

CITY OF LOCUST GROVE

WORKSHOP MEETING AGENDA

TUESDAY JUNE 20, 2023 – 6:00 P.M.

PUBLIC SAFETY BUILDING – 3640 HIGHWAY 42 S.

LOCUST GROVE, GA 30248

CALL TO ORDER Mayor Robert Price

INVOCATION Community Development Director Dante' Gibbs

PLEDGE OF ALLEGIANCE..... Councilman Greer

APPROVAL OF THE AGENDA (Action Needed)

PUBLIC COMMENTS/PRESENTATIONSRegister with Clerk Before Meeting

PUBLIC HEARING ITEMS3 Items

1. Amendments to the City of Locust Grove Code of Ordinances in accordance with House Bill 1405
2. Ordinance for annexation of 15.31 +/- acres located on Old Bethlehem Road west of Price Drive (Parcel ID: 111-01015001) in LL 235 of the 2nd district.
3. Ordinance to rezone 15.31 +/- acres located on Old Bethlehem Road west of Price Drive (Parcel ID: 111-01015001) from unincorporated Henry County RA (residential agriculture) to incorporated City of Locust Grove RA (residential agricultural)

OLD BUSINESS/ACTION ITEMS None

NEW BUSINESS/ACTION ITEMS3 Items

4. Ordinance to amend Pay Plan No. 701 of Personnel new salary schedule for allowance of cost-of-living adjustments for the last operating period (Motion Required)
5. Special event permit request for the Locust Grove Fire Marshal and the Johnson Foundation school supply distribution on July 22, 2023 (Motion Required)
6. Special event permit request to host a neighborhood block party at 104 Sims Street on August 5, 2023 (Motion Required)

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

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

Public Safety Operations (Monthly Update Report)Chief Derrick Austin

Public Works Operations (Monthly Update Report)Director Jack Rose

Administration (Monthly Update Report)..... Tim Young, City Manager for Bert Foster

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

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

7. Resolution approving the architectural plans submitted for Arby's to be located at 4939 Bill Gardner Parkway
8. Resolution approving the architectural plans submitted for a retail building to be located at 603 Market Place Boulevard

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

9. Resolution – HCDA and Retail Strategies Consulting work

COUNCIL COMMENTS..... Council

MAYOR'S COMMENTS Mayor Robert Price

EXECUTIVE SESSION – If needed

ADJOURN –

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

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

POSTED AT CITY HALL– June 14, 2023, at 16:30



Community Development Department

P. O. Box 900
Locust Grove, Georgia 30248

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

Item Coversheet

Item: Amendments to the City of Locust Grove Code of Ordinances in accordance with House Bill 1405.

Action Item: Yes No

Public Hearing Item: Yes No

Executive Session Item: Yes No

Advertised Date: May 31, 2023

Budget Item: No

Date Received: N/A

Workshop Date: June 20, 2023

Regular Meeting Date: July 3 2023

Discussion:

A city-initiated ordinance amendment to the Locust Grove Municipal Code in accordance with House Bill 1405, regarding public notices, hearings, and procedures for making (and appealing to superior court) zoning decisions, quasi-judicial land-use related decisions, and changes to single-family zoning provisions.

Recommendation:

Staff recommends APPROVAL.

ORDINANCE NO. _____

TO AMEND TITLE 17 OF THE CODE OF ORDINANCES, CITY OF LOCUST GROVE, GEORGIA IN ACCORDANCE WITH THE REQUIREMENTS OF THE STATE OF GEORGIA’S ZONING PROCEDURES LAW (O.C.G.A. § 36-66-1 et. seq.) AS IT PERTAINS TO PUBLIC NOTICES, HEARING PROCEDURES FOR MAKING (AND APPEALING TO THE SUPERIOR COURT) ZONING DECISIONS, QUASI-JUDICIAL LAND USE RELATED DECISIONS, AND CHANGES TO SINGLE-FAMILY ZONING PROVISIONS OF THE ZONING CODE AND FOR OTHER PURPOSES.

