

**City of Locust Grove  
Council Workshop Meeting Minutes  
Public Safety Building – Courtroom Chamber  
3640 Highway 42 S. – Locust Grove, GA 30248  
Monday, May 3, 2021  
6:00 PM**

<b>Members Present:</b>	<b>Staff Present:</b>
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	Jennifer Adkins – Assistant City Clerk
Rod Shearouse – Councilman	Daunté Gibbs – Community Development Director
Rudy Breedlove - Councilman	Derrick Austin - Police Chief
Vincent Williams - Councilman	Jack Rose – Public Works Director
	Anna W. Ogg – Main Street Director
	Andy Welch - Attorney

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

Invocation given by Community Development Director Daunte’ Gibbs

Councilman Boone led the Pledge of Allegiance.

**APPROVAL OF AGENDA –**

Mayor Price asked for a motion. Councilman Greer made the motion to approve the May 3, 2021 meeting agenda.

RESULT	APPROVED AGENDA
MADE MOTION	COUNCILMAN GREER
2 <sup>ND</sup> MOTION	COUNCILMAN BREEDLOVE
VOTE	MOTION CARRIED - ALL IN FAVOR

**PUBLIC COMMENTS – NONE**

**PUBLIC HEARING ITEMS – NONE**

**APPROVAL OF THE MINUTES –**

**1. MARCH 29-30, 2021 SPECIAL CALLED EXECUTIVE SESSION MEETING MINUTES –**

Mayor Price asked for a motion. Councilman Greer made the motion to approve the March 29-30, 2021 special called executive session meeting minutes.

RESULT	APPROVED MARCH 29-30, 2021 SPECIAL CALLED EXECUTIVE SESSION MEETING MINUTES
MADE MOTION	COUNCILMAN GREER
2 <sup>ND</sup> MOTION	COUNCILMAN BOONE
FAVOR	MOTION CARRIED – ALL IN FAVOR

**2. APRIL 5, 2021- REGULAR MEETING MINUTES –**

Mayor Price asked for a motion. Councilman Williams made the motion to approve the April 5, 2021 regular meeting minutes.

RESULT	APPROVED APRIL 5, 2021 REGULAR MEETING MINUTES
MADE MOTION	COUNCILMAN WILLIAMS
2 <sup>ND</sup> MOTION	COUNCILMAN BOONE
FAVOR	MOTION CARRIED – ALL IN FAVOR

**3. APRIL 15, 2021- SPECIAL CALLED (T-SPLOST) MEETING MINUTES –**

Mayor Price asked for a motion. Councilman Shearouse made the motion to approve the April 15, 2021 special called (T-SPLOST) meeting minutes.

RESULT	APPROVED APRIL 15, 2021 SPECIAL CALLED T-SPLOST MEETING MINUTES
MADE MOTION	COUNCILMAN SHEAROUSE
2 <sup>ND</sup> MOTION	COUNCILMAN BOONE
FAVOR	MOTION CARRIED – ALL IN FAVOR

**4. APRIL 19, 2021- WORKSHOP MEETING MINUTES –**

Mayor Price asked for a motion. Councilman Greer made the motion to approve the April 19, 2021 workshop meeting minutes.

RESULT	APPROVED APRIL 19, 2021 WORKSHOP MEETING MINUTES
MADE MOTION	COUNCILMAN GREER
2 <sup>ND</sup> MOTION	COUNCILMAN TAYLOR
FAVOR	MOTION CARRIED – ALL IN FAVOR

**ACCEPTANCE OF THE FINANCIAL STATEMENT –**

**5. FEBRUARY 2021 FINANCIAL STATEMENT –**

Mayor Price asked for a motion. Councilman Greer made the motion to approve the February 2021 Financial Statement.

RESULT	APPROVED FEBRUARY 2021 FINANCIAL STATEMENT
MADE MOTION	COUNCILMAN GREER
2 <sup>ND</sup> MOTION	COUNCILMAN BOONE
FAVOR	MOTION CARRIED – ALL IN FAVOR

**6. MARCH 2021 FINANCIAL STATEMENT –**

Mayor Price asked for a motion. Councilman Williams made the motion to approve the March 2021 Financial Statement.

RESULT	APPROVED MARCH 2021 FINANCIAL STATEMENT
MADE MOTION	COUNCILMAN WILLIAMS
2 <sup>ND</sup> MOTION	COUNCILMAN GREER
FAVOR	MOTION CARRIED – ALL IN FAVOR

**UNFINISHED BUSINESS/ACTION ITEMS –**

**7. Ordinance to amend the City Future Land Use Map designations from medium-density residential to industrial for multiple tracts in LL 232 & 233 of the 2<sup>nd</sup> District**

Councilman Shearouse made the motion to approve in favor of the request with second by Councilman Boone. Councilman Taylor also in favor to approve the request. Councilman Breedlove, Greer, and Williams not in favor of approval. The result was a 3/3 vote and Mayor Price broke the tie with his vote in favor to approve the request by approving ordinance #21-05-024.

RESULT	APPROVED ORDINANCE #21-05-024
MADE MOTION	COUNCILMAN SHEAROUSE
2 <sup>ND</sup> MOTION	COUNCILMAN BOONE
VOTE	MOTION CARRIED – FOUR IN FAVOR (SHEAROUSE, BOONE, TAYLOR, MAYOR PRICE) AND THREE OPPOSED (GREER, BREEDLOVE, WILLIAMS)

**8. Ordinance for rezoning of 95.48 +/- acres of multiple tracts (Parcel IDs: 127-02017000, 127-02021000, 127-218001, 127-02020000, 127-02019004, & 127-02018002) in LL 232 & 233 of the 2<sup>nd</sup> District –**

Mayor Price asked for a motion. Councilman Shearouse made the motion to approve the request by approving ordinance #21-05-025.

RESULT	APPROVED ORDINANCE #21-05-025
MADE MOTION	COUNCILMAN SHEAROUSE
2 <sup>ND</sup> MOTION	COUNCILMAN BOONE
FAVOR	MOTION CARRIED – FOUR IN FAVOR (SHEAROUSE, BOONE, TAYLOR, WILLIAMS) AND TWO OPPOSED (BREEDLOVE, GREER)

**9. Resolution authorizing the City to accept the outdoor advertising contracts with Clear Channel, Whiteway, and Lamar –**

Mayor Price asked for a motion. Councilman Shearouse made the motion to approve the request by approving resolution 21-05-026.

RESULT	APPROVED RESOLUTION #21-05-026
MADE MOTION	COUNCILMAN SHEAROUSE
2 <sup>ND</sup> MOTION	COUNCILMAN BOONE
FAVOR	MOTION CARRIED – ALL IN FAVOR

**10. Resolution to create a streetlight district in Elmstone Commons at Locust Grove Station, Phase 2 –**

Mayor Price asked for a motion. Councilman Greer made the motion to approve the request by approving resolution 21-05-027.

RESULT	APPROVED RESOLUTION #21-05-027
MADE MOTION	COUNCILMAN GREER
2 <sup>ND</sup> MOTION	COUNCILMAN BREEDLOVE
FAVOR	MOTION CARRIED – ALL IN FAVOR

**11. Request for a special event permit for the Haven House 5K Road Race on September 25, 2021 –**

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

RESULT	APPROVED SPECIAL EVENT
MADE MOTION	COUNCILMAN BREEDLOVE
2 <sup>ND</sup> MOTION	COUNCILMAN TAYLOR
FAVOR	MOTION CARRIED – ALL IN FAVOR

**12. Resolution approving the architectural plans submitted for Life Built Homes, located at 3390 Highway 42, South –**

Mayor Price asked for a motion. Councilman Taylor made the motion to approve the request by approving resolution 21-05-028.

RESULT	APPROVED RESOLUTION #21-05-028
MADE MOTION	COUNCILMAN TAYLOR
2 <sup>ND</sup> MOTION	COUNCILMAN GREER
FAVOR	MOTION CARRIED – ALL IN FAVOR

**13. Comprehensive Transportation Plan (CTP) Contribution based on 2020 Census figures –**

Mayor Price asked for a motion. Councilman Greer made the motion to approve the request.

RESULT	APPROVED REQUEST
MADE MOTION	COUNCILMAN GREER
2 <sup>ND</sup> MOTION	COUNCILMAN SHEAROUSE
FAVOR	MOTION CARRIED – ALL IN FAVOR

**NEW BUSINESS/ACTION ITEMS –**

**14. Appeal of a Business License application denial for MJ's hand car wash –**

Community Development Director Daunte' Gibbs stepped forward and led discussion this is an appeal of a business license application denial for MJ's hand car wash. The applicant; Jasmine Mota proposed to locate in an existing business parking lot. The current zoning of the proposed location is C-2; however, there are commercial compliance requirements. Hand car washes are not listed as a permitted use in our Code of Ordinances and discussion took place. Mr. Gibbs read aloud the compliance guidelines. Mr. Gibbs said no evidence that complies with our code is included therefore staff recommends denial.

Councilman Greer asked if any plans were provided to staff and Mr. Gibbs replied no, the applicant had no intentions of complying. Discussion took place. Councilman Greer said this location is already congested and said he does not feel like this would be an ideal location for such business. Mr. Gibbs replied if the applicant moves towards commercialized use, the parcel will have to be divided. Mr. Gibbs said he can only give his opinion; however, conditions would be included if the applicant were to proceed.

Councilman Williams asked if a mobile car wash would comply if the applicant purchased the water container? Mr. Gibbs replied the conditions would still apply and the mobile unit could go to and from; however, not interfere with our system.

Attorney Andy Welch made a comment if an appeal has been filed the applicant can speak if present. The applicant is not present and nothing further.

Mayor Price asked for a motion. Councilman Greer made the motion to deny the appeal upholding decision of staff.

RESULT	DENIED
MADE MOTION	COUNCILMAN GREER
2 <sup>ND</sup> MOTION	COUNCILMAN BREEDLOVE
FAVOR	MOTION CARRIED – ALL IN FAVOR

**15. Special Event request for Locust Grove High School Senior parade on May 8, 2021 –**

Community Development Director Daunte' Gibbs said this is a request from De'Ondre Harris, Senior Class President from Locust Grove High School. The race will begin at 1:00 PM and the applicant has coordinated the route with our police department.

Chief Austin said he provided the applicant with the operations plan and has agreed to our conditions, and we recommend approval.

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

RESULT	APPROVED SPECIAL EVENT
MADE MOTION	COUNCILMAN BOONE
2 <sup>ND</sup> MOTION	COUNCILMAN BREEDLOVE
FAVOR	MOTION CARRIED – ALL IN FAVOR

#### **16. Ordinance to amend the Police SOP Section A-020 – Code of Conduct**

Chief Austin stepped forward and led discussion this is one of two departmental policy changes required for the department to comply with the U.S. Department of Justice State and Local Law Enforcement Certification. The wording is provided through the Executive Order [13929] that needed to be revised. Chief Austin reviewed the revision and discussion took place.

Mayor Price asked for a motion. Councilman Williams made the motion to approve the request by approving ordinance #21-05-029.

RESULT	APPROVED ORDINANCE #21-05-029
MADE MOTION	COUNCILMAN WILLIAMS
2 <sup>ND</sup> MOTION	COUNCILMAN SHEAROUSE
FAVOR	MOTION CARRIED – ALL IN FAVOR

#### **17. Ordinance to amend the Police SOP Section P-030 – Use of Force**

Chief Austin said this is the second policy change and the Chief reviewed the revisions and discussion took place.

Mayor Price asked for a motion. Councilman Greer made the motion to approve the request by approving ordinance #21-05-030.

RESULT	APPROVED ORDINANCE #21-05-030
MADE MOTION	COUNCILMAN GREER
2 <sup>ND</sup> MOTION	COUNCILMAN BOONE
FAVOR	MOTION CARRIED – ALL IN FAVOR

#### **CITY MANAGER'S COMMENTS –**

Mr. Young stepped forward with an update to be on the lookout for severe weather tomorrow. The arrangements for Chair Harrell's husband [Kennis Harrell] will be Friday [viewing] and Saturday [Funeral Service]. Along with gas shortages there are shortages and delays on other items including computer related items. We are returning to normal business hours beginning June 1, 2021 (8:00 AM to 5:00 PM) and will continue to follow the CDC guidelines and continue city operations as normal. Nothing further.

#### **MAYOR'S COMMENTS – NONE**

**EXECUTIVE SESSION – NONE**

**ADJOURNMENT –**

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

RESULT	APPROVED – ADJOURN MEETING
MADE MOTION	COUNCILMAN GREER
2 <sup>ND</sup> MOTION	COUNCILMAN BOONE
FAVOR	MOTION CARRIED MEETING ADJOURNED @ 6:28 PM.

Notes taken by:

Misty Spurling, City Clerk

**City of Locust Grove  
Council Workshop Meeting Minutes  
Public Safety Building – 3640 Highway 42 S.  
Locust Grove, GA 30248  
Monday, May 17, 2021  
6:00 PM**

<b>Members Present:</b>	<b>Staff Present:</b>
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	Jennifer Adkins – Assistant City Clerk
Rod Shearouse – Councilman	Daunté Gibbs – Community Development Director
Rudy Breedlove - Councilman	Derrick Austin – Police Chief
	Anna W. Ogg – Main Street Manager
	Jack Rose – Public Works Director
	Andy Welch - Attorney

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

Invocation given City Manager Tim Young.

Councilman Williams led the Pledge of Allegiance.

**APPROVAL OF AGENDA –**

Mayor Price asked for a motion. Councilman Boone made the motion to approve the May 17, 2021 meeting agenda.

RESULT	APPROVED
MADE MOTION	COUNCILMAN BOONE
2 <sup>ND</sup> MOTION	COUNCILMAN SHEAROUSE
VOTE	MOTION CARRIED - ALL IN FAVOR

**PUBLIC COMMENTS –**

**Proclamation – Municipal Clerk’s Week, May 2 – May 8, 2021**

City Manager Tim Young read aloud a proclamation in recognition of the 52<sup>nd</sup> annual Municipal Clerk’s Week expressing appreciation to City Clerk Misty Spurling and Assistant City Clerk Jennifer Adkins. Nothing further.

**PUBLIC HEARING ITEMS –**

- 1. Rezoning of 17.78 +/- acres located at 209 Bowden Street (Parcel ID: 128-02017000) in LL 199 of the 2<sup>nd</sup> district –**



Community Development Director Daunte' Gibbs stepped forward and led discussion this is a request for rezoning property at 209 Bowden Street from RA (Residential Agricultural) to R-3 (Medium High Single-Family residential). The applicant, Carol Maker, agent for Sunrise Builders, Inc. intends to develop a single-family residential subdivision.

Mayor Price said this is a public hearing and opened for public comments for anyone not opposed and no comments.

Mayor Price asked for comments from anyone opposed and no comments.

Mayor Price closed the public hearing.

Mayor Price asked for comments from Council.

Councilman Shearouse asked if this property is connected to the subdivision to the west. Mr. Gibbs replied no, this property abuts the property to the west. Discussion took place and Councilman Shearouse asked what are the square footage of the homes? Mr. Gibbs replied [1,700 sq. ft. single story and 2,200 sq. ft. two story]. Councilman Shearouse asked if the applicant is present.

Mrs. Carol Maker, agent for Sunrise Builders, stepped forward to answer questions. Councilman Shearouse asked what will be the price range of the homes? Mrs. Maker replied that the price range depends on the cost of material at the time of development. Mrs. Maker said materials and cost have increased but probably starting in the low \$300,000.

Councilman Greer asked Mrs. Maker if Sunrise Builders developed Indian Grove subdivision and Mrs. Maker replied yes. Councilman Greer made a comment Sunrise Builders was on the news for asking the buyer to pay additional \$20,000 in addition to the original contract that was agreed. Mrs. Maker replied the contract was signed prior to the drastic increase in materials; therefore, we made a business decision to seek additional money to avoid a loss on the sale of the home. Councilman Greer said the best business practice normally is the contract is final when signed. Mrs. Maker said the cost difference went from \$80 sq. ft. to \$84-\$86 sq. ft. to build and was not an easy decision to make.

Councilman Williams asked if the developer would know a price point once the home goes under contract? Mrs. Maker replied that the building cost cannot be determined at this time because development will not begin for seven more months. The homes will not go under contract until the permits are pulled and the pricing of the "package" of materials to build the home are acquired are known to avoid the same issue again.

Councilman Boone asked what is the square footage of the homes in Cottage Grove? Mrs. Maker replied the square footage is the same as in Indian Grove [up to 3,000 sq. ft]. Discussion took place about the lot size [12,000 sq. ft. minimum and 80-ft. frontage]. Councilman Boone said he feels 17 acres would not be sufficient for the number of homes being proposed. Mr. Young said this is the same density as Cottage Grove. Nothing further.

**2. Request to amend Section 17.04.060(D)(9), entitled multi-family residential district, of the City of Locust Grove Code of Ordinances (text amendment) –**

Community Development Director Daunte' Gibbs led discussion this is a request from Jacob Lang, the applicant, for a text amendment for Section 17.04.060(D)(9). *Mr. Gibbs clarified the paperwork provided says 17.04.060(B)(9); however, 17.04.060(D)(9) is correct and the paperwork will reflect*

*correction at the next meeting.* This amendment would add the provision of 12- to 20-du/acre for Multi-family developments located in the Gateway Town Center future land use. Mr. Gibbs said this would affect this property and all other properties in the Gateway Town Center. Staff recommends approval with provisions and Mr. Gibbs read aloud provisions a.(i) (1-8) one through eight.

Mayor Price asked for comments from Council.

Councilman Boone asked if the Fire Department could accommodate and handle a five-story building if an emergency. Mr. Gibbs replied four and five story buildings already exist in Locust Grove. Mr. Young said Station 2 has a ladder truck that will accommodate buildings of that height.

Councilman Breedlove asked what is the benefit of increasing the density to 20 dwelling units per acre? Mr. Gibbs replied with discussion referencing the Comprehensive Land Use Plan and said the conflict is with the policy guide and the zoning ordinance. Attorney Andy Welch asked Mr. Gibbs if the policy guide is part of the Comprehensive Plan. Mr. Gibbs replied yes, the Comprehensive Plan steers the growth over the next ten years and data is reanalyzed every ten years.

Mayor Price said this is a public hearing and opened for public comments for anyone not opposed and no comments.

Mayor Price asked for public comments for anyone opposed.

Mr. Jacob Lang stepped forward to comment. Mr. Lang: applicant on behalf of AHAD Properties said the multifamily ordinance is not adequate and is the reason Locust Grove cannot attract any major restaurants. Mr. Lang said he has been a part of many businesses locating to Locust Grove including (Quick Trip, Wal-Mart, Zaxby's, IHOP, and several others). Mr. Lang said this amendment would allow many opportunities for families to be in walking distance to areas of interest and limiting trips outside of Locust Grove. Currently Locust Grove has nothing comparable that allows people to rent in a quality location. Further, Mr. Lang said he encourages Council to approve multifamily; however, not five-story with structured parking because Locust Grove does not have the demand for it. Mr. Lang said he is struggling with renting retail space near Dollar Tree because of the criteria and location. Mr. Lang said he is opposed to the text amendment as written and very disappointed he did not have more time to review prior to the meeting tonight.

Councilman Greer asked Mr. Lang why he is developing another phase at Dollar Tree if he cannot rent the space. Mr. Lang replied developers are given a leasing threshold to build out or complete the original plan and currently have only 80 percent leased because there is no demand. Discussion took place. Mr. Lang said he is told Locust Grove does not have enough daytime employment and rooftops. Discussion took place.

Attorney Andy Welch made a comment regarding the time limit for public comments and said the ten-minute time allowance has expired for this hearing.

Councilman Williams asked Mr. Lang his opinion if he feels we do not have the quality restaurants because of the reason he provided, and Mr. Lang replied yes.

Councilman Breedlove asked Mr. Lang what is it that he is opposed to? Mr. Lang replied he does not agree with [Section 17.04.060a.i.2 single multi-story building] and portions of the building exterior requirements and discussion took place. Nothing further.

Mayor Price closed the public hearing.

**3. Rezoning of 37.953 +/- acres located at 300-590 Market Place Blvd (Parcel ID: 112-01013000) in LL 201 of the 2<sup>nd</sup> district –**

Community Development Director Daunte' Gibbs led discussion this is a request from AHAD Properties for rezoning 37.953 acres from C-2 (General Commercial) to RM-1 (multifamily residential). The applicant intends to build a multifamily residential development that will include 540 apartments. Mr. Gibbs said staff does not concur with the request unless the applicant revises their conceptual site plan with the conditions included. Mr. Gibbs read the conditions aloud and discussion took place.

Attorney Andy Welch asked Mr. Gibbs where in Henry County are there apartments that the ordinance allows 20 units per acre? Mr. Gibbs replied there is no record in Henry County that allows 20 units per acre and discussion took place.

Councilman Williams asked how will this affect the land use agreement and what are the cons to allowing 20 units per acre? Mr. Gibbs replied if this were approved, this would allow other developers going forward to develop the same product and would set a precedence in the city. Discussion took place.

Councilman Greer asked if a study has been done to show the traffic implications. Mr. Gibbs replied yes, a review was completed by the GRTA which we received on May 14, 2021. Councilman Greer made a comment about verbiage in the DRI evaluation on the [Rezoning Evaluation Report] suggesting for better pedestrian infrastructure (without vehicle trips) both on and around the DRI. Mr. Gibbs said that is questioning if this would accommodate a mixture use and discussion took place. Councilman Greer asked if there are requirements for pedestrian lighting and Mr. Gibbs replied yes if Council deemed to be a requirement. Councilman Greer said he is not opposed to apartments; however, his concern is the quantity being proposed in the designated area.

Attorney Andy Welch said the ordinance currently allows up to eight units per acre as total density. If Council does not want to amend to increase allowing 20 units per acre, the application should not be granted. Attorney Andy Welch said without the change in the ordinance the application does not meet our requirements. Attorney Andy Welch asked if this complies with the cities residential growth ordinance and Mr. Foster replied with our current figures it most likely will; however, Mr. Foster said he would have to review. Mr. Gibbs also confirmed the revised recommendations were revised to say building(s) versus building.

Councilman Beone asked how many buildings this would consist of, and Mr. Gibbs replied 13 buildings and discussion took place. Mr. Foster confirmed each building would occupy about 1,400 people since the average per household is about 3.2 people.

Mr. Young said this is a huge request for the four corners of this interchange and with only having a site plan with basic rectangles and no other information for clarity, Council is limited on having viable information that is needed for future consideration. Discussion took place about structured parking and amenities.

Attorney Andy Welch said the zoning ordinance for RM-1 already requires amenities that correspond to the density and discussion took place. The amenities in this case are geared to the traveling public and if density is increased the demand to have the amenities (pool, gym, etc.) will increase in this development.

Councilman Shearouse asked what is the definition of constitutional amendment? Attorney Andy Welch replied according to the Georgia Supreme Court the property owner provides a letter that specifies what they think their rights are. Councilman Boone said this letter is from Mr. Lang not the property owner. Attorney Andy Welch replied that Mr. Lang is stating he is the applicant for the owner. Further discussion took place, and Attorney Welch said the request does not comply with the zoning ordinance; and, without the amendment, it does not comply.

Mayor Price said this is a public hearing and opened to public comments.

Mayor Price asked for anyone who wanted to speak that are not opposed to this request to come forward.

Mr. Jacob Lang stepped forward to comment. Mr. Lang said he submitted a constitutional amendment today and discussion took place. Mr. Lang said he needs the text amendment request approved before he proceeds further, thus the reason he has not submitted a revised site plan. Mr. Lang said he supports the rezoning; however, is requesting action be tabled tonight. Mr. Lang said he feels like the city (staff) is biased because of their opposition to multifamily development. Mr. Lang said there is not a demand for commercial development right now and said he feels like the city only references the negative impact of a multifamily development.

Councilman Greer made a comment about the policy for the time limit allowed for public comments. Mayor Price said he is allowing Mr. Lang the time to speak.

Attorney Andy Welch made a comment Mr. Lang is asking the amendment to be approved for his benefit, because without the amendment the rezoning will not happen. Attorney Andy Welch asked Mr. Lang if that is correct? Mr. Lang replied yes, and discussion took place. Nothing further.

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

Mayor Price closed the public hearing.

#### **NEW BUSINESS/ACTION ITEMS –**

#### **4. Resolution approving the final plat submitted for Nine Oaks subdivision – Phase 2 on Peeksville Road –**

Mayor Price asked for a motion. Councilman Shearouse made the motion to approve the request by approving resolution #21-05-031

RESULT	APPROVED RESOLUTION #21-05-031
MADE MOTION	COUNCILMAN SHEAROUSE
2 <sup>ND</sup> MOTION	COUNCILMAN GREER
VOTE	MOTION CARRIED - ALL IN FAVOR

#### **5. Resolution to accept the agreement with Norfolk Southern Railroad/Colvin Drive –**

Mayor Price asked for a motion. Councilman Boone made the motion to approve the request by approving resolution #21-05-032

RESULT	APPROVED RESOLUTION #21-05-032
MADE MOTION	COUNCILMAN BOONE
2 <sup>ND</sup> MOTION	COUNCILMAN SHEAROUSE
VOTE	MOTION CARRIED - ALL IN FAVOR

## 6. Scannell Release and Indemnification agreement –

Attorney Andy Welch said this incorporates all the DRI requirements and one of the requirements was the improvement at Colvin Drive. Discussion took place and Attorney Andy Welch said any improvements would be the obligation of the developer.

Mayor Price asked for a motion. Councilman Williams made the motion to approve the request by approving resolution #21-05-033

RESULT	APPROVED RESOLUTION #21-05-033
MADE MOTION	COUNCILMAN WILLIAMS
2 <sup>ND</sup> MOTION	COUNCILMAN BREEDLOVE
VOTE	MOTION CARRIED - ALL IN FAVOR

## 7. Amendment to Police SOP Section A-095 – Firearms Regulations –

Chief Austin stepped forward and said this an update to the policy to coincide with our practice. Councilman Greer made a comment the effective date on the policy says 2014. Chief Austin said he will make the correction. Nothing further.

Mayor Price asked for a motion. Councilman Breedlove made the motion to approve the request by approving ordinance 21-05-034

RESULT	APPROVED ORDINANCE #21-05-034
MADE MOTION	COUNCILMAN BREEDLOVE
2 <sup>ND</sup> MOTION	COUNCILMAN BOONE
VOTE	MOTION CARRIED - ALL IN FAVOR

## CITY OPERATION REPORTS / WORKSHOP DISCUSSION ITEMS

### MAIN STREET OPERATIONS – ANNA W. OGG

- **2021-2022 Memorandum of Understanding with GA Department of Community Affairs for Main Street Program -**

Mrs. Ogg stepped forward and led discussion this outlines the standards and requirements for State and National accreditation of Main Street communities. This will be revisited at the June 7, 2021 meeting for approval. Nothing further.

Mrs. Ogg continued with an update there will be free Yoga in the Park on the first Saturday of each month. HPC and DDA members completed online training for economic development. The cemetery clean-up project was a success and looks great. Mrs. Ogg said we currently have five rural zone tax credits in process and hopefully will have new businesses coming in the summer. Further, Mr. Ross McQueen is performing blue grass music on Saturday nights at 6:30 at the Train Platform. Nothing further.

