

CITY OF LOCUST GROVE

REGULAR MEETING AGENDA

MONDAY AUGUST 7, 2023 – 6:00 P.M.

PUBLIC SAFETY BUILDING – 3640 HIGHWAY 42 S.

LOCUST GROVE, GA 30248

CALL TO ORDER Mayor Robert Price

INVOCATION Chief Derrick Austin

PLEDGE OF ALLEGIANCE Councilman Williams

APPROVAL OF THE AGENDA Mayor Robert Price (Motion Required)

PUBLIC COMMENTS Register with Clerk Before Meeting

1. FY 2022 Financial Audit presentation – Rushton and Associates

PUBLIC HEARING ITEMS None

APPROVAL OF THE MINUTES 3 Items

2. July 3, 2023, Regular Meeting Minutes (Motion Required)
3. July 24, 2023, Workshop Meeting Minutes (Motion Required)
4. July 24, 2023, Executive Session Meeting Minutes (Motion Required)

ACCEPTANCE OF THE FINANCIAL STATEMENT 2 Items

5. May 2023 – Financial Statement (Motion Required)
6. June 2023 - Financial Statement (Motion Required)

UNFINISHED BUSINESS/ACTION ITEMS 9 Items

7. 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 (Motion Required)
8. Ordinance to rezone 189.8 +/- acres from RA (residential agricultural) to R-2 (single-family residential) (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 (Motion Required)
9. Ordinance to rezone 0.479 +/- acres from R-2 (single-family residential) to OI (office/institutional) located at 3536 Highway 42 (Parcel ID: 128-01011000) in LL 200 of the 2nd district (Motion Required)
10. Resolution approving the architectural plans submitted for Renewal by Andersen to be located on Price Drive (Motion Required)
11. Resolution approving the architectural plans submitted for The Cubes at Locust Grove Building C to be located on Price Drive (Motion Required)
12. Ordinance to approve the final plat for Bunn Farms Phase 3, a single-family residential subdivision – located off Peeksville Road in Parcels # 145-01047011, 145-01047002, 145-01047000, and 146-01049000 (Motion Required)
13. Resolution consenting to the creation of the Locust Grove North Community Improvement District (Motion Required)
14. Resolution by the city council approving in principle the issuance by the Locust Grove North Community Improvement District of its Economic Development revenue bonds having a maximum principal amount not to exceed \$7,000,000 to finance/refinance a part of the cost of a proposed road improvement project (Motion Required)
15. Ordinance to award the contract for On-call engineering services (Motion Required)

NEW BUSINESS/ACTION/DISCUSSION ITEM None

POSTED AT CITY HALL –August 2, 2023, at 5:00

ADA Compliance: Individuals with disabilities who require certain accommodations to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting, or the facilities are required to contact the City Clerk at (770) 957-5043 promptly to allow the City to make reasonable accommodations for those persons. Public Comment may be limited to no more than ten (10) minutes with up to 3 minutes per requesting applicant to speak. Please register your NAME and ADDRESS prior to the beginning of the meeting with the City Clerk.

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MONDAY AUGUST 7, 2023 – 6:00 P.M.

PUBLIC SAFETY BUILDING – 3640 HIGHWAY 42 S.

LOCUST GROVE, GA 30248

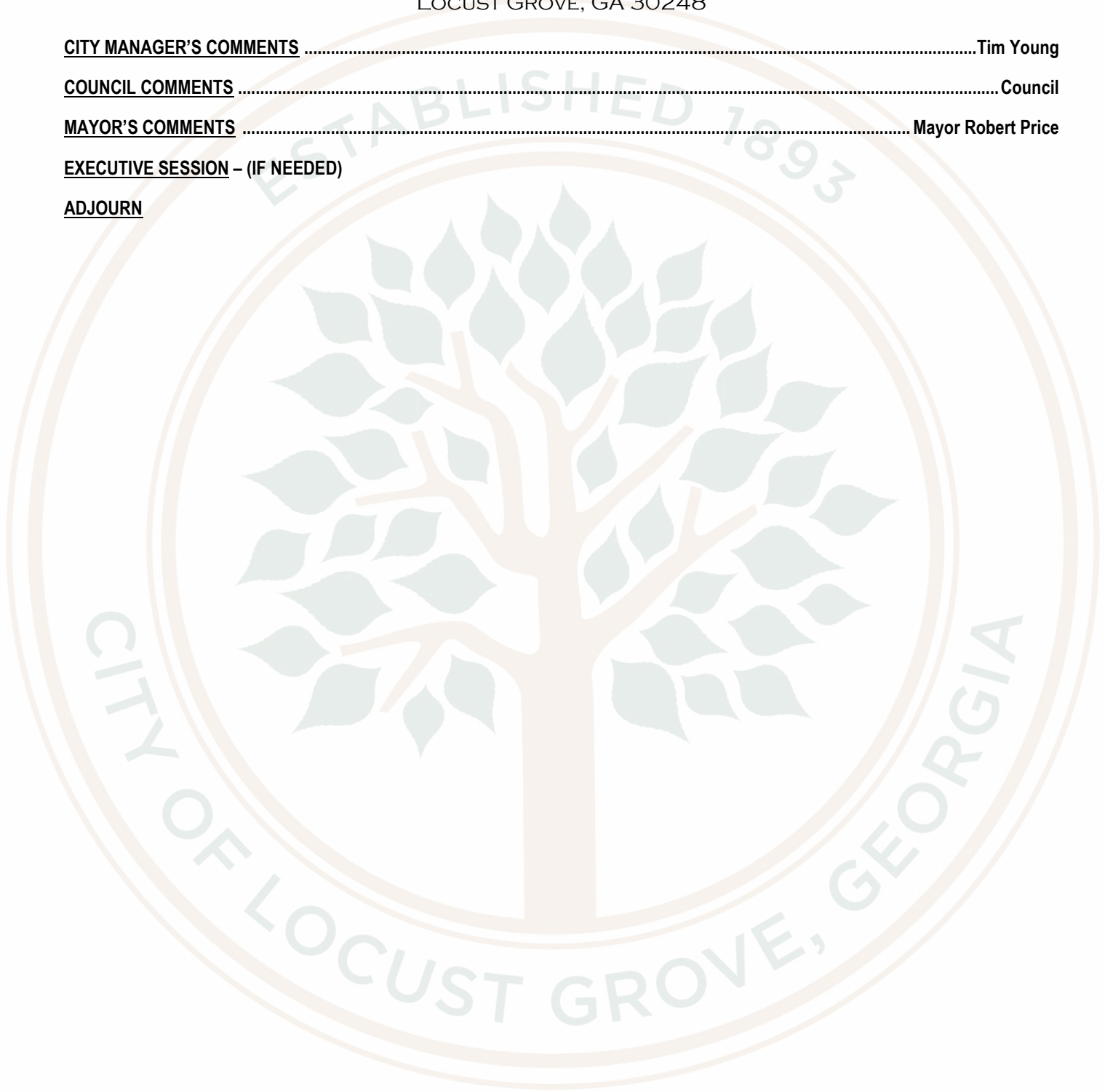
CITY MANAGER'S COMMENTS Tim Young

COUNCIL COMMENTS Council

MAYOR'S COMMENTS Mayor Robert Price

EXECUTIVE SESSION – (IF NEEDED)

ADJOURN



POSTED AT CITY HALL –August 2, 2023, at 5:00

ADA Compliance: Individuals with disabilities who require certain accommodations to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting, or the facilities are required to contact the City Clerk at (770) 957-5043 promptly to allow the City to make reasonable accommodations for those persons. Public Comment may be limited to no more than ten (10) minutes with up to 3 minutes per requesting applicant to speak. Please register your NAME and ADDRESS prior to the beginning of the meeting with the City Clerk.

**City of Locust Grove
Council Meeting Minutes
Public Safety Building – Courtroom Chamber
3640 Highway 42 S. – Locust Grove, GA 30248
Monday, July 3, 2023
6:00 PM**

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

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

Invocation given by City Manager Tim Young.

Councilman Taylor led the Pledge of Allegiance.

APPROVAL OF AGENDA –

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

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

PUBLIC COMMENTS – NONE

PUBLIC HEARING ITEMS – NONE

APPROVAL OF THE MINUTES –

1. JUNE 5, 2023- REGULAR MEETING MINUTES –

Mayor Price asked for a motion. Councilman Greer made the motion to approve the June 5, 2023, regular meeting minutes.

RESULT	APPROVED JUNE 5, 2023, REGULAR MEETING MINUTES
MADE MOTION	COUNCILMAN GREER
2 ND MOTION	COUNCILMAN BREEDLOVE
FAVOR	MOTION CARRIED – ALL IN FAVOR

2. JUNE 5, 2023- EXECUTIVE SESSION MEETING MINUTES –

Mayor Price asked for a motion. Councilman Taylor made the motion to approve the June 5, 2023, executive session meeting minutes.

RESULT	APPROVED JUNE 5, 2023, EXECUTIVE SESSION MEETING MINUTES
MADE MOTION	COUNCILMAN TAYLOR
2 ND MOTION	COUNCILMAN BREEDLOVE
FAVOR	MOTION CARRIED – ALL IN FAVOR

3. JUNE 20, 2023- WORKSHOP MEETING MINUTES –

Mayor Price asked for a motion. Councilman Williams made the motion to approve the June 20, 2023, workshop meeting minutes.

RESULT	APPROVED JUNE 20, 2023, WORKSHOP MEETING MINUTES
MADE MOTION	COUNCILMAN WILLIAMS
2 ND MOTION	COUNCILMAN SHEAROUSE
FAVOR	MOTION CARRIED – ALL IN FAVOR

ACCEPTANCE OF THE FINANCIAL STATEMENT –

4. FEBRUARY 2023 – FINANCIAL STATEMENT

Mayor Price asked for a motion. Councilman Greer made the motion to approve the February 2023 financial statement.

RESULT	APPROVED FEBRUARY 2023 FINANCIAL STATEMENT
MADE MOTION	COUNCILMAN GREER
2 ND MOTION	COUNCILMAN SHEAROUSE
FAVOR	MOTION CARRIED – ALL IN FAVOR

5. MARCH 2023 – FINANCIAL STATEMENT –

Mayor Price asked for a motion. Councilman Taylor made the motion to approve the March 2023 financial statement.