WHEREAS, the City of Locust Grove, Georgia (“City”) is a municipal corporation duly organized and existing under the laws of the State of Georgia; and

WHEREAS, the City through its Council, is vested with the authority to adopt and/or amend zoning ordinances applicable within the municipal limits; and

WHEREAS, the Georgia General Assembly amended its Zoning Procedures Law (O.C.G.A. § 36-66-1 et. seq.) in 2021; and

WHEREAS, the governing authority of the City finds it desirable to amend and update Appendix A of the Code of Ordinances, City of Locust Grove, Georgia to be in accordance with the Georgia General Assembly’s amendment to the Zoning Procedures Law; and

WHEREAS, the procedures required for amending the City’s zoning ordinance have been satisfied, including, but not limited to, notice and public hearings.

THEREFORE, BE IT HEREBY ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF LOCUST GROVE, GEORGIA THAT:

SECTION 1. Adoption of the Amended Zoning Procedures. Title 17, Article II, Section 17.04.277 of the Code of Ordinances, City of Locust Grove, Georgia is hereby amended to strike subsection “C” entirely and replace it with the following:

C. The city council shall hold a public hearing on all variances and appeals. The hearing shall be advertised in a newspaper of general circulation within the city and Henry County no less than thirty (30) days before the public hearing, and a notice of the hearing shall be mailed at least thirty (30) days prior to the public hearing to the owner of the property that is the subject of the proposed action. Such notices shall include the application number (if any number is assigned), date, time, location, and purpose of the public hearing .

Title 17, Article II of the Code of Ordinances, City of Locust Grove, Georgia is hereby amended to add a new Section 17.04.278, which is currently reserved, to read as follows:

A. In order to comply with O.C.G.A. § 36-66-5.1(c), the mayor or mayor pro tem are authorized to issue certiorari bonds and certificates of costs upon confirmation with city staff that such approvals are appropriate.

B. For purposes of certiorari proceedings, the mayor or mayor pro tem are authorized to accept service on behalf of the respondent. The mayor is authorized to accept service of process on behalf of the City of Locust Grove as the opposite party.

Title 17, Article III, Section 17.04.292 of the Code of Ordinances, City of Locust Grove, Georgia is hereby amended to strike subsection “B” entirely and replace it with the following:

B. The city council shall hold a public hearing that shall be advertised in a paper of general circulation within the city no less than thirty (30) days prior to the hearing, and a notice of the hearing shall be mailed at least thirty (30) days prior to the public hearing to the owner of the property that is the subject of the proposed action. Such notices shall include the application number (if any number is assigned), date, time, location, and purpose of the public hearing.

Title 17, Article III, Section 17.04.292 of the Code of Ordinances, City of Locust Grove, Georgia is hereby amended to add new subsections “C” and “D” to read as follows:

C. The city council shall at its next regular public meeting make a decision on all conditional uses and conditional exceptions and appeals based on the report of the community development department and from the public hearing.

D. Should the city council deny a request on a parcel(s) of land, then the same request may not be considered until the expiration of at least six months from the date of denial.

Title 17, Article IV of the Code of Ordinances, City of Locust Grove, Georgia is hereby amended to strike Section 17.04.314 entirely and replace it with the following:

A. If Locust Grove, Georgia is taking action resulting in a zoning decision as defined by O.C.G.A. § 36-66-3(4), it shall provide for a hearing on the proposed action. At least fifteen (15) but not more than forty-five (45) days prior to the date of the hearing, the community development department shall cause to be published within a newspaper of general circulation within the city limits and Henry County a notice of the hearing. The notice shall state the time, place and purpose of the hearing.

B. All applications before a quasi-judicial officer, board, or agency as defined below shall receive a public hearing. Such hearing shall be preceded by the city providing publication of a public hearing notice within a newspaper of general circulation in the city at least thirty (30) days prior to the date of the public hearing, and a notice of the hearing shall be mailed at least thirty (30) days prior to the public hearing to the owner of the property that is the subject of the proposed action. Such notices shall include the application number (if any number is assigned), date, time, location, and purpose of the public hearing. Quasi-judicial officers, boards, or agencies means an officer, board, or agency created by the city to exercise delegated, quasi-judicial zoning powers including hearing appeals on administrative decisions by such officers, boards or agencies and hearing and rendering decisions on applications for variances, special administrative permits, special exceptions, conditional use permits, or other similar permits pursuant to standards for the exercise of such quasi-judicial authority adopted by the city.