### PUBLIC SAFETY OPERATIONS – CHIEF DERRICK AUSTIN

Chief Derrick Austin reviewed the monthly report and total collections for April 2021 are \$57,226.00. The Chief noted the department completed 191 hours of training in April and the goal is to increase those hours each month.

Councilman Greer asked the Chief if he has any plan in place for the increase in crime? The Chief said he is reviewing options with our software (Tyler Technologies) to pinpoint areas of concern. Also, still enforcing Community Oriented Policing and working with Tanger on their concerns. Chief Austin said we are updating equipment and adding computers in each vehicle to allow the officers to complete paperwork and reports in the vehicle. Discussion took place and nothing further.

- **Proposal to add newly created position class to the Police Department**

Chief Austin led discussion this is a proposed position for a Professional Standards Specialist within the department. This will fill a current opening and is necessary in the process of certification of the Police Department. Councilman Boone asked if anyone within the department would be qualified or interested, and Chief Austin said not known at this time. Nothing further.

#### **PUBLIC WORKS – JACK ROSE**

Public Works Director Jack Rose stepped forward with an update everything is operating as normal. We have three employees going to training in Zebulon tomorrow and will hopefully start sending more for training since we have fallen behind in that area. We have lots of road patching on schedule and continuing with grass cutting and chipping as part of regular maintenance. Nothing further.

#### **ADMINISTRATION – BERT FOSTER**

Mr. Foster gave an update GDOT allowed us to make a change on the easement for the Peeksville Road extension and Mr. Foster gave an update on the MMIP (Commercial Vehicle Lane) and the signal at Market Place and Hwy 42. Construction is expected to begin in early 2022 for the extra lane from Bill Gardner Parkway to Peeksville Road. Nothing further.

- **Final Design Concept for the Locust Grove Scatter Garden/Veterans' Memorial**

Mr. Foster continued with discussion Council reviewed a preliminary design for the Scatter Garden in August 2020. Council asked for incorporation of the Veterans' Memorial in that concept. We now have the plan for the incorporation of the Veteran's Memorial that will also house the Canon that we are receiving from the Department of Defense.

Councilman Williams made a comment he has seen in most Veterans' Memorials there are inclusions on pavers of those deceased. Councilman Williams said the family would incur the costs for that option and noted this would be nice if we could offer as an option. Mr. Foster said he will research and said the final design will be revisited in June for approval. Nothing further.

#### **COMMUNITY DEVELOPMENT OPERATIONS – DAUNTÉ GIBBS**

Community Development Director Daunté Gibbs gave an update his department has issued a total 1,083 permits including 209 new house permits for 2021. We have issued 135 COs [88 residential and 47 commercial permits] with 339 business licenses issued for 2021. Further, Mr. Gibbs said Waffle House has intention to resubmit to restart construction and Chick-Fil-A is currently under review. Nothing further.

- **Request for a special event permit for a fireworks sale for TNT Fireworks**

Mr. Gibbs led discussion this is an annual event, and the applicant is seeking permission to sell fireworks from a tent in the Wal-Mart parking lot. There will be various dates during the months of June-July and December 2021. Nothing further.

**ARCHITECTURAL REVIEW BOARD (ARB) –**

**8. Architectural plans submitted for Dollar General, located at the corner of Stanley K. Tanger Blvd. and Elementary Dr.**

Mr. Gibbs led discussion Dollar General submitted plans for a proposed addition to their existing office located at 3390 Highway 42 South. The plan is to add space to the rear of the building and update the full exterior which will increase the square footage to 2,307 sq. ft. Nothing further.

**CITY MANAGER'S COMMENTS –**

Mr. Young continued with an update we have finalized the Retreat for June 2-3, 2021 at Atlanta Motor Speedway. The GMA Savannah conference will be held in August and more information to come soon. Further, Misty provided us an update on funds and Mr. Young reviewed each fund balance and discussion took place. We submitted payment to GDOT for \$100,000 for the Highway 42 project and will hopefully see progress soon. Mr. Young said he and Bert are continuing training on TIP for relief on Bill Gardner Parkway. Mr. Young noted the new commitment from GDOT on the Bethlehem Road Interchange with a proposed cost for that project [\$119 million dollars] with obligations of \$5 million from the County and \$1 million dollars from the City of Locust Grove. Discussion took place on upcoming Census data and nothing further.

Councilman Breedlove made a comment about the dates for the retreat and said he thought agreement was for dates in May and said he would not be able to come on June 3. Discussion took place June 2 and June 3 were not the dates agreed and several members and Attorney Andy Welch would not be present. Mr. Young said we will discuss other options with AMS and confirm new dates with everyone. Nothing further.

**MAYOR'S COMMENTS – NONE**

**EXECUTIVE SESSION –**

Mayor Price asked for a motion to enter executive session for the purpose of litigation. Councilman Greer made the motion with second by Councilman Breedlove. All in favor and motion carried. Council entered executive session at 8:24 PM.

Mayor Price asked for a motion to reconvene to regular session from executive session at 8:43 PM. Councilman Boone made the motion with second by Councilman Breedlove. All in favor and motion carried.

**ADJOURNMENT-**

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

RESULT	ADOPTED
MADE MOTION	COUNCILMAN GREER
2 <sup>ND</sup> MOTION	COUNCILMAN BREEDLOVE
VOTE	MOTION CARRIED - ALL IN-FAVOR MEETING ADJOURNED @ 8:43 PM.

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 for rezoning of 17.78 +/- acres located at 209 Bowden Street (Parcel ID: 128-02017000) in Land Lots 199 of the 2nd District.

**Action Item:**  Yes  No

**Public Hearing Item:**  Yes  No

**Executive Session Item:**  Yes  No

**Advertised Date:** April 28, 2021

**Budget Item:** No

**Date Received:** April 1, 2021

**Workshop Date:** May 17, 2021

**Regular Meeting Date:** June 7, 2021

#### Discussion:

---

Carol Maker, agent for Sunrise Builders, Inc., of Jonesboro, GA (the "Applicant"), requests a rezoning from RA (Residential Agricultural) to R-3 (Med-High Single-Family Residential) for property located at 209 Bowden Street (Parcel 128-02017000) in land lot 199 of the 2nd District. The applicant intends to develop a single-family residential subdivision.

The subject property has an existing single-family dwelling and abuts an R-3 Single-Family Residential subdivision to its west. According to the applicant's site plan, a 40-lot subdivision with open space and 12,000 sq. ft. minimum lot size is proposed.



**Recommendation:**

**Staff recommends approval of the applicant's request with the following condition:**

- 1. The owner/developer shall install marginal access drives for lots 37-40 along Bowden Street, as to minimize curb cuts.**

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE TO REZONE 17.78 +/- ACRES FROM RA (RESIDENTIAL AGRICULTURAL) TO R-3 (MED-HIGH RESIDENTIAL) FOR PROPERTY LOCATED AT 209 BOWDEN STREET; LOCATED IN LAND LOT 199 OF THE 2<sup>ND</sup> DISTRICT WITHIN THE CITY OF LOCUST GROVE, GEORGIA; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES**

WHEREAS, Carol Maker, agent for Sunrise Builders, Inc, of Jonesboro, GA (hereinafter referred to as "Applicant"), requests rezoning of 17.78 +/- acres located at 209 Bowden Street in Land Lot 199 of the 2<sup>nd</sup> District (hereinafter referred to as the "Property") and described in Exhibit A attached hereto and incorporated herein by reference; and,

WHEREAS, the Applicant has submitted an application which is included in the Rezoning Evaluation Report (hereinafter referred to as "Report") attached hereto and incorporated herein by reference as Exhibit "B"; and,

WHEREAS, the Applicant requests the Mayor and City Council of the City of Locust Grove (hereinafter referred to as "City") rezone the subject property from RA (Residential Agricultural) to R-3 (Medium -High Single Family Residential); and,

WHEREAS, said request has been reviewed by the Community Development Department (hereinafter referred to as "Staff") and the City Council during a public hearing held on May 17, 2021; and,

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

WHEREAS, the Mayor and City Council have reviewed and considered the Applicant's request and the recommendations of the Staff as presented in the Report; and,

WHEREAS, the Mayor and City Council have considered the Applicant's request in light of those criteria for rezoning under *Section 17.04.315* of the *Code of the City of Locust Grove*; and,

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

1.

- That the Property is hereby rezoned from RA to R-3 in accordance with the Zoning Ordinance of the City
- The Applicant's request in said application is hereby **DENIED**.

2.

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

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

3.

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

4.

~~That, if rezoning is granted, said rezoning of the Property shall become effective immediately.~~

**SO ORDAINED** by the Council of the City this 7<sup>th</sup> day of June 2021.

\_\_\_\_\_  
**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:  Sunrise Builders, Inc  Phone:  770-210-2277  Date:  3-26-21

Address Applicant:  301 Highway 138   
 City:  Jonesboro  State:  GA  Zip:  30238  E-mail: \_\_\_\_\_ Cell #:  770-315-8614

Name of Agent:  Carol Maker  Phone:  770-210-2277  Date:  3-26-21

Address Agent:  301 Highway 138   
 City:  Jonesboro  State:  GA  Zip:  30238  E-mail:  c.maker@spinxreality.com  Cell #:  770-595-9331

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

Concept Plan Review  Conditional Use  Conditional Exception  Modifications to Zoning Conditions

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

Request from  RA  (Current Zoning) to  R3  (Requested Zoning)

Request from  N/A  (Current Land Use Designation) to  N/A  (Requested Land Use Designation)

For the Purpose of (Type of Development)  Residential

Address of Property:  209 Bowden Street

Nearest intersection to the property:  N Jackson Street

Size of Tract:  17.78  acre(s), Land Lot Number(s):  199  District(s):  2nd

Gross Density:  2.22  units per acre Net Density:  3.19  units per acre

Property Tax Parcel Number:  128-02017000  (Required)

Witness Signature  
 Marwan Joussef   
 Printed Name of Witness  
 Dianna Thomas   
 Notary



Signature of Owner/s Applicant  (Signature)   
 Printed Name of Owner/s Applicant  Sunrise Builders, M. Amercari   
 Signature of Agent  Carol Maker

Total Amount Paid \$ \_\_\_\_\_ 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 applicant<sup>1</sup> 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\_\_.

Sunrise Builders, Inc  
 Applicant's Name - Printed

M. Amerani  
 Signature of Applicant *M. Amerani*

Applicant's Attorney, if applicable - Printed

Signature of Applicant's Attorney, if applicable

Sworn to and subscribed before me this 01 day of April, 2021.




Dianna Thomas  
 Notary Public

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

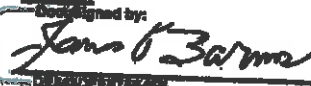
March 26, 2021

To Whom It May Concern:

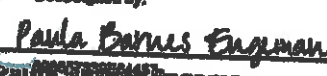
We, the below Sellers, agree and understand that Sunrise Builders, Inc. is rezoning the property known as: 17.78 acres, Parcel Id # 128-02017000, from RA to R3.

**Seller:**  
 DocuSigned by:  
  
 Peggy Barnes Gau  
 3/26/2021  
 Date


**Mailing Address:**  
 40 Dove Court  
 McDonough, Ga. 30252  
[pgau1111@charter.net](mailto:pgau1111@charter.net)

**Seller:**  
 DocuSigned by:  
  
 James Paschal Barnes  
 3/26/2021  
 Date

**Mailing Address:**  
 2045 Sweet Briar Lane  
 Jacksonville, Fl. 32217  
[go.dawgs48@att.net](mailto:go.dawgs48@att.net)

**Seller:**  
 DocuSigned by:  
  
 Paula Barnes Engeman  
 3/29/2021  
 Date

**Mailing Address:**  
 710 Laura Court  
 McDonough, Ga. 30252  
[rengeman@bellsouth.net](mailto:rengeman@bellsouth.net)

**Seller:**  
 DocuSigned by:  
  
 Pamela Barnes Vining  
 3/26/2021  
 Date

**Mailing Address:**  
 270 McGarity Drive  
 McDonough, Ga. 30252  
[pamvining@charter.net](mailto:pamvining@charter.net)



**Certificate Of Completion**

Envelope Id: 13F331E27F6F498ABFC57DABE8C162A9  
Subject: Please DocuSign: Letter to address rezoning.docx  
Source Envelope:  
Document Pages: 1  
Certificate Pages: 5  
AutoNav: Enabled  
Envelope Stamping: Enabled  
Time Zone: (UTC-08:00) Pacific Time (US & Canada)

Status: Completed

Envelope Originator:  
Cassandra Faulkner  
6881 Tan Bark Ct  
6881 Tan Bark Ct  
Riverdale, GA 30296  
fcaas35@aol.com  
IP Address: 108.215.120.46

**Record Tracking**

Status: Original  
3/26/2021 12:13:31 PM

Holder: Cassandra Faulkner  
fcaas35@aol.com

Location: DocuSign

**Signer Events**

James Paschal Barnes  
go\_dawgs48@aol.net  
Security Level: Email, Account Authentication  
(None)

**Signature**

DocuSigned by:  
*James Paschal Barnes*  
00332CF87F94E...

Signature Adoption: Drawn on Device  
Using IP Address: 108.249.148.106  
Signed using mobile

**Timestamp**

Sent: 3/26/2021 12:18:35 PM  
Viewed: 3/26/2021 2:22:54 PM  
Signed: 3/26/2021 2:24:23 PM

Electronic Record and Signature Disclosure:  
Accepted: 3/26/2021 2:22:54 PM  
ID: 588e6bc0-cded-4230-8291-cb1c8facb11

Pamela Barnes Vining  
pamvining@charter.net  
Security Level: Email, Account Authentication  
(None)

DocuSigned by:  
*Pamela Barnes Vining*  
88752828A021...

Signature Adoption: Pre-selected Style  
Using IP Address: 174.130.63.145  
Signed using mobile

Sent: 3/26/2021 12:18:36 PM  
Viewed: 3/26/2021 12:33:14 PM  
Signed: 3/26/2021 12:34:21 PM

Electronic Record and Signature Disclosure:  
Accepted: 3/26/2021 12:33:14 PM  
ID: 312acdc3-acf9-4968-945a-618c49ce676f

Paula Barnes Engeman  
rengeman@bellsouth.net  
Security Level: Email, Account Authentication  
(None)

DocuSigned by:  
*Paula Barnes Engeman*  
88888752828A021...

Signature Adoption: Pre-selected Style  
Using IP Address: 174.228.138.69  
Signed using mobile

Sent: 3/26/2021 12:18:36 PM  
Viewed: 3/26/2021 5:59:36 PM  
Signed: 3/26/2021 7:13:42 AM

Electronic Record and Signature Disclosure:  
Accepted: 3/26/2021 5:59:36 PM  
ID: aeb138d1-7978-4296-a003-d8baf0cc540d

Peggy Barnes Gau  
rgau1111@charter.net  
Security Level: Email, Account Authentication  
(None)

DocuSigned by:  
*Peggy Barnes Gau*  
88888752828A021...

Signature Adoption: Drawn on Device  
Using IP Address: 71.86.99.68  
Signed using mobile

Sent: 3/26/2021 12:16:38 PM  
Viewed: 3/26/2021 12:27:24 PM  
Signed: 3/26/2021 12:30:39 PM

Electronic Record and Signature Disclosure:

**Signer Events**

Accepted: 3/26/2021 12:27:24 PM  
ID: 26c12001-0616-4645-a670-b0656356b155

Signature

Timestamp

**In Person Signer Events**

Signature

Timestamp

**Agent Delivery Events**

Signature

Timestamp

**Agent Events**

Signature

Timestamp

**Intermediate Delivery Events**

Signature

Timestamp

**Carrier Delivery Events**

Signature

Timestamp

**Carrier Copy Events**

Signature

Timestamp

**Witness Events**

Signature

Timestamp

**Notary Events**

Signature

Timestamp

**Envelope Summary Events**

Envelope Sent  
Certified Delivered  
Signing Complete  
Completed

Signature  
Hashed/Encrypted  
Security Checked  
Security Checked  
Security Checked

Timestamp  
3/26/2021 12:16:36 PM  
3/26/2021 12:27:24 PM  
3/26/2021 12:30:39 PM  
3/29/2021 7:13:42 AM

**Payment Events**

Signature

Timestamp

**Electronic Record and Signature Operations**

Signature

Timestamp

## Purchase & Sale Agreement

Offer Date: 3/2/2021

### 1) Purchase Price

The undersigned Purchaser agrees to buy, and the undersigned Seller(s) agrees to sell all that tract or parcel of land lying and in Land Lot 199 of the 2nd District, Henry County Georgia, with the parcel containing approximately 17.78 acres, identified as Parcel # 128-02017000, also referred to as Deed Book 7309 Page 169, identified on Exhibit "A" and incorporated herein by reference (the "Property"). The purchase price ("Purchase Price") of said Property shall be [REDACTED]

[REDACTED]. This transaction contains the "Property" which includes all usable ground, unusable ground, dwellings, buildings, licenses, pre-paid fees, mineral rights, easements, and any other items of value contained within the boundaries of the property being sold and transferred from the Seller(s) to the Purchaser. The Seller(s) will transfer all rights Seller(s) has at closing and have no further claims to the subject property being transferred to the Purchaser after closing unless otherwise specified in writing and agreed to by all parties to this transaction. The Purchase Price shall be paid by Purchaser to Seller(s) at Closing, on the Closing Date by wire transfer or certified funds.

### 2) Earnest Money

The undersigned Purchaser will pay to Miller Law/Burgess Title & Escrow, LLC, (hereinafter referred to as Escrow Agent) Five Thousand and 00/100 U.S. Dollars (\$5,000) (the "Earnest Money"), by check no later 5:00 o'clock pm on the 3<sup>rd</sup> business day following acceptance by all parties. The Earnest Money is to be promptly deposited in Escrow Agent's escrow/trust account by no later than the third business day after receipt of said Earnest Money. It is to be applied as part payment of Purchase Price of said Property at the time this sale is consummated. Parties to this Agreement understand and acknowledge that disbursement of earnest monies held by Escrow Agent, can occur only at Closing; upon written agreement signed by Purchaser and Seller(s); upon court order; or as otherwise set out herein. If any dispute arises between Purchaser and Seller(s) as to the final disposition of all/or part of the Earnest Money, Escrow Agent may, but is not required to, notify Purchaser and Seller(s) in writing that Escrow Agent is unable to resolve such dispute and may, but is not required to, interplead all or any disputed part of the earnest money into court. Purchaser and Seller(s) agree that if Escrow Agent interpleads said disputed earnest money into court and makes no claim thereto on its own behalf, they shall thereafter make no claim against Escrow Agent for said disputed Earnest Money and shall not seek damages from Escrow Agent by reason thereof. The Earnest Money shall be fully refundable to Purchaser during the term of the Inspection Period, but upon expiration of the Inspection Period shall become nonrefundable to Purchaser and shall become the property of Seller(s) but shall be applied as partial payment of the Purchase Price at a subsequent Closing of the purchase and sale.

**3) Title**

Seller(s) warrants that it presently has title to said Property, and at the time of Closing, it agrees to convey good and marketable title to said Property to Purchaser by limited warranty deed subject only to (1) zoning ordinances affecting said Property, (2) all matters of record, (3) taxes and assessments for the year of closing and subsequent years, and (4) all matters which would be disclosed by an accurate and complete survey and inspection of the Property ("Permitted Exceptions").

The Purchaser shall move promptly and in good faith after acceptance of this Agreement to examine title and to furnish Seller(s) with a written statement of objections affecting the marketability of said title ("Title Objections") prior to the expiration of the Inspection Period. Seller(s) shall have until Closing to notify Purchaser which, if any, Title Objections Seller(s) will satisfy by Closing. If Seller(s) fails to commit to satisfy any Title Objections within such period, Seller(s) shall be deemed to have elected not to satisfy the same, in which event Purchaser may, as its sole remedy, choose to (i) rescind this Agreement and receive a return of all Earnest Money, or (ii) close and receive the deed required herein from Seller(s) Irrespective of such Title Objections without reduction of the Purchase Price. Marketable title as used herein shall mean title which title insurance company licensed to do business in the State of Georgia will insure at its regular rates, subject only to the Permitted Exceptions.

**4) Authority**

Seller(s) agrees, represents and warrants that to the best of Seller(s) actual knowledge: (1) Seller(s) has the full right and authority to enter into this Agreement and to consummate the sale of the Property as set forth herein; (2) Seller(s) has not received any notice and has no knowledge that the Property is or will be affected by any special assessments, condemnation, eminent domain, change in grade of public streets or similar proceedings; and (3) the Property has never been used for the storage or dumping of hazardous waste substances. Seller(s) shall deliver to Purchaser at Closing an affidavit certifying (1) that Seller(s) is not a foreign person within the meaning of sections 1445 of the Internal Revenue Code; (2) the information required for Internal Revenue Service Form 1099; and (3) as to such other matters as may be reasonable required by the title company for issuance of its title insurance policy subject only to the Permitted Exceptions.

**5) Damage to Property**

The Seller(s) warrants that at closing the Property will be in the same condition as it is on the acceptance date, normal wear and tear accepted. However, should the Property be destroyed or substantially damaged such that the value of such damage exceeds \$200,000, either physically or through condemnation before Closing, then at the election of the Purchaser (1) Purchaser may terminate this Agreement or (2) Purchaser may consummate this Agreement and receive such insurance proceeds or condemnation awards (if any) which are paid.

**6) Assignment**

The rights and duties of both Purchaser and Seller(s) Pursuant to this Agreement are transferable and or assignable either completely or in part. No assignment shall relieve Seller(s) or Purchaser of its obligations and liabilities under this Agreement.

**7) Inspection**

Purchaser, its agents, or representatives, at Purchaser's expense and before Closing shall have the right to enter upon the Property for inspecting, examining, testing, and surveying the Property. Purchaser assumes all responsibility for the acts of Purchaser, its agents, and representatives as provided by this paragraph. Purchaser shall indemnify and hold Seller(s) (and any officers and partners of Seller(s)) harmless from all claims and liabilities, and shall repair any damage to the Property, arising out of, such entry or inspection of the Property which obligations shall survive the rescission, cancellation, termination or consummation of this Agreement and the Closing. Purchaser shall have Forty-five (45) calendar days from the Effective Date as inspection period (the "Inspection Period"). Purchaser shall have until the last day of the Inspection Period to decide in its sole and absolute discretion that the Property is satisfactory for Purchaser's acquisition. If Purchaser determines that the Property is not satisfactory, then Purchaser may void this Agreement by written notice to Seller(s) and Escrow Agent Prior to the end of the Inspection Period and Escrow Agent shall refund the Earnest Money to Purchaser.

**8) Closing**

The Closing Date ("Closing Date") shall not be later than Twenty (20) days after Rezoning Approval. The Closing (the "Closing") shall be held by escrow through the offices of Escrow Agent on a date designated by Purchaser to Seller(s) at least five (5) days prior to the Closing Date. Purchaser shall enclose with such notice of Closing, copies of all closing documents prepared by Purchaser's attorney. Purchaser shall take possession of the Property on the Closing Date. Seller(s) shall pay the State of Georgia property transfer tax. Real estate taxes (based upon the most recent assessment for the Property) shall be prorated as of the Closing Date for the calendar year in which the sale is closed. Purchaser shall be responsible for the cost of Purchaser's title commitment, title premium and endorsement, the Survey, and other due diligence expenses. Each party shall be responsible for its own attorney's fees. Purchaser is responsible for their own closing costs.

All parties agree that such documentation as is reasonably necessary to carry out the obligations of this Agreement shall be produced, executed and/or delivered by such parties at time required to fulfill the terms and conditions of this Agreement.

**9) Brokerage**

There are no brokerage commissions due in connection with this Agreement or Closing hereunder. Seller(s) and Purchaser agree to indemnify and hold the other harmless from any claims, demands, cost, liability, and damages (including, without limitations, attorneys' fees, and court costs) which may be incurred or made against the indemnified party as a result of any broker's commission or finder's fee by a third party not identified in this Agreement, which was engaged by or makes a claim through the indemnifying party in connection with the sale of the Property.

**10) Survival of Agreement**

Any conditions or stipulations not fulfilled at time of Closing shall survive the Closing, execution, and delivery of the warranty deed until said conditions or stipulation are fulfilled.

All parties to this Agreement acknowledge that in the event of a dispute arising after execution of this Agreement there is a voluntary "Binding Arbitration Procedure" available to the parties to this Agreement in accordance with the Official Code of Georgia 90.C.G.A. Section 9-9-1 et seq., provided all parties to this Agreement concur in writing to abide by same.

**11) Miscellaneous**

This Agreement shall inure to the benefit of, and be binding upon, the parties hereto, their heirs, successors, administrators, executors, and assigns.

This Agreement shall be construed and interpreted under the laws of the state where the Property is located, without giving effect to principles of conflicts of law.

Time of the Essence: Time is of the essence of this Agreement.

Counterparts: This Agreement may be executed in several counterparts, each of which shall constitute an executed original hereof.

**12) Instructions to Closing Attorney**

Closing attorney is instructed to : (a) obtain and distribute to and from the appropriate parties such certification, affidavits, and statements as are required in order to meet the requirements of Internal Revenue Code Section 1445 (Foreign/Non-Foreign Seller(s)), or in the alternative to disburse and hold the sales proceeds in such a manner as may require to comply with Internal Revenue Code Section 1445; (b) file with the Internal Revenue Service the IRA Form 1099-S documenting this transaction, and comply with any other reporting requirements related thereto; and (c) unless otherwise provided herein, apply earnest money as a credit towards the sales price.

**13) Terminology and Captions**

All pronouns, singular or plural, masculine, feminine or neuter, shall mean and include the person, entity, firm, or corporation to which they relate as the context may require. Wherever the context may require, the singular shall mean and include the plural and plural shall mean and include the singular. The term "agreement" as used herein as well as the "herein", "hereof", "hereinafter", and the like mean this Agreement in its entirety and all exhibits, amendments and addenda attached hereto and made a part hereof. The captions and paragraph headings hereof are for reference and convenience only and do not enter or become a part of the context.

**14) Condition of Property**

Purchaser takes the Property "AS IS" and "WHERE IS". Purchaser shall rely solely on its own title examination and inspection of the property and not on any warranties or representations from Seller(s). In addition, Purchaser acknowledges that Seller(s) has made no representations or warranties of any kind or character, express or implied, with respect to the Property including, without limitation any warranties or representations as to habitability, merchantability, fitness for a particular purpose, title, zoning, tax consequences, physical or environmental condition, utilities, operating history or projections, valuation governmental approvals, the compliance of the Property with governmental laws, the truth, accuracy, or completeness of any materials, data or information provided by or on behalf of Seller(s) to Purchaser, or any other matter or

thing regarding the Property. All warranties with respect to the Property are hereby disclaimed by Seller(s) and expressly waived by Purchaser. Purchaser has not relied and will not rely on and Seller(s) is not liable for or bound by, any express or implied warranties, guaranties, statements, representations or information pertaining to the property or relating thereto made or furnished by Seller(s), any party acting or purporting to act for Seller(s), or any real estate broker or agent representing or purporting to represent Seller(s), to whomever made or given, directly or indirectly, verbally or in writing Purchaser shall have no right or causes of action against Seller(s) to assert same in any controversy, claim, demand, or litigation arising from or in connection with Property, and hereby waives any such right or cause of action. This Section 14 shall survive Closing.

