings and interactions.
7. **Expectation of Civility by the Public.** The City of Locust Grove expects members of the public to be civil in its discussion of matters under consideration by and before the City Council, with elected officials, staff, and each other.
8. **Severability.** To the extent any portion of this Resolution is declared to be invalid, unenforceable, or nonbinding, that shall not affect the remaining portions of this Resolution.
9. **Repeal of Conflicting Provisions.** All City resolutions are hereby repealed to the extent they are inconsistent with this Resolution.
10. **Effective Date.** This Resolution shall take effect immediately.

ADOPTED this 24th day of July, 2023.

Mayor Robert Price

Councilman Keith Boone, Mayor Pro Tem

Councilman Rudy Breedlove

Councilman Carlos Greer

Councilman Rod Shearouse

Councilman Willie Taylor

Councilman Vincent Williams

ATTEST:

APPROVED AS TO FORM:

Misty Spurling, City Clerk

Andrew J. Welch, III, City Attorney



WHAT IS CIVILITY?

Civility is more than just politeness. It is about disagreeing without disrespect, seeking common ground as a starting point for dialogue about differences, listening past one's preconceptions and teaching others to do the same. Civility is the hard work of staying present even with those with whom we have deep-rooted and fierce disagreement.*

WHY CIVILITY MATTERS FOR CITIES?

- 1 Civil behavior and speech are critically important to a healthy, functional and respectful society.
- 2 A 2019 survey revealed that 93 percent of Americans believe that incivility is a problem, with 68 percent identifying incivility as a major problem.**
- 3 Cities need a plan to counteract the growing polarization and challenges caused by incivility.

*The Institute for Civility in Government

** Weber Shandwick's annual poll, Civility in America 2019

“

Civility fosters respect, trust, and belonging. By modeling and practicing civility, city leaders set an expectation that vigorous debate and vetting of ideas can be respectful and productive, leading to better engagement and outcomes for all.

”

**LARRY HANSON, GMA CEO
& EXECUTIVE DIRECTOR**



9 PILLARS OF CIVILITY



Be considerate of others' opinions. It's ok to agree to disagree.



Think about the impact of your actions and not the intent.



Manage your emotions. Get curious instead of furious.



Ask questions to learn. Answer questions with respect.



A silent voice is not always a weak voice. Sometimes it's ok not to respond.



Remember the acronym QTIP (Quit Taking It Personal).



Be Kind! Make your point about the issue, not the person.



Have empathy! Just because you have not experienced it, does not mean it does not exist.



Actively listen, to learn how to Engage respectfully!

CIVILITY PLEDGE

The way we govern ourselves is often as important as the positions we take. Our collective decisions will be better when differing views have had the opportunity to be fully vetted and considered. All people have the right to be treated with respect, courtesy and openness. We value all input. We commit to conduct ourselves at all times with civility and courtesy to each other.



ADOPT THE CIVILITY RESOLUTION AND PLEDGE TO BECOME A CITY OF CIVILITY TODAY!



WWW.GACITIES.COM/CIVILITY



Administration Department

P. O. Box 900
Locust Grove, Georgia 30248

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

Item Coversheet

Item: Millage Rate Ordinance/Rollback

Action Item: Yes No

Public Hearing Item: Yes No

Executive Session Item: Yes No

Advertised Date: N/A

Budget Item: Yes, all funds except Enterprise or Restricted Funds

Date Received: July 20, 2023

Workshop Date: July 24, 2023

Regular Meeting Date: N/A

Discussion:

Attached is the Ordinance for Millage Rate Rollback for the 2023 Tax Year as required by State Law. The previous year Sales Taxes (\$3,418,950) divided into the Net M & O tax digest of the city of \$719,719,354 (up 30% from \$555,232,180 in Year 2022) is used for the calculation for a millage rate that would have been required for operations being 4.265 mils. This figure represents a continued drop (from 5.529) due to the increase in property valuation due to development of hundreds of homes and new commercial/industrial buildings. As the city's done since 1980, the millage rate proposed it to be rolled back to 0.00 mils, which is reflected on for PT-38 to be submitted to the Department of Revenue. For comparison, in 2013, the digest was \$164,068,724, meaning the city's digest has grown by 339% in a decade and by just 87.2% since 2020 alone.