C . If a zoning decision of Locust Grove, Georgia is for the rezoning of property and the rezoning is initiated by a party other than city officials or a city department then:

1. The notice, in addition to the foregoing requirements, shall include the location of the property, the present zoning classification of the property, and the proposed zoning classification of the property; and

2. A sign containing information required by this chapter shall be placed in a conspicuous location on the property not less than fifteen (15) days prior to the date of the hearing.

D. If the property proposed for rezoning does not have frontage on a public street, then the sign may be posted on the right-of-way of the nearest public street which provides access to the site. No public hearing may be held by the city council until said sign(s) have been posted for at least fifteen (15) days. Said signs shall remain posted until final action has been taken by the city council.

E. Before enacting an amendment to this chapter, whether the proposed amendment is a text or map amendment, the city council shall hold a public hearing thereon for the purpose of receiving and considering public comment on the merits of the proposed amendment. Said hearings shall be held only after full compliance with all required public notification of the hearing as set forth herein.

F. If the zoning decision of the city council is to deny the rezoning request, then the same property may not again be considered for rezoning until the expiration of at least six months immediately following the defeat of the rezoning by the city council.

G. Procedural guidelines shall be available for distribution to the general public.

H. Any proposed action that includes zoning decisions for rezoning of property, special use of property, or variance or conditions concurrent with a rezoning or special use shall only require one hearing pursuant to O.C.G.A. § 36-66-4(a).

I. Procedures for zoning decisions as defined in O.C.G.A. § 36-66-3(4) that amend zoning classifications or definitions related to single-family residential uses so as to authorize multifamily uses on the subject property pursuant to such classifications or definitions shall be in accordance with the following stated procedures.

1. Notwithstanding any other provisions to the contrary, when a proposed zoning decision relates to an amendment of the zoning ordinance to revise one or more zoning classifications or definitions relating to single-family residential uses of property so as to authorize multifamily uses of property pursuant to such classification or definitions, or to grant blanket permission, under certain or all circumstances, for property owners to deviate from the existing zoning requirements of a single-family residential zoning, such zoning decision must be adopted in the following manner:

(a) The zoning decision shall be adopted at two regular meetings of the city council making the zoning decision, during a period of not less than twenty-one (21) days apart; and

(b) Prior to the first meeting provided for in subparagraph (a) of this paragraph, at least two public hearings shall be held on the proposed action. Such public hearings shall be held at least three months and not more than nine months prior to the date of final action on the zoning decision. Furthermore, at least one of the public hearings must be held between the hours of 5:00 P.M. and 8:00 P.M. The hearings required by this paragraph shall be in addition to any hearing required under subsection “A” of this Code section. The local government shall give notice of such hearing by:

(i) Posting notice on each affected premises in the manner prescribed by sections “C”(2) and “D” of this Code section; provided, however, that when more than 500 parcels are affected, in which case posting notice is required every 500 feet in the affected area; and

(ii) Publishing in a newspaper of general circulation within the territorial boundaries of the city a notice of each hearing at least fifteen (15) days and not more than forty-five (45) days prior to the date of the hearing. Both the posted notice and the published notice shall include a prominent statement that the proposed zoning decision relates to or will authorize multifamily uses or give blanket permission to the property owner to deviate from the zoning requirements of a single-family residential zoning of property in classification previously relating to single-family residential uses. The published notice shall be at least nine column inches in size and shall not be located in the classified advertising section of the newspaper. The notice shall state that a copy of the proposed amendment is on file in the office of the clerk or the recording officer of the city and in the office of the clerk of the Superior Court of Henry County for the purpose of examination and inspection by the public. The city shall furnish anyone, upon written request, a copy of the proposed amendment, at no cost.

2. The provisions of paragraph 1 of this subsection shall also apply to any zoning decisions that provide for the abolition of all single-family residential zoning classifications within the territorial boundaries of the city or zoning decisions that result in the rezoning of all property zoned for single-family residential uses within the territorial boundaries of the city to multifamily residential uses of property.