**15) Default**

In the event the purchase and sale of the Property pursuant to this Agreement is not closed and consummated through default by Purchaser, then the Earnest Money shall be delivered to Seller(s), as the full and liquidated damages for such default of Purchaser and as the sole remedy of Seller(s) for any such default by Purchaser, it being acknowledged and agreed that Seller(s)'s actual damages would be difficult (if not impossible) to ascertain and thereupon neither of the parties hereto shall have any rights, duties, obligations or liabilities hereunder whatsoever. In the purchase and sale of the Property pursuant to this Agreement is not closed and consummated through default by Seller(s), Purchaser may terminate this Agreement and receive a refund of the Earnest Money or may pursue an action against Seller(s) for specific performance, provided such action shall be filed within thirty (30) days of the alleged default or e forever barred. The terms of this Paragraph shall survive the termination of this Agreement notwithstanding anything contained in this Agreement to the contrary.

**16) Entire Agreement**

This Agreement constitutes the sole and entire agreement between the parties hereto and no modifications of the Agreement shall be binding unless signed by all the parties to this Agreement. No representation, promise, or inducement not included in this Agreement shall be binding upon any party hereto.

**17) Notices**

Any notice required or permitted under this Agreement shall be in writing and shall be deemed to have been given on the earlier of the first business day after the date notice is delivered to the address of the other party as stated below, or two days after notice is mailed by United States mail, certified mail; return receipt requested, to such address. The addresses for notices are as set forth on the following signature pages; however, either party may, by written notice, change its address for the purpose of future notices.

**18) Time Limit of Offer**

This offer is open for acceptance until 5:00 P.M. on 3/12/2021.

**19) Acceptance**

This Agreement shall become binding when the last party signs below (the "Effective Date").

**20) Signatures**

All parties agree to accept faxed copies, email copies or electronically signed copies as original signatures.

**21) Special Stipulations**

1. All parties agree that contract is subject to Locust Grove approving the rezoning to R3.
2. Seller(s) agrees to sign all documents required to obtain rezoning. Purchaser is responsible for all costs pertaining to the rezoning.
3. Within five (5) days of acceptance of said agreement Seller(s) will provide any documents, if available, pertaining to said property to include but not limited to the following: survey, rock study, etc.
4. All parties agree that there is a house on this property that is leased. The lease is up May 31, 2021, Sellers agree that they will not renew the lease.

**Purchaser:**

  
**Mahmoud Amerani**

8-9-21  
**Date**

**Mailing Address:**  
 301 Hwy. 138 W.  
 Jonesboro, Ga. 30238

**SELLER(S) SIGNATURES ON FOLLOWING PAGES**



**Seller:**

DocuSigned by:  
  
PEGGY BARNES GAU

3/9/2021  
Date

**Mailing Address:**  
40 Dove Court  
McDonough, Ga. 30252  
[maur1111@charter.net](mailto:maur1111@charter.net)

**Seller:**

DocuSigned by:  
  
JAMES MICHAEL BARNES

3/9/2021  
Date

**Mailing Address:**  
2045 Sweet Briar Lane  
Jacksonville, Fl. 32217  
[so\\_dawne48@att.net](mailto:so_dawne48@att.net)

**Seller:**

Decoded by:

Paula Barnes Engeman  
~~Paula Barnes Engeman~~

3/9/2021

**Date**

**Mailing Address:**

710 Laura Court  
McDonough, Ga. 30252  
[rengeman@bellsouth.net](mailto:rengeman@bellsouth.net)

**Seller:**

Decoded by:

Pamela Barnes Vining  
~~Pamela Barnes Vining~~

3/9/2021

**Date**

**Mailing Address:**

270 McGarity Drive  
McDonough, Ga. 30252  
[pamvining@charter.net](mailto:pamvining@charter.net)

**Certificate Of Completion**

Envelope Id: DDFB317420C646879B08BA3CC1D4BAC5  
Subject: Offer-209 Bowden St.  
Source Envelope:  
Document Pages: 9  
Certificate Pages: 6  
AutoNav: Enabled  
Envelope Stamping: Enabled  
Time Zone: (UTC-08:00) Pacific Time (US & Canada)

Status: Completed

Envelope Originator:  
Cassandra Faulkner  
6981 Tan Berk Ct  
6981 Tan Berk Ct  
Riverdale, GA 30296  
cfaas35@aol.com  
IP Address: 108.216.120.46

**Record Tracking**

Status: Original  
3/9/2021 6:57:07 AM

Holder: Cassandra Faulkner  
cfaas35@aol.com

Location: DocuSign

**Signer Events**

James Paschal Barnes  
jp\_dawgs48@aol.net  
Security Level: Email, Account Authentication  
(None)

**Signature**

DocuSigned by:  
*James Paschal Barnes*  
0254302F77934E

**Timestamp**

Sent: 3/9/2021 9:16:42 AM  
Viewed: 3/9/2021 9:58:22 AM  
Signed: 3/9/2021 4:21:12 PM

Signature Adoption: Drawn on Device  
Using IP Address: 108.249.146.106  
Signed using mobile

Electronic Record and Signature Disclosure:  
Accepted: 3/9/2021 9:53:22 AM  
ID: 42c35e9e-747f-41ba-9ee6-90c97244dcb7

Pamela Barnes Vining  
pamvining@charter.net  
Security Level: Email, Account Authentication  
(None)

DocuSigned by:  
*Pamela Barnes Vining*  
80792028A4031E

Sent: 3/9/2021 9:15:43 AM  
Viewed: 3/9/2021 9:51:47 AM  
Signed: 3/9/2021 4:07:18 PM

Signature Adoption: Pre-selected Style  
Using IP Address: 47.4.248.199

Electronic Record and Signature Disclosure:  
Accepted: 3/9/2021 9:51:47 AM  
ID: d78c2e3d-e305-4674-bfa2-024aaff273ef

Paula Barnes Engeman  
rengeman@bellsouth.net  
Security Level: Email, Account Authentication  
(None)

DocuSigned by:  
*Paula Barnes Engeman*  
8009732094407E

Sent: 3/9/2021 9:15:43 AM  
Viewed: 3/9/2021 4:18:00 PM  
Signed: 3/9/2021 4:19:11 PM

Signature Adoption: Pre-selected Style  
Using IP Address: 35.129.168.129

Electronic Record and Signature Disclosure:  
Accepted: 3/9/2021 4:15:00 PM  
ID: 16864619-4743-4859-b461-128cac6080ec

Peggy Barnes Gau  
rgau1111@charter.net  
Security Level: Email, Account Authentication  
(None)

DocuSigned by:  
*Peggy Barnes Gau*  
8009732094407E

Sent: 3/9/2021 9:15:42 AM  
Viewed: 3/9/2021 9:30:55 AM  
Signed: 3/9/2021 4:11:11 PM

Signature Adoption: Drawn on Device  
Using IP Address: 71.86.99.68  
Signed using mobile

Electronic Record and Signature Disclosure:

**Signer Events**

Accepted: 3/9/2021 9:30:55 AM  
ID: 34e23681-c67e-4c5e-8a37-9e2dad352407

**Signature**

**Timestamp**

**In Person Signer Events**

**Signature**

**Timestamp**

**Editor Delivery Events**

**Status**

**Timestamp**

**Agent Delivery Events**

**Status**

**Timestamp**

**Intermediary Delivery Events**

**Status**

**Timestamp**

**Certified Delivery Events**

**Status**

**Timestamp**

**Carbon Copy Events**

Carol Maker

cmaker@sphirocrealty.com

Security Level: Email, Account Authentication  
(None)

Electronic Record and Signature Disclosure:  
Not Offered via DocuSign

**Status**



**Timestamp**

Sent: 3/9/2021 9:15:43 AM

Viewed: 3/9/2021 9:27:34 AM

**Witness Events**

**Signature**

**Timestamp**

**Notary Events**

**Signature**

**Timestamp**

**Envelope Summary Events**

Envelope Sent

Certified Delivered

Signing Complete

Completed

**Status**

Hashed/Encrypted

Security Checked

Security Checked

Security Checked

**Timestamps**

3/9/2021 9:15:43 AM

3/9/2021 9:30:55 AM

3/9/2021 4:11:11 PM

3/9/2021 4:21:12 PM

**Payment Events**

**Status**

**Timestamps**

**Electronic Record and Signature Disclosure**

## **ELECTRONIC RECORD AND SIGNATURE DISCLOSURE**

From time to time, Cassandra Faulkner (we, us or Company) may be required by law to provide to you certain written notices or disclosures. Described below are the terms and conditions for providing to you such notices and disclosures electronically through the DocuSign, Inc. (DocuSign) electronic signing system. Please read the information below carefully and thoroughly, and if you can access this information electronically to your satisfaction and agree to these terms and conditions, please confirm your agreement by clicking the 'I agree' button at the bottom of this document.

### **Getting paper copies**

At any time, you may request from us a paper copy of any record provided or made available electronically to you by us. You will have the ability to download and print documents we send to you through the DocuSign system during and immediately after signing session and, if you elect to create a DocuSign signer account, you may access them for a limited period of time (usually 30 days) after such documents are first sent to you. After such time, if you wish for us to send you paper copies of any such documents from our office to you, you will be charged a \$0.00 per-page fee. You may request delivery of such paper copies from us by following the procedure described below.

### **Withdrawing your consent**

If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

### **Consequences of changing your mind**

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. To indicate to us that you are changing your mind, you must withdraw your consent using the DocuSign 'Withdraw Consent' form on the signing page of a DocuSign envelope instead of signing it. This will indicate to us that you have withdrawn your consent to receive required notices and disclosures electronically from us and you will no longer be able to use the DocuSign system to receive required notices and consents electronically from us or to sign electronically documents from us.

### **All notices and disclosures will be sent to you electronically**

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through the DocuSign system all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures

electronically from us.

**How to contact Cassandra Faulkner:**

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by email send messages to: [fcass35@aol.com](mailto:fcass35@aol.com)

**To advise Cassandra Faulkner of your new e-mail address**

To let us know of a change in your e-mail address where we should send notices and disclosures electronically to you, you must send an email message to us at [fcass35@aol.com](mailto:fcass35@aol.com) and in the body of such request you must state: your previous e-mail address, your new e-mail address. We do not require any other information from you to change your email address..

In addition, you must notify DocuSign, Inc. to arrange for your new email address to be reflected in your DocuSign account by following the process for changing e-mail in the DocuSign system.

**To request paper copies from Cassandra Faulkner**

To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an e-mail to [fcass35@aol.com](mailto:fcass35@aol.com) and in the body of such request you must state your e-mail address, full name, US Postal address, and telephone number. We will bill you for any fees at that time, if any.

**To withdraw your consent with Cassandra Faulkner**

To inform us that you no longer want to receive future notices and disclosures in electronic format you may:

- i. decline to sign a document from within your DocuSign session, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;
- ii. send us an e-mail to [fcass35@aol.com](mailto:fcass35@aol.com) and in the body of such request you must state your e-mail, full name, US Postal Address, and telephone number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

**Required hardware and software**

Operating Systems:	Windows® 2000, Windows® XP, Windows Vista®; Mac OS® X
Browsers:	Final release versions of Internet Explorer® 6.0 or above (Windows only); Mozilla Firefox 2.0 or above (Windows and Mac); Safari™ 3.0 or above (Mac only)
PDF Reader:	Acrobat® or similar software may be required to view and print PDF files
Screen Resolution:	800 x 600 minimum
Enabled Security Settings:	Allow per session cookies

\*\* These minimum requirements are subject to change. If these requirements change, you will be asked to re-accept the disclosure. Pre-release (e.g. beta) versions of operating systems and browsers are not supported.

**Acknowledging your access and consent to receive materials electronically**

To confirm to us that you can access this information electronically, which will be similar to

other electronic notices and disclosures that we will provide to you, please verify that you were able to read this electronic disclosure and that you also were able to print on paper or electronically save this page for your future reference and access or that you were able to e-mail this disclosure and consent to an address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format on the terms and conditions described above, please let us know by clicking the 'I agree' button below.

By checking the 'I agree' box, I confirm that:

- I can access and read this Electronic CONSENT TO ELECTRONIC RECEIPT OF ELECTRONIC RECORD AND SIGNATURE DISCLOSURES document; and
- I can print on paper the disclosure or save or send the disclosure to a place where I can print it, for future reference and access; and
- Until or unless I notify Cassandra Faulkner as described above, I consent to receive from exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to me by Cassandra Faulkner during the course of my relationship with you.

# 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: Sunrise Builders

Address/Location of Request: 209 Bowden Street Locust Grove

Type of Project: Commercial  Residential  Mixed Use

For residential or mixed-use residential, number of lots or units: 40

For commercial, amount of square feet: N/A

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



20115

41-1741Z  
@CHECK.MINE

4/1/2021

AMERICA BANK

SUNRISE BUILDERS INC.  
301 HWY. 130 W., STE. A  
JONESBORO, GA 30238-2171  
PH. 770-210-2277

PAY TO THE  
ORDER OF

CITY OF LOCUST GROVE

\$ 1,630.00

\$

DOLLARS

One Thousand Six Hundred Thirty-Nine and 00/100

CITY OF LOCUST GROVE  
Community Development Department  
PO BOX 900  
LOCUST GROVE, GA 30248



*[Handwritten Signature]*

MEMO

A VALID VAL  
B VALID VAL  
C VALID VAL  
D VALID VAL

ATP-0000 SIGNATURE

Security Features Included Details on Back



Exhibit "A"



**Overview**

**Legend**

- Parcels
- Roads

<b>Parcel ID</b>	128-02017000	<b>Class</b>	R	<b>Owner</b>	BARNES JAMES PASCHAL	<b>Land Value:</b>	\$172,500								
<b>Property Address</b>	209 BOWDEN ST	<b>Acres</b>	17.78	<b>Address</b>	& ETAL	<b>Building Value:</b>	\$65,800	<b>Last 2 Sales</b>							
<b>District</b>	City/LocustGrove				710 LAURA COURT	<b>Misc Value:</b>	\$4,000	<b>Date</b>	7/6/2004	<b>Price</b>	\$0	<b>Reason</b>	n/a	<b>Qual</b>	U
					MCDONOUGH GA 30252	<b>Total Value:</b>	\$242,300		9/1/1982	\$0	n/a	U			

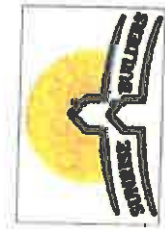
Parcel lines depicted on the maps do not reflect a true and exact representation of property boundaries and should not be relied upon for said purpose. Property boundary lines are depicted on recorded plats available at the Henry County Courthouse or can be determined by employing the services of a licensed surveyor.

Date created: 3/3/2021  
 Last Data Updated: 3/3/2021 2:33:10 AM

Developed by Schneider  
 5763 PAYIAL

**GENERAL NOTES**

1. Developer: Sunrise Builders Inc/ Mehmond Ammar; 301 Highway 138 W, Jonesboro, Georgia 30228
2. Site Area: +/-16,000 acres or 754,504 sq ft
3. Location: 200 Bowden Street, Locust Grove (GA), Henry County, Georgia
4. Title Parcel ID#(s): 125-02517000
5. Easement: RA, Residential Agriculture
6. Prop. Zoning: R2, Residential High-Density, Single-Family Residential District
7. Min. Lot Width = 60' Min. Lot Area = 12,000 sq ft
8. Prop. R2W Area = +/-1.84 acres
9. Prop. Open Space/Common Area = +/-2.85 acres (4-20-1754)
10. Gross Density (est) = 407 Units/Acre = 2.22
11. Net Density (est) = 407 Units/Acre = 2.19
12. Allowable Net Density (est) = 42,860' +/- 2,860' = 3.03
13. Potable Water & Sanitary Sewer services will be provided by City of Locust Grove.
14. Telephone services provided by AT&T.
15. All houses are to be constructed as per City of Locust Grove standards and regulations.
16. Proposed development will consist of underground utilities, five (5) foot sidewalks and mail block.
17. This conceptual layout was prepared without benefit of a site report, which may reveal additional conveniences.
18. All three distances shown on preliminary plat shall be horizontal.
19. Flood Plain Note: This site is located within a Zone A, AE or X as defined by F.I.P.M. Community Parcel Number 13161222780, dated October 6, 2016, for Locust Grove, Henry County, Georgia. Flood Plain Area depicted is approximately 1.00 acres.
20. Note: Where the existing runoff leaves site in a sheet flow condition, runoff shall also leave site in a street flow condition after development.
21. Note: The subject property is within 200' of Waters of the State requiring State and City Stream Buffers.
22. Boundary and topographical data used for this Conceptual Layout was obtained from Swinney & Associates.
23. Pursuant to Rule 5150-4.09 of the Georgia State Board of Registration for Professional Engineers and Land Surveyors, the term "survey" or "certification" means to declare a professional opinion regarding these facts or findings and does not constitute a warranty or guarantee, either expressed or implied.



**Design Engineering Consultant**  
 101 Highway 138 W - Jonesboro, Georgia 30228  
 770.219.2277 (p) - mahmond@sunrisebuilders.com (e)

**CONCEPT PLAN FOR PROPOSED**  
 DRYSON CREEK S/D  
 Single-Family Residential Development  
 Land Parcel 167,168 of the X200 District  
 City of Locust Grove, Henry County, Georgia

101 Highway 138 W - Jonesboro, Georgia 30228  
 770.219.2277 (p) - mahmond@sunrisebuilders.com (e)

101 Highway 138 W - Jonesboro, Georgia 30228  
 770.219.2277 (p) - mahmond@sunrisebuilders.com (e)

101 Highway 138 W - Jonesboro, Georgia 30228  
 770.219.2277 (p) - mahmond@sunrisebuilders.com (e)

101 Highway 138 W - Jonesboro, Georgia 30228  
 770.219.2277 (p) - mahmond@sunrisebuilders.com (e)

101 Highway 138 W - Jonesboro, Georgia 30228  
 770.219.2277 (p) - mahmond@sunrisebuilders.com (e)

**EXHIBIT "B"**



# REZONING EVALUATION REPORT

May 17, 2021

FILE: RZ-21-04-01

REZONING RA TO R-3

## Property Information

Tax ID	128-02017000
Location/address	Land Lot 199 of the 2 <sup>nd</sup> District 209 Bowden Street
Parcel Size	18.009 +/- acres
Current Zoning	RA (Residential Agricultural)
Request	Rezoning to R-3 (Med-High Single Family Residential)
Proposed Use	Residential
Existing Land Use	Single Family Residential
Future Land Use	Neighborhood Commercial
Recommendation	Approval with conditions

## Summary

Carol Maker, agent for Sunrise Builders, Inc, of Jonesboro, GA (the "Applicant"), requests rezoning from RA (Residential Agricultural) to R-3 (Med-High Single-Family Residential) for property located at 209 Bowden Street (Parcel 128-02017000) in land lot 199 of the 2nd District. The applicant intends to develop a single-family residential subdivision.

The subject property is currently developed with a single-family residence and abuts an R-3 Single-Family Residential subdivision to the east. According to the applicant's site plan, a 40-lot subdivision with open space and 12,000 sq. ft. minimum lot size is proposed.

### Future Land Use

The subject property is within an area identified on the Future Land Use Map as Mixed Historic Neighborhood. This classification area is primarily east of the railroad along Highway 42 and SW 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 facilities, or personal services establishments. The focus is along the Jackson Street Corridor and may have residential uses with densities up to 2.5 dwelling units per acre. All existing

*Preserving the Past... ..Planning the Future*



# REZONING EVALUATION REPORT

May 17, 2021

FILE: RZ-21-04-01

REZONING RA TO R-3

structures should be preserved, and all new construction should be of similar architectural style. Typical zoning district(s) under the current ordinance would be R-2 and R-3 residential districts, OI (office and institutional), and/or Conditional Uses as appropriate for tourist-related, personal services, and other facilities.

### **Concurrent Conditional Use request**

There is no concurrent Conditional Use application needed.

### **Livable Centers Initiative (LCI) Overlay**

The subject property is not located within the boundaries of the City of Locust Grove Livable Centers Initiative (LCI) Emerging South District.

### **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).

## **Service Delivery / Infrastructure**

**Water and Sewer:** According to the City of Locust Grove Public Works Department, water and sewer capacity are available to serve the subject property.

**Land Use:** The site must comply with the requirements set forth in the City's R-3 (Med-High Single-Family Residential) zoning district as well as development standards established in Title 15 of the City Code, including Watershed Protection standards, if applicable to the site.

**Police Services:** The subject property is in the existing city limits and will remain on a regular patrol route. Future development of this area may require additional police patrol for crime prevention and traffic control.

**Fire:** Fire and emergency services will be performed by Henry County as is similar with other portions of the city as defined by the Service Delivery Strategy.



# REZONING EVALUATION REPORT

May 17, 2021

FILE: RZ-21-04-01

REZONING RA TO R-3

**Transportation Impact:** This 18.009 +/- acres tract will contain a med-high single-family residential subdivision. The Institute of Transportation Engineers Trip Generation Manual, 7th Edition assigns a rate of 9.57-weekday trips per dwelling unit with an average total of 400 trips daily.

## Criteria for Evaluation of Rezoning Request

---

### Section 17.04.315 Procedure for Hearing before City Council.

- (a) All proposed amendments to this chapter or to the official zoning map with required site plans shall be considered at public hearing. The City Council shall consider the following:
- (1) The possible effects of the change in the regulations or map on the character of a zoning district, a particular piece of property, neighborhood, a particular area, or the community. The main impact here will be transitioning residential agricultural (R-A) zoned property to a medium-high single-family residential (R-3), having a higher density. The Future Land Use Map identifies the subject property as Mixed Historic Neighborhood. Even though the transition of the subject property is to higher density, technically, the adopted policies by the City of Locust Grove support the proposed development.
  - (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 request will allow a more intense zoning use (R-3) that will be consistent with the future land use designation of the subject property.
  - (3) Consistency with the Land Use Plan. The Applicant's request is consistent with the Mixed Historic Neighborhood future land use designation.





# REZONING EVALUATION REPORT

May 17, 2021

FILE: RZ-21-04-01

REZONING RA TO R-3

- (4) **The potential impact of the proposed amendment on City infrastructure, including water and sewerage systems.** There will be an impact on infrastructure in the area. The City will collect Development Impact Fees and Water & Sewer Impact fees on a per lot basis to mitigate these impacts. Site-specific impacts will be addressed during the review phase through coordination between the City and Developer.
- (5) **The impact of the proposed amendment on adjacent thoroughfares and pedestrian, vehicular circulation, and traffic volumes.** The development will have an impact on the surrounding area in terms of traffic; however, Bowden Street has enough capacity to absorb the increase. Sidewalks will be required to promote non-vehicular mobility.
- (6) **The impact upon adjacent property owners should the request be approved.** Impacts to adjacent property owners will include increases in traffic. As such, this development would be relatively consistent in impact or slightly better given the ability to establish buffers, landscaping, and better connectivity.

Direction	Zoning	Current Land Use	Future Land Use
North	RA	City Property	Professional/ Institutional
East	RA	Single-Family Residential & City Property	Low Density Residential
South	RA	Single-Family Residential	Mixed Historic Neighborhood
West	R-3	Single-Family Residential	Medium Density Residential

- (7) **The ability of the subject land to be developed as it is presently zoned.** Developing the subject property as it is currently zoned does not provide the highest and best use for the land. The highest and best use of the subject land is a higher residential density due to the presence of sanitary sewer in the area.



# REZONING EVALUATION REPORT

May 17, 2021

FILE: RZ-21-04-01

REZONING RA TO R-3

- (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; however, the developer will be required to protect and buffer any and all streams and other environmentally sensitive areas that may be located on the subject property in accordance with the City's Watershed Protection and Stream Buffer Ordinances.
  
- (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 goals of the Comprehensive Plan 2040. There is no technical conflict with the Comprehensive Plan 2040 from what is being proposed.

## Recommendations

---

Taking into consideration the updated R-3 zoning ordinance and the improved standards now required by the ordinance, Staff recommends APPROVAL of the applicant's rezoning request with the following condition:

1. The owner/developer shall install marginal access drives for lots 37-40 along Bowden Street, as to minimize curb cuts.

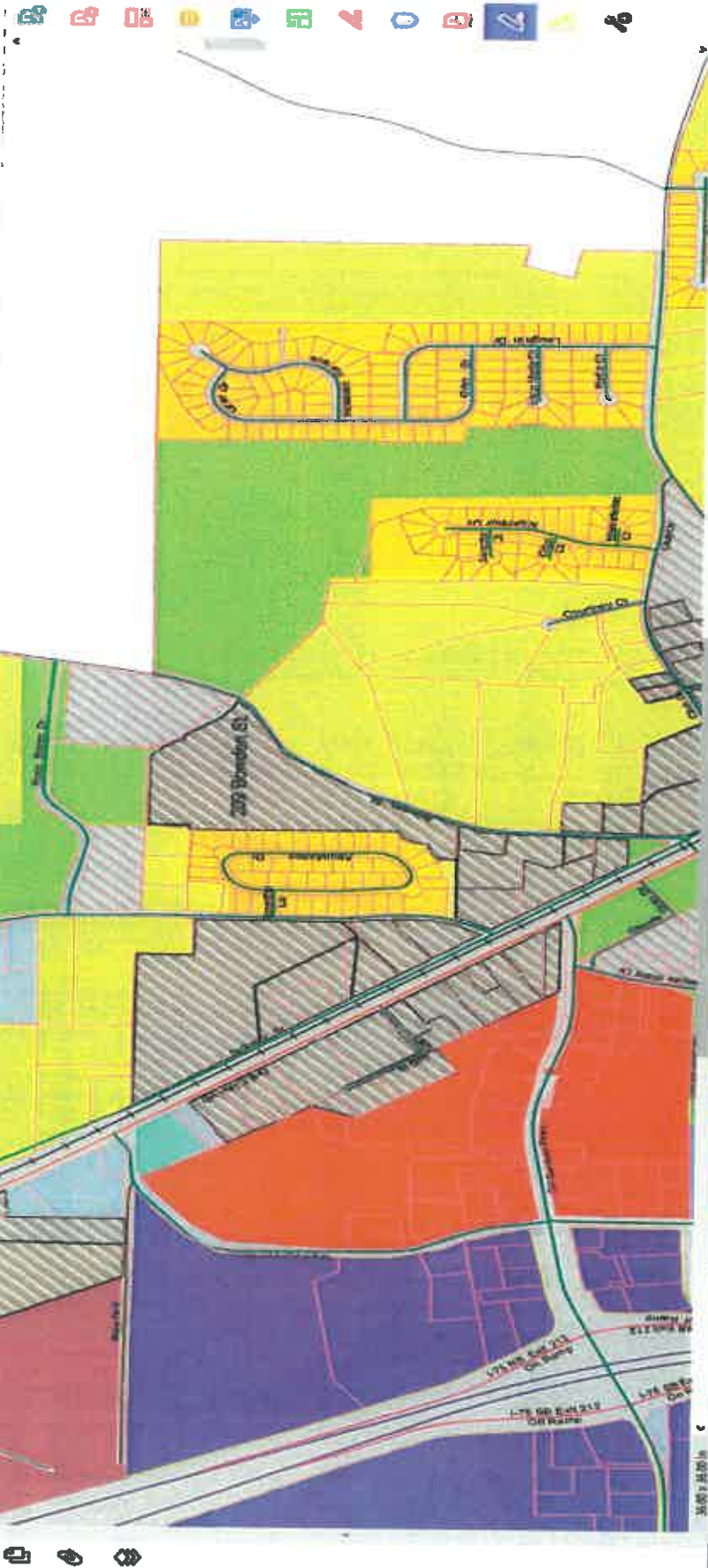


- Legend**
- Parcels
  - Roads
- Locust Grove Zoning**
- <all other values>
  - <blank>
  - Active Adult Res.
  - Neighborhood Comm.
  - General Comm.
  - Heavy Comm.
  - Light Mfg.
  - General Industrial
  - Office/Institutional
  - Planned Development
  - Single-Family Residential R-1
  - Single-Family Res 2
  - Med-High SF R-3
  - Res. Agricultural
  - Residential Duplex
  - Multifamily Residential
  - Res. Mfg. Home
  - Trans./Comm./Utili

<b>Parcel ID</b>	128-02017000	<b>Class</b>	R	<b>Owner</b>	BARNES JAMES PASCHAL & ETAL	<b>Land Value:</b>	\$183,100								
<b>Property Address</b>	209 BOWDEN ST	<b>Acreeage</b>	17.78	<b>Address</b>	710 LAURA COURT MCDONOUGH GA 30252	<b>Building Value:</b>	\$81,400	<b>Last 2 Sales</b>							
<b>District</b>	City/LocustGrove					<b>Misc Value:</b>	\$3,900	<b>Date</b>	7/6/2004	<b>Price</b>	\$0	<b>Reason</b>	n/a	<b>Qual</b>	U
						<b>Total Value:</b>	\$268,400	<b>Date</b>	9/1/1982	<b>Price</b>	\$0	<b>Reason</b>	n/a	<b>Qual</b>	U

Parcel lines depicted on the maps do not reflect a true and exact representation of property boundaries and should not be relied upon for said purpose. Property boundary lines are depicted on recorded plats available at the Henry County Courthouse or can be determined by employing the services of a licensed surveyor.