Recommendation:

Approve Ordinance to set the 2023 Tax Millage at 4.265 mils and roll back said amount to 0.00 mils in reflection of local option sale taxes required for Maintenance and Operations of the City.



ORDINANCE # _____

AN ORDINANCE TO SET THE MILLAGE RATE FOR THE CITY; TO ROLL BACK THE MILLAGE RATE; TO AUTHORIZE THE CITY CLERK TO FILE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS ORDINANCE; TO PROVIDE AN EFFECTIVE DATE; TO REPEAL INCONSISTENT PROVISIONS; AND FOR OTHER PURPOSES.

WITNESSETH:

WHEREAS, the City of Locust Grove (“City”) is a municipal corporation duly organized and existing under the laws of the State of Georgia, and is charged with providing public services to local residents; and

WHEREAS, the City wishes to set its millage rate; and

WHEREAS, the City wishes to roll back the mileage rate according to the taxes received by law that are to be credited against the levy; and

WHEREAS, the City finds that it is in the best interest of the citizens of the City of Locust Grove to set the millage rate, roll back the millage rate, and to submit a report of the same to the Department of Revenue on Form PT-38 as attached hereto and incorporated herein as “**Exhibit A**”.

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

SECTION 1. Millage Rate. The Mayor and Council of the City of Locust Grove hereby set a millage rate of 4.265 mills for the 2022 year. (5.529 for 2022)

SECTION 2. Roll Back. The Mayor and Council of the City of Locust Grove hereby roll back the millage rate for 2023 tax year to a millage rate of 0.000 mills, according to the taxes received by law that are to be credited against the levy.

SECTION 3. Authorization for the City Clerk. The City Clerk is hereby authorized to file **Exhibit A** as well as any and all documents with the Department of Revenue or other entities which are necessary to effectuate this Ordinance.

SECTION 4. Recordation. The City Clerk is hereby directed to record this Ordinance in the official minutes of the City.

SECTION 5.

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

- B.** It is hereby declared to be the intention of the City Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause, or phrase of this Ordinance. It is hereby further declared to be the intention of the City Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.
- C.** In the event that any section, paragraph, sentence, clause, or phrase of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional, or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the City Council that any such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining sections, paragraphs, sentences, clauses, or phrases of the Ordinance and that, to the greatest extent allowed by law, all remaining sections, paragraphs, sentences, clauses, or phrases of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

SECTION 6. Repeal of Conflicting Provision Except as otherwise provided herein, all Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

SECTION 7. Effective Date. The Ordinance shall become effective immediately upon its adoption by the Mayor and Council of the City of Locust Grove.

SO ORDAINED THIS 24th DAY OF JULY, 2023.

ROBERT PRICE, MAYOR

ATTEST:

APPROVED AS TO FORM:

MISTY SPURLING, CITY CLERK

CITY ATTORNEY

EXHIBIT A

**FORM PT-38 (Rev 01/23) City
Millage Rate Certification**

CITY AND INDEPENDENT SCHOOL MILLAGE RATE CERTIFICATION FOR TAX YEAR 2023



<http://www.dor.ga.gov>

Complete this form once the levy is determined, report this information in Column 1. E-mail a copy to local.government.services@dor.ga.gov or fax to (404)724-7011 and distribute a copy to your County Tax Commissioner and Clerk of Court. This form also provides the Local Government Services Division with the millage rates for the distribution of Railroad Equipment Tax and Alternative Ad Valorem Tax. Form must be remitted even if levy is zero.

Georgia Department of Revenue
Local Government Services Division
4125 Welcome All Road
Atlanta, Georgia 30349
Phone: (404) 724-7003