RESULT	APPROVED MARCH 2023 FINANCIAL STATEMENT
MADE MOTION	COUNCILMAN TAYLOR
2 ND MOTION	COUNCILMAN BREEDLOVE
FAVOR	MOTION CARRIED – ALL IN FAVOR

6. APRIL 2023 – FINANCIAL STATEMENT –

Mayor Price asked for a motion. Councilman Greer made the motion to approve the April 2023 financial statement.

RESULT	APPROVED APRIL 2023 FINANCIAL STATEMENT
MADE MOTION	COUNCILMAN GREER
2 ND MOTION	COUNCILMAN WILLIAMS
FAVOR	MOTION CARRIED – ALL IN FAVOR

UNFINISHED BUSINESS/ACTION ITEMS –

7. Ordinance to amend Title 17 of the Code of Ordinances in accordance with House Bill 1405

City Manager Tim Young stepped forward to comment. Tim reviewed the procedure changes that will be effective July 1, 2023.

Attorney Andy Welch said this has been amended to reflect the new state law.

Mayor Price asked for a motion. Councilman Greer made the motion to approve the request by approving ordinance **#23-07-055.**

RESULT	APPROVED ORDINANCE #23-07-055
MADE MOTION	COUNCILMAN GREER
2 ND MOTION	COUNCILMAN BREEDLOVE
FAVOR	MOTION CARRIED – ALL IN FAVOR

8. Ordinance for annexation of 15.31 +/- acres located on Old Bethlehem Road west of Price Drive (Parcel ID: 111-01015001) in LL 235 of the 2nd district –

Tim said the property is owned by CRG and is adjacent to Bethlehem Church. This is primarily to convey water, utilities, and road alignment of Price Drive.

Mayor Price asked for a motion. Councilman Williams made the motion to approve the request by approving ordinance **#23-07-056.**

RESULT	APPROVED ORDINANCE #23-07-056
MADE MOTION	COUNCILMAN WILLIAMS
2 ND MOTION	COUNCILMAN SHEAROUSE
FAVOR	MOTION CARRIED – ALL IN FAVOR

9. Ordinance for rezoning of 15.31 +/- acres located on Old Bethlehem Road west of Price Drive (Parcel ID: 111-01015001) in LL 235 of the 2nd district from unincorporated Henry County RA (residential agricultural to incorporated City of Locust Grove RA (residential agricultural) –

Discussion took place about clarifying the name of the road (Old Bethlehem Road or Bethlehem Road). Tim noted that “Old Bethlehem” is proposed designation for the original roadway once the new roadway is constructed as part of the new interchange.

Mayor Price asked for a motion. Councilman Breedlove made the motion to approve the request by approving ordinance #23-07-057.

RESULT	APPROVED ORDINANCE #23-07-057
MADE MOTION	COUNCILMAN BREEDLOVE
2 ND MOTION	COUNCILMAN SHEAROUSE
FAVOR	MOTION CARRIED – ALL IN FAVOR

10. Resolution approving the architectural plans submitted for Arby’s to be located at 4939 Bill Gardner Parkway -

Mayor Price asked for a motion. Councilman Williams made the motion to approve the request by approving resolution # 23-07-058.

RESULT	APPROVED RESOLUTION #23-07-058
MADE MOTION	COUNCILMAN WILLIAMS
2 ND MOTION	COUNCILMAN GREER
FAVOR	MOTION CARRIED – ALL IN FAVOR

11. Resolution approving the architectural plans submitted for a retail building to be located at 603 Marketplace Boulevard –

Mayor Price asked for a motion. Councilman Shearouse made the motion to approve the request by approving resolution #23-07-059.

RESULT	APPROVED RESOLUTION #23-07-059
MADE MOTION	COUNCILMAN SHEAROUSE
2 ND MOTION	COUNCILMAN BREEDLOVE
FAVOR	MOTION CARRIED –ALL IN FAVOR

12. Resolution with Henry County Development Authority (HCDA) and Retail Strategies Consulting work –

Tim said this was reviewed at the last meeting and is an agreement for joint participation with Locust Grove, McDonough, Stockbridge, and Henry County for retail recruitment and marketing services. Hampton was invited; however, elected not to participate. At a maximum, the HCDA has agreed to fund 50% of Hampton’s share, leaving the remaining at \$10,625.00.

Mayor Price asked for a motion. Councilman Breedlove made the motion to approve the request by approving ordinance # 23-07-060.

RESULT	APPROVED RESOLUTION #23-07-060
MADE MOTION	COUNCILMAN BREEDLOVE
2 ND MOTION	COUNCILMAN SHEAROUSE
FAVOR	MOTION CARRIED – ALL IN FAVOR

NEW BUSINESS/ACTION/DISCUSSION ITEMS –

13. Approve Letter of Intent and Intergovernmental Agreement (IGA) for the creation of the Locust Grove North (CID) Community Improvement District -

Tim Young stepped forward and said this is an agreement between the City of Locust Grove and the Henry County Development Authority. We will only consider the Letter of Intent tonight because the IGA still needs further review by the attorney.

Andy said he would like the council to go ahead approve the Letter of Intent as well as the IGA. This CID will allow properties to tax themselves inside the CID for their own infrastructure. Price Road will have to be realigned at the current Bethlehem Road where Bethlehem Road goes into the interstate. Tim provided a preliminary map for review. The new Price Drive will be a public road and the city will maintain the road after it is donated to the city. This will be financed partly by private money and part bond money, but not taxed. Tim said the plan of finance is on page 11 of the Letter of Intent and schedule on page 25.

Councilman Williams asked if the developer will be responsible for taxing themselves at \$7 million dollars. Andy said yes, the city will incur the internal expenses but nothing additional. We will abandon the right-of-way close to the interstate and the developers will get that portion.

Councilman Greer asked how long this will be in effect? Andy said this is a ten-year agreement with the HCDA. Councilman Greer asked if the subsection of page 16 could be explained. Discussion took place and Andy said the district will receive only the right-of-way of old Price Drive.

Councilman Boone asked what the process is on developing. Andy said they are anticipating building and being functional withing two years. Bert said Clayco/CRG sent a schedule of construction to be forwarded to the council.

Councilman Greer asked what the road standards will be. Andy said the road will be about a \$10 million dollar road and normally is in the developers own interest for the road to be highly operational. Andy said market pressure is already incorporated into this agreement.

Councilman Boone asked if the council could require a cement road instead of asphalt due to the volume of tractor trailers. Andy said this is not budgeted for cement and would delay the process due to the cost increase with cement. Tim said the city will be inspecting the project and discussion took place.

Mayor Price asked for a motion. Councilman Williams made the motion to approve the request by approving the Letter of Intent and Intergovernmental Agreement.

RESULT	APPROVED LOI AND IGA
MADE MOTION	COUNCILMAN WILLIAMS
2 ND MOTION	COUNCILMAN SHEAROUSE
FAVOR	MOTION CARRIED – ALL IN FAVOR

CITY MANAGER’S COMMENTS –

Mr. Young said the retreat is coming up July 17-19, 2023, in Macon. Also, the workshop meeting would normally be July 17, 2023; however, has been rescheduled to July 24, 2023, for the retreat. We received the draft of the audit today and nothing further.

COUNCIL COMMENTS –

MAYOR’S COMMENTS – NONE

EXECUTIVE SESSION – NONE

ADJOURNMENT –

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

RESULT	APPROVED – ADJOURN MEETING
MADE MOTION	COUNCILMAN BOONE
2 ND MOTION	COUNCILMAN BREEDLOVE
FAVOR	MOTION CARRIED MEETING ADJOURNED @ 6:36 PM.

Notes taken by:

Misty Spurling
City Clerk

DRAFT

**City of Locust Grove
 Council Workshop Meeting Minutes
 Public Safety Building – 3640 Highway 42 S.
 Locust Grove, GA 30248
 Monday, July 24, 2023
 6:00 PM**

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

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

Invocation given by Assistant City Manager Bert Foster

Councilman Breedlove led the Pledge of Allegiance for Councilman Boone

APPROVAL OF AGENDA –

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

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

PUBLIC COMMENTS – NONE

PUBLIC HEARING ITEMS –

- 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 –**

Daunté Gibbs, Community Development Director, stepped forward to comment. Daunté said the subject tracts were approved for annexation over one year ago, and now ready to proceed with development. The first request is to change the FLUM and Daunté reviewed the plan on the overhead screen.

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

Jon Jordan with MBT South Ola, LLC stepped forward to comment. Jon said the annexation was approved 18-months ago and was originally purchased to develop a high-end community. The request is for approval to rezone to R-2 (low-density) and propose 1.35 du/acre. Jon said four community meetings have been held and seemed to have positive feedback overall and have adjusted according to the feedback received. Jon discussed and reviewed the adjustments that were made.

Mayor Price asked for comments from anyone opposed to the request and there were no comments. Mayor Price closed the public hearing and asked for comments from the Council and there were none.

2. Ordinance to rezone 189.8 +/- acres from RA (residential agricultural) to R-2 (single-family residential) (Parcel IDs: 161-01025000, 161-00123000, 161-01021005) in LL 161, 162, and 191 of the 2nd district located at the intersection of South Ola Road and Singley Drive –

Mr. Gibbs said this is the rezoning request that is with a concurrent request for the FLUM amendment of the subject property to develop approximately 257 single-family dwellings. This currently supports RA or R-1, and the staff recommends denial of the R-2 request because the current FLUM does not support R-2 zoning designation. Based on the current FLUM designation the staff recommends approval of R-1 with nine conditions read aloud by Mr. Gibbs.

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

Jon Jordan on behalf of MBT South Ola, LLC stepped forward to comment. Mr. Jordan said he wanted to mention another improvement made is that it will be a gated community with an average lot size of 24,000 square feet. Discussion took place. Mr. Jordan said the house size is larger than the proposed minimum.

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

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

Councilman Greer asked if the city is providing water and if the developer is installing the sewer. Tim said we would access the sewer under South Ola Road at Bunn Farms before reaching the main. Tim said normally in a gravity flow situation the city would provide the sewer and the water by master meter and would pay the county wholesale water rates; however, the county is opposed to the city providing water service through a master meter.