3. This subsection shall not apply to zoning decisions for the rezoning of property from a single-family residential use of property to a multifamily residential use of property when the rezoning is initiated by the owner or authorized agent of the owner of such property.

Title 17, Article IV, Section 17.04.315 of the Code of Ordinances, City of Locust Grove, Georgia is hereby amended to strike subsection (B) 5. and replace it with the following:

5. Any aggrieved party shall have thirty (30) days from the date of written notification to file an appeal from the council's decision with the Henry County Superior Court.

a. Appeals of zoning decisions as defined by O.C.G.A. § 36-66-3(4) shall be appealed pursuant to O.C.G.A. § 36-66-5.1(a)(1) and shall be filed with the Henry County Superior Court within thirty (30) days of the date of the decision to be appealed.

b. Appeals of quasi-judicial decisions as defined by O.C.G.A. § 36-66-3(1.1) shall be appealed pursuant to O.C.G.A. § 36-66-5.1(a)(2) and shall be filed with the Henry County Superior Court within thirty (30) days of the date of the decision to be appealed.

SECTION 2. Preamble and Severability. The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein. In the event any portion of this Ordinance shall be declared or adjudged invalid or unconstitutional, it is the intention of the City Council of Locust Grove that such adjudications shall in no manner affect the other sections, sentences, clauses, or phases of this Ordinance which shall remain in full force and effect as if the invalid or unconstitutional section, sentence, clause or phrase were not originally part of the Ordinance.

SECTION 3. Codification and Certification. This Ordinance adopted hereby shall be codified and certified in a manner consistent with the laws of the State of Georgia and the city.

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

SECTION 5. Repeal of Inconsistent Provisions. All ordinances are hereby repealed to the extent they are inconsistent herewith.

SECTION 6. Effective Date. The effective date of this Ordinance shall be the date of adoption unless otherwise stated herein.

SO ORDAINED this _____ day of _____, 2023.

CITY OF LOCUST GROVE, GEORGIA

Robert Price, Mayor

ATTEST:

Misty Spurling, City Clerk

APPROVED BY:

City Attorney

House Bill 1405 (AS PASSED HOUSE AND SENATE)

By: Representatives Roberts of the 52nd, Washburn of the 141st, Crowe of the 110th, Dreyer of the 59th, Paris of the 142nd, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 36 of the Official Code of Georgia Annotated, relating to local governments,
2 so as to revise "The Zoning Procedures Law"; to revise provisions related to judicial review
3 of zoning decisions; to revise definitions; to provide for requirements for zoning decisions
4 by boards or agencies using delegated powers; to provide additional notice and hearing
5 provisions for changes to zoning ordinances that revise single-family residential
6 classifications and definitions so as to authorize multifamily residential property uses; to
7 require review procedures for decisions made by boards or agencies using delegated powers;
8 to provide for judicial review of zoning decisions; to require certain designations relating to
9 appeals of quasi-judicial decisions; to provide for related matters; to provide for an effective
10 date and applicability; to repeal conflicting laws; and for other purposes.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

12 style="text-align:center">**SECTION 1.**

13 Title 36 of the Official Code of Georgia Annotated, relating to local governments, is
14 amended by revising Chapter 66, relating to zoning procedures, as follows:

15 style="text-align:center">"CHAPTER 66

H. B. 1405

- 1 -

16 36-66-1.

17 This chapter shall be known and may be cited as ~~"The Zoning~~ the 'Zoning Procedures Law.'

18 36-66-2.

19 (a) While recognizing and confirming the authority of local governments to exercise
20 zoning power within their respective territorial boundaries, it is the intention of this chapter
21 to establish as state policy minimum procedures governing the exercise and means of
22 judicial review of the exercise of that power. The purpose of these minimum procedures
23 is to assure that due process is afforded to the general public when local governments
24 regulate the uses of property through the exercise of the zoning power. Nothing in this
25 chapter shall be construed to invalidate any zoning decision made by a local government
26 prior to ~~January 1, 1986~~ July 1, 2023, or to require a local government to exercise its
27 zoning power.