CITY NAME Locust Grove	ADDRESS P. O. Box 900	CITY, STATE, ZIP Locust Grove, GA 30248				
FEI # 58-1317295	CITY CLERK Misty Spurling	PHONE NO. 770-957-5043	FAX 866-364-0996			
OFFICE DAYS / HOURS 8 AM to 5 PM M-F						
ARE TAXES BILLED AND COLLECTED BY THE () CITY OR () COUNTY TAX COMMISSIONER? LIST VENDOR, CONTACT PERSON AND PHONE NO. Henry County Tax Commissioner Michael Harris, 770-288-8180						
List below the amount & qualifications for each <u>LOCAL</u> homestead exemption granted by the City and Independent School System.						
CITY	CITY	INDEPENDENT SCHOOL	INDEPENDENT SCHOOL			
Exemption Amount	Qualifications	Exemption Amount	Qualifications			
If City and School assessment is other than 40%, enter percentage millage is based on _____%. List below the millage rate in terms of mills. EXAMPLE: 7 mills (or .007) is shown as 7.000. PLEASE SHOW MILLAGE FOR EACH TAXING JURISDICTION EVEN IF THERE IS NO LEVY.						
CITY DISTRICTS	DISTRICT NO.	COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5
List Special Districts if different from City District below such as CID's, BID's, or DA's	List District Numbers	Gross Millage for Maintenance & Operations	Less Rollback for Local Option Sales Tax	Net Millage for Maintenance & Operation Purposes (Column 1 less Column 2)	Bond Millage (If Applicable)	Total Millage Column 3 + Column 4
City Millage Rate		4.265	4.265	0.000		0.000
Independent School System						
Special Districts						
**Local Option Sales Tax Proceeds must be shown as a mill rate rollback if applicable to Independent School.						

Name of County(s) in which your city is located: _____

I hereby certify that the rates listed above are the official rates for the Districts indicated for Tax Year 2023

Date _____ Mayor or City Clerk _____



Michael Harris
Henry County Tax Commissioner

July 10, 2023

Mayor Robert Price
Locust Grove City Hall
Locust Grove, GA 30248

Dear Mayor Price:

I hereby submit the net taxable value of the 2023 Henry County Digest for the City of Locust Grove:

Real and Personal	747,719,354
Motor Vehicle	1,348,940
Mobile Home	56,424
Timber	0
Heavy Equipment	12,851
Gross Digest	749,137,569
Less M&O Exemptions	29,975,964
Net M&O Digest	719,161,605

If you have any questions, please feel free to call on me.

Regards,

Michael Harris
Henry County Tax Commissioner
770-288-8139



Michael Harris
Henry County Tax Commissioner

July 06, 2022

Mayor Robert Price
Locust Grove City Hall
Locust Grove, GA 30248

Dear Mayor Price:

I hereby submit the net taxable value of the 2022 Henry County Digest:

Real and Personal	570,586,518
Motor Vehicle	1,346,460
Mobile Home	73,186
Timber	0
Heavy Equipment	2,762
Gross Digest	572,008,926
Less M&O Exemptions	16,776,746
Net M&O Digest	555,232,180

If you have any questions, please feel free to call on me.

Regards,

Michael Harris
Henry County Tax Commissioner
770-288-8139

Distribution Calculation		
LOST for FY 2022	Tax Digest 2023	Millage Based on LOST
3,069,741.14	719,719,354.00	0.004265192
Adj. by 1000 for Millage	719,719.35	4.265191874

Digest 2022	555,232,180.00
Difference Incr/(Decr)	164,487,174.00
Percent Incr/(Decr)	29.62%

Digest 2013 / 2020	164,068,724.00	384,439,640.00
	555,650,630.00	335,279,714.00
	338.67%	87.21%



Community Development Department

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

Item Coversheet

Item: Request for approval to dig a well at 351 South Singley Drive.

Action Item: Yes No

Public Hearing Item: Yes No

Executive Session Item: Yes No

Advertised Date: NA

Budget Item: No

Date Received: May 11, 2023

Workshop Date: July 24, 2023

Regular Meeting Date: N/A

Discussion:

Michael Kramer has submitted a request to dig a well at his future residence to be located at on McGough Road (Parcel ID 162-1006003). The subject property is not located within the water service area of the City nor the Henry County Water Authority. The applicant has obtained the required permit from the District 4 Department of Public Health and is seeking written consent from the Mayor and Council pursuant to the Locust Grove Code of Ordinances Section 13.08.010. The applicant has been issued all other required permits for land disturbance and construction and passed all inspections to-date.

Recommendation:

Staff recommends APPROVAL.