This zoning map is subject to change at any time. The official version of the Zoning map resides within the City of Locust Grove Community Development Department. Please contact the City of Locust Grove Community Development Department at 770-957-5043 to verify current zoning.





**EXHIBIT "C"**

# Henry Herald

38 Sloan Street  
McDonough, Georgia 30253

## PUBLISHER'S AFFIDAVIT

STATE OF GEORGIA  
COUNTY OF HENRY

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

Ad No.: 34415

Name and File No.: PUBLIC HEARING 5/17/21  
a true copy of which is hereto attached, was published in said newspaper on the following date(s):  
04/28/2021

*Robert D. McCray*

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

*Tina Pethel*

By Tina Pethel  
SCNI Controller

Sworn and subscribed to me 04/28/2021



*Dawn Ward*

Notary Public

My commission expires 03/04/2022

**AFFIDAVIT OF SIGN POSTING**

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

1.

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

2.

The Galloway Law Group, LLC has submitted an application requesting annexation of 156.82 +/- acres and 39.08 +/- acres of property located north of Bethlehem Road between Interstate 75 and State Route 42 (Parcel IDs: 110-01023000 and 110-01019002) in Land Lots 246, 250, and 251 of the 2nd and 7th Districts. The properties are zoned RA (Residential Agricultural), having a future land use designation of Industrial, and will remain so if incorporated into the City.

3.

Sunrise Builders, Inc. has submitted an application requesting rezoning of 17.78 +/- acres located at 209 Bowden Street in Land Lot 199 of the 2nd District (Parcel ID: 128-02017000) from RA (Residential Agricultural) to R-3 (Med. High Single Family Residential). The applicant is proposing a new single-family residential subdivision.

4.

AHAD Properties LLC of Yorba Linda, CA, has submitted an application requesting rezoning of 37.953 +/- acres located at 300-590 Market Place Boulevard from C-2 (General Commercial) to RM-1 (Multi-family Residential); Parcel 112-01013000 in Land Lot 201 of the 2nd District. The applicant intends to build a Multi-family Residential development.

5.

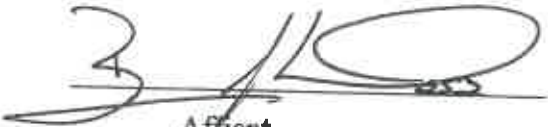
On the 27<sup>th</sup> day of April 2021, I, Brian Fornal, posted double-sided sign notifications on the property advertising a public hearing on the above requests to be heard by the Locust Grove City Council on the 17<sup>th</sup> day of May 2021 at 6:00 p.m. at the Locust Grove Public Safety Building, 3640 Highway 42, Locust Grove, Georgia 30248. Photographs of same are attached hereto as Exhibit "A" and incorporated herein by reference. The public hearing signs were posted at the following locations:



- 1) A double-sided sign was posted at 9:10 a.m. on 300 – 500 Marketplace Blvd on 4/27/2021.
- 2) A double-sided sign was posted at 9:19 a.m. on 209 Bowden Street on 4/27/2021.
- 3) Double-sided signs were posted at 9:00 a.m. on Hwy 42 North of the City by Harris Drive on 4/27/2021.

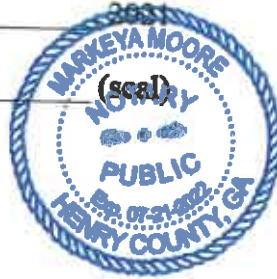
FURTHER AFFIANT SAYETH NOT.

This 29<sup>th</sup> day of April 2021.

  
Affiant

Sworn and subscribed before me  
this 29<sup>th</sup> day of April

Manley Moore  
Notary Public



**Exhibit "A"**

Sign Posted – April 27, 2021 9:19 a.m. 209 Bowden Street



**EXHIBIT "D"**

**Condition**

- 1. The owner/developer shall install marginal access drives for lots 37-40 along Bowden Street, as to minimize curb cuts.**



## 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 Section 17.04.060(D)(9), entitled Multi-family residence district, of City of Locust Grove Code of Ordinances.**

**Action Item:**  Yes  No

**Public Hearing Item:**  Yes  No

**Executive Session Item:**  Yes  No

**Advertised Date:** April 28, 2021

**Budget Item:** No

**Date Received:** March 21, 2021

**Workshop Date:** May 17, 2021

**Regular Meeting Date:** June 7, 2021

#### Discussion:

Jacob Lang of Lang Commercial Real Estate, has submitted a text amendment request on behalf of AHAD Properties of Yorba Linda, CA. The application requests a text amendment to the City of Locust Grove Zoning Ordinance Section 17.04.060(D)(9) by adding the provision of 12 to 20 du/acre for Multi-family developments located in the Gateway Town Center future land use. This amendment will remove conflicting regulations and provide the needed zoning ordinance clarity to compliment the Comprehensive Land Use Plan's intent for the Gateway Town Center future land use category.

The Gateway Town Center future land use category is the City's mixed use future land use designation, defined as follows:

"This classification includes those properties along the Bill Gardner Parkway at the I-75 interchange corridor. This classification includes a substantial mixture of significant

revenue producing uses (such as office, service and retail, restaurants, hotel/motel developments, entertainment, tourist/cultural facilities, recreational centers, etc.) that are integrated and mutually supporting. High-density multi-family residential shall be available to range from 12 to 20 dwelling units per acre, based on the overall project design and ability to provide mixture of uses, structured parking, and bonuses for amenities. Development shall incorporate non-vehicular transportation options such as pedestrian and bicycle friendly routes and shall occur in conformance with a coherent master development plan which stipulates the type, scale, and appearance of uses, permitted densities, and related developmental considerations such as parking ratios, parking placement and unique and consistent signage. Typical zoning district(s) under current ordinance would be C-2 (general commercial), C-3 (heavy commercial) with use of planned development (PD) and mixed-use overlay districts for vertical integration of residential and commercial.”

In addition to the Land Use changes that the City Council has adopted from 2016 to the present, this amendment will further address the need for the City Zoning Ordinance to be updated as to compliment the City’s Comprehensive Land Use Plan. This will be a positive step in the direction of the collective goal to update the city land use ordinances to be more uniform, consistent, and up to date.

The City of Locust Grove continues to experience a 9+/-% growth rate. At the current growth rate, the City of Locust Grove is the fastest growing city in Henry County, Georgia. Therefore, updating our Zoning Ordinance to be cohesive with our Comprehensive Land Use Plan will aide in achieving a more efficient ordinance to administer citywide.

**Revised Recommendation per 5/17/2021 City Council Meeting:**

After the May 17th, 2021 public hearing for cases: RZ-21-02-02 (Applicant: AHAD Properties LLC) and AM-21-03-03 (Applicant: Jacob Lang), staff took into consideration the discussion from the public hearing that centered on the fact that implementation of the Comprehensive Land Use Plan is not required to happen suddenly or immediately, but instead over time, as to properly and thoroughly address all matters regarding density, amenities, walkability, vertical integration, architectural standards, etc., and most importantly timing.

In this regard, the timing is not ready for the development and should be handled with the context of further discussion to incorporated into the general Zoning Update, as more time is needed to thoroughly incorporate the Comprehensive Land Use Plan policy guide into an acceptable, user friendly, and up-to-date Zoning Ordinance.

Therefore, per the directive of the City Manager, staff now recommends that the applicant’s request be Tabled to give enough time to incorporate these provisions and determine the compatibility of this request with those standards.

**ORDINANCE NO. \_\_\_\_\_**

**TO AMEND TITLE 17, CHAPTER 17, SECTION 17.04.060, MULTI-FAMILY RESIDENCE DISTRICT, OF THE CITY OF LOCUST GROVE CODE OF ORDINANCES, WHICH PROVIDES FOR ZONING REGULATIONS; TO PROVIDE FOR CONDITIONAL USES FOR SENIOR ADULT HOUSING AND AGE TARGETED AND CONTINUUM OF CARE DEVELOPMENTS; TO AMEND FOR REFERENCE CERTAIN DEVELOPMENT STANDARDS; TO PROVIDE FOR APPLICABILITY; TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR SEVERABILITY; TO REPEAL INCONSISTENT PROVISIONS; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES**

**THE COUNCIL OF THE CITY OF LOCUST GROVE HEREBY ORDAINS**

**SECTION 1.** Paragraph C of Section 17.04.060 entitled “Multi-family residence district” is hereby amended as follows:

**17.04.060 (B)(9):**

**9. Increased Density Provisions.**

- a. Apartment developers may request an increase in density up to eight apartment dwelling units per usable acre.
  - i. For multi-family developments located within the Gateway Town Center Future Land use category, developers may request an increase in density up to twenty (20) dwelling units per acre (du/acre) meeting the following enhanced site design standards:
    - 1. All building exteriors shall be constructed of brick, glass, stone, or any combination thereof. Vinyl is only permitted in the soffits and fascia.
    - 2. Multi-family developments shall be comprised of a single multi-story building, not exceeding 5 stories, having private secured entry serviced by a multi-level parking deck and service elevator.
    - 3. Access to the development shall be gated.
    - 4. Alternative green infrastructural design shall be incorporated into the design of the development, minimizing impervious surface.
    - 5. Enhanced landscaping shall be incorporated into the design of the development along walking trails and sidewalks.
    - 6. Pedestrian lighting shall be required along walking trails and sidewalks.
    - 7. Non-vehicular transportation options (pedestrian and bicycle friendly routes) shall be incorporated into the design of the development.



8. Prior to the issuance of any permits, a site plan complying with the enhanced development standards shall be submitted to the Community Development Department for review and approval.

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

**SECTION 3. Severability.**

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

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

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

**SECTION 4. Repeal of Conflicting Provision.** Except as otherwise provided herein, all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

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

SO ORDAINED this 7<sup>th</sup> day of June 2021.

---

Robert S. Price, Mayor

**ATTEST:**

\_\_\_\_\_  
**Misty Spurling, City Clerk**

**(Seal)**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**City Attorney**

**March 22, 2021**

**City of Locust Grove  
Mr. Daunte Gibbs, Director  
Community Development  
P.O. Box 900  
Locust Grove, GA 30248**

**Re: Text Amendment Rquest**

**Mr. Gibbs,**

**Lang Real Estate requests a text amendment to the zoning ordinance of Locust Grove as it pertains to multifamily districts.**

**We ask that Section 17.04.060 be amended to allow a dwelling unit density of up to 20 units per acre on property zoned Multifamily Residential District – Apartments – RM1 located in the Gateway Town Center as depicted on the official Future Land Use Map of Locust Grove. This request is consistent with recommendations found in the Locust Grove Town Center Livable Center's Initiative Plan and is in accordance with the mixed-use gateway town center policy guide.**

**Please let me know how to facility this request.**

**Sincerely,**

**Jacob E Lang**

**President  
Lang Commercial Real Estate**

## Request for Zoning Map Amendment

Name of Applicant: AHAD Properties LLC Phone: 714.578.0088 (Rahim) Date: January 28, 2021

Address Applicant: P.O. Box 700 Cell # \_\_\_\_\_

City: Yorba Linda State: CA Zip: 92694-0700 E-mail: rahim@ahad.com

Name of Agent: Rahim Sabedia Phone: 714.578.0088 (Rahim) Date: January 28, 2021

Address Agent: 1833 Union Spring Road Cell # 612.885.9438 (Jacob Lang)

City: Springfield State: GA Zip: 31329 E-mail: jacob@langora.com (Jacob Lang)

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

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

Request from C-2 (General Commercial) to Multifamily Residential  
(Current Zoning) (Requested Zoning)

Request from \_\_\_\_\_ to \_\_\_\_\_  
(Current Land Use Designation) (Requested Land Use Designation)

For the Purpose of Master planned development of semicommercial, institutional, office, and multifamily parcels  
(Type of Development)

Address of Property: 300-600 Market Place Boulevard, Locust Grove, Georgia 30248

Nearest Intersection to the property: Marketplace Boulevard and Bill Gardner Parkway

Size of Tract: 29.91 acre(s). Land Lot Number(s): 201 District(s): 2nd

Gross Density: \_\_\_\_\_ units per acre      Net Density: \_\_\_\_\_ units per acre

Property Tax Parcel Number: 112-01013000

Bevan Poylak  
Witness Signature

Rahim Sabedia  
(Required) Signature of Owner/s

BEVAN POYLAKE  
Printed Name of Witness

Rahim Sabedia, Manager  
Printed Name of Owner/s

\_\_\_\_\_  
Notary

\_\_\_\_\_  
Signature of Agent

**[For Office Use Only]**

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

Application checked by: \_\_\_\_\_ Date: \_\_\_\_\_ Map Number(s): \_\_\_\_\_

Pre-application meeting: \_\_\_\_\_ Date: \_\_\_\_\_

Public Hearing Date: \_\_\_\_\_

Council Decision: \_\_\_\_\_ Ordinance: \_\_\_\_\_

Date Mapped in GIS: \_\_\_\_\_ Date: \_\_\_\_\_

## Applicant Campaign Disclosure Form

Has the applicant<sup>1</sup> made, within two (2) years immediately preceding the filing of this application for rezoning, campaign contributions aggregating \$250 or more or made gifts having in the aggregate a value of \$250 or more to a member of the Locust Grove City Council and/or Mayor who will consider the application?  
 Yes \_\_\_\_\_ No   x  

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

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

We certify that the foregoing information is true and correct, this 26<sup>th</sup> day of JAN 2021

Rebin Sabota, Manager  
 Applicant's Name - Printed

*Rebin Sabota*  
 Signature of Applicant

Jacob E. Lang  
 Jacob E. Lang 2021.04.05  
 14:01:12-04'00'

Applicant's Attorney, if applicable - Printed

Signature of Applicant's Attorney, if applicable

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_

(Please refer to the attachment)  
 Notary Public

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

**CALIFORNIA ACKNOWLEDGMENT**

CIVIL CODE § 1169

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Orange

On 01/28/2021 before me, Jose Monterosa, Notary Public

personally appeared Rahim Sabadia  
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

Signature of Notary Public

Place Notary Seal and/or Stamp Above

**OPTIONAL**

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

**Description of Attached Document**

Title or Type of Document: Request for Zoning Map Amendment

Document Date: 1/28/21 Number of Pages: 2

Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: Rahim Sabadia

- Corporate Officer - Title(s): \_\_\_\_\_
- Partner -  Limited  General
- Individual  Attorney In Fact
- Trustee  Guardian or Conservator
- Other: \_\_\_\_\_

Signer is Representing: \_\_\_\_\_

Signer's Name: \_\_\_\_\_

- Corporate Officer - Title(s): \_\_\_\_\_
- Partner -  Limited  General
- Individual  Attorney In Fact
- Trustee  Guardian or Conservator
- Other: \_\_\_\_\_

Signer is Representing: \_\_\_\_\_

**LEGEND**

-  MULTIFAMILY (2051 AC)
  - 540 UNITS (MAX)
  - 1805 UNITS / AC
  - 3-4 STORY BUILDINGS
-  COMMERCIAL / RETAIL / OFFICE / STORAGE (8.0M AC)
  - 20,000 SF RETAIL / 115 PARKING SPACES
  - 5,000 SF GULFIC SERVICE RESTAURANT /
  - 40 PARKING SPACES
  - 175,000 SF STORAGE
  - 0.571 FAR

**CLIENT**

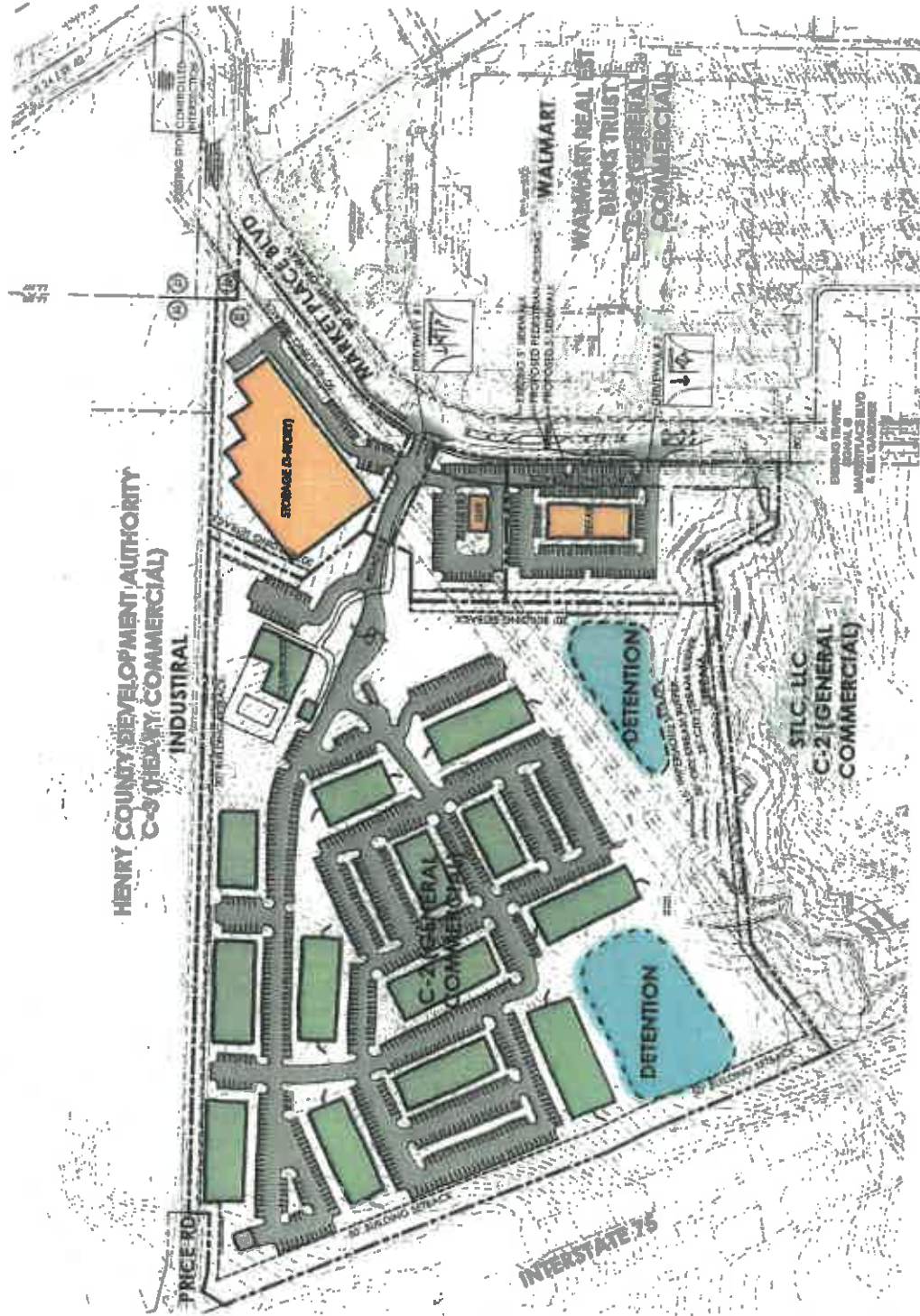
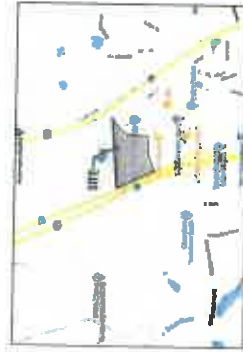
AVIAD PROPERTIES  
 CAO LANG REAL ESTATE SERVICES  
 PO BOX 786  
 TORBA LINDA, CALIFORNIA 47695  
 JACOB LANG

**CONTACTS**

**SITE PLANNER**  
 FORESITE GROUP, LLC  
 3740 DAVINCH CT, SUITE 100  
 PEACHTREE CORNERS, GA 30092  
 DAVID IRONCREEK, PE

**TRAFFIC CONSULTANT**  
 HCI TECHNOLOGIES, INC  
 2140 SATELLITE BLVD, SUITE 150  
 DUBLIN, GA 30077  
 ANDREW ANTWELER, PE PTOE

**LOCATION MAP**



**300 MARKETPLACE BLVD - LOCUST GROVE, GA**  
 SITE PLAN - DRI NO. 3252 300 MARKETPLACE



## Community Development Department

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

### Item Coversheet

---

**Item:** An ordinance for rezoning of 37.953 +/- acres located at 300-590 Market Place Blvd (Parcel ID: 112-01013000) in Land Lots 201 of the 2nd District.

**Action Item:**  Yes  No

**Public Hearing Item:**  Yes  No

**Executive Session Item:**  Yes  No

**Advertised Date:** April 28, 2021

**Budget Item:** No

**Date Received:** February 1, 2021

**Workshop Date:** May 17, 2021

**Regular Meeting Date:** June 7, 2021

### Discussion:

---

AHAD Properties LLC of Yorba Linda, CA GA (the "Applicant"), requests rezoning from C-2 (General Commercial) to RM-1(Multifamily Residential) for property located at 300-590 Market Place Boulevard. (Parcel 112-01013000) in Land Lot 201 of the 2nd District. The applicant intends to build a Multi-Family Residential development.

The property lies within an area referenced by the Comprehensive Plan as a Mixed-Use District which designates this area, as well as the surrounding areas, for a mixture of commercial, office, residential and/or industrial uses near the I-75 interchange. The subject property is currently vacant, undeveloped, and abuts an Interstate 75 to the west



**and General Commercial to the east. According to the applicant's site plan, 540 multi-family units are proposed.**

**Revised Recommendation per 5/17/2021 City Council Meeting:**

After the May 17th, 2021 public hearing for cases: RZ-21-02-02 (Applicant: AHAD Properties LLC) and AM-21-03-03 (Applicant: Jacob Lang), staff took into consideration the discussion from the public hearing that centered on the fact that implementation of the Comprehensive Land Use Plan is not required to happen suddenly or immediately, but instead over time, as to properly and thoroughly address all matters regarding density, amenities, walkability, vertical integration, architectural standards, etc., and most importantly timing.

In this regard, the timing is not ready for the development and should be handled with the context of further discussion to be incorporated into the general Zoning Update, as more time is needed to thoroughly incorporate the Comprehensive Land Use Plan policy guide into an acceptable, user friendly, and up-to-date Zoning Ordinance.

Therefore, per the directive of the City Manager, staff now recommends that the applicant's request be Tabled to give enough time to incorporate these provisions and determine the compatibility of this request with those standards.

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE TO REZONE 37.953 +/- ACRES FROM C-2 (GENERAL COMMERCIAL) TO RM-1 (MULTIFAMILY RESIDENTIAL) FOR PROPERTY LOCATED AT 300-590 MARKET PLACE BLVD.; IN LAND LOT 201 OF THE 2<sup>ND</sup> DISTRICT WITHIN THE CITY OF LOCUST GROVE, GEORGIA; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES**

**WHEREAS**, AHAD Properties LLC of Yorba Linda, CA (hereinafter referred to as "Applicant"), requests rezoning for 37.953 +/- acres located at 300-590 Market Place Blvd. in Land Lot 201 of the 2<sup>nd</sup> District (hereinafter referred to as the "Property") and described in **Exhibit A** attached hereto and incorporated herein by reference; and,

**WHEREAS**, the Applicant has submitted an application which is included in the Rezoning Evaluation Report (hereinafter referred to as "Report") attached hereto and incorporated herein by reference as **Exhibit "B"**; and,

**WHEREAS**, the Applicant requests the Mayor and City Council of the City of Locust Grove (hereinafter referred to as "City") rezone the subject property from C-2 (General Commercial) to RM-1 (Multifamily Residential); and,

**WHEREAS**, the request has been reviewed by the Community Development Department (hereinafter referred to as "Staff") and the City during a public hearing held on May 17, 2021; and,

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

**WHEREAS**, the Mayor and City Council have reviewed and considered the Applicant's request and the recommendations of the Staff as presented in the Report; and,

**WHEREAS**, the Mayor and City Council have considered the Applicant's request in light of those criteria for rezoning under *Section 17.04.315* of the *Code of the City of Locust Grove*; and,

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

1.

- That the Property is hereby rezoned from C-2 to RM-1 in accordance with the Zoning Ordinance of the City
- The Applicant's request in said application is hereby **DENIED**.

2.

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

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

3.

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

4.

That, if rezoning is granted, said rezoning of the Property shall become effective immediately.