28 (b) Consistent with the minimum procedures required by this chapter, local governments
29 may:

30 (1) Provide by ordinance or resolution for such administrative officers, ~~bodies~~ boards,
31 or agencies as may be expedient for the efficient exercise of ~~their~~ delegated,
32 quasi-judicial zoning powers and to establish procedures and notice requirements for
33 hearings before such quasi-judicial officers, boards, or agencies that are consistent with
34 the minimum procedures provided for in this chapter to assure due process is afforded the
35 general public; and

36 (2) Provide by ordinance or resolution for procedures and requirements in addition to or
37 supplemental to those required by this chapter and, where so adopted, thereby establish
38 the minimum procedures for such local government's exercise of zoning powers.

39 36-66-3.

40 As used in this chapter, the term:

41 (1) 'Local government' means any county or municipality which exercises zoning power
42 within its territorial boundaries.

43 (1.1) 'Quasi-judicial officers, boards, or agencies' means an officer, board, or agency
44 appointed by a local government to exercise delegated, quasi-judicial zoning powers
45 including hearing appeals of administrative decisions by such officers, boards, or
46 agencies and hearing and rendering decisions on applications for variances, special
47 administrative permits, special exceptions, conditional use permits, or other similar
48 permits not enumerated herein as a zoning decision, pursuant to standards for the exercise
49 of such quasi-judicial authority adopted by a local government.

50 (2) 'Territorial boundaries' means, in the case of counties, the unincorporated areas
51 thereof and any area defined in paragraph (5.1) of Code Section 36-70-2, and, in the case
52 of municipalities, the area lying within the corporate limits thereof except any area
53 defined in paragraph (5.1) of Code Section 36-70-2.

54 (3) 'Zoning' means the power of local governments to provide within their respective
55 territorial boundaries for the zoning or districting of property for various uses and the
56 prohibition of other or different uses within such zones or districts and for the regulation
57 of development and the improvement of real estate within such zones or districts in
58 accordance with the uses of property for which such zones or districts were established.

59 (4) 'Zoning decision' means final legislative action by a local government which results
60 in:

61 (A) The adoption or repeal of a zoning ordinance;

62 (B) The adoption of an amendment to a zoning ordinance which changes the text of the
63 zoning ordinance;

64 (C) The adoption or denial of an amendment to a zoning ordinance ~~which rezones to~~ rezone
65 property from one zoning classification to another;

66 (D) The adoption or denial of an amendment to a zoning ordinance by a municipal
67 local government ~~which zones to zone~~ property to be annexed into the municipality; or

- 68 (E) The grant or denial of a permit relating to a special use of property;
- 69 (F) The grant or denial of a variance or conditions concurrent and in conjunction with
- 70 a decision pursuant to subparagraphs (C) or (E) of this paragraph.
- 71 (5) 'Zoning ordinance' means an ordinance or resolution of a local government
- 72 establishing procedures and zones or districts within its respective territorial boundaries
- 73 which regulate the uses and development standards of property within such zones or
- 74 districts. The term also includes the zoning map adopted in conjunction with a zoning
- 75 ordinance which shows the zones and districts and zoning classifications of property
- 76 therein.

77 36-66-4.

78 (a) A local government taking action resulting in a zoning decision shall provide for a

79 hearing on the proposed action. Where the proposed action includes any combination of

80 zoning decisions under subparagraphs (C), (E), or (F) of paragraph (4) of Code Section

81 36-66-3 for the same property, only one hearing shall be required under this Code Section.

82 At least 15 but not more than 45 days prior to the date of the hearing, the local government

83 shall cause to be published within a newspaper of general circulation within the territorial

84 boundaries of the local government a notice of the hearing. The notice shall state the time,

85 place, and purpose of the hearing.

86 (b) If a zoning decision of a local government is for the rezoning of property and the

87 rezoning is initiated by a party other than the local government, then:

88 (1) The notice, in addition to the requirements of subsection (a) of this Code section,

89 shall include the location of the property, the present zoning classification of the property,

90 and the proposed zoning classification of the property; and

91 (2) A sign containing information required by local ordinance or resolution shall be

92 placed in a conspicuous location on the property not less than 15 days prior to the date

93 of the hearing.