ORDINANCE NO. _____

AN ORDINANCE TO APPROVE WELL DRILLING ON MCGOUGH ROAD (PARCEL ID # 162-01006003) IN LAND LOT 159 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, Michael Kramer (the “Applicant”), requests approval to drill a well at his future residence located on McGough Road (Parcel ID # 162-10116003) in land lot 159 of the 2nd District (the “Property”); and,

WHEREAS, the Applicant filed a request for permission from the Mayor and Council to drill a well on the Property on July 6, 2023 as shown in the Letter of Intent attached hereto and incorporated herein by reference as **Exhibit A**; and,

WHEREAS, the Applicant has obtained the required approval from the District 4 Department of Public Health 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 Workshop Meeting held on July 24, 2023, as well as by the City Community Development Director; and,

WHEREAS, the Mayor and City Council have reviewed and considered the Applicant’s request and the recommendations of City staff as presented.

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

1.

(X) That the request for well drilling 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 C** attached hereto and incorporated herein by reference.
- () The terms of the Development Agreement attached hereto as **Exhibit C** and incorporated herein by reference.
- (X) If no **Exhibit C** is attached hereto, then the request is approved without conditions.

SO ORDAINED by the Council of this City this 24th day of July 2023.

ROBERT S. PRICE, Mayor

ATTEST:

MISTY SPURLING, City Clerk

(Seal)

APPROVED AS TO FORM:

City Attorney

EXHIBIT A

July 5, 2023

To whom it may concern:

I am the owner of a 30 acre lot (tax id 162-01006003) in the City of Locust Grove on Mcgough Road. I write to request permission to drill a well for single family residence water use as we plan to build a house on the property. I have attached a copy of the approved Well Permit from Henry County.

Please contact me if you need any additional information.

Sincerely,

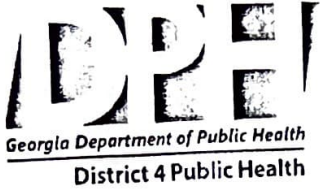
A handwritten signature in blue ink, appearing to read "Michael Kramer".

Michael Kramer

Mkram02@emory.edu

(404) 520-6477

EXHIBIT B



Kathleen Toomey MD, MPH, Commissioner | Brian Kemp, Governor

Beverley A. Townsend, MD, MBA, FAAP
Interim District Health Director
137 Henry Parkway McDonough, Georgia 30253
Phone: (470) 661-0044 • www.district4health.org



APPLICATION FOR WELL PERMIT

Location: Mcgough Rd, Locust Grove
Plat by: 47 Land lot: 159 District: 2 Plat date: _____
~~Tract ID:~~ 162-01006003

I hereby apply for a Construction Permit to install or construct an individual water supply system and agree that the system will be installed according to the requirements of Sanitation Rules and Regulations for Henry County Governing Individual and Semi-Public Water Supply Systems.

Owner/Applicant Signature: [Signature]
Property Owner's Name: Michael Kramer Ph: 404-528-6477

Property Address: Mcgough Rd, Locust Grove
Applicant's Name (if different): _____ Ph: _____
Applicant Address: 1367 Ormewood Ave, Atlanta, GA 30316

Lot size: Front: 1321 ft Rear: 1404 ft Left side: 943 ft Right: 1214 ft
Well type: Bored Drilled Other (specify) _____

Type supply: Individual Other (specify) _____
Directions: turn North off US 23/GAY 2 onto
Mcgough Rd/County line Rd. Take Gravel
road and North to last house. This is beginning of

Site: Approved Disapproved

Site approval indicates adequate area for a well on the property as described by the owner or applicant. The contractor or person installing the well is expected to and is responsible for establishing locations of pollution sources and maintaining appropriate distance there from. If a septic tank system is to be installed at a later date, area for this must be considered when placing the well. Well contractor is responsible for completing a well log and submitting it to Henry County Environmental Health. Wells must be at least one hundred (100) feet from any septic system and (50) feet from any building foundation.

Conditions: _____

PERMIT

A permit is hereby granted to install or construct an individual water supply system as described above. Henry County Environmental Health does not guarantee quality or quantity of water.

Permit Number: WWS-075-000487 Date: 6/22/2023
Approved by: [Signature]

HCHD Form 1001 Rev. 2/05



Community Development Department

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

Item Coversheet

Item: **Resolution approving the architectural plans submitted for The Cubes at Locust Grove Building C to be located on Price Drive.**

Action Item: **Yes** **No**

Public Hearing Item: **Yes** **No**

Executive Session Item: **Yes** **No**

Advertised Date: **NA**

Budget Item: **No**

Date Received: **June 27, 2023**

Workshop Date: **July 24, 2023**

Regular Meeting Date: **August 7, 2023**

Discussion:

Clayco Construction of St. Louis, MO has submitted building elevation renderings for a proposed warehouse building to be located on Price Drive.