**SO ORDAINED** by the Council of the City this 7<sup>th</sup> day of June 2021.

---

**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: AHAD Properties LLC Phone: 714.576.8000 (Rahim) Date: January 28, 2021

Address Applicant: P.O. Box 768 Cell # \_\_\_\_\_

City: Yorba Linda State: CA Zip: 92696-0768 E-mail: rsabadia@gmail.com

Name of Agent: Rahim Sabadia Phone: 714.576.8000 (Rahim) Date: January 28, 2021

Address Agent: 1633 Union Spring Road Cell # 912.655.9438 (Jacob Lang)

City: Springfield State: GA Zip: 31329 E-mail: jacob@kingora.com (Jacob Lang)

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  DRP Review/Concurrent  Amendment to the Future Land Use Plan

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

Request from \_\_\_\_\_ to \_\_\_\_\_  
(Current Land Use Designation) (Requested Land Use Designation)

For the Purpose of Master planned development of commercial, institutional, office, and multifamily parcels  
(Type of Development)

Address of Property: 300-590 Market Place Boulevard, Locust Grove, Georgia 30248

Nearest intersection to the property: Marketplace Boulevard and Bill Gardner Parkway

Size of Tract: 37.989 acre(s), Land Lot Number(s): 201 District(s): 2nd

Gross Density: \_\_\_\_\_ units per acre Net Density: \_\_\_\_\_ units per acre

Property Tax Parcel Number: 37.989

Bevan Poyak  
Witness Signature

BEVAN POYAK  
Printed Name of Witness

Rahim Sabadia  
(Required) Signature of Owner/s

Rahim Sabadia, Manager  
Printed Name of Owner/s

Notary \_\_\_\_\_

Signature of Agent \_\_\_\_\_

**(For Office Use Only)**

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

Application checked by: \_\_\_\_\_ Date: \_\_\_\_\_ Map Number(s): \_\_\_\_\_

Pre-application meeting: \_\_\_\_\_ Date: \_\_\_\_\_

Public Hearing Date: \_\_\_\_\_

Council Decision: \_\_\_\_\_ Ordinance: \_\_\_\_\_

Date Mapped in GIS: \_\_\_\_\_ Date: \_\_\_\_\_

## Applicant Campaign Disclosure Form

Has the applicant<sup>1</sup> made, within two (2) years immediately preceding the filing of this application for rezoning, campaign contributions aggregating \$250 or more or made gifts having in the aggregate a value of \$250 or more to a member of the Locust Grove City Council and/or Mayor who will consider the application?  
 Yes \_\_\_\_\_ No   x  

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

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

We certify that the foregoing information is true and correct, this 26<sup>th</sup> day of JAN, 2021

Rahim Qibedja, Manager

Applicant's Name - Printed

*Rahim Qibedja*  
 Signature of Applicant

Jacob E. Lang  
 Jacob E. Lang 2021.02.01  
 14:08:35-05'00'

Applicant's Attorney, if applicable - Printed

Signature of Applicant's Attorney, if applicable

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_

(Please refer to the attachment)  
 \_\_\_\_\_  
 Notary Public

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

**CALIFORNIA ACKNOWLEDGMENT**

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

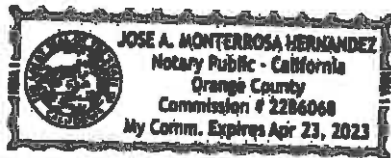
State of California

County of Orange }

On 01/28/2021 before me, Jose Monterrosa, Notary Public  
Date Here Insert Name and Title of the Officer

personally appeared Rahim Sabadia  
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Signature]  
Signature of Notary Public

Place Notary Seal and/or Stamp Above

**OPTIONAL**

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

**Description of Attached Document**

Title or Type of Document: Request for Zoning Map Amendment

Document Date: 1/28/21 Number of Pages: 2

Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: Rahim Sabadia

Corporate Officer - Title(s): \_\_\_\_\_

Partner -  Limited  General

Individual  Attorney in Fact

Trustee  Guardian or Conservator

Other: \_\_\_\_\_

Signer is Representing: \_\_\_\_\_

Signer's Name: \_\_\_\_\_

Corporate Officer - Title(s): \_\_\_\_\_

Partner -  Limited  General

Individual  Attorney in Fact

Trustee  Guardian or Conservator

Other: \_\_\_\_\_

Signer is Representing: \_\_\_\_\_



April 5, 2021

City of Locust Grove  
Mr. Daunte Gibbs, Director  
Community Development  
P.O. Box 900  
Locust Grove, GA 30248

Re: Letter of Intent - Rezoning Application – AHAD Properties LLC – +/- 29.95 Acres

Mr. Gibbs,

Please accept this letter of intent prepared on behalf of AHAD Properties LLC. AHAD Properties requests a zoning map be amended to reflect a zoning change for a portion of parcel 112-01013000. The current zoning is Commercial 2 (C2). The requested zoning is Multifamily Residential (MF). This request is consistent with recommendations found in the Locust Grove Town Center Livable Center's Initiative Plan and is in accordance with the mixed-use gateway town center policy guide.

This action will catalyze development of the Gateway District while correctly creating a transition from light industrial uses to the city center.

On behalf of AHAD Properties, thank you for consideration of this request.

Sincerely,



Jacob E Lang

President  
Lang Commercial Real Estate



February 1, 2021

City of Locust Grove  
Mr. Daunte Gibbs, Director  
Community Development  
P.O. Box 900  
Locust Grove, GA 30248

Re: Letter of Intent - Rezoning Application – AHAD Properties LLC – +/- 37.95 Acres

Mr. Gibbs,

Please accept this letter of intent prepared on behalf of AHAD Properties LLC. AHAD Properties requests a zoning map be amended to reflect a zoning change for parcel 112-01013000. The current zoning is Commercial 2 (C2). The requested zoning is Planned Development (PD). This request is consistent with recommendations found in the Locust Grove Town Center Livable Center's Initiative Plan and is in accordance with the mixed-use gateway town center policy guide.

The uses proposed for the PD are those uses typically found in the City's current C-2 and MF-1 zoning. AHAD Properties proposes a maximum residential unit density of 20 units per acre or 540 units. The remaining acreage will be reserved for complementing commercial and institutional uses, not to exceed 100,000 square feet of retail or retail equivalent trip demand.

This action creates a more cohesive development plan for this parcel while simultaneously affording specialty developers to carefully navigate the parcel's unique physical constraints. This will catalyze development of the Gateway District while correctly creating a transition from light industrial uses to the city center.

On behalf of AHAD Properties, thank you for consideration of this request.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jacob E. Lang", is written over a light blue horizontal line.

Jacob E Lang

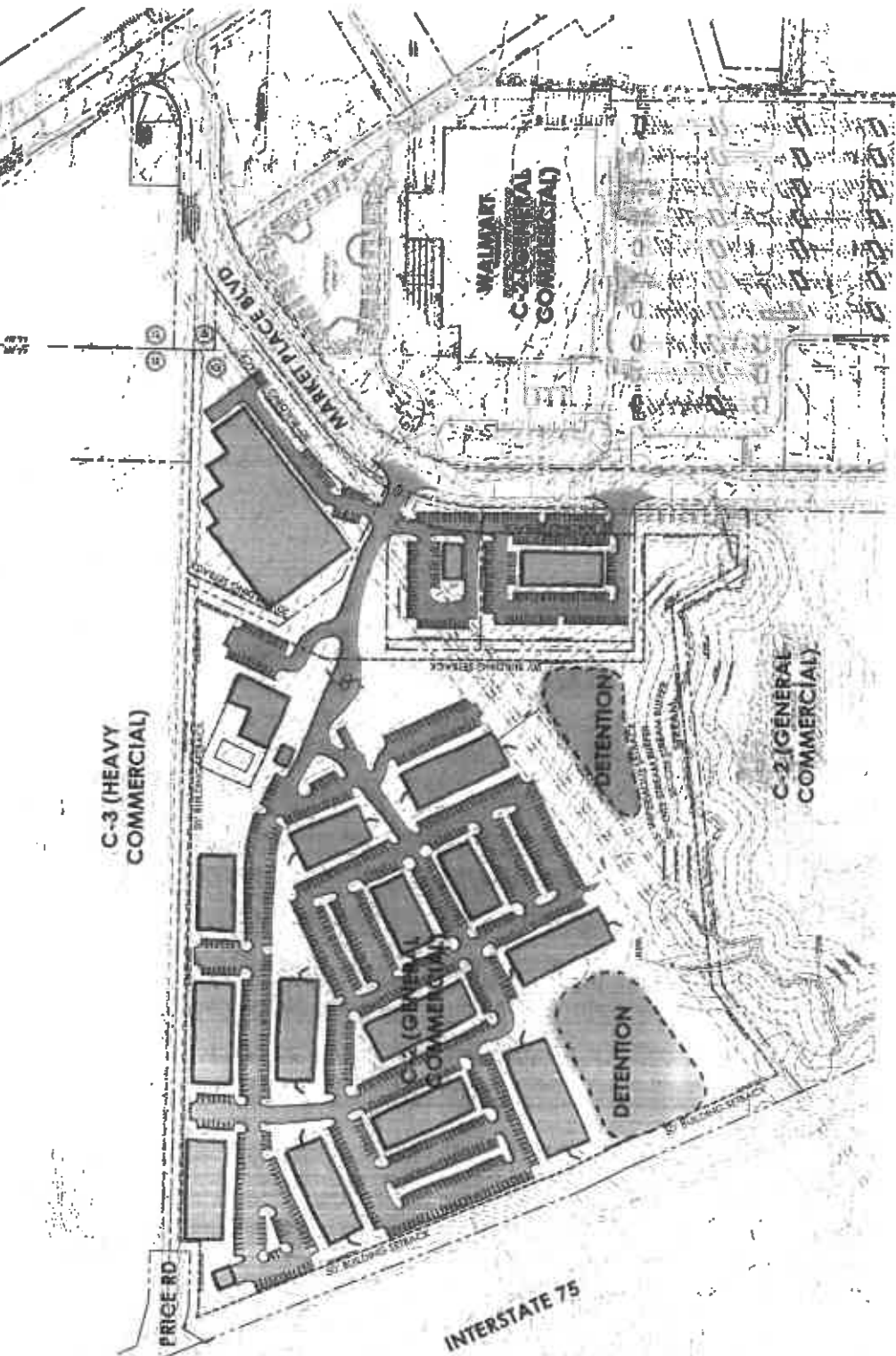
President  
Lang Commercial Real Estate

**EXHIBIT A**

**LEGAL DESCRIPTION OF THE PROPERTY WHERE GENERAL SEWER LINE  
BASEMENT IS LOCATED**

All that tract or parcel of Land lying and being in Land Lot 200 and 201 of the 2<sup>nd</sup> District of Henry County, Georgia, being more particularly described as follows: Tract 4 (37.9526 Acres), Outlot 4 (1.6894 acres) together with any right title, and interest and rights of access in and to the property described as "Future Public Road" all as shown and described on that Subdivision Plat of Market Place at Locust Grove, recorded at Plat Book 51, pages 48 through 53, Henry County, Georgia records, said plat being incorporated herein and made a part hereof.

DB 12693 Page 270 et. seq.



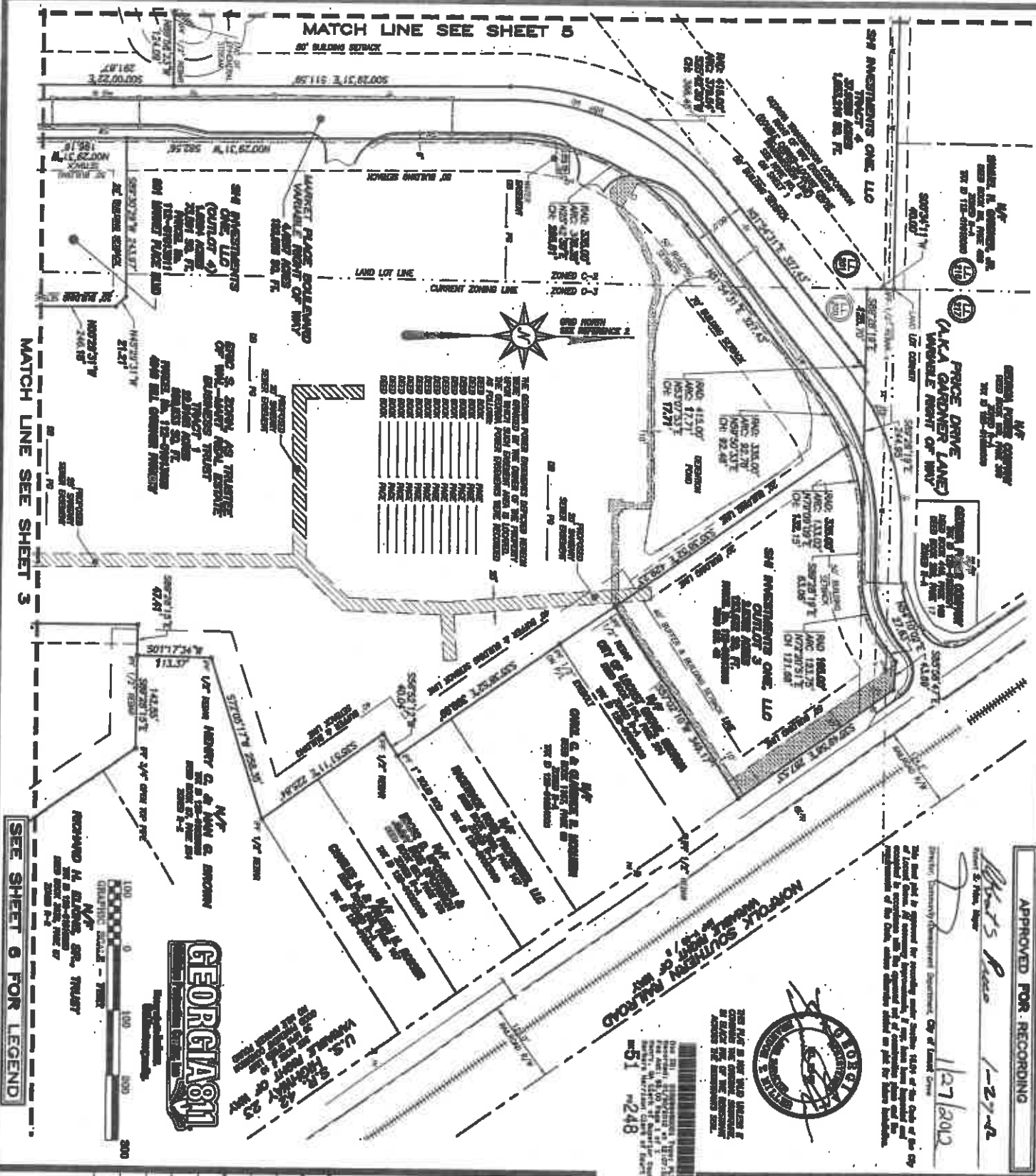
**LEGEND**

-  MULTI-FAMILY (31.26 AC)
-  COMMERCIAL / RETAIL / OFFICE / STORAGE (6.69 AC)

# MULTI-FAMILY - LOCUST GROVE, GA

## CONCEPT





**PRICE DRIVE (AKA GARDNER LANE)**  
 WAREABLE RIGHT OF WAY

**SEMI-DETACHED GARAGE**  
 12' x 12' x 12'

**SEMI-DETACHED GARAGE**  
 12' x 12' x 12'

**SEMI-DETACHED GARAGE**  
 12' x 12' x 12'

**SEMI-DETACHED GARAGE**  
 12' x 12' x 12'

**SEMI-DETACHED GARAGE**  
 12' x 12' x 12'

**SEMI-DETACHED GARAGE**  
 12' x 12' x 12'

**SEMI-DETACHED GARAGE**  
 12' x 12' x 12'

**SEMI-DETACHED GARAGE**  
 12' x 12' x 12'

**SEMI-DETACHED GARAGE**  
 12' x 12' x 12'

**SEMI-DETACHED GARAGE**  
 12' x 12' x 12'

**SEMI-DETACHED GARAGE**  
 12' x 12' x 12'

**SEMI-DETACHED GARAGE**  
 12' x 12' x 12'



THIS MAP IS NOT VALID UNLESS IT  
 CHANGES THE GENERAL SUBDIVISION  
 LINES OR THE BOUNDARIES OF THE  
 LOTS OF THE SUBDIVISION.



APPROVED FOR RECORDING

*Robert P. Pines* 1-27-12

1/27/2012

This map is prepared by recording under public sale of the City of Norfolk, Virginia, and is subject to the provisions of the City of Norfolk, Virginia, Code, Chapter 22-100, which provides that the City of Norfolk, Virginia, shall have the right to acquire any land within the City of Norfolk, Virginia, which is not within the boundaries of any other political subdivision of the State of Virginia.

**FINAL SUBDIVISION PLAT OF  
 MARKET PLACE AT LOCUST GROVE FOR:  
 ERIC S. ZORN, AS TRUSTEE OF WAL-MART  
 REAL ESTATE BUSINESS TRUST**

LAND LOTS 200, 201 AND 217, OF THE 2ND DISTRICT  
 CITY OF LOCUST GROVE, HENRY COUNTY, GEORGIA

**Wolverton & Associates**  
 Consulting Engineers • Land Surveyors

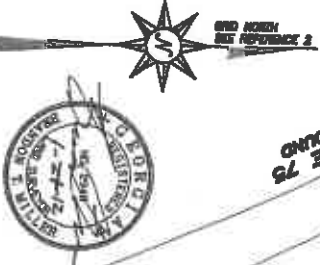
6700 Regency Parkway • Suite 200 • Dulles, Virginia 20152  
 Phone (703) 407-0200 • Fax (703) 407-0200  
 www.wolverton-associates.com

REVISIONS BY	
DESIGNED BY	BOA
CHECKED BY	BTM
DATE	01/26/2012
SCALE	1"=100'
JOB NO.	00-148
DRAWN NUMBER	
DATE	
2	









THE PLAT OF ANY REAL ESTATE IN BLACK INK OF THE RECORDING OFFICE SHALL BE CONSIDERED AS THE TRUE AND CORRECT COPY.

INTERSTATE 75 SOUTH BOUND

INTERSTATE 75 LIMITED ACCESS NORTH BOUND

PRICE DRIVE VARIABLE RIGHT OF WAY 20 FT. TO 25 FT.

THE GENERAL PURPOSE OF THIS SURVEY IS TO SHOW THE LOCATION OF THE PROPERTY LINES AND THE EXISTING AND PROPOSED EASEMENTS AND ENCUMBRANCES THEREON.

NO.	DESCRIPTION	ACRES
1	LOT 200	0.12
2	LOT 201	0.12
3	LOT 217	0.12
4	LOT 218	0.12
5	LOT 219	0.12
6	LOT 220	0.12
7	LOT 221	0.12
8	LOT 222	0.12
9	LOT 223	0.12
10	LOT 224	0.12
11	LOT 225	0.12
12	LOT 226	0.12
13	LOT 227	0.12
14	LOT 228	0.12
15	LOT 229	0.12
16	LOT 230	0.12
17	LOT 231	0.12
18	LOT 232	0.12
19	LOT 233	0.12
20	LOT 234	0.12
21	LOT 235	0.12
22	LOT 236	0.12
23	LOT 237	0.12
24	LOT 238	0.12
25	LOT 239	0.12
26	LOT 240	0.12
27	LOT 241	0.12
28	LOT 242	0.12
29	LOT 243	0.12
30	LOT 244	0.12
31	LOT 245	0.12
32	LOT 246	0.12
33	LOT 247	0.12
34	LOT 248	0.12
35	LOT 249	0.12
36	LOT 250	0.12
37	LOT 251	0.12
38	LOT 252	0.12
39	LOT 253	0.12
40	LOT 254	0.12
41	LOT 255	0.12
42	LOT 256	0.12
43	LOT 257	0.12
44	LOT 258	0.12
45	LOT 259	0.12
46	LOT 260	0.12
47	LOT 261	0.12
48	LOT 262	0.12
49	LOT 263	0.12
50	LOT 264	0.12
51	LOT 265	0.12
52	LOT 266	0.12
53	LOT 267	0.12
54	LOT 268	0.12
55	LOT 269	0.12
56	LOT 270	0.12
57	LOT 271	0.12
58	LOT 272	0.12
59	LOT 273	0.12
60	LOT 274	0.12
61	LOT 275	0.12
62	LOT 276	0.12
63	LOT 277	0.12
64	LOT 278	0.12
65	LOT 279	0.12
66	LOT 280	0.12
67	LOT 281	0.12
68	LOT 282	0.12
69	LOT 283	0.12
70	LOT 284	0.12
71	LOT 285	0.12
72	LOT 286	0.12
73	LOT 287	0.12
74	LOT 288	0.12
75	LOT 289	0.12
76	LOT 290	0.12
77	LOT 291	0.12
78	LOT 292	0.12
79	LOT 293	0.12
80	LOT 294	0.12
81	LOT 295	0.12
82	LOT 296	0.12
83	LOT 297	0.12
84	LOT 298	0.12
85	LOT 299	0.12
86	LOT 300	0.12

APPROVED FOR RECORDING

*Eric S. Zorn* 1-21-12

By *Eric S. Zorn* Trustee of Wal-Mart Real Estate Business Trust

SM INVESTMENTS ONE, LLC  
 TRUST 4  
 200-200 MARKET PLACE BUILDING  
 FLOOR 10, 110-1100  
 200-200 MARKET PLACE BUILDING



PRICE DRIVE LANE (AKA GARDNER LANE)  
 PROPOSED VARIABLE RIGHT OF WAY EASEMENT  
 20 FEET WIDE

MATCH LINE SEE SHEET 4



SEE SHEET 6 FOR LEGEND

MATCH LINE SEE SHEET 2

FINAL SUBDIVISION PLAT OF  
 MARKET PLACE AT LOCUST GROVE FOR:  
**ERIC S. ZORN, AS TRUSTEE OF WAL-MART  
 REAL ESTATE BUSINESS TRUST**  
 LAND LOTS 200, 201 AND 217, OF THE 2nd DISTRICT  
 CITY OF LOCUST GROVE, HENRY COUNTY, GEORGIA

**W**  
**Wolverton & Associates**  
 Consulting Engineers & Land Surveyors  
 6700 Douglas Parkway • Suite 100 • Duluth, Georgia 30097  
 Phone: (770) 477-4400 • Fax: (770) 477-4400  
 www.wolverton-associates.com

REVISIONS BY	
DATE	
BY	
CHECKED BY	BTM
DATE	01/26/2012
SCALE	1"=100'
JOB NO.	03-145
SHEET NUMBER	5
OF 6 SHEETS	



# 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: AHAD PROPERTIES LLC

Address/Location of Request: 300-590 MARKETPLACE BLVD

Type of Project:

Commercial

Residential

**Mixed Use**

For residential or mixed-use residential, number of lots or units: 540 Units

For commercial, amount of square feet: 100,000 square feet (Retail Equivalent)\*

Retail was used to calculate traffic trips & utility demand. Specific uses, once defined will be added or deducted from trips and water as need. Example, Climate Control Storage may be 200,000 SF but only equivalent to 15,000 SF of retail trip generation and utility demand.

Estimated water usage: 154,980 (GALLONS)

Estimated sewer usage: 154,980 (GALLONS)

Jacob E, Lang  
2021.02.01  
14:05:38-05'00'

## 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

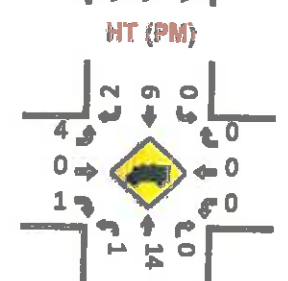
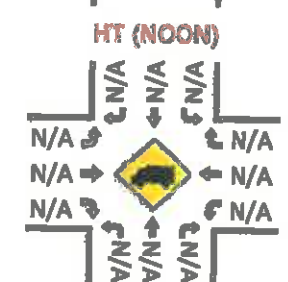
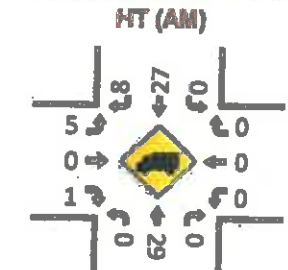
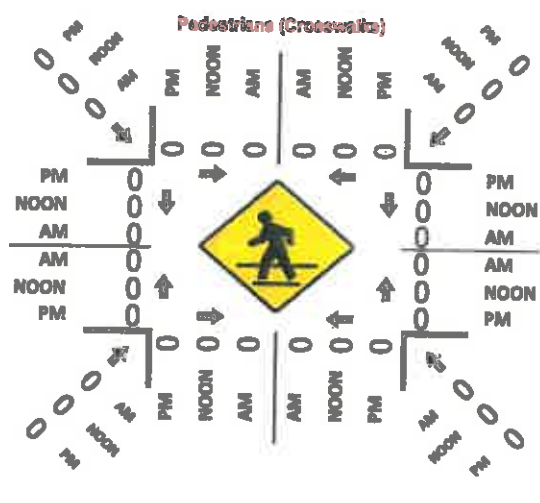
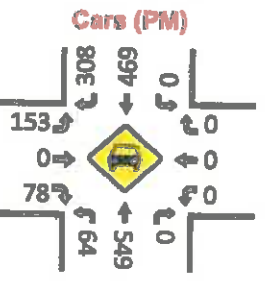
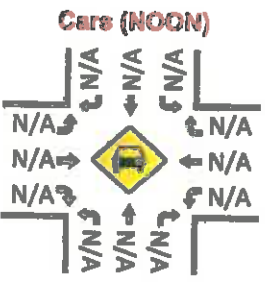
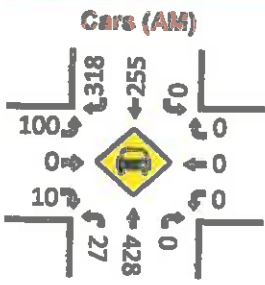
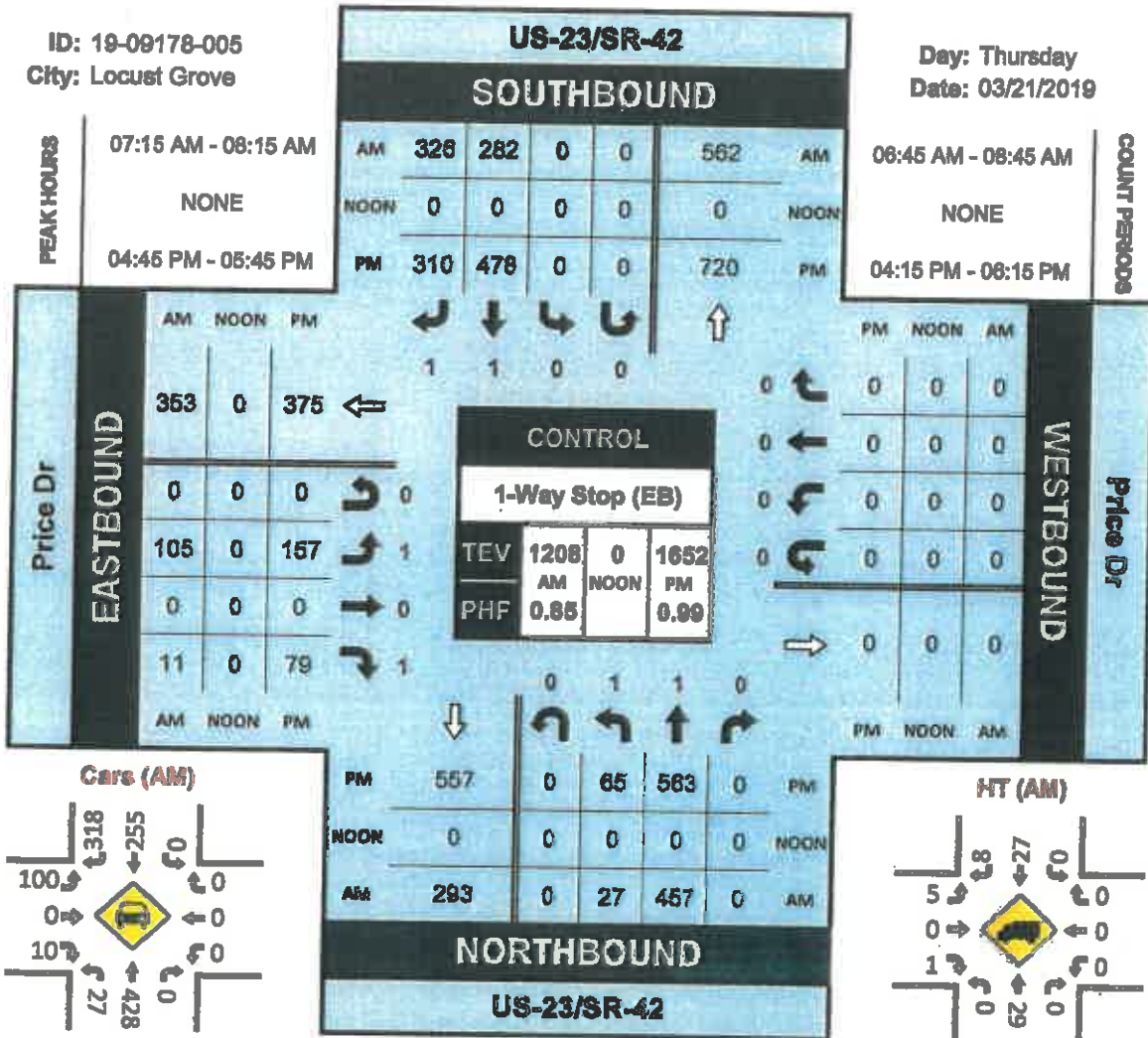
Prepared by National Data & Surveying Services