Councilman Williams asked for more clarification. Tim said the issue is the county wants to own and maintain the water line distribution system and individual water meters within the proposed development. Councilman Breedlove asked, "if the city and county doesn't agree, would it not go forward?" Tim said we need to talk further with the county and discussion took place. Daunté said HB 1405 requires a decision be made. Councilman Williams asked the developer if he objects to any conditions set forth?

David Black stepped forward to comment. Mr. Black said he has no problems with the conditions. Discussion took place. Mr. Black said the county wants to sell the water directly and not allow the city to sell the water. He said he spent \$500,000 of his \$1 million dollar budget and ran a water line halfway down Singley Road.

Councilman Boone commented to Mr. Black that running a water line was a bold decision being this hadn't been approved. Mr. Black agreed it was a bold decision; however, he thought it was

annexed based on the concept plan and proceeded with the decision to do so. Mr. Black said either way water is needed and there are many reasons why R-1 is not the best for this development. Tim directed Mr. Black to have his engineer contact Bert on locating lift elements and said those would not be covered under the existing agreement provisions (if any).

Tim said the next step would be a dispute resolution with the HCWA if it cannot be worked out.

Councilman Breedlove asked for details about the gravity sewer. Mr. Black said it is at least 34-35 ft. in some areas [gravity flow and lift] and the HOA will maintain long-term. Councilman Breedlove said Mr. Jordan previously said the average lot size is 24,000 sq. ft. and asked for clarity. Mr. Black said it is 22,500 sq. ft. (inside the gate) and 30,000 sq. ft. overall. Mr. Black said their covenant will exceed the conditions that are being required by staff. Discussion took place confirming there will be two entrances.

Councilman Shearouse asked Mr. Black if he has enough remained of his budget to do the sewer. David said the \$1 million is designated for the off-site sewer and said he has \$70,000 per lot allocated for sewer. Shearouse asked Daunté if the list of covenants could be added in addition to staff conditions? Daunté said covenants are private; therefore, cannot be included.

Councilman Breedlove asked if we could increase the minimum sq. ft. and if gated access can be added as a condition being it was mentioned by the developer. Daunté said yes, we will read into record as condition number ten. Tim said conditions could include covenants related to zoning provisions but nothing else.

3. Ordinance to rezone 0.479 +/- acres from R-2 (single-family residential) to OI (office/institutional) located at 3536 Highway 42 (Parcel ID: 128-01011000) in LL 200 of the 2nd district –

Daunté said this is a request from Lifebuilt Homes to rezone property located east of Wal-Mart. Staff recommends approval of the request for rezoning with four conditions read aloud by Mr. Gibbs.

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

Clifton Harrison stepped forward to comment. Mr. Harrison said his plan is to remodel the house and rent out to a local company or use it for his business. Nothing further.

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

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

Councilman Greer said his concern is traffic being that it is close to Bill Gardner Parkway, and Daunté said according to the traffic study, traffic is unlikely to be a problem.

Discussion took place about the neighboring lots and review on the overhead screen.

Councilman Shearouse made a comment about the 6ft. fence and said it would be out of place. Discussion took place if [require/not require] a fence. Nothing further.

OLD BUSINESS/ACTION ITEMS – NONE

NEW BUSINESS/ACTION ITEMS –

4. Resolution pledging to practice and promote civility within and throughout the City of Locust Grove –

City Manager Tim Young stepped forward to comment. Tim said GMA began this program at the beginning of the year to ensure governments promote and practice civility.

Mayor Price asked for a motion. Councilman Williams made the motion to approve the request by approving ordinance #23-07-063.

RESULT	APPROVED RESOLUTION # 23-07-063
MADE MOTION	COUNCILMAN WILLIAMS
2 ND MOTION	COUNCILMAN SHEAROUSE
VOTE	MOTION CARRIED - ALL IN FAVOR

5. Ordinance to set the millage rate rollback for 2023–

Mr. Young stepped forward and said this is to roll back the millage rate for the 2023 year. The previous year's sales tax divided into the net M & O tax digest of the city is used for the calculation for a millage rate that would have been 4.265 mils [corrected to 4.754]. The increase in property valuation due to development of homes and commercial/industrial buildings has allowed a continual drop in figures. The city proposes the millage rate to be rolled back to 0.00 mils.

Mayor Price asked for a motion. Councilman Greer made the motion to approve the request by approving ordinance #23-07-064.

RESULT	APPROVED ORDINANCE #23-07-064
MADE MOTION	COUNCILMAN GREER
2 ND MOTION	COUNCILMAN BOONE
VOTE	MOTION CARRIED – ALL IN FAVOR

6. Ordinance for approval to dig a well at ~~351 South Singley Drive~~ McGough Road –

Mr. Gibbs stepped forward to clarify that the address on the item coversheet and agenda is incorrect and said the correct location is McGough Road.

Mayor Price asked for a motion. Councilman Greer made the motion to approve the request by approving ordinance #23-07-065.

RESULT	APPROVED ORDINANCE #23-07-065
MADE MOTION	COUNCILMAN GREER
2 ND MOTION	COUNCILMAN WILLIAMS
VOTE	MOTION CARRIED – ALL IN FAVOR

CITY OPERATION REPORTS / WORKSHOP DISCUSSION ITEMS -

MAIN STREET OPERATIONS – COLLEEN COOK

Ms. Cook gave an update Black Rose Café' re-opened with new management. The DDA nor HPC met in July. Main Street, Inc. did meet and is working on 2024 goals and budget. We will have another Friday Night on the Lawn event August 4, 2023, at 6:00 pm. Nothing further.

PUBLIC SAFETY OPERATIONS – LIEUTENANT BRANDON MORRIS FOR CHIEF AUSTIN

Lieutenant Morris reviewed the monthly report and gave an update total collected in June 2023 was \$83,034.00. The department completed 81 training hours in June, and we had 25 new cases for investigation with twenty of those cases cleared. Nothing further.

PUBLIC WORKS – JACK ROSE

Mr. Rose gave an update they are behind with grass cutting but still ongoing. The new chipper is being utilized daily and we are continuing with normal maintenance.

ADMINISTRATION –BERT FOSTER

Bert gave an update the council approved the concept plan for the Peeksville Road Extension at the retreat. The next scheduled meeting is tomorrow, July 25, 2023, for discussion related to the extra lane on Hwy 42. Piedmont Paving will resume tomorrow on Bill Gardner Parkway and the city-wide paving project is close to completion. We are waiting for the grader to begin grading the Scatter Garden/Veterans Memorial site. After grading is complete, Tony Brooks will do the concrete base for the canon followed by landscaping by LR&W. Bert gave an update on the downtown corridor study, the signal at Bethlehem and Hwy 42 and the MMIP commercial lane project. We have a coordination meeting with the consultant and Clayco/CRG on August 9, 2023, about the Bethlehem Road Interchange. The city hall [support] beams are installed, and the electricians began today with wiring updates. Nothing further.

COMMUNITY DEVELOPMENT OPERATIONS –DAUNTÉ GIBBS

Mr. Gibbs gave an update that the department has issued a total of eight 651 permits (including 84 new house permits) for 2023. We have issued 79 COs [43 residential, and 36 commercials] and 334 business licenses issued so far for 2023. We issued a grading only permit to Renewal by Andersen at Price Drive and they are coordinating a road closure which will be posted by message board to the public prior to closing. Nothing further.

ARCHITECTURAL REVIEW BOARD (ARB) –

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

Daunté said this is a request from Clayco Construction for a proposed industrial building. Daunté reviewed the requirements and said staff recommends approval. Nothing further.

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

Daunté said this request is also from Clayco Construction for a proposed warehouse building. Staff recommends approval and nothing further.

Councilman Boone asked what is going on at Wal-Mart. Daunté said they have a permit for an A/C upgrade/remodel.

CITY MANAGER’S COMMENTS –TIM YOUNG

9. FY 2023 budget update –

Tim said this will include capital items update and will have a public hearing in September.

10. CID Update –

Tim said this will be an action item in August. We need suggestions for the nomination of two people for the CID board. A comment was made if a council person could be on the CID board. Tim said he will check the parameters on if/how many councilmembers could be on the board.

COUNCIL COMMENTS - NONE

MAYOR’S COMMENTS – NONE

EXECUTIVE SESSION – PERSONNEL

Motion to go into executive session to discuss personnel matters by Councilman Williams and seconded by Councilman Breedlove. Motion Carried All in favor 7:14 PM.

At 7:42 PM, motion to come back into regular session made by Councilman Breedlove and seconded by Councilman Shearouse.

ADJOURNMENT-

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

RESULT	ADOPTED
MADE MOTION	COUNCILMAN BREEDLOVE
2 ND MOTION	COUNCILMAN SHEAROUSE
VOTE	MOTION CARRIED - ALL IN-FAVOR MEETING ADJOURNED @ 7:43PM.

Notes taken by:

Misty Spurling, City Clerk



Community Development Department

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

Item Coversheet

Item: 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

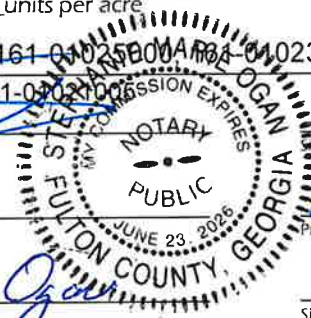
Nearest intersection to the property: South Ola Rd. & Singley Drive

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 _____ *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 _____



(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]
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

Laurie Newman
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:

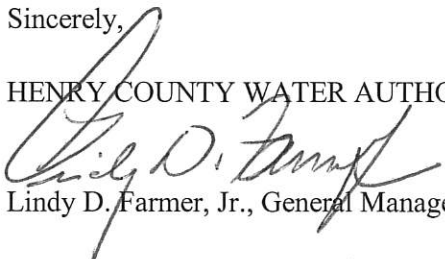
Reference is made to Paragraph 4.H.2. of the Service Area Amendment to Comprehensive Plan Agreement Pertaining to Water and Sewer Services dated April 12, 2018 between the City of Locust Grove and the Authority (Service Area Amendment). The Authority is opposed to the City providing water service to 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

AUGUST 7, 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

AUGUST 7, 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

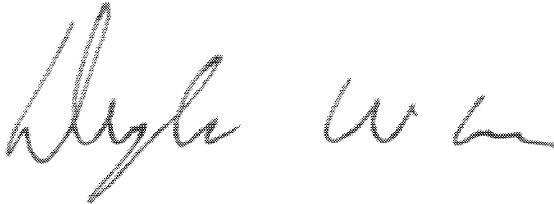
PUBLISHER'S AFFIDAVIT

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

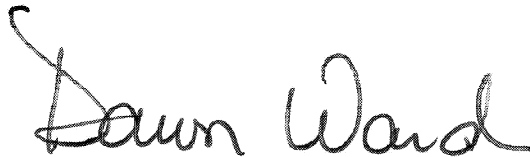
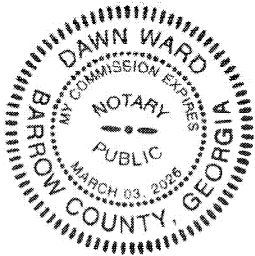
Ad No.: **351187**

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

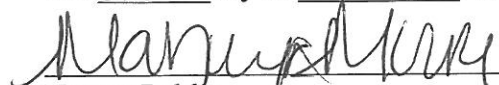

Notary Public



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 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. All vehicles shall be parked in a marked parking stall upon a paved, dust-free surface.