94 (c) If the zoning decision of a local government is for the rezoning of property and the
95 amendment to the zoning ordinance to accomplish the rezoning is defeated by the local
96 government, then the same property may not again be considered for rezoning until the
97 expiration of at least six months immediately following the defeat of the rezoning by the
98 local government.

99 (d) If the zoning is for property to be annexed into a municipality, then:

100 (1) Such municipal local government shall complete the procedures required by this
101 chapter for such zoning, except for the final vote of the municipal governing authority,
102 prior to adoption of the annexation ordinance or resolution or the effective date of any
103 local Act but no sooner than the date the notice of the proposed annexation is provided
104 to the governing authority of the county as required under Code Section 36-36-6;

105 (2) The hearing required by subsection (a) of this Code section shall be conducted prior
106 to the annexation of the subject property into the municipality;

107 (3) In addition to the other notice requirements of this Code section, the municipality
108 shall cause to be published within a newspaper of general circulation within the territorial
109 boundaries of the county wherein the property to be annexed is located a notice of the
110 hearing as required under the provisions of subsection (a) or (b), as applicable, of this
111 Code section and shall place a sign on the property when required by subsection (b) of
112 this Code section; and

113 (4) The zoning classification approved by the municipality following the hearing
114 required by this Code section shall become effective on the later of:

115 (A) The date the zoning is approved by the municipality;

116 (B) The date that the annexation becomes effective pursuant to Code Section 36-36-2;
117 or

118 (C) Where a county has interposed an objection pursuant to Code Section 36-36-11,
119 the date provided for in paragraph (8) of subsection (c) of said Code section.

120 (e) A qualified municipality into which property has been annexed may provide, by the
121 adoption of a zoning ordinance, that all annexed property shall be zoned by the
122 municipality, without further action, for the same use for which that property was zoned
123 immediately prior to such annexation. A qualified county which includes property which
124 has been deannexed by a municipality may provide, by the adoption of a zoning ordinance,
125 that all deannexed property shall be zoned by the county, without further action, for the
126 same use for which that property was zoned immediately prior to such deannexation. A
127 municipality shall be a qualified municipality only if the municipality and the county in
128 which is located the property annexed into such municipality have a common zoning
129 ordinance with respect to zoning classifications. A county shall be a qualified county only
130 if that county and the municipality in which was located the property deannexed have a
131 common zoning ordinance with respect to zoning classifications. A zoning ordinance
132 authorized by this subsection shall be adopted in compliance with the other provisions of
133 this chapter. The operation of such ordinance to zone property which is annexed or
134 deannexed shall not require any further action by the adopting municipality, adopting
135 county, or owner of the property annexed or deannexed. Property which is zoned pursuant
136 to this subsection may have such zoning classification changed upon compliance with the
137 other provisions of this chapter.

138 (f) When a proposed zoning decision relates to or will allow the location or relocation of
139 a halfway house, drug rehabilitation center, or other facility for treatment of drug
140 dependency, a public hearing shall be held on the proposed action. Such public hearing
141 shall be held at least six months and not more than nine months prior to the date of final
142 action on the zoning decision. The hearing required by this subsection shall be in addition
143 to any hearing required under subsection (a) of this Code section. The local government
144 shall give notice of such hearing by:

145 (1) Posting notice on the affected premises in the manner prescribed by subsection (b)
146 of this Code section; and

147 (2) Publishing in a newspaper of general circulation within the territorial boundaries of
148 the local government a notice of the hearing at least 15 days and not more than 45 days
149 prior to the date of the hearing.

150 Both the posted notice and the published notice shall include a prominent statement that
151 the proposed zoning decision relates to or will allow the location or relocation of a halfway
152 house, drug rehabilitation center, or other facility for treatment of drug dependency. The
153 published notice shall be at least six column inches in size and shall not be located in the
154 classified advertising section of the newspaper.