# US-23/SR-42 & Price Dr

## Peak Hour Turning Movement Count

ID: 19-09178-005  
City: Locust Grove

Day: Thursday  
Date: 03/21/2019





### VOLUME

Market Pl Blvd/Price Dr S/O US 23/SR 42

Day: Wednesday  
Date: 3/3/2021

City: Locust Grove  
Project #: GA21\_180055\_001

DAILY TOTALS						NB	SB	EB	WB	Total	
						3,256	4,475	0	0	7,731	
AM Period	NB	SB	EB	WB	TOTAL	PM Period	NB	SB	EB	WB	TOTAL
00:00	8	4			12	11:00	58	62			120
00:15	6	3			9	12:15	43	63			106
00:30	3	6			9	12:30	56	69			125
00:45	2	19	3	16	4	12:45	48	205	67	261	466
01:00	4	4			8	13:00	53	80			133
01:15	3	2			5	13:15	57	76			133
01:30	2	2			4	13:30	49	81			130
01:45	0	9	5	13	5	13:45	58	217	100	397	554
02:00	5	0			5	14:00	54	94			148
02:15	6	5			11	14:15	56	79			129
02:30	2	67			69	14:30	51	79			124
02:45	6	19	15	87	21	14:45	66	227	68	308	535
03:00	1	6			7	15:00	63	81			144
03:15	1	4			5	15:15	56	109			165
03:30	6	9			15	15:30	57	144			201
03:45	17	20	4	23	16	15:45	61	237	103	451	668
04:00	10	4			14	16:00	64	100			164
04:15	17	6			23	16:15	50	76			126
04:30	35	8			43	16:30	54	100			154
04:45	56	118	6	24	62	16:45	60	278	104	380	608
05:00	13	12			25	17:00	66	99			165
05:15	10	8			18	17:15	65	113			178
05:30	19	21			40	17:30	76	107			183
05:45	31	73	17	58	48	17:45	56	263	92	405	668
06:00	23	16			39	18:00	72	79			151
06:15	19	24			43	18:15	69	87			156
06:30	27	31			58	18:30	60	79			139
06:45	39	108	38	109	77	18:45	52	253	69	314	567
07:00	31	60			91	19:00	46	51			97
07:15	23	82			105	19:15	39	37			76
07:30	34	129			163	19:30	48	37			80
07:45	53	141	102	373	155	19:45	26	154	32	157	311
08:00	41	77			118	20:00	35	19			54
08:15	44	46			90	20:15	30	22			52
08:30	26	39			65	20:30	27	24			51
08:45	36	147	38	200	74	20:45	19	111	20	85	35
09:00	26	47			73	21:00	27	24			51
09:15	40	44			84	21:15	32	14			46
09:30	26	57			83	21:30	19	15			34
09:45	37	129	61	209	98	21:45	20	98	12	65	32
10:00	33	65			98	22:00	23	7			30
10:15	45	58			103	22:15	11	7			18
10:30	38	66			104	22:30	18	12			30
10:45	42	158	66	255	108	22:45	16	68	12	38	78
11:00	45	100			145	23:00	10	5			15
11:15	70	60			130	23:15	7	10			17
11:30	58	63			121	23:30	7	9			16
11:45	55	228	76	299	131	23:45	2	26	4	28	6
<b>TOTALS</b>	<b>2189</b>	<b>1666</b>			<b>2835</b>	<b>TOTALS</b>	<b>2087</b>	<b>2808</b>			<b>4895</b>
<b>SPLIT %</b>	<b>41.2%</b>	<b>58.8%</b>			<b>36.3%</b>	<b>SPLIT %</b>	<b>42.6%</b>	<b>57.4%</b>			<b>63.3%</b>

DAILY TOTALS						NB	SB	EB	WB	Total
						3,256	4,475	0	0	7,731

AM Peak Hour	11:15	07:15	07:15	PM Peak Hour	17:30	15:15	15:15
AM Pl Volume	241	380	342	PM Pl Volume	271	430	452
Pl Hr Factor	0.861	0.756	0.880	Pl Hr Factor	0.898	0.781	0.856
7 - 9 Volume	288	579	861	4 - 6 Volume	481	788	1278
7 - 9 Peak Hour	07:30	07:15	07:15	4 - 6 Peak Hour	18:45	16:45	16:45
7 - 9 Pl Volume	172	980	841	4 - 6 Pl Volume	267	417	681
Pl Hr Factor	0.811	0.756	0.880	Pl Hr Factor	0.878	0.928	0.934

Project ID: 21-10284-001  
 Location: Market PI Blvd/Price Dr & Walnut Center Drwy (South)  
 City: Losant Grove

Day: Wednesday  
 Date: 2/22/21

Sheet Time	Market PI Blvd/Price Dr Northbound										Market PI Blvd/Price Dr Southbound										Walnut Center Drwy (South) Eastbound										Walnut Center Drwy (South) Westbound																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																	
	Left		Thru		Right		Uturn		Peds		App. Total		Left		Thru		Right		Uturn		Peds		App. Total		Left		Thru		Right		Uturn		Peds		App. Total		Left		Thru		Right		Uturn		Peds		App. Total																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																	
	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100	101	102	103	104	105	106	107	108	109	110	111	112	113	114	115	116	117	118	119	120	121	122	123	124	125	126	127	128	129	130	131	132	133	134	135	136	137	138	139	140	141	142	143	144	145	146	147	148	149	150	151	152	153	154	155	156	157	158	159	160	161	162	163	164	165	166	167	168	169	170	171	172	173	174	175	176	177	178	179	180	181	182	183	184	185	186	187	188	189	190	191	192	193	194	195	196	197	198	199	200	201	202	203	204	205	206	207	208	209	210	211	212	213	214	215	216	217	218	219	220	221	222	223	224	225	226	227	228	229	230	231	232	233	234	235	236	237	238	239	240	241	242	243	244	245	246	247	248	249	250	251	252	253	254	255	256	257	258	259	260	261	262	263	264	265	266	267	268	269	270	271	272	273	274	275	276	277	278	279	280	281	282	283	284	285	286	287	288	289	290	291	292	293	294	295	296	297	298	299	300	301	302	303	304	305	306	307	308	309	310	311	312	313	314	315	316	317	318	319	320	321	322	323	324	325	326	327	328	329	330	331	332	333	334	335	336	337	338	339	340	341	342	343	344	345	346	347	348	349	350	351	352	353	354	355	356	357	358	359	360	361	362	363	364	365	366	367	368	369	370	371	372	373	374	375	376	377	378	379	380	381	382	383	384	385	386	387	388	389	390	391	392	393	394	395	396	397	398	399	400	401	402	403	404	405	406	407	408	409	410	411	412	413	414	415	416	417	418	419	420	421	422	423	424	425	426	427	428	429	430	431	432	433	434	435	436	437	438	439	440	441	442	443	444	445	446	447	448	449	450	451	452	453	454	455	456	457	458	459	460	461	462	463	464	465	466	467	468	469	470	471	472	473	474	475	476	477	478	479	480	481	482	483	484	485	486	487	488	489	490	491	492	493	494	495	496	497	498	499	500	501	502	503	504	505	506	507	508	509	510	511	512	513	514	515	516	517	518	519	520	521	522	523	524	525	526	527	528	529	530	531	532	533	534	535	536	537	538	539	540	541	542	543	544	545	546	547	548	549	550	551	552	553	554	555	556	557	558	559	560	561	562	563	564	565	566	567	568	569	570	571	572	573	574	575	576	577	578	579	580	581	582	583	584	585	586	587	588	589	590	591	592	593	594	595	596	597	598	599	600	601	602	603	604	605	606	607	608	609	610	611	612	613	614	615	616	617	618	619	620	621	622	623	624	625	626	627	628	629	630	631	632	633	634	635	636	637	638	639	640	641	642	643	644	645	646	647	648	649	650	651	652	653	654	655	656	657	658	659	660	661	662	663	664	665	666	667	668	669	670	671	672	673	674	675	676	677	678	679	680	681	682	683	684	685	686	687	688	689	690	691	692	693	694	695	696	697	698	699	700	701	702	703	704	705	706	707	708	709	710	711	712	713	714	715	716	717	718	719	720	721	722	723	724	725	726	727	728	729	730	731	732	733	734	735	736	737	738	739	740	741	742	743	744	745	746	747	748	749	750	751	752	753	754	755	756	757	758	759	760	761	762	763	764	765	766	767	768	769	770	771	772	773	774	775	776	777	778	779	780	781	782	783	784	785	786	787	788	789	790	791	792	793	794	795	796	797	798	799	800	801	802	803	804	805	806	807	808	809	810	811	812	813	814	815	816	817	818	819	820	821	822	823	824	825	826	827	828	829	830	831	832	833	834	835	836	837	838	839	840	841	842	843	844	845	846	847	848	849	850	851	852	853	854	855	856	857	858	859	860	861	862	863	864	865	866	867	868	869	870	871	872	873	874	875	876	877	878	879	880	881	882	883	884	885	886	887	888	889	890	891	892	893	894	895	896	897	898	899	900	901	902	903	904	905	906	907	908	909	910	911	912	913	914	915	916	917	918	919	920	921	922	923	924	925	926	927	928	929	930	931	932	933	934	935	936	937	938	939	940	941	942	943	944	945	946	947	948	949	950	951	952	953	954	955	956	957	958	959	960	961	962	963	964	965	966	967	968	969	970	971	972	973	974	975	976	977	978	979	980	981	982	983	984	985	986	987	988	989	990	991	992	993	994	995	996	997	998	999	1000	1001	1002	1003	1004	1005	1006	1007	1008	1009	1010	1011	1012	1013	1014	1015	1016	1017	1018	1019	1020	1021	1022	1023	1024	1025	1026	1027	1028	1029	1030	1031	1032	1033	1034	1035	1036	1037	1038	1039	1040	1041	1042	1043	1044	1045	1046	1047	1048	1049	1050	1051	1052	1053	1054	1055	1056	1057	1058	1059	1060	1061	1062	1063	1064	1065	1066	1067	1068	1069	1070	1071	1072	1073	1074	1075	1076	1077	1078	1079	1080	1081	1082	1083	1084	1085	1086	1087	1088	1089	1090	1091	1092	1093	1094	1095	1096	1097	1098	1099	1100	1101	1102	1103	1104	1105	1106	1107	1108	1109	1110	1111	1112	1113	1114	1115	1116	1117	1118	1119	1120	1121	1122	1123	1124	1125	1126	1127	1128	1129	1130	1131	1132	1133	1134	1135	1136	1137	1138	1139	1140	1141	1142	1143	1144	1145	1146	1147	1148	1149	1150	1151	1152	1153	1154	1155	1156	1157	1158	1159	1160	1161	1162	1163	1164	1165	1166	1167	1168	1169	1170	1171	1172	1173	1174	1175	1176	1177	1178	1179	1180	1181	1182	1183	1184	1185	1186	1187	1188	1189	1190	1191	1192	1193	1194	1195	1196	1197	1198	1199	1200	1201	1202	1203	1204	1205	1206	1207	1208	1209	1210	1211	1212	1213	1214	1215	1216	1217	1218	1219	1220	1221	1222	1223	1224	1225	1226	1227	1228	1229	1230	1231	1232	1233	1234	1235	1236	1237	1238	1239	1240	1241	1242	1243	1244	1245	1246	1247	1248	1249	1250	1251	1252	1253	1254	1255	1256	1257	1258	1259	1260	1261	1262	1263	1264	1265	1266	1267	1268	1269	1270	1271	1272	1273	1274	1275	1276	1277	1278	1279	1280	1281	1282	1283	1284	1285	1286	1287	1288	1289	1290	1291	1292	1293	1294	1295	1296	1297	1298	1299	1300	1301	1302	1303	1304	1305	1306	1307	1308	1309	1310	1311	1312	1313	1314	1315	1316	1317	1318	1319	1320	1321	1322	1323	1324	1325	1326	1327	1328	1329	1330	1331	1332	1333	1334	1335	1336	1337	1338	1339	1340	1341	1342	1343	1344	1345	1346	1347	1348	1349	1350	1351	1352	1353	1354	1355	1356	1357	1358	1359	1360	1361	1362	1363	1364	1365	1366	1367	1368	1369	1370	1371	1372	1373	1374	1375	1376	1377	1378	1379	1380	1381	1382	1383	1384	1385	1386	1387	1388	1389	1390	1391	1392	1393	1394	1395	1396	1397	1398	1399	1400	1401	1402	1403	1404	1405	1406	1407	1408	1409	1410	1411	1412	1413	1414	1415	1416	1417	1418	1419	1420	1421	1422	1423	1424	1425	1426	1427	1428	1429	1430	1431	1432	1433	1434	1435	1436	1437	1438	1439











**STAFF REPORT AND RECOMMENDATIONS**

May 4, 2021

Christopher Tomlinson  
Georgia Regional Transportation Authority  
245 Peachtree Center Avenue, NE, Ste. 2200  
Atlanta, Georgia 30303-1426

RE: Staff Report and Recommendations – 300 Market Place Blvd (DRI #3252)

GRTA staff has reviewed 300 Market Place Blvd (DRI #3252) Review Package and provides this Staff Report and Recommendations pursuant to Section 2-302 of the *Procedures and Principles for GRTA Development of Regional Impact Review* ("P&P").

**PROJECT SUMMARY**

<b>Name and Number of DRI:</b>	300 Market Place Blvd (DRI #3252)
<b>Jurisdiction:</b>	City of Locust Grove
<b>Local Development Approval Sought:</b>	Rezoning Application
<b>Location:</b>	The proposed site is located west of Market Place Boulevard along I-75.
<b>Uses and Intensities of Use:</b>	The project proposes 540 apartment units, 20,000 SF of retail, 175,000 SF of mini-storage, and 5,000 SF of fast food.
<b>Project Phasing &amp; Build-Out Schedule:</b>	2023
<b>Net Trip Generation (AM / PM/ Daily):</b>	564 / 431 / 6,123
<b>Notice of Decision Due:</b>	May 14, 2021
<b>STAFF RECOMMENDATION:</b>	Approval with Conditions

## TECHNICAL ANALYSIS SUMMARY

GRTA staff issued the Technical Analysis Transmittal dated April 24, 2021. Please see the Technical Analysis Transmittal for a technical summary and analysis of the Transportation Impact Study and Site Plan.

## RECOMMENDATIONS

GRTA staff recommends that 300 Market Place Blvd (DRI #3252) be **APPROVED with conditions** based on the information provided by the Applicant, GDOT, ARC and Local Government, and the analysis and conclusions provided in this report. Specific recommendations are provided below pursuant to Section 2-302.B., P&P.

### Proposed Improvements for GRTA Notice of Decision:

#### Section 1:

##### Bicycle, Pedestrian & Transit Facilities

- Provide pedestrian connectivity between all buildings and uses.
- Provide sidewalks along all development frontage of Market Place Boulevard.
- Coordinate with the City of Locust Grove to identify the appropriate location(s) for a pedestrian crossing at or between the DRI's two driveways.

##### Market Place Blvd at Road A / Proposed Driveway 1

- Provide two exit lanes (shared left-turn/through lane, separate right-turn lane) at Road A / Driveway 1
- Install a southbound right-turn deceleration lane along Market Place Blvd
- Restripe the existing hatched center lane along Market Place Blvd to provide a dedicated northbound left-turn lane

##### Market Place Blvd at Driveway 2

- Install a southbound right-turn deceleration lane along Market Place Blvd
- Restripe the existing hatched center lane along Market Place Blvd to provide a dedicated northbound left-turn lane

#### Section 2 (advisory):

##### Market Place Blvd at SR 42

- Continue advancing the traffic signal installation plans for the intersection.

##### Bill Gardner Pkwy at SR 42

- Continue advancing improvement plans for the intersection.

##### Bill Gardner Pkwy at Tanger Blvd/Market Place Blvd

- Add a right-turn signal overlap phase for the southbound Market Place Blvd approach. Maintain the traffic signal split-phasing for the north and south approaches.
- Along Bill Gardner Parkway, install a second eastbound left-turn lane (dual left-turns) and a second receiving lane along northbound Market Place Blvd. ***[Feasibility and advisory status of this condition to be discussed at the Staff Recommendations meeting]***

At this time, the Executive Director's decision is scheduled for issuance by May 14, 2021. If you have questions, please contact me directly at 404-893-6171.

**GRTA Review by:**  
**Andrew Spillotis**  
*Transportation Planner*

**cc:**

**Jon West, DCA**  
**Zane Grennell, DCA**  
**Andrew Smith, ARC**  
**Marqutrice Mangum, ARC**  
**Aries Little, ARC**  
**Annie Gillespie, GRTA**  
**Parker Martin, GRTA**  
**Cain Williamson, GRTA/ATL**  
**Richard Hathcock, GRTA/ATL**  
**Daunte Gibbs, City of Locust Grove**  
**Tim Young, City of Locust Grove**  
**Bert Foster, City of Locust Grove**  
**Gewel Richardson, City of Locust Grove**  
**Toussaint Kirk, Henry County**  
**David Simmons, Henry County**

**Stacey Jordan-Rudeseal, Henry County**  
**Yaritza Nieves, Henry County**  
**Sam Baker, Henry County**  
**Josh Gomez, GDOT**  
**Stanford Taylor, GDOT**  
**Tyler Peek, GDOT**  
**Kevin Khoo, GDOT**  
**Donald Wilkerson, GDOT**  
**Daniel Trevorrow, GDOT**  
**Andrew Antweller, KCI**  
**Daniel Swope, KCI**  
**Jacob Lang, Lang CRE**  
**Mark Solarski, Lang CRE**  
**Stavie Berryman, Foresite Group**



# REGIONAL REVIEW FINDING

Atlanta Regional Commission • 229 Peachtree Street NE | Suite 100 | Atlanta, Georgia 30303 • ph: 404.463.3100 fax: 404.463.3205 • atlantaregional.org

DATE: MAY 4, 2021

ARC REVIEW CODE: R2104141

TO: Mayor Robert Price  
ATTN TO: Gewel Richardson, Planner II  
FROM: Douglas R. Hooker, Executive Director  
RE: Development of Regional Impact (DRI) Review

Digital signature  
Original on file

The Atlanta Regional Commission (ARC) has completed regional review of the following Development of Regional Impact (DRI). ARC reviewed the DRI with regard to its relationship to regional plans, goals and policies – and impacts it may have on the activities, plans, goals and policies of other local jurisdictions as well as state, federal and other agencies. This final report does not address whether the DRI is or is not in the best interest of the host local government.

**Name of Proposal:** 300 Marketplace DRI #3252

**Submitting Local Government:** City of Locust Grove

**Review Type:** Development of Regional Impact

**Date Opened:** Apr 14 2021

**Date Closed:** May 4, 2021

**Description:** A Development of Regional Impact (DRI) review of a proposal to build a mixed-use project at 300-590 Market Place Boulevard in the City of Locust Grove. The project proposes 540 residential units, 20,000 SF of retail space, 175,000 SF of self-storage, and 5,000 SF of fast-food restaurant. The nearest state route is US 23/SR 42 and the site is just north of the I-75 Interchange at Bill Gardner Parkway. The local trigger is a rezoning. Expected buildout is 2023.

**Comments:** According to the ARC Unified Growth Policy Map (UGPM), part of The Atlanta Region's Plan, this DRI is in the Developing Suburbs Area of the region. ARC's Regional Development Guide (RDG) details recommended policies for areas and places on the UGPM. General RDG information and recommendations for Developing Suburbs areas are listed at the bottom of these comments.

This DRI appears to manifest some aspects of regional policy, including providing new multifamily housing options for the area in a location that is theoretically accessible to some nearby businesses and services without vehicle trips. Better pedestrian infrastructure is needed both on and around the DRI to facilitate this. In its current form, the project does not appear compatible with some of the goals identified in the local comprehensive plan. These differences are detailed further below.

The 2018 "Imagine Henry" Joint comprehensive plan shows the Future Land Use for this site as part of the Gateway Town Center surrounding the I-75 Interchange at Bill Gardner Parkway, defined as the following:

*"This classification includes a substantial mixture of significant revenue-producing uses (such as office, service and retail, restaurants, hotel/motel developments, entertainment, tourist/cultural facilities, recreational centers, etc.) that are integrated and mutually supporting. High-density multi-family residential shall be available to range from 12 to 20 dwelling units per acre, based on the overall project design and ability to provide mixture of uses, structured parking, and bonuses for amenities. Development shall incorporate non-vehicular transportation options such as pedestrian and bicycle friendly routes and shall occur in conformance with a coherent master development plan which stipulates the type, scale, and appearance of uses, permitted densities, and related developmental considerations such as parking ratios, parking placement and unique and consistent signage. Typical zoning district(s) under current ordinance would be C-2 (general commercial), C-3 (heavy commercial) with use of planned development (PD) and mixed use overlay districts for vertical integration of residential and commercial.*

The existing development in the surrounding area provides a mix of revenue-producing uses, services, and jobs, but the prevailing urban design of the area is almost entirely auto-oriented and it will be difficult in the near term to satisfy the City's stated goals of providing more non-vehicular options. The proposed DRI offers higher-density multifamily residential options, at 18 units per acre. The site plan as proposed separates the uses, although it is being reviewed as a mixed-use development. The self-storage facility is a profitable use that is in high demand, but offers little in terms of activation and employment for the development and surrounding area.

Care should be taken to ensure that the development, as constructed, promotes an interconnected, functional, clearly marked and comfortable bike/pedestrian experience on all streets, paths, entrances, and parking areas. Here is a list of pedestrian concerns identified both in the submitted traffic study and by ARC staff:

- The retail and quick-serve restaurant (likely with drive-through service) are surrounded by surface parking. Pedestrians living inside the development will need to cross the driveway entrance for this restaurant to reach Market Place Boulevard. This could lead to numerous and constant conflicts, depending on the popularity of the tenant.
- The DRI will build sidewalks on its frontage on Market Place Boulevard, but there are no other sidewalks on the remainder of the western side of the street between Bill Gardner and SR 42.
- A pedestrian crossing is needed in the vicinity of the DRI to allow residents to safely cross Market Place Boulevard to reach the sidewalk on the eastern side, as well as the Walmart and other businesses. Based on discussion at the pre-review/methodology meeting and as detailed in the traffic study, the applicant proposes coordinating with the City and County to locate an enhanced pedestrian facility at or around mid-block between the
- The submitted site plan does not show pedestrian facilities and connections among uses within the site. These will likely be required under standard GRTA conditions.

The project can further support The Atlanta Region's Plan by incorporating other aspects of regional policy, including green infrastructure and/or low-impact design (e.g., rain gardens, vegetated swales, etc.) in park/green spaces, parking areas and along internal roadways, and as part of any improvements to site

frontages. Additional comments from ARC's Natural Resources Group are attached. They note that the entire site falls within the Indian Creek and Towaliga River Water Supply Watersheds and will be subject to relevant state and local laws. They also note that the submitted site plan does not currently show a blue line stream that is shown on USGS maps. This concern was echoed in the attached comment from Spalding County.

Further to the above, Developing Suburbs are areas that have developed from roughly 1995 to today and are projected to remain suburbs through 2040. General policy recommendations for Developing Suburbs include:

- New development should connect to the existing road network and adjacent developments and use of cul-de-sacs or other means resulting in disconnected subdivisions should be discouraged
- Maximize the usefulness of existing recreational facilities in addition to providing new recreational opportunities
- Eliminate vacant or under-utilized parking areas through mechanisms such as out-parceling or conversion to community open space
- Use rain gardens, vegetated swales or other enhanced water filtration design to enhance the quality of stormwater run-off
- Identify other opportunities to foster a sense of community by developing town centers, village centers or other places of centralized location

**THE FOLLOWING LOCAL GOVERNMENTS AND AGENCIES RECEIVED NOTICE OF THIS REVIEW:**

ARC COMMUNITY DEVELOPMENT

ARC RESEARCH & ANALYTICS

GEORGIA DEPARTMENT OF NATURAL RESOURCES

CITY OF McDONOUGH

BUTTS COUNTY

ARC TRANSPORTATION ACCESS & MOBILITY

ARC AGING & HEALTH RESOURCES

GEORGIA DEPARTMENT OF TRANSPORTATION

CITY OF HAMPTON

THREE RIVERS REGIONAL COMMISSION

ARC NATURAL RESOURCES

GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS

HENRY COUNTY

SPALDING COUNTY

GRTA/SRTA

If you have any questions regarding this review, please contact Greg Giuffrida at (470) 378-1531 or [ggiuffrida@atlantaregional.org](mailto:ggiuffrida@atlantaregional.org). This finding will be published to the ARC review website located at <http://atlantaregional.org/plan-reviews>.



## Greg Giuffrida

---

**From:** Hood, Alan C. <achood@dot.ga.gov>  
**Sent:** Tuesday, April 27, 2021 11:46 AM  
**To:** Greg Giuffrida  
**Subject:** RE: ARC DRI Review Notification: 300 Marketplace DRI 3252  
**Attachments:** ARC Preliminary Report - 300 Marketplace DRI 3252.pdf

Greg,

The proposed mixed-use project at 300-590 Market Place Boulevard in the City of Locust Grove includes 540 residential units, 20,000 SF of retail space, 175,000 SF of self-storage, and 5,000 SF of fast-food restaurant. It is located more than 9 miles from any civil airport and outside any FAA approach or departure surfaces, and airport compatible land use areas, and does not appear to impact any airport.

If any construction equipment or construction exceeds 200' above ground level, an FAA Form 7460-1 must be submitted to the Federal Aviation Administration according to the FAA's Notice Criteria Tool found here (<https://oeaaa.faa.gov/oeaaa/external/gisTools/gisAction.jsp?action=showNoNoticeRequiredToolForm>). Those submissions for any associated cranes may be done online at <https://oeaaa.faa.gov>. The FAA must be in receipt of the notifications, no later than 120 days prior to construction. The FAA will evaluate the potential impacts of the project on protected airspace associated with the airports and advise the proponent if any action is necessary.

Thank you for the opportunity to comment on the proposed development.