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

The proposed building facades are comprised of tilt-up concrete, aluminum storefront glazing, and industrial docking bays in neutral shades accented with the brand color "Clayco Red". The exterior design of Building C is consistent with the existing CRG Cubes building on Price Drive.

Chapter 15.44 Architectural Review

15.44.050 - Exterior materials standards.

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

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

Primary: Four sides majority brick on all commercially zoned projects, with remaining façades consisting of natural stone including granite, marble, sandstone, field stone, or any other natural stone approved by the Architectural Review Board. Structures located in areas having a historic designation shall maintain acceptable architectural character of the respective area. "Tilt-up" concrete shall be permitted as a primary exterior siding material for buildings in industrial zoning districts or acceptable substitute as approved by the Architectural Review Board.

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

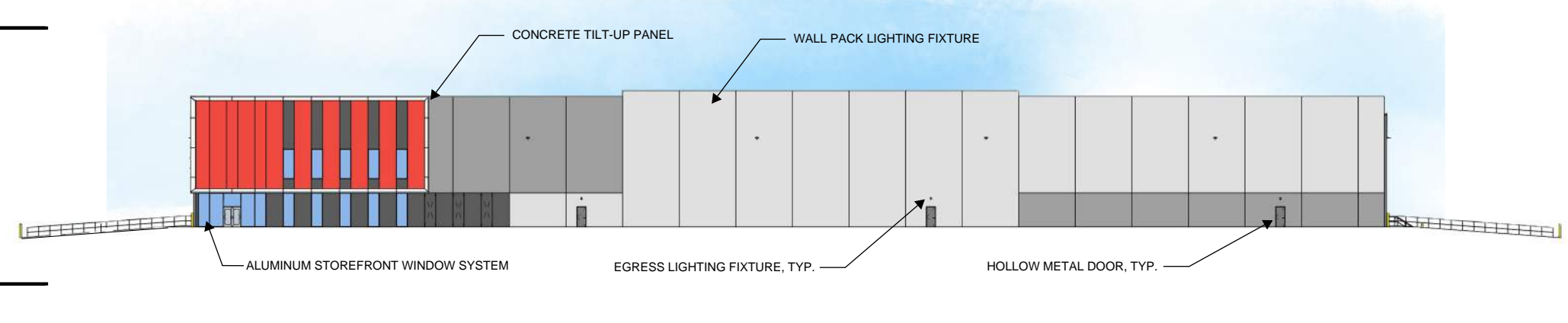
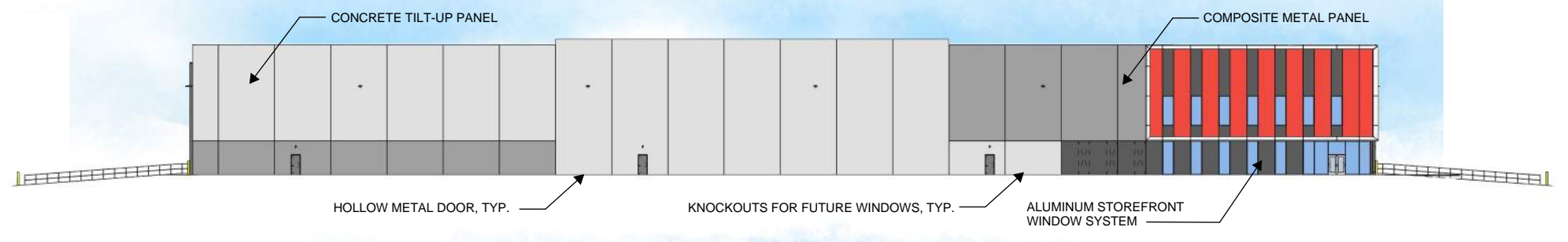
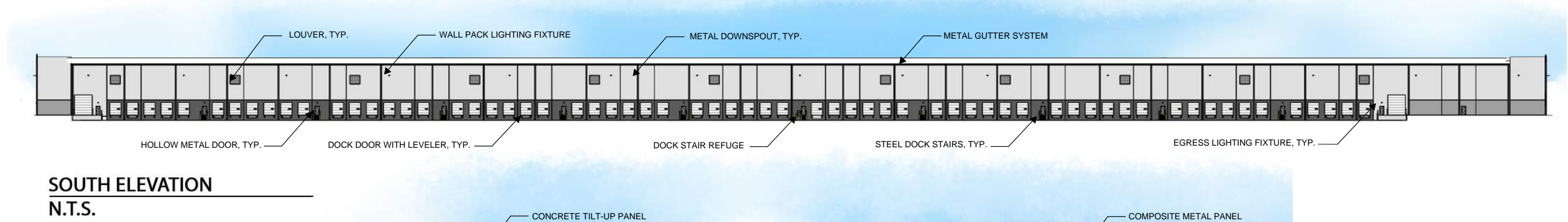
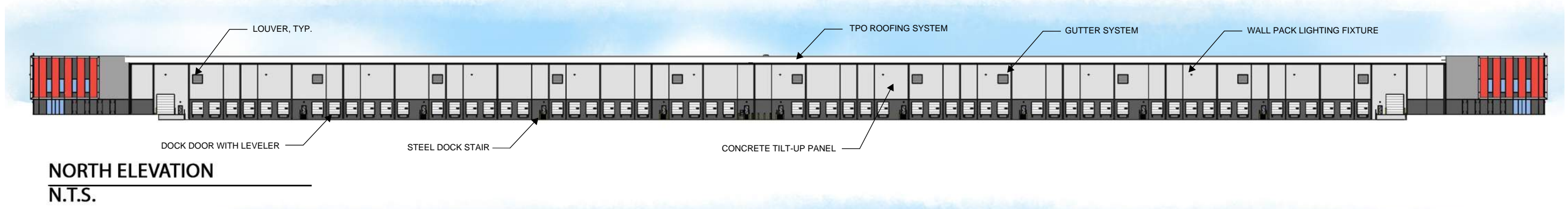
2. All exterior siding material such as aluminum, steel, vinyl, mirrored or reflective glass, cinderblock, unfinished concrete, fiberglass or plastic are prohibited except that architectural fiberglass or plastic can be used to such extent that such material is used as detailing and decorative trim if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