155 (g) A local government delegating decision-making power to a quasi-judicial officer,
156 board, or agency shall provide for a hearing on each proposed action described in
157 paragraph (1.1) of Code Section 36-66-3. Notice of such hearing shall be provided at
158 least 30 days prior to the quasi-judicial hearing, with such notice being made as provided
159 for in subsection (a) of this Code section and with additional notice being mailed to the
160 owner of the property that is the subject of the proposed action.

161 (h)(1) Notwithstanding any other provisions of this chapter to the contrary, when a
162 proposed zoning decision relates to an amendment of the zoning ordinance to revise one
163 or more zoning classifications or definitions relating to single-family residential uses of
164 property so as to authorize multifamily uses of property pursuant to such classification
165 or definitions, or to grant blanket permission, under certain or all circumstances, for
166 property owners to deviate from the existing zoning requirements of a single-family
167 residential zoning, such zoning decision must be adopted in the following manner:

168 (A) The zoning decision shall be adopted at two regular meetings of the local
169 government making the zoning decision, during a period of not less than 21 days apart;
170 and

171 (B) Prior to the first meeting provided for in subparagraph (A) of this paragraph, at
172 least two public hearings shall be held on the proposed action. Such public hearings
173 shall be held at least three months and not more than nine months prior to the date of

174 final action on the zoning decision. Furthermore, at least one of the public hearings
175 must be held between the hours of 5:00 P.M. and 8:00 P.M. The hearings required by
176 this paragraph shall be in addition to any hearing required under subsection (a) of this
177 Code section. The local government shall give notice of such hearing by:

178 (i) Posting notice on each affected premises in the manner prescribed by
179 subsection (b) of this Code section; provided, however, that when more than 500
180 parcels are affected, in which case posting notice is required every 500 feet in the
181 affected area; and

182 (ii) Publishing in a newspaper of general circulation within the territorial boundaries
183 of the local government a notice of each hearing at least 15 days and not more than 45
184 days prior to the date of the hearing.

185 Both the posted notice and the published notice shall include a prominent statement that
186 the proposed zoning decision relates to or will authorize multifamily uses or give blanket
187 permission to the property owner to deviate from the zoning requirements of a
188 single-family residential zoning of property in classification previously relating to
189 single-family residential uses. The published notice shall be at least nine column inches
190 in size and shall not be located in the classified advertising section of the newspaper. The
191 notice shall state that a copy of the proposed amendment is on file in the office of the
192 clerk or the recording officer of the local government and in the office of the clerk of the
193 superior court of the county of the legal situs of the local government for the purpose of
194 examination and inspection by the public. The local government shall furnish anyone,
195 upon written request, a copy of the proposed amendment, at no cost.

196 (2) The provisions of paragraph (1) of this subsection shall also apply to any zoning
197 decisions that provide for the abolition of all single-family residential zoning
198 classifications within the territorial boundaries of a local government or zoning decisions
199 that result in the rezoning of all property zoned for single-family residential uses within

200 the territorial boundaries of a local government to multifamily residential uses of
201 property.

202 (3) This subsection shall not apply to zoning decisions for the rezoning of property from
203 a single-family residential use of property to a multifamily residential use of property
204 when the rezoning is initiated by the owner or authorized agent of the owner of such
205 property.

206 36-66-5.

207 (a) Local governments shall adopt policies and procedures which govern calling and
208 conducting hearings required by Code Section 36-66-4, and printed copies of such policies
209 and procedures shall be available for distribution to the general public. Such policies and
210 procedures shall specify a minimum time period at hearings on proposed zoning decisions
211 or quasi-judicial decisions for presentation of data, evidence, and opinion by proponents
212 of each zoning decision and an equal minimum time period for presentation by opponents
213 of each proposed zoning decision, such minimum time period to be no less than ten
214 minutes per side.

215 (b) In addition to policies and procedures required by subsection (a) of this Code section,
216 each local government rendering a zoning decision shall adopt standards governing the
217 exercise of the zoning power, and such standards may include any factors which the local
218 government finds relevant in balancing the interest in promoting the public health, safety,
219 morality, or general welfare against the right to the unrestricted use of property. Such
220 standards shall be printed and copies thereof shall be available for distribution to the
221 general public.