2. 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.

3. 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

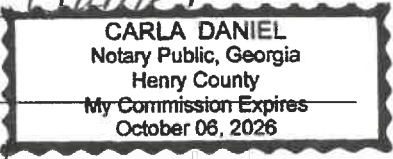
Signature of Owners/s: [Signature]

Printed Name of Witness: Carla Daniel

Printed Name of Owner/s: Clifton Harrison

Notary

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: _____

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

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

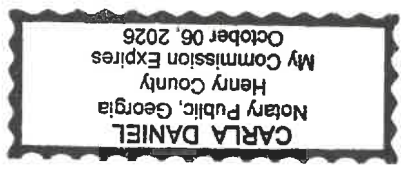
Clifton Harrison
 Applicant's Name - Printed

[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:

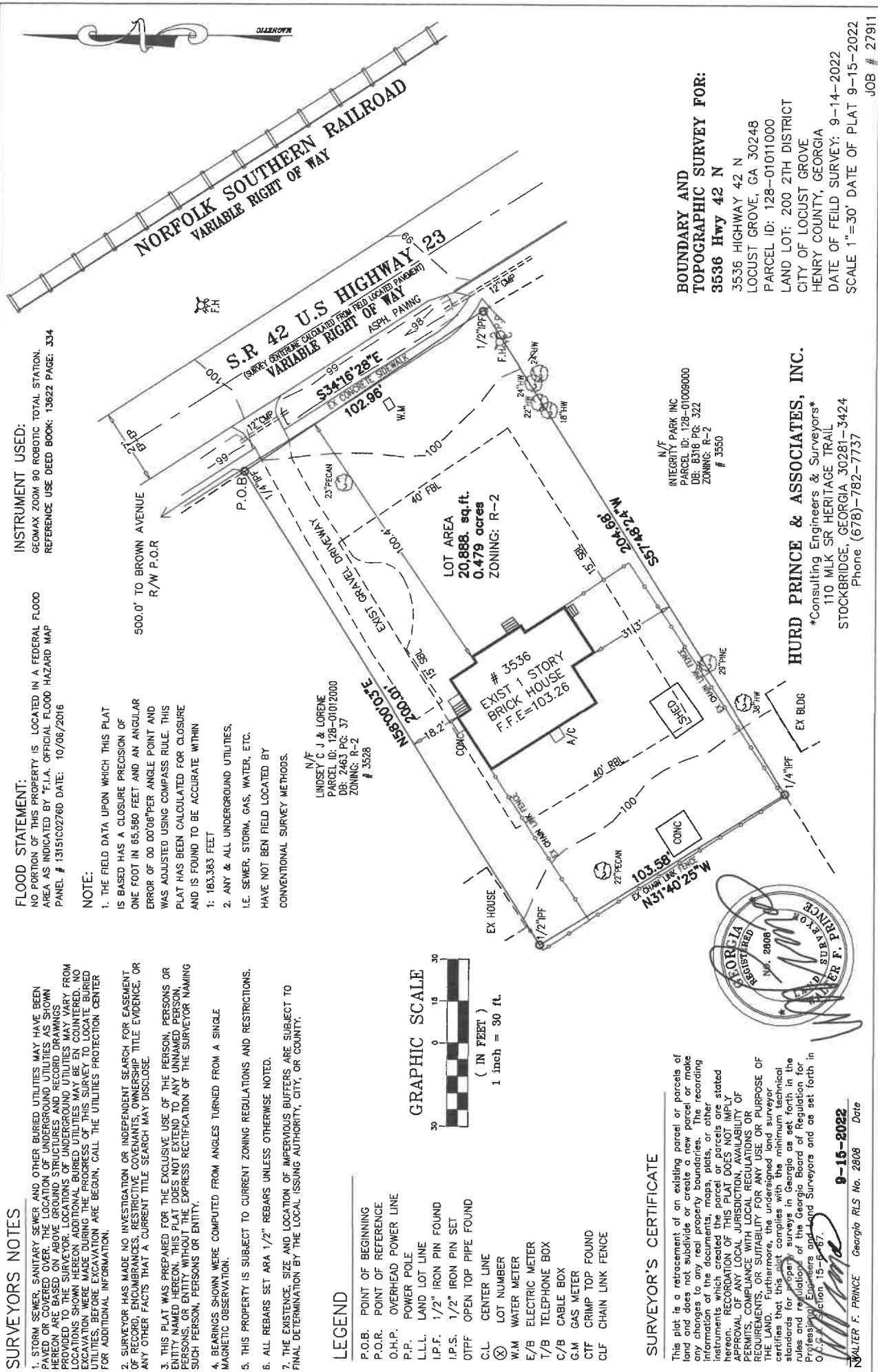
GEOMAX ZOOM 90 ROBOTIC TOTAL STATION
REFERENCE USE DEED BOOK: 13622 PAGE: 334

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.



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
 JOB # 27911

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

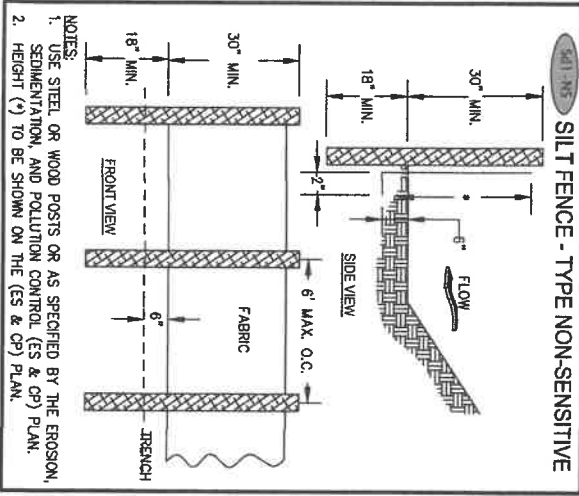


SURVEYOR'S CERTIFICATE

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

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.

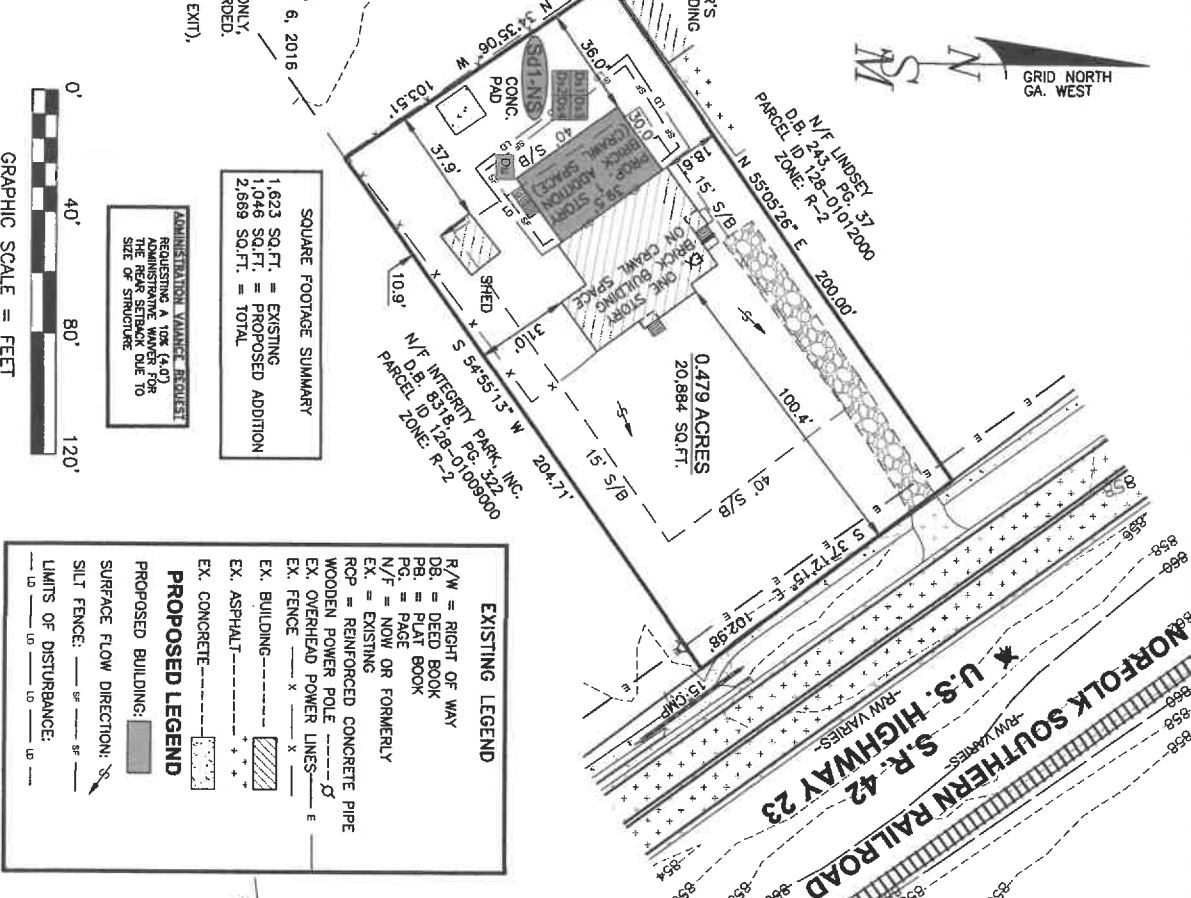


GENERAL NOTES:
 AREA: 0.479 ACRES / 20,884 SQ. FT.
 OWNER: LIFE BUILT HOMES
 ADDRESS: 3536 S.R. 42
 LOCUST GROVE, GA 30248
 PARCEL: 128-01011000
 DEED BOOK 19222, PAGE'S 1219