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

Recommendation:

STAFF RECOMMENDS APPROVAL OF THE ARCHITECTURAL BUILDING ELEVATIONS SUBMITTED BY CLAYCO CONSTRUCTION FOR THE CUBES AT LOCUST GROVE BUILDING C TO BE LOCATED ON PRICE DRIVE.





DETAILED MATERIALS LIST

- WALL PACK LIGHTING FIXTURE
- PAINTED TILT-UP CONCRETE
- EGRESS LIGHTING FIXTURE
- PAINTED HOLLOW METAL DOOR
- ALUMINUM STOREFRONT WINDOW SYSTEM
- DOWNSPOUTS AND GUTTER SYSTEM
- DOCK DOOR W/ LEVELER

PROPOSED PAINT COLORS

SW(518-4) CLAYCO FLAGSTONE	SW(518-5) CLAYCO DOVER GRAY	SW(518-6) CLAYCO KNIGHTS ARMOUR	SW CLAYCO RED
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RESOLUTION NO. _____

A RESOLUTION TO APPROVE ARCHITECTURAL PLANS FOR THE CUBES AT LOCUST GROVE BUILDING C TO BE LOCATED ON PRICE DRIVE IN ACCORDANCE WITH CHAPTER 15.44 OF THE LOCUST GROVE CITY CODE; TO AUTHORIZE THE MAYOR AND CITY CLERK TO EXECUTE ANY DOCUMENTS NECESSARY TO CARRY OUT THIS RESOLUTION; TO REPEAL INCONSISTENT PROVISIONS; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

W I T N E S S E T H :

WHEREAS, the City of Locust Grove, Georgia (“City”) adopted Chapter 15.44 (“Chapter”) entitled “Architectural Review”, and;

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

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

WHEREAS, Clayco Construction of St. Louis, MO submitted building elevation renderings for a proposed warehouse building to be located on Price Drive attached hereto and made part thereof as **Exhibit “A”**, and;

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

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

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

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

of City of Locust Grove Code as “earth tone” in nature.

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

THIS RESOLUTION adopted this 7th day of August, 2023.