**Alan Hood**  
*Airport Safety Data Program Manager*



*Aviation Programs*  
600 West Peachtree Street NW  
6<sup>th</sup> Floor  
Atlanta, GA, 30308  
404.660.3394 cell  
404.532.0082 office

**From:** Greg Giuffrida <GGiuffrida@atlantaregional.org>  
**Sent:** Wednesday, April 14, 2021 10:36 PM  
**To:** David Simmons - Henry County (dsimmons@co.henry.ga.us) <dsimmons@co.henry.ga.us>; 'clawson@buttscounty.org' <clawson@buttscounty.org>; Kim Dutton - Three Rivers Regional Commission (ksdutton@threeriversrc.com) <ksdutton@threeriversrc.com>; Jeannie Brantley - Three Rivers Regional Commission (jbrantley@threeriversrc.com) <jbrantley@threeriversrc.com>; dbell@spaldingcounty.com; Andrew Antweiler - KCI Technologies (Andrew.Antweiler@kci.com) <Andrew.Antweiler@kci.com>; BFoster@locustgrove-ga.gov; dgibbs@locustgrove-ga.gov; Gewel Richardson - City of Locust Grove (grichardson@locustgrove-ga.gov) <grichardson@locustgrove-ga.gov>; jacob@langcre.com; Stacey Jordan-Rudeseal - Henry County Planning & Zoning (sjordan@co.henry.ga.us) <sjordan@co.henry.ga.us>; Tim Young <tyoung@locustgrove-ga.gov>; Hood, Alan C. <achood@dot.ga.gov>; Finch, Ashley M <AFinch@dot.ga.gov>; Annie Gillespie <agillespie@srtga.gov>; Andrew Spiliotis <aspiliotis@srtga.gov>; Comer, Carol <ccomer@dot.ga.gov>; Robinson, Charles A. <chrobinson@dot.ga.gov>; chuck.mueller@dnr.state.ga.us; Woods, Chris N. <cwoods@dot.ga.gov>; Kassa, Habte <hkassa@dot.ga.gov>;

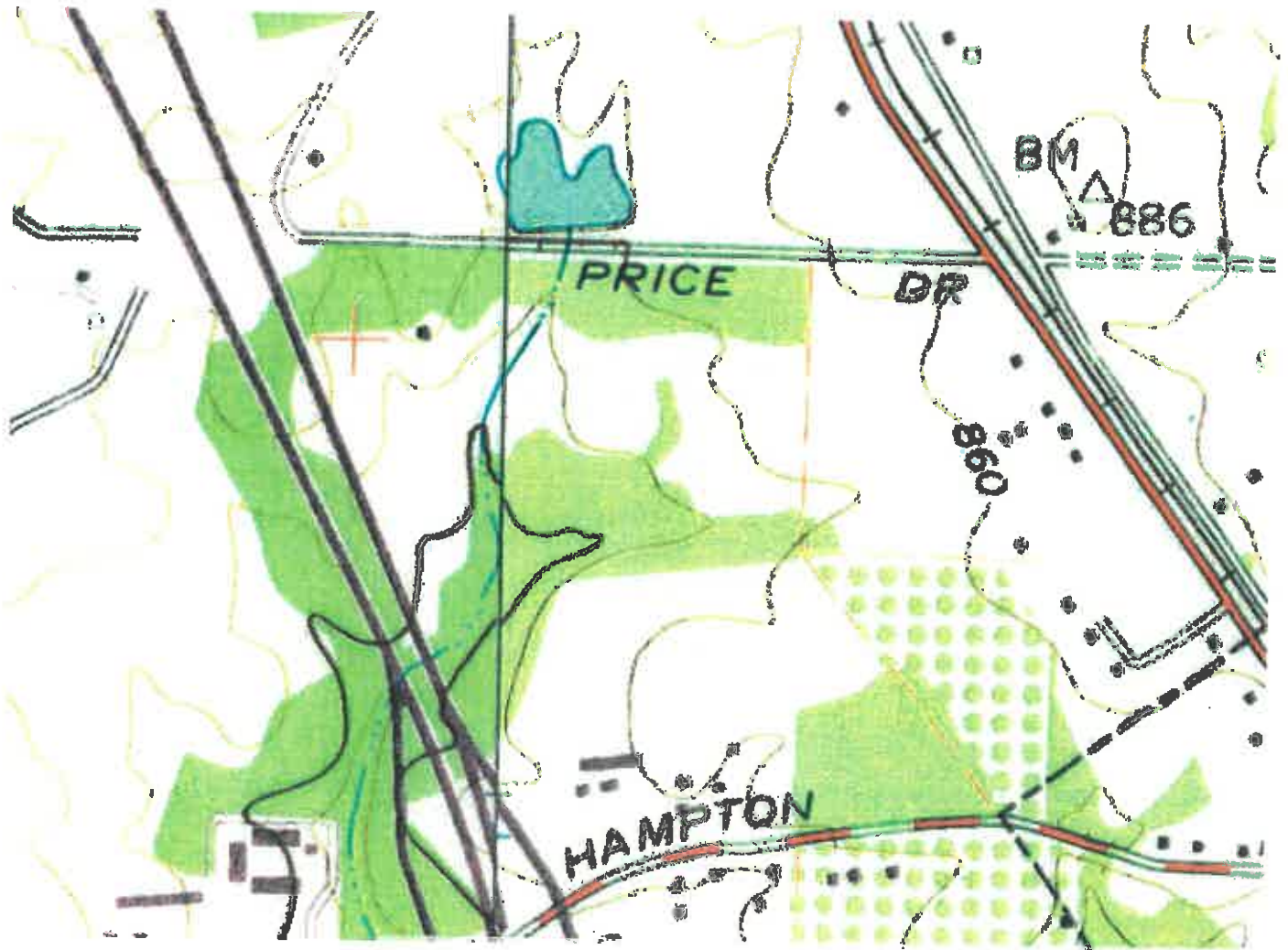
**Greg Giuffrida**

---

**From:** Deborah Bell <dbell@spaldingcounty.com>  
**Sent:** Wednesday, April 28, 2021 4:54 PM  
**To:** Greg Giuffrida  
**Subject:** RE: ARC DRI Review Notification: 300 Marketplace DRI 3252

Greg,

The site plan appears to disregard the presence of a stream that bisects the property. If this project is within the water supply protected watershed, the stream may have enhanced buffer requirements per Rule 391-3-16.



Deborah L. Bell, PLA  
Director, Community Development

Ga. Lic. #LA001375  
ISA Certified Arborist #SO-5333A

Office: 770-467-4220

**300 MARKETPLACE DRI  
City of Locust Grove  
Natural Resources Group Review Comments**

**April 13, 2021**

While ARC and the Metropolitan North Georgia Water Planning District have no regulatory or review authority over this project, the Natural Resources Group has identified County and State regulations that could apply to this property. Other regulations may also apply that we have not identified.

**Water Supply Watershed Protection**

The proposed project property is located entirely within both the Indian Creek and Towaliga River Water Supply Watersheds. Both are small (less than 100 square mile) public water supply watersheds as defined by the Georgia DNR Part 5 Minimum Planning Criteria. They are both public water supply sources for the Henry County.

Locust Grove has a protection ordinance for water supply watersheds in the City, including Indian Creek and Towaliga River. All development in these watersheds, including this project, is subject to all applicable requirements of that ordinance as specified in the Locust Grove City Code.

**Stream Buffer Protection**

The USGS coverage for the project area shows a blue line stream running from the pond across Price Road from the project across the property to its western edge. This stream is not shown on the submitted site plan and the e submitted site plan does not show this stream, which appears to run through the General Commercial portion of the project. However, the site plan shows an unmapped stream along the southern edge of the property with the city's 50-foot buffer and 75-foot impervious setback shown as well as the 25-foot State Erosion and Sedimentation Act buffer. No intrusions into those buffers is shown.

If the mapped stream exists and meets the requirements for the City and State buffers, any development over the stream or in its buffers will require variances. Any unmapped streams on the property may also be subject to the Locust Grove Stream Buffer Ordinance as well as the 25-foot State Erosion and Sedimentation Act buffer. All waters of the state on the property are subject to the 25-foot State Erosion and Sedimentation Act buffer.

**Stormwater/Water Quality**

The project should adequately address the impacts of the proposed development on stormwater runoff and downstream water quality.

During the planning phase, the stormwater management system (system) should meet the requirements of the local jurisdiction's post-construction (or post-development) stormwater management ordinance. The system should be designed to prevent increased flood damage, streambank channel erosion, habitat degradation and water quality degradation, and enhance and promote the public health, safety and general welfare. The system design should also be in accordance with the applicable sections of the Georgia Stormwater Management Manual ([www.georgiastormwater.com](http://www.georgiastormwater.com)) such as design standards, calculations, formulas, and methods. Where possible, the project should use stormwater better site design practices included in the Georgia Stormwater Management Manual, Volume 2, Section 2.3.

During construction, the project should conform to the relevant state and federal erosion and sedimentation control requirements.

## Development of Regional Impact Assessment of Consistency with the Regional Transportation Plan

### DRI INFORMATION

**DRI Number** #3252  
**DRI Title** 300 MARKET PLACE  
**County** Henry County  
**City (if applicable)** Locust Grove  
**Address / Location** 300-590 Market Place Blvd.

#### Proposed Development Type:

The develop proposes 540 residential units, 20,000 SF of retail space, 175,000 SF of mini storage, and 5,000 SF of fast-food restaurant.  
Build Out : 2023

**Review Process**  EXPEDITED  
 NON-EXPEDITED

### REVIEW INFORMATION

**Prepared by** ARC Transportation Access and Mobility Division  
**Staff Lead** Arles Little  
**Copied** [Click here to enter text.](#)  
**Date** April 12, 2021

### TRAFFIC STUDY

**Prepared by** KCI Technologies, Inc.  
**Date** April 8, 2021

## **REGIONAL TRANSPORTATION PLAN PROJECTS**

01. Did the traffic analysis incorporate all projects contained in the current version of the fiscally constrained RTP which are within the study area or along major transportation corridors connecting the study area with adjacent jurisdictions?

YES (provide the regional plan referenced and the page number of the traffic study where relevant projects are identified)

The traffic analysis includes a list of programmed projects in Appendix D.

NO (provide comments below)

## **REGIONAL NETWORKS**

02. Will the development site be directly served by any roadways identified as Regional Thoroughfares?

A Regional Thoroughfare is a major transportation corridor that serves multiple ways of traveling, including walking, bicycling, driving, and riding transit. It connects people and goods to important places in metropolitan Atlanta. A Regional Thoroughfare's operations should be managed through application of special traffic control strategies and suitable land development guidelines in order to maintain travel efficiency, reliability, and safety for all users. In light of the special function that Regional Thoroughfares serve in supporting cross-regional and interjurisdictional mobility and access, the network receives priority consideration for infrastructure investment in the Metro Atlanta region. Any access points between the development and a Regional Thoroughfare, combined with the development's on-site circulation patterns, must be designed with the goal of preserving the highest possible level of capacity and safety for all users of the roadway.

NO

YES (Identify the roadways and existing/proposed access points)

The proposed access points are located on Market Place Blvd., which connects to US 23/ SR 42 and Bill Gardner Parkway.

**03. Will the development site be directly served by any roadways identified as Regional Truck Routes?**

A Regional Truck Route is a freeway, state route or other roadway which serves as a critical link for the movement of goods to, from and within the Region by connecting airports, intermodal/multimodal facilities, distribution and warehousing centers and manufacturing clusters with the rest of the state and nation. These facilities often serve a key mobility and access function for other users as well, including drivers, bicyclists, pedestrians and transit users. A Regional Truck Route's operations should be managed through application of special traffic control strategies and suitable land development guidelines in order to maintain travel efficiency, reliability, and safety for all users. In light of the special function that Regional Truck Routes serve in supporting cross-regional and interjurisdictional mobility and access, the network receives priority consideration for infrastructure investment in the Metro Atlanta region. Any access points between the development and a Regional Truck Route, combined with the development's on-site circulation patterns, must be designed with the goal of preserving the highest possible level of capacity and safety for all users of the roadway.

NO

YES. *(Identify the roadways and existing/proposed access points)*

US 23/SR 20 is designated as a Regional Truck Route.

**04. If the development site is within one mile of an existing rail service, provide information on accessibility conditions.**

Access between major developments and transit services provide options for people who cannot or prefer not to drive, expand economic opportunities by better connecting people and jobs, and can help reduce congestion. If a transit service is available nearby, but walking or bicycling between the development site and the nearest station is a challenge, the applicable local government(s) is encouraged to make the route a funding priority for future walking and bicycling infrastructure improvements.

NOT APPLICABLE *(nearest station more than one mile away)*

RAIL SERVICE WITHIN ONE MILE *(provide additional information below)*

Operator / Rail Line

Nearest Station

[Click here to enter name of operator and rail line](#)

Distance\*

Within or adjacent to the development site (0.10 mile or less)

0.10 to 0.50 mile

0.50 to 1.00 mile

Walking Access\*

Sidewalks and crosswalks provide sufficient connectivity

Sidewalk and crosswalk network is incomplete

Not applicable *(accessing the site by walking is not consistent with the type of development proposed)*

[Click here to provide comments.](#)

**Bicycling Access\***

- Dedicated paths, lanes or cycle tracks provide sufficient connectivity
- Low volume and/or low speed streets provide connectivity
- Route follows high volume and/or high speed streets
- Not applicable (*accessing the site by bicycling is not consistent with the type of development proposed*)

**Transit Connectivity**

- Fixed route transit agency bus service available to rail station
- Private shuttle or circulator available to rail station
- No services available to rail station
- Not applicable (*accessing the site by transit is not consistent with the type of development proposed*)

**[Click here to provide comments.](#)**

***\* Following the most direct feasible walking or bicycling route to the nearest point on the development site***

**05. If there is currently no rail transit service within one mile of the development site, is nearby rail service planned in the fiscally constrained RTP?**

*Access between major developments and transit services provide options for people who cannot or prefer not to drive, expand economic opportunities by better connecting people and jobs, and can help reduce traffic congestion. If a transit agency operates within the jurisdiction and expansion plans are being considered in the general vicinity of the development site, the agency should give consideration to how the site can be best served during the evaluation of alignments and station locations. Proactive negotiations with the development team and local government(s) are encouraged to determine whether right-of-way within the site should be identified and protected for potential future service. If direct service to the site is not feasible or cost effective, the transit agency and local government(s) are encouraged to ensure good walking and bicycling access accessibility is provided between the development and the future rail line. These improvements should be considered fundamental components of the overall transit expansion project, with improvements completed concurrent with or prior to the transit service being brought online.*

- NOT APPLICABLE (rail service already exists)**
- NOT APPLICABLE (accessing the site by transit is not consistent with the type of development proposed)**
- NO (no plans exist to provide rail service in the general vicinity)**
- YES (provide additional information on the timeframe of the expansion project below)**
  - CST planned within TIP period**
  - CST planned within first portion of long range period**
  - CST planned near end of plan horizon**

[Click here to provide comments.](#)



06. If the development site is within one mile of fixed route bus services (including any privately operated shuttles or circulators open to the general public), provide information on walking and bicycling accessibility conditions.

*Access between major developments and transit services provide options for people who cannot or prefer not to drive, expand economic opportunities by better connecting people and jobs, and can help reduce congestion. If a transit service is available nearby, but walking or bicycling between the development site and the nearest station is a challenge, the applicable local government(s) is encouraged to make the connection a funding priority for future walking and bicycling infrastructure improvements.*

- NOT APPLICABLE (nearest bus, shuttle or circulator stop more than one mile away)  
 SERVICE WITHIN ONE MILE (provide additional information below)

Operator(s)

[Click here to enter name of operator\(s\).](#)

Bus Route(s)

[Click here to enter bus route number\(s\).](#)

Distance\*

Within or adjacent to the development site (0.10 mile or less)

0.10 to 0.50 mile

0.50 to 1.00 mile

Walking Access\*

Sidewalks and crosswalks provide sufficient connectivity

Sidewalk and crosswalk network is incomplete

Not applicable (accessing the site by walking is not consistent with the type of development proposed)

[Click here to provide comments.](#)

Bicycling Access\*

Dedicated paths, lanes or cycle tracks provide sufficient connectivity

Low volume and/or low speed streets provide sufficient connectivity

Route uses high volume and/or high speed streets

Not applicable (accessing the site by bicycling is not consistent with the type of development proposed)

\* Following the most direct feasible walking or bicycling route to the nearest point on the development site

Henry County has a demand-response transit system.

07. Does a transit agency which provides rail and/or fixed route bus service operate anywhere within the jurisdiction in which the development site is located?

*Access between major developments and transit services provide options for people who cannot or prefer not to drive, expand economic opportunities by better connecting people and jobs, and can help reduce traffic congestion. If a transit agency operates within the jurisdiction and a comprehensive operations plan update is undertaken, the agency should give consideration to serving the site during the evaluation of future routes, bus stops and transfer facilities. If the nature of the development is amenable to access by transit, walking or bicycling, but direct service to the site is not feasible or cost effective, the transit agency and local government(s) should ensure good walking and bicycling access accessibility is provided between the development and any routes within a one mile radius. The applicable local government(s) is encouraged to make these connections a funding priority for future walking and bicycling Infrastructure Improvements.*

- NO
- YES

Henry County has a demand-response transit system.

08. If the development site is within one mile of an existing multi-use path or trail, provide information on accessibility conditions.

*Access between major developments and walking/bicycling facilities provide options for people who cannot or prefer not to drive, expand economic opportunities by better connecting people and jobs, and can help reduce traffic congestion. If connectivity with a regionally significant path or trail is available nearby, but walking or bicycling between the development site and those facilities is a challenge, the applicable local government(s) is encouraged to make the route a funding priority for future walking and bicycling Infrastructure Improvements.*

- NOT APPLICABLE (nearest path or trail more than one mile away)
- YES (provide additional information below)

- Name of facility [Click here to provide name of facility.](#)
- Distance
  - Within or adjacent to development site (0.10 mile or less)
  - 0.15 to 0.50 mile
  - 0.50 to 1.00 mile
- Walking Access\*
  - Sidewalks and crosswalks provide connectivity
  - Sidewalk and crosswalk network is incomplete
  - Not applicable (accessing the site by walking is not consistent with the type of development proposed)
- Bicycling Access\*
  - Dedicated lanes or cycle tracks provide connectivity

- Low volume and/or low speed streets provide connectivity
- Route uses high volume and/or high speed streets
- Not applicable (*accessing the site by bicycling is not consistent with the type of development proposed*)

\* *Following the most direct feasible walking or bicycling route to the nearest point on the development site*

**OTHER TRANSPORTATION DESIGN CONSIDERATIONS**

09. Does the site plan provide for the construction of publicly accessible local road or drive aisle connections with adjacent parcels?

*The ability for drivers and bus routes to move between developments without using the adjacent arterial or collector roadway networks can save time and reduce congestion. Such opportunities should be considered and proactively incorporated into development site plans whenever possible.*

- YES (*connections to adjacent parcels are planned as part of the development*)
- YES (*stub outs will make future connections possible when adjacent parcels redevelop*)
- NO (*the site plan precludes future connections with adjacent parcels when they redevelop*)
- OTHER (*Please explain*)

The proposed development access points will be aligned with the Walmart shopping center on Market Place Blvd.

10. Does the site plan enable pedestrians and bicyclists to move between destinations within the development site safely and conveniently?

*The ability for walkers and bicyclists to move within the site safely and conveniently reduces reliance on vehicular trips, which has congestion reduction and health benefits. Development site plans should incorporate well designed and direct sidewalk connections between all key destinations. To the extent practical, bicycle lanes or multiuse paths are encouraged for large acreage sites and where high volumes of bicyclists and pedestrians are possible.*

- YES (*sidewalks provided on all key walking routes and both sides of roads whenever practical and bicyclists should have no major issues navigating the street network*)
- PARTIAL (*some walking and bicycling facilities are provided, but connections are not comprehensive and/or direct*)
- NO (*walking and bicycling facilities within the site are limited or nonexistent*)
- NOT APPLICABLE (*the nature of the development does not lend itself to internal walking and bicycling trips*)
- OTHER (*Please explain*)

Currently, there is only a 5' sidewalk on the eastern side of Market Place Blvd. The traffic report did not clearly define pedestrian and bicycle accommodations within the development; however, it is proposed to improve the pedestrian crossing on Market Place Blvd.

11. Does the site plan provide the ability to construct publicly accessible bicycling and walking connections with adjacent parcels which may be redeveloped in the future?

*The ability for walkers and bicyclists to move between developments safely and conveniently reduces reliance on vehicular trips, which has congestion reduction and health benefits. Such opportunities should be considered and proactively incorporated into development site plans whenever possible.*

- YES (connections to adjacent parcels are planned as part of the development)
- YES (stub outs will make future connections possible when adjacent parcels redevelop)
- NO (the development site plan does not enable walking or bicycling to/from adjacent parcels)
- NO (the site plan precludes future connections with adjacent parcels when they redevelop)
- NOT APPLICABLE (adjacent parcels are not likely to develop or redevelop in the near future)
- NOT APPLICABLE (the nature of the development or adjacent parcels does not lend itself to interparcel walking and bicycling trips)

The traffic analysis proposes to improve pedestrian crossing on Market Place Blvd.

12. Does the site plan effectively manage truck movements and separate them, to the extent possible, from the flow of pedestrians, bicyclists and motorists both within the site and on the surrounding road network?

*The ability for delivery and service vehicles to efficiently enter and exit major developments is often key to their economic success. So is the ability of visitors and customers being able to move around safely and pleasantly within the site. To the extent practical, truck movements should be segregated by minimizing the number of conflict points with publicly accessible internal roadways, sidewalks, paths and other facilities.*

- YES (truck routes to serve destinations within the site are clearly delineated, provide ample space for queuing and turning around, and are separated from other users to the extent practical)
- PARTIAL (while one or more truck routes are also used by motorists and/or interface with primary walking and bicycling routes, the site plan mitigates the potential for conflict adequately)
- NO (one or more truck routes serving the site conflict directly with routes likely to be used heavily by pedestrians, bicyclists and/or motorists)
- NOT APPLICABLE (the nature of the development will not generate a wide variety of users and/or very low truck volumes, so the potential for conflict is negligible)

## **RECOMMENDATIONS**

**13. Do the transportation network recommendations outlined in the traffic study appear to be feasible from a constructability standpoint?**

UNKNOWN *(additional study is necessary)*

YES *(based on information made available through the review process; does not represent a thorough engineering / financial analysis)*

NO *(see comments below)*

Click here to enter text.

**14. Is ARC aware of any issues with the development proposal which may result in it being opposed by one or more local governments, agencies or stakeholder groups?**

NO *(based on information shared with ARC staff prior to or during the review process; does not reflect the outcome of an extensive stakeholder engagement process)*

YES *(see comments below)*

Click here to enter text.

**15. ARC offers the following additional comments for consideration by the development team and/or the applicable local government(s):**

The proposer should clarify pedestrian and bicycle accommodations within the development and clarify the connection with the proposed Market Place Blvd. crossing.

**LEGEND**

- MULTIFAMILY (22.91 AC)
  - 540 UNITS (MAX)
  - 1600 UNITS / AC
  - 3-4 STORY BUILDINGS
- COMMERCIAL / RETAIL / OFFICE / STORAGE (8.04 AC)
  - 20,000 SF RETAIL / 116 PARKING SPACES
  - 5,000 SF CHURCH SERVICE RESTAURANT / 50 PARKING SPACES
  - 175,000 SF STORAGE
  - 0.671 FAR

**CLIENT**

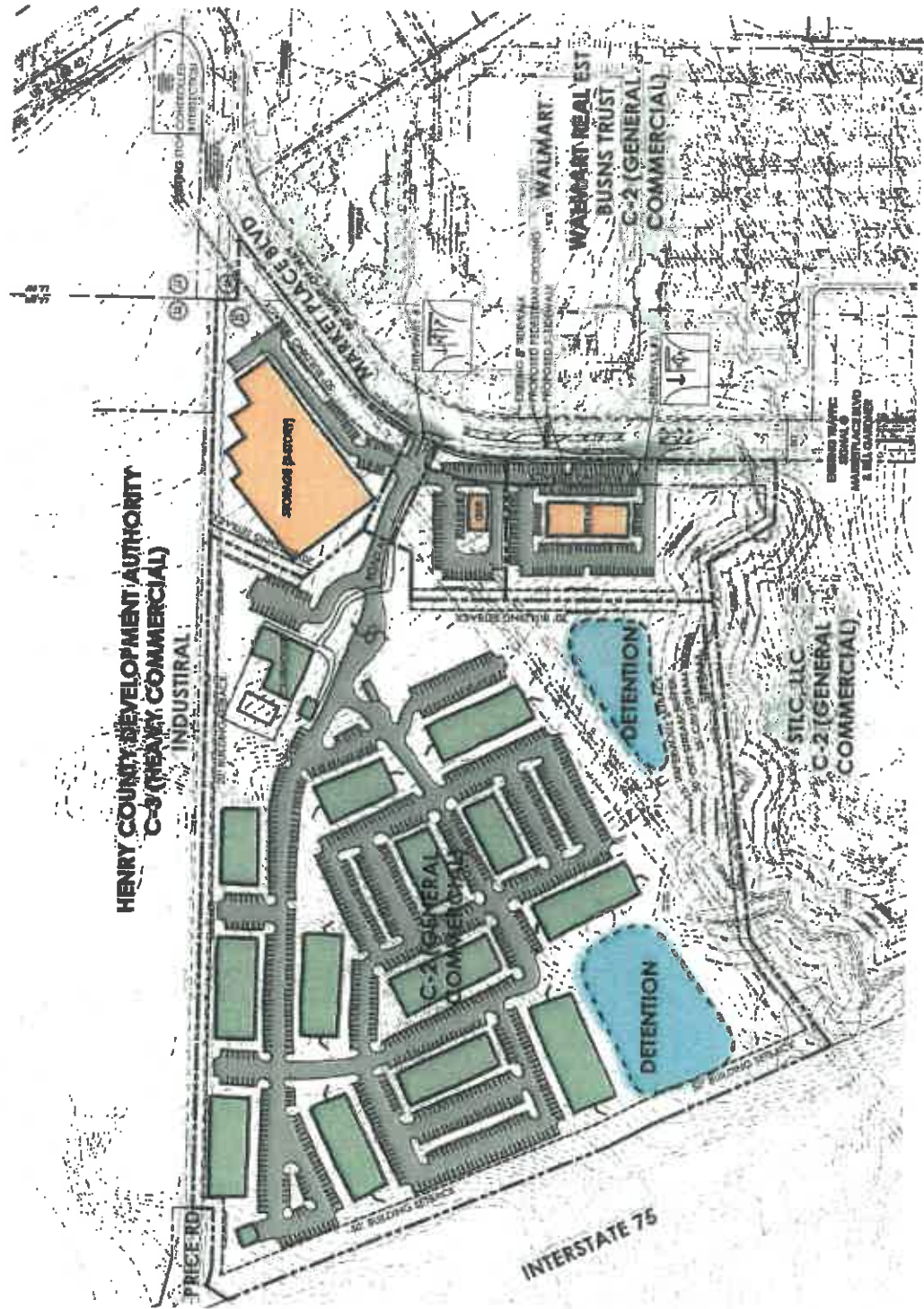
AHAD PROPERTIES  
 C/O LANG REAL ESTATE SERVICES  
 PO BOX 786  
 YORBA LINDA, CALIFORNIA 92685  
 JACOB LANG

**CONTACTS**

SIEBEL BARRER  
 FORESITE GROUP, LLC  
 5740 DAYVONN CT, SUITE 100  
 PEACHTREE CORNER, GA 30072  
 DAVID STONEWELL, PE

TRABEC CONSULTANTS  
 ECT TECHNOLOGIES, INC  
 2140 SATELLITE BLVD, SUITE 100  
 DUBLIN, GA 30097  
 ANDREW ANTWELER, PE FICE

**LOCATION MAP**



**300 MARKETPLACE BLVD - LOCUST GROVE, GA**  
 SITE PLAN - DRI NO. 3252 300 MARKETPLACE

**EXHIBIT "B"**



# REVISED REZONING EVALUATION REPORT

May 17, 2021

FILE: RZ-21-02-02

REZONING C-2 TO RM-1

## Property Information

Tax ID	112-01013000
Location/address	Land Lot 201 of the 2 <sup>nd</sup> District 300-590 Market Place Blvd.
Parcel Size	37.95 +/- acres
Current Zoning	C-2 (General Commercial)
Request	Rezoning to RM-1 (Multi-Family Residential District)
Proposed Use	Multi-Family Residential Development
Existing Land Use	Vacant
Future Land Use	Gateway Town Center
Revised Recommendation	Table

## Summary

AHAD Properties LLC of Yorba Linda, CA GA (the “Applicant”), requests rezoning from C-2 (General Commercial) to RM-1(Multifamily Residential) for property located on Market Place Boulevard. (Parcel 112-01013000) in Land Lot 201 of the 2nd District. The applicant intends to build a Multi-Family Residential development.