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 # 13151002780 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

ADMINISTRATION WAIVER REQUEST
 REQUESTING A 10% (4.0') ADMINISTRATIVE WAIVER FOR THE 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

SITE PLAN for BUILDING ADDITION WITH AN ADMINISTRATION WAIVER

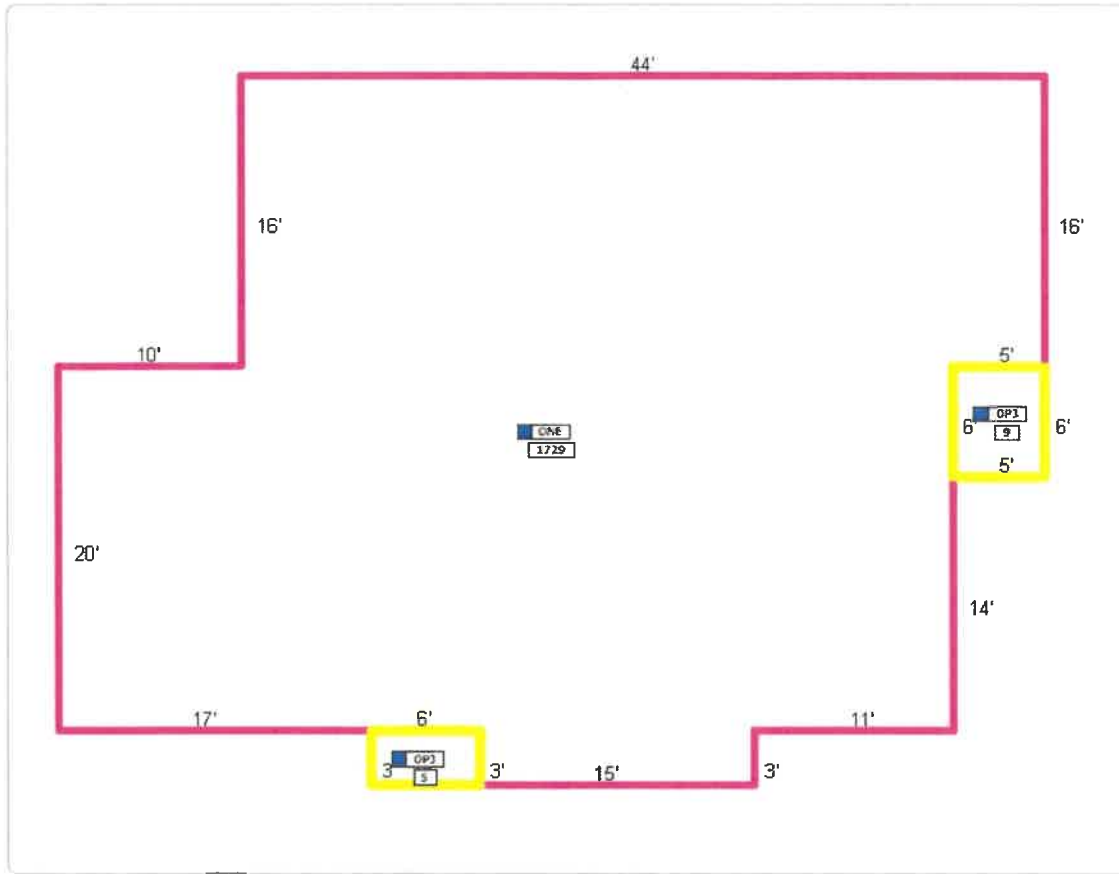
LIFEBUILT HOMES, LLC
 0.479 ACRES
 CITY OF LOCUST GROVE
 LAND LOT 200, 2nd. DISTRICT
 HENRY COUNTY, GEORGIA

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

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

PROFESSIONAL
 NO. 3190
 01-05-2023
 SIBLEY-MILLER SURVEYING & PLANNING INC.

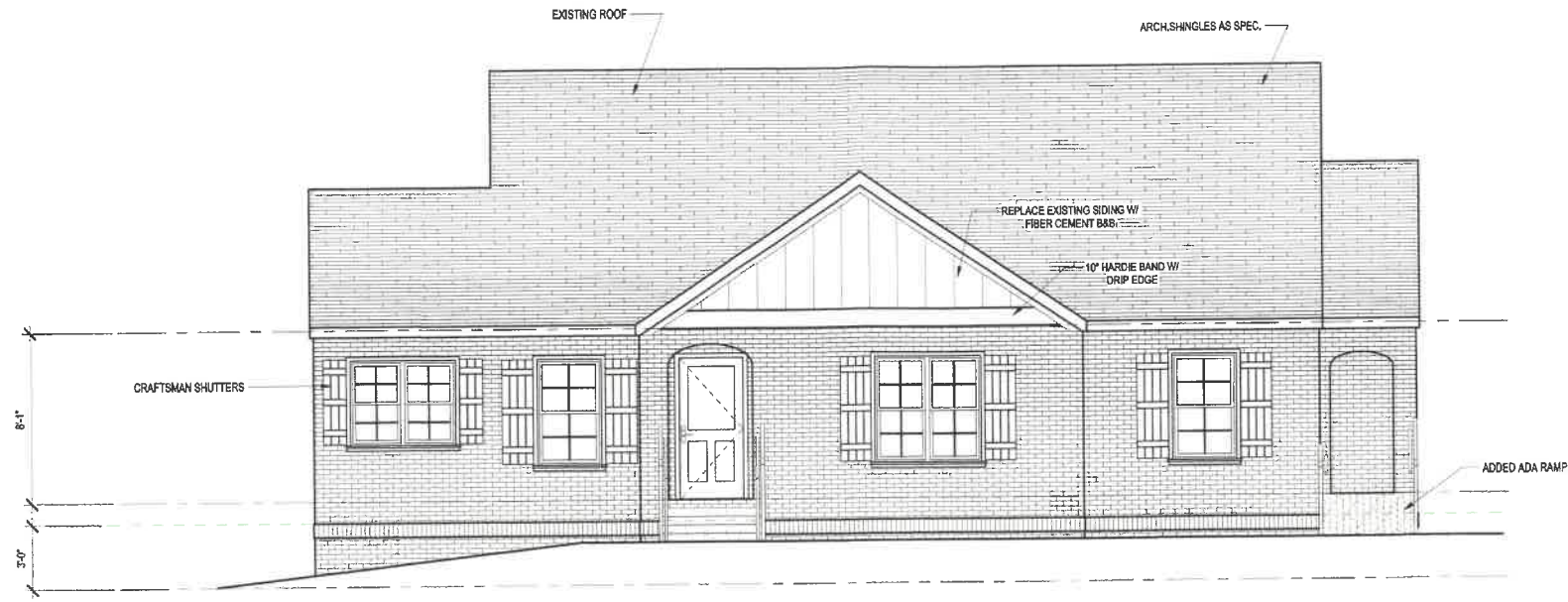


Data contained on this website represent a work in progress toward completion of the annual tax digest. As such, data is subject to change at any time. Ownership and map information correspond with the most current information processed by our office. Search deed records at the Henry County Courthouse 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"



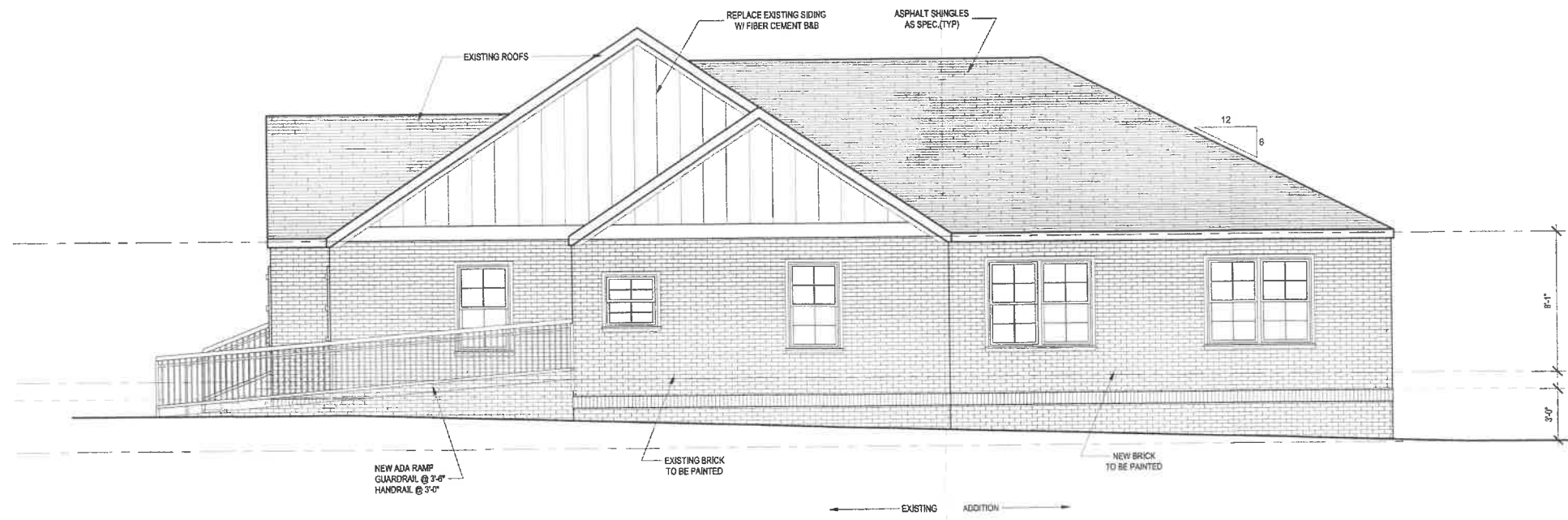
2 REAR ELEVATION
1/4" = 1'-0"