ROBERT S. PRICE, Mayor

ATTEST:

MISTY SPURLING, City Clerk

(Seal)

APPROVED AS TO FORM:

City Attorney

EXHIBIT “A”



Community Development Department

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

Item Coversheet

Item: Resolution approving the architectural plans submitted for Renewal by Andersen to be located on Price Drive.

Action Item: Yes No

Public Hearing Item: Yes No

Executive Session Item: Yes No

Advertised Date: NA

Budget Item: No

Date Received: June 20, 2023

Workshop Date: July 24, 2023

Regular Meeting Date: August 7, 2023

Discussion:

Clayco Construction of St. Louis, MO has submitted building elevation renderings for a proposed industrial building to be located on Price Drive.

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

The proposed building facades consist of tilt-up concrete, aluminum storefront glazing, and industrial docking bays in neutral earth tones. Decorative elements include patterned (formliner) tilt-up concrete on all four facades and trellis-style sunshades.

Chapter 15.44 Architectural Review

15.44.050 - Exterior materials standards.

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

Primary: Four sides majority brick on all commercially zoned projects, with remaining façades consisting of natural stone including granite, marble, sandstone, field stone, or any other natural stone approved by the Architectural Review Board. Structures located in areas having a historic designation shall maintain acceptable architectural character of the respective area. "Tilt-up" concrete shall be permitted as a primary exterior siding material for buildings in industrial zoning districts or acceptable substitute as approved by the Architectural Review Board.

Accent: Clay tile with baked-on enamel finish; architecturally treated decorative concrete block; architecturally treated slabs or block either fluted or with exposed aggregate; stucco; EFIS; masonry siding such as cement fiberboard siding ("hardiplank"), wood; or acceptable substitute approved by the board. "Tilt-up" concrete shall be permitted as a primary exterior siding material for buildings in industrial zoning districts or acceptable substitute as approved by the board.
 2. All exterior siding material such as aluminum, steel, vinyl, mirrored or reflective glass, cinderblock, unfinished concrete, fiberglass or plastic are prohibited except that architectural fiberglass or plastic can be used to such extent that such material is used as detailing and decorative trim if approved by the board.
 3. Fifty percent of the width of the front facade of the building shall consist of fenestration. All fenestration comprised of glass shall be multi-paned in appearance. Single-paned plate glass windows greater than six square feet in surface area without the appearance of being multi-paned shall be prohibited unless approved by the board.
 4. All exterior painted surfaces, where visible from the public street shall be painted in earth tones. Colors shall be non-primary colors including darker and cooler shades of green, red, such as brick, yellow including beige, and lighter shades of brown including tan. However, white may be permitted if approved by the board. Corporate graphics, trademarks, corporate logos, corporate service marks and corporate branding items may be permitted by the board to the extent used for decorative trim or for signage as part of the overall exterior features.
 5. Roofs on multifamily and commercial or office buildings shall generally consist of a pitch of 7/12 or greater with exception of porches and porticos and be comprised of asphalt, cedar shake, cement tile material. Standing seam metal roofing shall be allowed as approved by the board. Flat roofs shall be permitted in larger commercial and industrial zoning where rooftop equipment is screened from view by raised parapet walls and shall be consistently flat across the building length with exception of features of fenestration to break up building mass and long, monotonous facades. Flat roofs may be permitted on larger multifamily and office buildings as approved by the board.

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

Recommendation:

STAFF RECOMMENDS APPROVAL OF THE ARCHITECTURAL BUILDING ELEVATIONS SUBMITTED BY CLAYCO CONSTRUCTION FOR THE RENEWAL BY ANDERSEN BUILDING TO BE LOCATED ON PRICE DRIVE.

RESOLUTION NO. _____

A RESOLUTION TO APPROVE ARCHITECTURAL PLANS FOR RENEWAL BY ANDERSEN TO BE LOCATED ON PRICE DRIVE IN ACCORDANCE WITH CHAPTER 15.44 OF THE LOCUST GROVE CITY CODE; TO AUTHORIZE THE MAYOR AND CITY CLERK TO EXECUTE ANY DOCUMENTS NECESSARY TO CARRY OUT THIS RESOLUTION; TO REPEAL INCONSISTENT PROVISIONS; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

W I T N E S S E T H :

WHEREAS, the City of Locust Grove, Georgia (“City”) adopted Chapter 15.44 (“Chapter”) entitled “Architectural Review”, and;

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

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

WHEREAS, Clayco Construction of St. Louis, MO submitted building elevation renderings for a proposed industrial building to be located on Price Drive attached hereto and made part thereof as **Exhibit “A”**, and;

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

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

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

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

of City of Locust Grove Code as “earth tone” in nature.