The property lies within an area referenced by the Comprehensive Plan as a Mixed-Use District, which designates this area and surrounding areas for a mixture of commercial, office, residential and/or industrial uses near the I-75 interchange. The subject property is currently vacant, undeveloped, and abuts Interstate 75 to the west and General Commercial to the east. According to the applicant’s site plan, 540 multi-family units are proposed.

### Future Land Use

The subject property is contained within an area identified on the Future Land Use Map as Gateway Town Center. The Gateway Town Center future land use category is the City’s mixed use future land use designation, defined as follows:

“This classification includes those properties along the Bill Gardner Parkway at the I-75 interchange corridor. This classification includes a substantial mixture of significant





# REVISED REZONING EVALUATION REPORT

May 17, 2021

FILE: RZ-21-02-02

REZONING C-2 TO RM-1

revenue producing uses (such as office, service and retail, restaurants, hotel/motel developments, entertainment, tourist/cultural facilities, recreational centers, etc.) that are integrated and mutually supporting. High-density multi-family residential shall be available to range from 12 to 20 dwelling units per acre, based on the overall project design and ability to provide mixture of uses, structured parking, and bonuses for amenities. Development shall incorporate non-vehicular transportation options such as pedestrian and bicycle friendly routes and shall occur in conformance with a coherent master development plan which stipulates the type, scale, and appearance of uses, permitted densities, and related developmental considerations such as parking ratios, parking placement and unique and consistent signage. Typical zoning district(s) under current ordinance would be C-2 (general commercial), C-3 (heavy commercial) with use of planned development (PD) and mixed-use overlay districts for vertical integration of residential and commercial.”

### Concurrent Conditional Use request

There is no concurrent Conditional Use application needed.

### Development of Regional Impact (DRI)

The subject property does trigger the Georgia Department of Community Affairs (DCA) threshold for a Development of Regional Impact (DRI) and has subsequently completed the required review process. The Atlanta Regional Commission (ARC) Regional Review Finding is as follows:

According to the ARC Unified Growth Policy Map (UGPM), part of The Atlanta Region's Plan, this DRI is in the Developing Suburbs Area of the region. ARC's Regional Development Guide (RDG) details recommended policies for areas and places on the UGPM. General RDG information and recommendations for Developing Suburbs areas are listed at the bottom of these comments. This DRI appears to manifest some aspects of regional policy, including providing new multifamily housing options for the area in a location that is theoretically accessible to some nearby businesses and services without vehicle trips. Better pedestrian infrastructure is needed both on and around the DRI to facilitate this. In its current form, the project does not appear compatible with some of the goals identified in the local comprehensive plan. These differences are detailed further below.

The 2018 “Imagine Henry” joint comprehensive plan shows the Future Land Use for this site as part of the Gateway Town Center surrounding the I-75 interchange at Bill Gardner Parkway, defined as the following:

*Preserving the Past... .. Planning the Future*



# REVISED REZONING EVALUATION REPORT

May 17, 2021

FILE: RZ-21-02-02

REZONING C-2 TO RM-1

“This classification includes a substantial mixture of significant revenue-producing uses (such as office, service and retail, restaurants, hotel/motel developments, entertainment, tourist/cultural facilities, recreational centers, etc.) that are integrated and mutually supporting. High-density multi-family residential shall be available to range from 12 to 20 dwelling units per acre, based on the overall project design and ability to provide mixture of uses, structured parking, and bonuses for amenities. Development shall incorporate non-vehicular transportation options such as pedestrian and bicycle friendly routes and shall occur in conformance with a coherent master development plan which stipulates the type, scale, and appearance of uses, permitted densities, and related developmental considerations such as parking ratios, parking placement and unique and consistent signage. Typical zoning district(s) under current ordinance would be C-2 (general commercial), C-3 (heavy commercial) with use of planned development (PD) and mixed use overlay districts for vertical integration of residential and commercial.

The existing development in the surrounding area provides a mix of revenue-producing uses, services, and jobs, but the prevailing urban design of the area is almost entirely auto-oriented and it will be difficult in the near term to satisfy the City’s stated goals of providing more non-vehicular options. The proposed DRI offers higher-density multifamily residential options, at 18 units per acre. The site plan as proposed separates the uses, although it is being reviewed as a mixed-use development. The self-storage facility is a profitable use that is in high demand, but offers little in terms of activation and employment for the development and surrounding area. Care should be taken to ensure that the development, as constructed, promotes an interconnected, functional, clearly marked and comfortable bike/pedestrian experience on all streets, paths, entrances, and parking areas. Here is a list of pedestrian concerns identified both in the submitted traffic study and by ARC staff:

- The retail and quick-serve restaurant (likely with drive-through service) are surrounded by surface parking. Pedestrians living inside the development will need to cross the driveway entrance for this restaurant to reach Market Place Boulevard. This could lead to numerous and constant conflicts, depending on the popularity of the tenant.
- The DRI will build sidewalks on its frontage on Market Place Boulevard, but there are no other sidewalks on the remainder of the western side of the street between Bill Gardner and SR 42.
- A pedestrian crossing is needed in the vicinity of the DRI to allow residents to safely cross Market Place Boulevard to reach the sidewalk on the eastern side, as well as the Walmart and other businesses. Based on discussion at the pre-review/methodology meeting and as detailed in the traffic study, the applicant proposes coordinating with the City and County to locate an enhanced pedestrian facility at or around

*Preserving the Past... ..Planning the Future*



# REVISED REZONING EVALUATION REPORT

May 17, 2021

FILE: RZ-21-02-02

REZONING C-2 TO RM-1

mid-block.

- The submitted site plan does not show pedestrian facilities and connections among uses within the site. These will likely be required under standard GRTA conditions.

The project can further support The Atlanta Region's Plan by incorporating other aspects of regional policy, including green infrastructure and/or low-impact design (e.g., rain gardens, vegetated swales, etc.) in park/green spaces, parking areas and along internal roadways, and as part of any improvements to site frontages. Additional comments from ARC's Natural Resources Group are attached. They note that the entire site falls within the Indian Creek and Towaliga River Water Supply Watersheds and will be subject to relevant state and local laws. They also note that the submitted site plan does not currently show a blue line stream that is shown on USGS maps. This concern was echoed in the attached comment from Spalding County.

Further to the above, Developing Suburbs are areas that have developed from roughly 1995 to today and are projected to remain suburbs through 2040. General policy recommendations for Developing Suburbs include:

- New development should connect to the existing road network and adjacent developments and use of cul-de-sacs or other means resulting in disconnected subdivisions should be discouraged
- Maximize the usefulness of existing recreational facilities in addition to providing new recreational opportunities
- Eliminate vacant or under-utilized parking areas through mechanisms such as out-parceling or conversion to community open space
- Use rain gardens, vegetated swales or other enhanced water filtration design to enhance the quality of stormwater run-off
- Identify other opportunities to foster a sense of community by developing town centers, village centers or other places of centralized location

The proposed mixed-use project at 300-590 Market Place Boulevard in the City of Locust Grove includes 540 residential units, 20,000 SF of retail space, 175,000 SF of self-storage, and 5,000 SF of fast-food restaurant. It is located more than 9 miles from any civil airport and outside any FAA approach or departure surfaces, and airport compatible land use areas, and does not appear to impact any airport. If any construction equipment or construction exceeds 200' above ground level, an FAA Form 7460-1 must be submitted to the Federal Aviation Administration according to the FAA's Notice Criteria Tool

<https://oeaaa.faa.gov/oeaaa/external/gisTools/gisAction.jsp?action=showNoNoticeReq>

*Preserving the Past... .. Planning the Future*



# REVISED REZONING EVALUATION REPORT

May 17, 2021

FILE: RZ-21-02-02

REZONING C-2 TO RM-1

[uiredToolForm](#)). Those submissions for any associated cranes may be done online at <https://oeaaa.faa.gov>. The FAA must be in receipt of the notifications, no later than 120 days prior to construction. The FAA will evaluate the potential impacts of the project on protected airspace associated with the airports and advise the proponent if any action is necessary.

The site plan appears to disregard the presence of a stream that bisects the property. If this project is within the water supply protected watershed, the stream may have enhanced buffer requirements per Rule 391-3-16.

### **Water Supply Watershed Protection**

The proposed project property is located entirely within both the Indian Creek and Towaliga River Water Supply Watersheds. Both are small (less than 100 square mile) public water supply watersheds as defined by the Georgia DNR Part 5 Minimum Planning Criteria. They are both public water supply sources for the Henry County. Locust Grove has a protection ordinance for water supply watersheds in the City, including Indian Creek and Towaliga River. All development in these watersheds, including this project, is subject to all applicable requirements of that ordinance as specified in the Locust Grove City Code.

### **Stream Buffer Protection**

The USGS coverage for the project area shows a blue line stream running from the pond across Price Road from the project across the property to its western edge. This stream is not shown on the submitted site plan and the e submitted site plan does not show this stream, which appears to run through the General Commercial portion of the project. However, the site plan shows an unmapped stream along the southern edge of the property with the city's 50-foot buffer and 75-foot impervious setback shown as well as the 25-foot State Erosion and Sedimentation Act buffer. No intrusions into those buffers is shown. If the mapped stream exists and meets the requirements for the City and State buffers, any development over the stream or in its buffers will require variances. Any unmapped streams on the property may also be subject to the Locust Grove Stream Buffer Ordinance as well as the 25-foot State Erosion and Sedimentation Act buffer. All waters of the state on the property are subject to the 25-foot State Erosion and Sedimentation Act buffer.



# REVISED REZONING EVALUATION REPORT

May 17, 2021

FILE: RZ-21-02-02

REZONING C-2 TO RM-1

## Stormwater/Water Quality

The project should adequately address the impacts of the proposed development on stormwater runoff and downstream water quality. During the planning phase, the stormwater management system (system) should meet the requirements of the local jurisdiction's post-construction (or post-development) stormwater management ordinance. The system should be designed to prevent increased flood damage, streambank channel erosion, habitat degradation and water quality degradation, and enhance and promote the public health, safety and general welfare. The system design should also be in accordance with the applicable sections of the Georgia Stormwater Management Manual ([www.georgiastormwater.com](http://www.georgiastormwater.com)) such as design standards, calculations, formulas, and methods. Where possible, the project should use stormwater better site design practices included in the Georgia Stormwater Management Manual, Volume 2, Section 2.3. During construction, the project should conform to the relevant state and federal erosion and sedimentation control requirements.

## GRTA Staff Recommendation: Approval with Conditions.

GRTA staff recommends that 300 Market Place Blvd (DRI #3252) be APPROVED with conditions based on the information provided by the Applicant, GDOT, ARC and Local Government, and the analysis and conclusions provided in this report. Specific recommendations are provided below pursuant to Section 2-302.B., P&P.

### Proposed Improvements for GRTA Notice of Decision:

#### Section 1:

#### Bicycle, Pedestrian & Transit Facilities

- Provide pedestrian connectivity between all buildings and uses.
- Provide sidewalks along all development frontage of Market Place Boulevard.
- Coordinate with the City of Locust Grove to identify the appropriate location(s) for a pedestrian crossing at or between the DRI's two driveways.

#### Market Place Blvd at Road A / Proposed Driveway 1

- Provide two exit lanes (shared left-turn/through lane, separate right-turn lane) at Road A / Driveway 1
- Install a southbound right-turn deceleration lane along Market Place Blvd
- Restripe the existing hatched center lane along Market Place Blvd to provide a dedicated northbound left-turn lane

#### Market Place Blvd at Driveway 2

- Install a southbound right-turn deceleration lane along Market Place Blvd

*Preserving the Past... .. Planning the Future*



# REVISED REZONING EVALUATION REPORT

May 17, 2021

FILE: RZ-21-02-02

REZONING C-2 TO RM-1

- Restripe the existing hatched center lane along Market Place Blvd to provide a dedicated northbound left-turn lane

## Section 2 (advisory):

### Market Place Blvd at SR 42

- Continue advancing the traffic signal installation plans for the intersection.

### Bill Gardner Pwky at SR 42

- Continue advancing improvement plans for the intersection.

### Bill Gardner Pkwy at Tanger Blvd/Market Place Blvd

- Add a right-turn signal overlap phase for the southbound Market Place Blvd approach. Maintain the traffic signal split-phasing for the north and south approaches.
- Along Bill Gardner Parkway, install a second eastbound left-turn lane (dual left-turns) and a second receiving lane along northbound Market Place Blvd.

## Service Delivery / Infrastructure

**Water and Sewer:** City water and sewer water is available to the subject property according to the City of Locust Grove Public Works Department.

**Land Use:** The site must comply with the requirements set forth in the City's RM-1 (Multifamily Residential) zoning district as well as development standards established in Title 15 of the City Code, including Watershed Protection standards, if applicable to the site.

**Police Services:** The subject property is in the existing city limits and will remain on a regular patrol route. Future development of this area may require additional police patrol for crime prevention and traffic control.

**Fire:** Fire and emergency services will be performed by Henry County as is similar with other portions of the city as defined by the Service Delivery Strategy.

**Transportation Impact:** This 37.953 +/- acre tract will contain a Multifamily Residential development with 540 units. The Institute of Transportation Engineers Trip Generation Manual, 10th Edition assigns 4,042 daily trips two-ways.



# REVISED REZONING EVALUATION REPORT

May 17, 2021

FILE: RZ-21-02-02

REZONING C-2 TO RM-1

## Criteria for Evaluation of Rezoning Request

---

### Section 17.04.315 Procedure for Hearing before City Council.

- (a) **All proposed amendments to this chapter or to the official zoning map with required site plans shall be considered at public hearing. The City Council shall consider the following:**
- (1) **The possible effects of the change in the regulations or map on the character of a zoning district, a particular piece of property, neighborhood, a particular area, or the community.** The main impact here will be transitioning vacant property to a Multifamily Residential development. Traffic volumes will increase; however, the increase in volume can be absorbed into the existing transportation network as detailed in the *Transportation Impact* above.
  - (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 request will allow a more intense zoning use (RM-1) that will be consistent with the future land use designation of the subject property.
  - (3) **Consistency with the Land Use Plan.** The Applicant's request is consistent with the Gateway Town Center future land use designation.
  - (4) **The potential impact of the proposed amendment on City infrastructure including water and sewerage systems.** There will be an impact on infrastructure in the area. These impacts are anticipated by and can be mitigated through improvements made via the collection of impact fees.
  - (5) **The impact of the proposed amendment on adjacent thoroughfares and pedestrian vehicular circulation and traffic volumes.** The development will have an impact on the surrounding area in terms of traffic; however, Marketplace Blvd has enough capacity to absorb the increase. Sidewalks will be required that tie into the existing, larger network to promote non-vehicular mobility.



# REVISED REZONING EVALUATION REPORT

May 17, 2021

FILE: RZ-21-02-02

REZONING C-2 TO RM-1

- (6) **The impact upon adjacent property owners should the request be approved.** Impacts to adjacent property owners will include increases in traffic. As such, this development would be relatively consistent in impact or slightly better given the ability to establish buffers, landscaping, and better connectivity.
- (7) **The ability of the subject land to be developed as it is presently zoned.** The subject property can be developed under its current zoning of C-2 (General Commercial) and potentially achieve a highest and best use.
- (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; however, the developer will be required to protect and buffer any and all streams and other environmentally sensitive areas that may be located on the subject property in accordance with the City's Watershed Protection and Stream Buffer Ordinances.
- (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 goals of the Comprehensive Plan 2040. There is no technical conflict with the Comprehensive Plan 2040 from what is being proposed.





# REVISED REZONING EVALUATION REPORT

May 17, 2021

FILE: RZ-21-02-02

REZONING C-2 TO RM-1

## Revised Recommendation per 5/17/2021 City Council Meeting:

After the May 17th, 2021 public hearing for cases: RZ-21-02-02 (Applicant: AHAD Properties LLC) and AM-21-03-03 (Applicant: Jacob Lang), staff took into consideration the discussion from the public hearing that centered on the fact that implementation of the Comprehensive Land Use Plan is not required to happen suddenly or immediately, but instead over time, as to properly and thoroughly address all matters regarding density, amenities, walkability, vertical integration, architectural standards, etc., and most importantly timing.

In this regard, the timing is not ready for the development and should be handled with the context of further discussion to be incorporated into the general Zoning Update, as more time is needed to thoroughly incorporate the Comprehensive Land Use Plan policy guide into an acceptable, user friendly, and up-to-date Zoning Ordinance.

Therefore, per the directive of the City Manager, staff now recommends that the applicant's request be Tabled to give enough time to incorporate these provisions and determine the compatibility of this request with those standards.

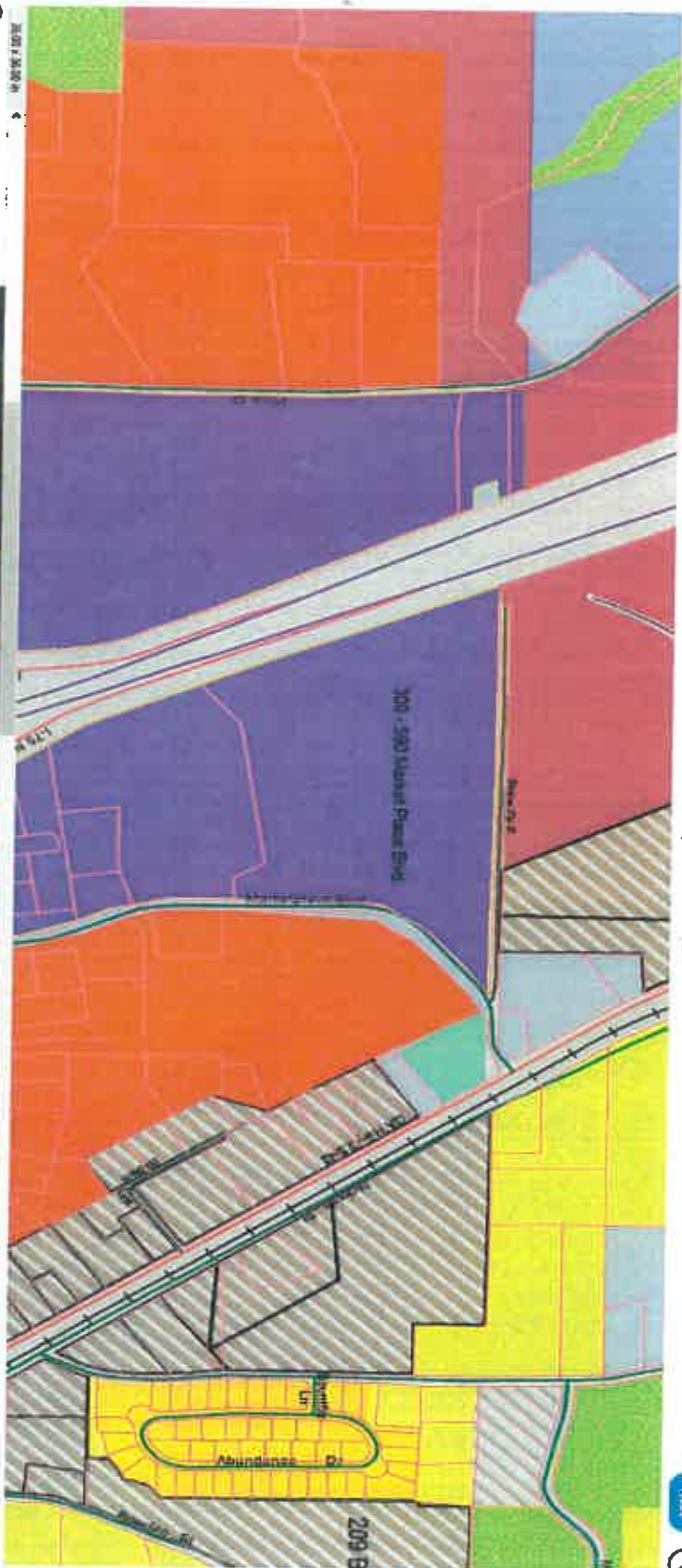


- Legend**
-  Parcels
  -  Roads
  - Locust Grove Zoning**
  -  <all other values>
  -  <blank>
  -  Active Adult Res.
  -  Neighborhood Comm.
  -  General Comm.
  -  Heavy Comm.
  -  Light Mfg.
  -  General Industrial
  -  Office/Institutional
  -  Planned Development
  -  Single-Family Residential R-1
  -  Single-Family Res 2
  -  Med-High SF R-3
  -  Res. Agricultural
  -  Residential Duplex
  -  Multifamily Residential
  -  Res. Mfg. Home
  -  Trans./Comm./Utili

<b>Parcel ID</b>	112-01013000	<b>Class</b>	C	<b>Owner</b>	AHAD	<b>Land Value:</b>	\$1,999,200								
<b>Property Address</b>	300-590 MARKET PLACE BLVD	<b>Acreage</b>	37.953	<b>Address</b>	PROPERTIES LLC P.O. BOX 788 YORBA LINDA CA 92885-0788	<b>Building Value:</b>	\$0	<b>Last 2 Sales</b>							
<b>District</b>	City/LocustGrove					<b>Misc Value:</b>	\$0	<b>Date</b>	8/16/2012	<b>Price</b>	\$0	<b>Reason</b>	DUND	<b>Qual</b>	U
						<b>Total Value:</b>	\$1,999,200		12/13/2005	\$8,818,110	n/a		U		

Parcel lines depicted on the maps do not reflect a true and exact representation of property boundaries and should not be relied upon for said purpose. Property boundary lines are depicted on recorded plats available at the Henry County Courthouse or can be determined by employing the services of a licensed surveyor.

This zoning map is subject to change at any time. The official version of the Zoning map resides within the City of Locust Grove Community Development Department. Please contact the City of Locust Grove Community Development Department at 770-957-5043 to verify current zoning.



Type here to search





**EXHIBIT "C"**

# Henry Herald

38 Sloan Street  
McDonough, Georgia 30253

## PUBLISHER'S AFFIDAVIT

STATE OF GEORGIA  
COUNTY OF HENRY

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

Ad No.: 34415

Name and File No.: PUBLIC HEARING 5/17/21  
a true copy of which is hereto attached, was published in said newspaper on the following date(s):  
04/28/2021

*Robert D. McCray*

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

*Tina Pethel*

By Tina Pethel  
SCNI Controller

Sworn and subscribed to me 04/28/2021



*Dawn Ward*

Notary Public

My commission expires 03/04/2022

**AFFIDAVIT OF SIGN POSTING**

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

1.

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

2.

The Galloway Law Group, LLC has submitted an application requesting annexation of 156.82 +/- acres and 39.08 +/- acres of property located north of Bethlehem Road between Interstate 75 and State Route 42 (Parcel IDs: 110-01023000 and 110-01019002) in Land Lots 246, 250, and 251 of the 2nd and 7th Districts. The properties are zoned RA (Residential Agricultural), having a future land use designation of Industrial, and will remain so if incorporated into the City.

3.

Sunrise Builders, Inc. has submitted an application requesting rezoning of 17.78 +/- acres located at 209 Bowden Street in Land Lot 199 of the 2nd District (Parcel ID: 128-02017000) from RA (Residential Agricultural) to R-3 (Med. High Single Family Residential). The applicant is proposing a new single-family residential subdivision.

4.

AHAD Properties LLC of Yorba Linda, CA, has submitted an application requesting rezoning of 37.953 +/- acres located at 300-590 Market Place Boulevard from C-2 (General Commercial) to RM-1(Multi-family Residential); Parcel 112-01013000 in Land Lot 201 of the 2nd District. The applicant intends to build a Multi-family Residential development.

5.

On the 27<sup>th</sup> day of April 2021, I, Brian Fornal, posted double-sided sign notifications on the property advertising a public hearing on the above requests to be heard by the Locust Grove City Council on the 17<sup>th</sup> day of May 2021 at 6:00 p.m. at the Locust Grove Public Safety Building, 3640 Highway 42, Locust Grove, Georgia 30248. Photographs of same are attached hereto as Exhibit "A" and incorporated herein by reference. The public hearing signs were posted at the following locations:

- 1) A double-sided sign was posted at 9:10 a.m. on 300 – 500 Marketplace Blvd on 4/27/2021.
- 2) A double-sided sign was posted at 9:19 a.m. on 209 Bowden Street on 4/27/2021.
- 3) Double-sided signs were posted at 9:00 a.m. on Hwy 42 North of the City by Harris Drive on 4/27/2021.



FURTHER AFFIANT SAYETH NOT.

This 29<sup>th</sup> day of April 2021.

  
Affiant

Sworn and subscribed before me  
this 29<sup>th</sup> day of April

Marley Moore  
Notary Public



**Exhibit "A"**

Sign Posted – April 27, 2021 9:10 a.m. On Market Place Blvd.



## **EXHIBIT "D"**

Staff recommends that the applicant revise their conceptual site plan to meet the development standards of Section 17.04.060(B)(9)(i)(1-8), as amended, in time for the June 7<sup>th</sup>, 2021 regular meeting; upon receipt of the revised site plan, staff recommends that the following conditions be considered as part of any approval granted by the City Council:

1. All recommended improvements per DRI #3252 and the GRTA Notice of Decision (dated May 14, 2021) shall be the responsibility of the owner/developer.
2. The owner/developer shall provide pedestrian connectivity between all buildings and uses.
3. The owner/developer shall provide sidewalks with pedestrian lighting along all development frontage of Market Place Boulevard.
4. The owner/developer shall coordinate with the City of Locust Grove to identify the appropriate location(s) for a pedestrian crossing at or between the DRI's two driveways the eastside of Marketplace Boulevard.
5. Two exit lanes (shared left-turn/through lane, separate right-turn lane) shall be installed at Road A / Driveway 1 per GRTA NOD.
6. The owner/developer shall install a southbound right-turn deceleration lane along Market Place Blvd.
7. The owner/developer shall restripe the existing hatched center lane along Market Place Blvd to provide a dedicated northbound left-turn lane.
8. The owner/developer shall install a southbound right-turn deceleration lane along Market Place Blvd.
9. The owner/developer shall add a right-turn signal overlap phase for the southbound Market Place Blvd approach and maintain the traffic signal split-phasing for the north and south approaches.