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



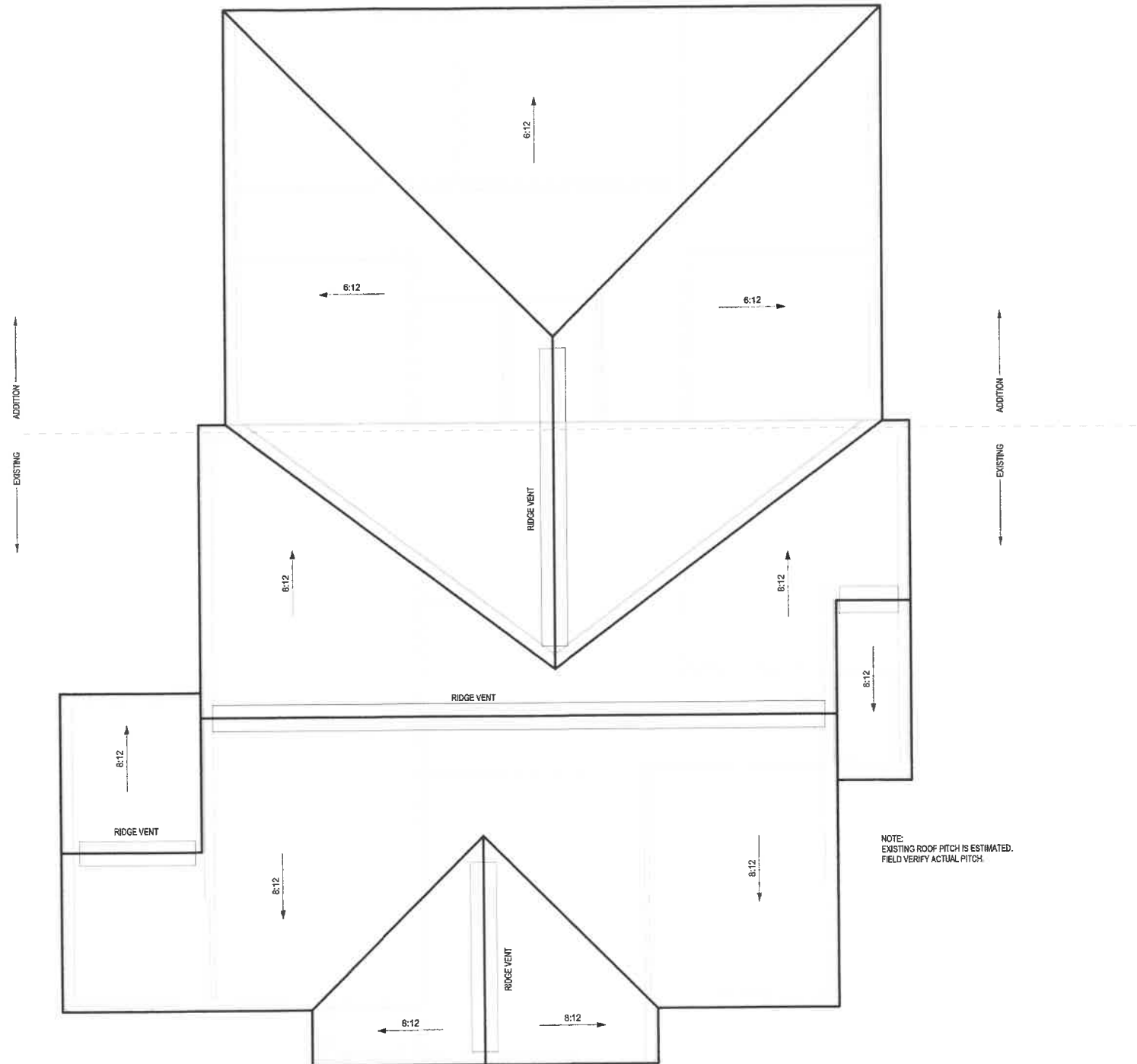
GENERAL REMODEL NOTES:

- 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



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

August 7, 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

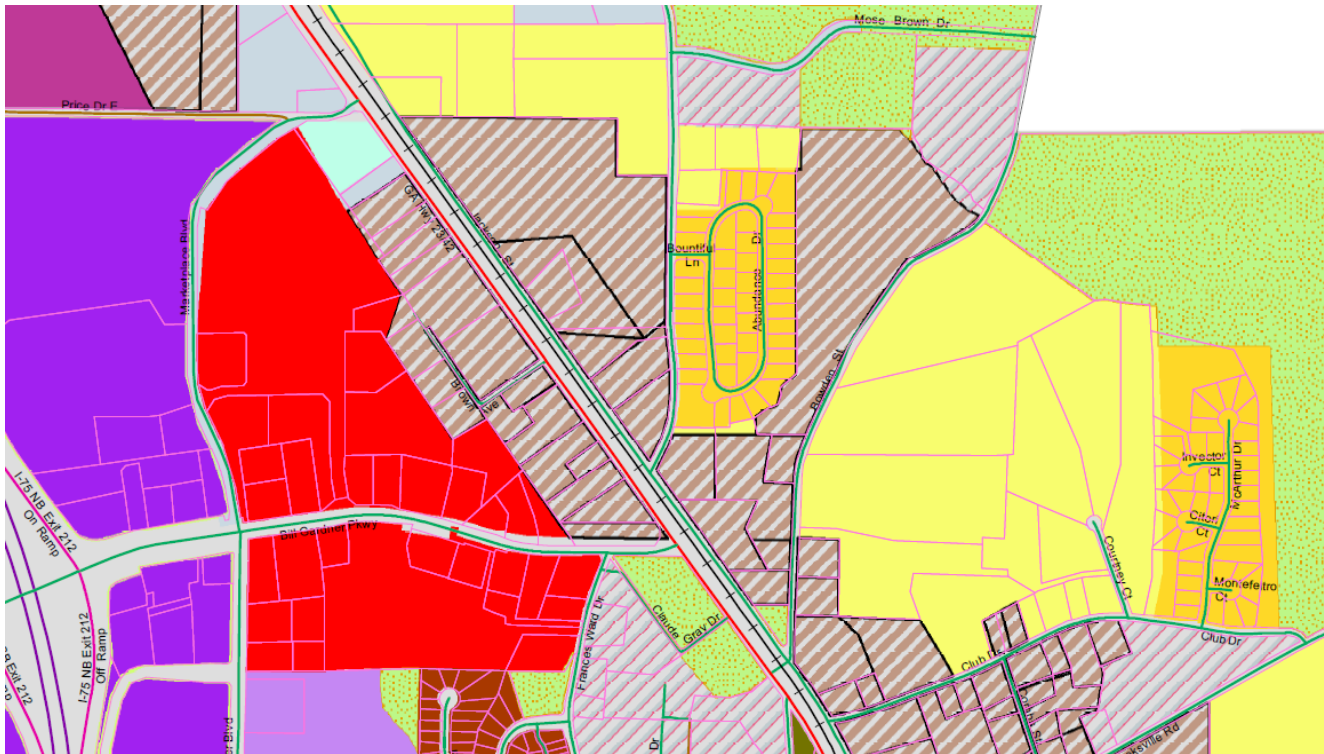
The subject property is currently zoned R-2 (Single Family Residential).



REZONING EVALUATION REPORT

FILE: RZ-23-05-01

August 7, 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

August 7, 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

August 7, 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

August 7, 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. All vehicles shall be parked in a marked parking stall upon a paved, dust-free surface.
2. 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.
3. 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.

Preserving the Past...Planning the Future

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:

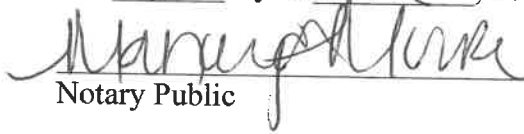
1. Double-sided sign posted at 3:15 PM at 3536 Highway 42 on 6/27/23.

FURTHER AFFIANT SAYETH NOT.

This 28th day of June, 2023.


Affiant

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


Notary Public

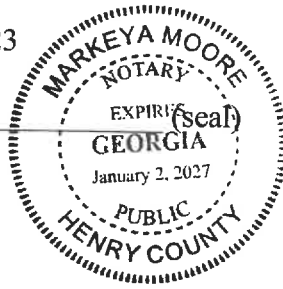


Exhibit "A"



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. All vehicles shall be parked in a marked parking stall upon a paved, dust-free surface.
2. 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.
3. 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.



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.

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.