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

THIS RESOLUTION adopted this 7th day of August, 2023.

ROBERT S. PRICE, Mayor

ATTEST:

MISTY SPURLING, City Clerk

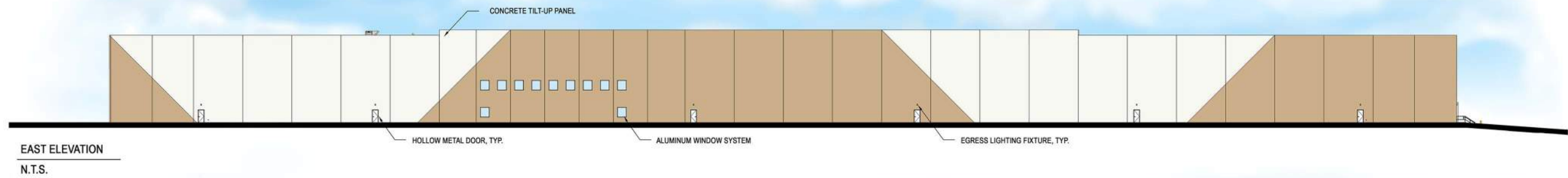
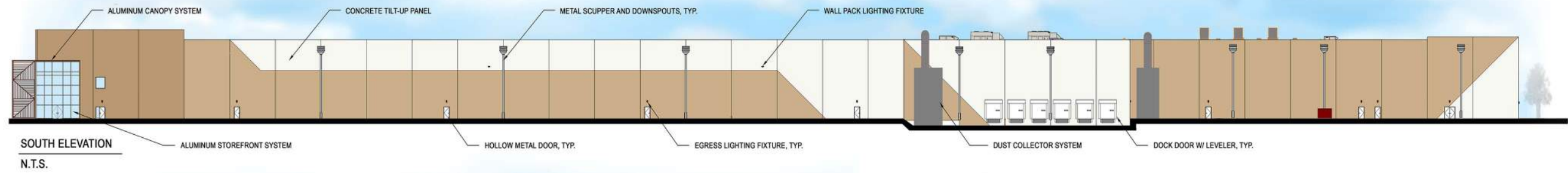
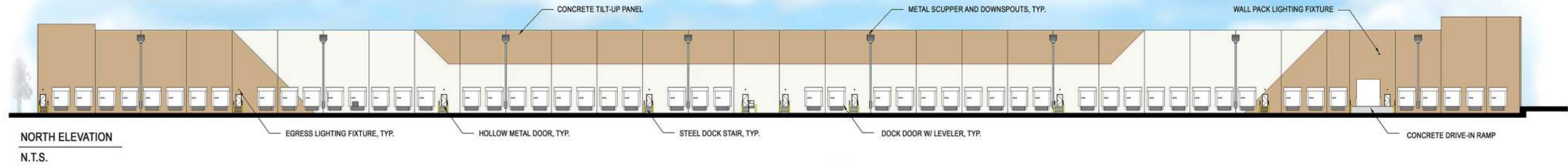
(Seal)

APPROVED AS TO FORM:

City Attorney

EXHIBIT “A”





DETAILED MATERIALS LIST

- PREFINISHED METAL SCUPPER AND DOWNSPOUTS
- PAINTED HOLLOW METAL MANDOOR
- ALUMINUM WINDOW SYSTEM W/ GLULAM SUPPORTS
- PAINTED STEEL TRELLIS AND CANOPY SYSTEM
- PAINTED TILT-UP CONCRETE WITH FORMLINER
- PAINTED TILT-UP CONCRETE
- ALUMINUM WINDOW SYSTEM
- LED WALL LIGHT
- GLASS SLIDING DOOR SYSTEM
- STEEL DOCK DOOR W/ LEVELER (NOT SHOWN)

PROPOSED PAINT COLORS

SW 7757 High Reflective White	SW 6142 Macadamia	SW 9104 Woven Wicker