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

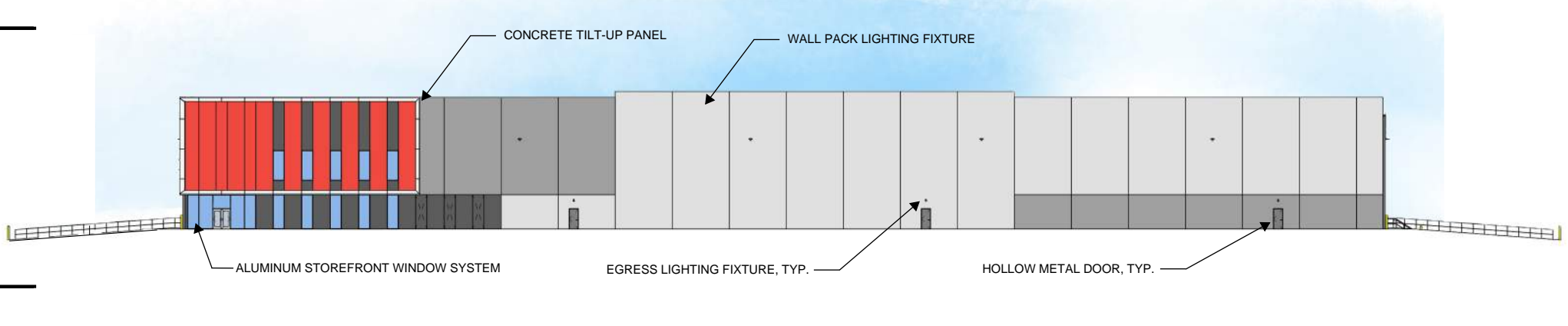
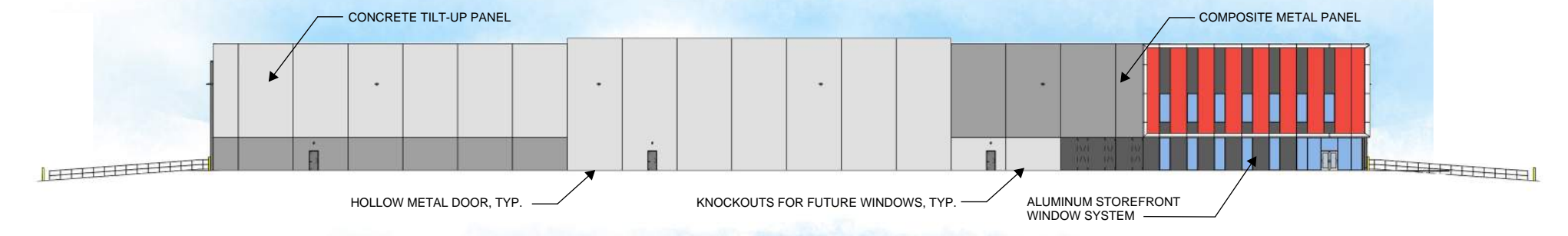
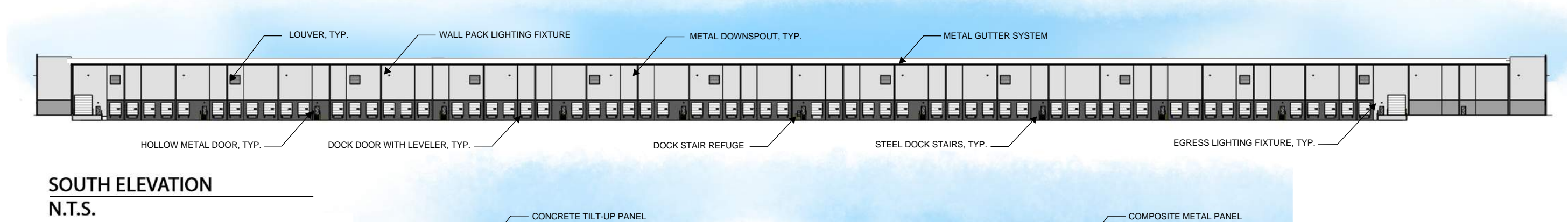
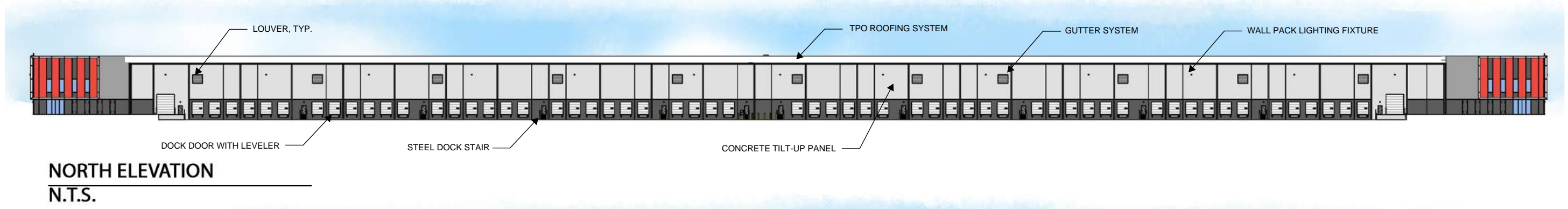
(Seal)

APPROVED AS TO FORM:

City Attorney

EXHIBIT “A”





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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Administration Department

P. O. Box 900
Locust Grove, Georgia 30248

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

Item Coversheet

Item: Resolution Consenting to the Creation of the Locust Grove North Community Improvement District (LGN-CID)

Action Item: Yes No

Public Hearing Item: Yes No

Executive Session Item: Yes No

Advertised Date: N/A

Budget Item: No – Part of Locust Grove North CID

Date Received: August 2, 2023

Workshop Date: N/A

Regular Meeting Date: August 7, 2023

Discussion:

Attached is a Resolution to consent to the creation of the Locust Grove North Community Improvement District (LGN-CID). This uses the enabling legislation by the General Assembly to create a community improvement district on the NW boundary of the city centered along Price Drive west of I-75 and north of Bill Gardner Parkway for creation of certain improvements to encourage economic development, such as the road improvement currently underway as part of the Project Seneca – Renewal by Andersen and CRG Building C to relocate and improve Price Drive.

Recommendation:

APPROVE RESOLUTION CONSENTING TO THE CREATION OF THE LOCUST GROVE NORTH COMMUNITY IMPROVEMENT DISTRICT AS AUTHORIZED BY THE GENERAL ASSEMBLY OF THE STATE OF GEORGIA BY THE CITY OF LOCUST GROVE COMMUNITY IMPROVEMENT DISTRICTS ACT AND BASED ON THE REQUISITE CONSENTS OF THE OWNERS OF REAL PROPERTY WITHIN THE DISTRICT BOUNDARIES; AND FOR OTHER PURPOSES.

A RESOLUTION

BY THE CITY COUNCIL OF THE CITY OF LOCUST GROVE

A RESOLUTION CONSENTING TO THE CREATION OF THE LOCUST GROVE NORTH COMMUNITY IMPROVEMENT DISTRICT AS AUTHORIZED BY THE GENERAL ASSEMBLY OF THE STATE OF GEORGIA BY THE CITY OF LOCUST GROVE COMMUNITY IMPROVEMENT DISTRICTS ACT AND BASED ON THE REQUISITE CONSENTS OF THE OWNERS OF REAL PROPERTY WITHIN THE DISTRICT BOUNDARIES; AND FOR OTHER PURPOSES.

RECITALS

- A. Pursuant to ARTICLE IX, SECTION VII of the Georgia Constitution, the General Assembly may provide by local legislation for the creation of one or more community improvement districts by a municipality.
- B. By Act of the Georgia General Assembly, 2019 House Bill 665, 2019 Ga. L. 3929, (the “**Act**”), the City of Locust Grove Community Improvement Districts Act was enacted.
- C. A majority of the owners of non-residential real property within the proposed community improvement district (the “**CID**”), as shown on the map attached as Schedule C-1 and incorporated by reference herein, which will be subject to taxes, fees, and assessments levied by the board of the CID, have consented in writing to the creation of the CID with boundaries as shown on said map.
- D. The owners of real property within the proposed CID which constitute at least 75% by value of all non-residential real property within said CID which will be subject to rates, fees and assessments levied by the board of the CID, according to the most recent approved Henry County ad valorem tax digest, have consented in writing to the creation of the CID with boundaries as shown on said map.
- E. The Henry County Tax Commissioner has certified that consents by a majority of the owners of real property and 75% by value of the owners of real property have satisfied paragraph (2) of subsection (a) of section 4 of the Act with respect to the CID, said certification and the corresponding consents being attached as Schedule E hereto and incorporated herein by reference.
- F. It is the intention of the City Council of the City of Locust Grove by creation and activation of such CID, to enhance and supplement certain governmental services and facilities to be provided within said district.
- G. The City Council of the City of Locust Grove has determined that the creation and activation of such CID would be in the best interest of the citizens of the City of Locust Grove.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF LOCUST GROVE, GEORGIA (the “City Council”) that the City of Locust Grove (the “City”) consents to the creation and activation of the Locust Grove North Community Improvement District comprising the geographical area as shown on the map attached as Schedule C-1 hereto and the properties as described in Schedule C-2 and Schedule C-3, both attached hereto and incorporated herein by reference, for the provision of one or more of the following governmental services and facilities:

- (1) Street and road construction and maintenance, including curbs, sidewalks, street lights, and devices to control the flow of traffic on streets and roads;
- (2) Parks and recreational areas and facilities;
- (3) Storm-water and sewage collection and disposal systems;
- (4) Development, storage, treatment, purification, and distribution of water;
- (5) Public transportation;
- (6) Terminal and dock facilities and parking facilities; or
- (7) Such other services and facilities as may be provided for by general law.

BE IT FURTHER RESOLVED that the City Council relies on the certification by the Tax Commissioner of Henry County as to the satisfaction of conditions relating to the consent of property owners and that neither the City nor the City Council will undertake any obligation to verify said certification and shall assume no responsibility for such certification.

BE IT FURTHER RESOLVED that a caucus of electors, as defined in the Act, be held within 60 days after the adoption of this Resolution, at the Locust Grove Public Safety Building, 3640 Highway 42, Locust Grove, Georgia 30248, for the purpose of electing three (3) District Board Members and taking other action. Registration shall begin at ____ o'clock __.m. and conclude at ____ o'clock __.m., at which time the election caucus will convene and voting will begin. No proxy votes may be cast.

BE IT FURTHER RESOLVED that the City Clerk shall give notice of said caucus to the electors by publication in the *Henry Herald* once a week for four (4) weeks, prior to such election, and by contacting each elector by U.S. Mail at least 31 days prior to such election at the address of each elector as indicated in the property tax rolls.

BE IT FURTHER RESOLVED that one board member shall be elected by a majority of the voters present and voting at the caucus to Post 1 on the basis of one vote for each elector. The board members for Posts 2 and 3 shall be elected at the caucus by a majority of the votes cast by the electors present and voting at the caucus, with each elector having one vote for each \$1,000.00 or fractions thereof, in assessed value of the property owned by the elector subject to taxes, fees, or assessments levied by the board . The initial term of office for the member representing Post 1

shall be two years. The initial term of office for the members representing Posts 2 and 3 shall be for a term of four years. Thereafter, all terms of office for all such elected board members shall be for four years.

BE IT FURTHER RESOLVED that _____ and _____, be and are hereby appointed by the City Council to serve in Posts 4 and 5, respectively, as members of the District Board, who shall serve at the pleasure of the City Council.

BE IT FURTHER RESOLVED that the Mayor of the City or the Mayor's designee shall convene the initial caucus of electors.

BE IT FURTHER RESOLVED that the City Clerk is directed to forward a copy of this resolution to the Georgia Department of Community Affairs and to the Georgia Secretary of State.

BE IT FINALLY RESOLVED that the Mayor of the City on behalf of the City be and is hereby authorized to enter into an intergovernmental agreement (the “**IGA**”) containing a Cooperation Agreement between the City and the CID providing for the provision of services and facilities under the Act. Said Cooperation Agreement shall be a portion of the IGA, and the IGA shall be among the City, the Henry County Development Authority (“**HCDA**”), and the CID. The IGA shall be in substantially the form attached hereto as Attachment 1 and incorporated herein by reference, with such further changes as the City Attorney shall deem appropriate. The Cooperation Agreement itself shall apply only as between the City and the CID. The other portions of the IGA shall apply to the City, the CID and the HCDA, and shall provide for such other matters as are set forth in Attachment 1 hereto. The IGA shall be executed initially by the City and the HCDA and shall be binding between them as set forth above upon its execution by them. The CID shall enter into the IGA by executing a joinder thereto, whereupon the Cooperation Agreement shall be binding between the City and the CID as set forth above, and the other portions of the IGA shall be binding among the City, the CID and the HCDA as set forth above.

This signature page is for the Resolution approved by Mayor and Council for the creation of the Locust Grove North Community Improvement District

Adopted this 7th day of August, 2023.

Robert Price, Mayor
City of Locust Grove, Georgia

Attest: _____
Misty Spurling, City Clerk
City of Locust Grove, Georgia

APPROVED AS TO FORM
AND CONTENT:

Andrew J. Welch, III, City Attorney
City of Locust Grove, Georgia

SCHEDULE C-1 MAP

CID BOUNDARY THE CUBES



SCHEDULE C-2
DISTRICT INFORMATION

CITY OF LOCUST GROVE
LOCUST GROVE NORTH COMMUNITY IMPROVEMENT DISTRICT

DISTRICT INFORMATION

Total Properties Within District	1
Valid Owner Consent Forms on File	1
Properties Without Consent	-0-
Owner Consent Required	51%
Owner Consent on File	100% (1 of 1 owners)

Total Market Value of Properties in District	\$20,096,900
Total Market Value of Consent on File	\$20,096,900
Value Consent Required	75%
Value Consent on File	100%

**1. Market Values of all property owners
as certified by the Tax Commissioner**

Parcel	TIN#	Value	%
111-0015000		\$20,096,900	100%
			%
			100%

**2. Market Values of the one consenting property owner
as certified by the Tax Commissioner**

Parcel	TIN#	Value	%
111-00150000		\$20,096,900	100%
			%
			%
			100%

SCHEDULE C-3
DISTRICT INFORMATION

PARCEL AND OWNER LIST

Parcel: 111-01015000

Owner: The Cubes at Locust Grove, LLC
2199 Innerbelt Business Center Drive
St. Louis, Missouri 63114

SCHEDULE E

CERTIFICATE OF TAX COMMISSIONER WITH ATTACHED CONSENTS



Administration Department

P. O. Box 900
Locust Grove, Georgia 30248

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

Item Coversheet

Item: Resolution LG North CID Issuance of Revenue Bonds

Action Item: Yes No

Public Hearing Item: Yes No

Executive Session Item: Yes No

Advertised Date: N/A

Budget Item: No – Part of Locust Grove North CID

Date Received: August 2, 2023

Workshop Date: N/A

Regular Meeting Date August 7, 2023

Discussion:

Attached is a Resolution to approve in principle for the Locust Grove North Community Improvement District to Issue up to \$7,000,000 in Economic Development Revenue Bonds to finance or refinance a proposed road improvement project in the City.

Recommendation:

APPROVE RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LOCUST GROVE APPROVING IN PRINCIPLE THE ISSUANCE BY THE LOCUST GROVE NORTH COMMUNITY IMPROVEMENT DISTRICT OF ITS ECONOMIC DEVELOPMENT BONDS HAVING A MAXIMUM PRINCIPAL AMOUNT NOT TO EXCEED \$7,000,000 TO FINANCE A PART OF THE COST OF A PROPOSED ROAD IMPROVEMENT PROJECT IN THE CITY OF LOCUST GROVE, GEORGIA, AND FOR OTHER PURPOSES.

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LOCUST GROVE APPROVING IN PRINCIPLE THE ISSUANCE BY THE LOCUST GROVE NORTH COMMUNITY IMPROVEMENT DISTRICT OF ITS ECONOMIC DEVELOPMENT REVENUE BONDS HAVING A MAXIMUM PRINCIPAL AMOUNT NOT TO EXCEED \$7,000,000, TO FINANCE OR REFINANCE A PART OF THE COST OF A PROPOSED ROAD IMPROVEMENT PROJECT IN THE CITY OF LOCUST GROVE, GEORGIA, AND FOR ANY RELATED PURPOSES.

WHEREAS, the Locust Grove North Community Improvement District (the “**District**”) is a community improvement district located wholly within the City of Locust Grove, Georgia (the “**City**”), and is duly organized and existing under the provisions of Article IX, Section VII of the Georgia Constitution (the “**CID Clauses**”), 2019 House Bill 665, 2019 Ga. L. 3929, by which the General Assembly enacted the City of Locust Grove Community Improvement Districts Act (the “**CID Act**”), and a Resolution adopted on August 7, 2023 by the City Council of the City as may hereafter be amended (the “**CID Activating Resolution**”), by which the District was created for the provision of governmental services and facilities, including, among other things, street and road construction and maintenance, including curbs, sidewalks, street lights, and devices to control the flow of traffic on streets and roads; and

WHEREAS, the CID Act defines “project” to mean the acquisition, construction, installation, modification, renovation, rehabilitation, or operation of land; interests in land, buildings, structures, facilities, or other improvements located or to be located within or otherwise providing service to the District; and the acquisition, installation, modification, renovation, rehabilitation, or furnishing of fixtures, machinery, equipment, furniture, or other property of any nature whatsoever used on, in, or in connection with any such land, interest in land, building, structure, facility, or other improvement, for all the essential public purposes set forth in the CID Act; and

WHEREAS, the District desires to finance certain public infrastructure consisting of road improvements built in accordance with the City’s standards (the “**Road Improvements Project**”) associated with an industrial park (the “**Development**”) being developed by The Cubes at Locust Grove, LLC, a Delaware limited liability company (the “**Developer**”). The Road Improvements Project and the Development will be located within the geographic boundaries of the District and within the City and Henry County, Georgia; and the Road Improvements Project will serve the general public including the users of the Development; and

WHEREAS, the plan of finance for the Road Improvements Project is for the District as purchaser to enter into a purchase and sale agreement (the “**PSA**”) with the Developer as seller, for the purchase by the District of the completed Road Improvements Project; which PSA is more completely described in an Intergovernmental Agreement dated as of July 24, 2023 (the “**Intergovernmental Agreement**”) among the City, the Henry County Development Authority (“**HCDA**”) and, upon execution of a joinder thereto, the Board of the District (the “**CID Board**”). The consideration to be received by the Developer for the completed Road Improvements Project will be the CID Bond

(defined below) to be issued by the District, as more completely described in the Intergovernmental Agreement. In order to repay the CID Bond, the District will levy taxes, fees or assessments on real property located within the District used nonresidentially, excluding all property exempt from *ad valorem* taxation under the Constitution or laws of the State of Georgia, provided that such tax shall not exceed 25 mills (2.5% percent) of the aggregate assessed value of all such real property (the “**District CID Assessments**”); and

WHEREAS, concurrently with the execution by the District of the joinder attached Intergovernmental Agreement whereby the District becomes a party thereto, the City and the District will also enter into a cooperation agreement (the “**Cooperation Agreement**”) regarding the provision of the services and facilities pursuant to the CID Act; and

WHEREAS, the Developer has informed the City that the planning, design, acquisition, construction and carrying out of the Road Improvements Project will require expenditures currented estimated to cost in excess of \$9,000,000; and

WHEREAS, after careful study and investigation of the nature of the Road Improvements Project, the City has determined that, in assisting with the financing or refinancing of the same, the District will be acting in furtherance of the public purposes for which it was created and that the District will have the power and authority to do so; and

WHEREAS, pursuant to the CID Act, the District is authorized to finance or refinance all or any portion of the cost of any “project,” as defined in the CID Act, by the issuance of its bonds, which bonds are required to be validated pursuant to the provisions of the Revenue Bond Law (O.C.G.A. § 36-82-60, *et seq.*); and

WHEREAS, the most feasible method of financing or refinancing the cost of the Road Improvements Project is for the District to issue its bonds from time to time in one or more series bearing federally tax-exempt interest or federally taxable interest (the “**CID Bonds**”), and apply the proceeds from the sale of such bonds to enable the planning, design, acquisition, construction and carrying out of the Road Improvements Project, provide for reserve funding and costs of issuance, or to reimburse the Developer for funds advanced for such purpose; and

WHEREAS, the Developer has requested that the City indicate its willingness to approve the issuance of the CID Bonds by the District to finance or refinance the Road Improvements Project, and its official intent that proceeds of such CID Bonds be applied to reimburse expenditures heretofore or hereafter made by or on behalf of the Developer or its affiliate or designee in connection with the Road Improvements Project (to the extent permitted by Treasury Regulation Section 1.150-2) so that the planning, design, acquisition, construction and carrying out of the Road Improvements Project may move forward;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Locust Grove, Georgia as follows:

- (1) The City hereby declares its official intent to the proposed issuance of the CID Bonds by the District from time to time in one or more series for the purpose of financing or

refinancing of a portion of the cost to the Developer of the Road Improvement Project in accordance with Treasury Regulation Section 1.150-2. Said declaration is an expression of the reasonable expectations of the City based on the facts and circumstances known to the City as of the date hereof.

(2) The Mayor of the City on behalf of the City is hereby authorized to take any and all further action and to execute and deliver any and all other documents as may be necessary or convenient, after consultation with the City Attorney, in connection with the issuance and delivery by the District of the proposed revenue bonds and to effect the undertaking for which the revenue bonds are proposed to be issued; provided, however, that the Developer shall pay all costs and expenses incurred by the City in connection with this resolution, including, without limitation, fees and disbursements of its legal counsel.

(3) The maximum principal amount of the CID Bonds expected to be issued for the portion of the Road Improvements Project described herein at this time will not exceed \$7,000,000.

(4) The Developer shall bear all costs incurred by the City pursuant to this resolution if the Bonds are not issued or sold.

ADOPTED this ____ day of _____, 2023.

Robert Price, Mayor
City of Locust Grove, Georgia

Attest:

Misty Spurling, City Clerk
City of Locust Grove, Georgia

APPROVED AS TO FORM
AND CONTENT:

Andrew J. Welch, III, City Attorney
City of Locust Grove, Georgia