222 (b.1) In addition to policies and procedures required by subsection (a) of this Code section,
223 each local government providing for a quasi-judicial officer's, board's, or agency's grant,
224 denial, or review of a quasi-judicial matter may adopt specific standards and criteria
225 governing the exercise of such quasi-judicial decision-making authority, and such standards

226 shall include the factors by which the local government directs the evaluation of a
227 quasi-judicial matter. Such standards shall be printed and copies thereof made available
228 for distribution to the general public.

229 (c) The policies and procedures required by subsection (a) of this Code section and the
230 adoption of standards required by subsection (b) and permitted by subsection (b.1) of this
231 Code section may shall be included in and adopted as part of the zoning ordinance. Prior
232 to the adoption of any zoning ordinance enacted on or after ~~January 1, 1986~~ July 1, 2022,
233 a local government shall conduct a public hearing on a proposed action which may be
234 advertised and held concurrent with the hearing required by subsection (a) of Code Section
235 36-66-4 for the adoption of a zoning ordinance. The provisions of subsection (a) of Code
236 Section 36-66-4 relating to notices of public hearings for the purposes of that subsection
237 shall also apply to public hearings required by this subsection.

238 36-66-5.1.

239 (a) To ensure that the general public is afforded due process in an orderly way to petition
240 the courts for review of a local government's exercise of zoning, administrative, or
241 quasi-judicial powers as guaranteed by Article I, Section I, Paragraphs IX and XII of the
242 Constitution, the General Assembly, pursuant to its authority under Article VI, Section IV,
243 Paragraph I of the Constitution, provides the following mechanism by which each of the
244 powers described in this chapter may be reviewed by the superior court of the county
245 wherein such property is located:

246 (1) Zoning decisions as described in this chapter, being legislative in nature, shall be
247 subject to direct constitutional challenge regarding the validity of maintaining the existing
248 zoning on the subject property or the validity of conditions or an interim zoning category
249 other than what was requested in the superior court pursuant to its original jurisdiction
250 over declaratory judgments pursuant to Chapter 4 of Title 9 and equity jurisdiction under
251 Title 23. Such challenges shall be by way of a de novo review by the superior court

252 wherein such review brings up the whole record from the local government and all
253 competent evidence shall be admissible in the trial thereof, whether adduced in a local
254 government process or not and employing the presumption that a governmental zoning
255 decision is valid and can be overcome substantively by a petitioner showing by clear and
256 convincing evidence that the zoning classification is a significant detriment to the
257 petitioner and is insubstantially related to the public health, safety, morality, or general
258 welfare; or

259 (2) Quasi-judicial decisions as described in this chapter and zoning decisions under
260 subparagraph (E) of paragraph (4) of Code Section 36-66-3 shall be subject to appellate
261 review by the superior court pursuant to its appellate jurisdiction from a lower judicatory
262 body and shall be brought by way of a petition for such review as provided for in Title 5.
263 Such matters shall be reviewed on the record which shall be brought to the superior court
264 as provided in Title 5.

265 (b) All such challenges or appeals shall be brought within 30 days of the written decision
266 of the challenged or appealed action.

267 (c) To ensure that the citizens of this state are not unnecessarily burdened by the review
268 process as a mechanism of appeal, local governments shall designate by ordinance or
269 resolution:

270 (1) The officer of the quasi-judicial board or agency who shall have authority, without
271 additional board or agency action, to approve or issue any form or certificate necessary
272 to perfect the petition described in Title 5 for review of lower judicatory bodies and upon
273 whom service of such petition may be effected or accepted on behalf of the lower
274 judicatory board or agency, during normal business hours, at the regular offices of the
275 local government; and

276 (2) The elected official or his or designee who shall have authority to accept service and
277 upon whom service of an appeal of a quasi-judicial decision may be effected or accepted

278 on behalf of the local governing authority, during normal business hours, at the regular
279 offices of the local government.

280 (d) An appeal or challenge by an opponent filed pursuant to this chapter shall stay all legal
281 proceedings in furtherance of the action appealed from or challenged, unless the local
282 government, officer, board, or agency from which or from whom the appeal or challenge
283 is taken certifies that, by reason of the facts stated in the certificate, a stay would cause
284 imminent peril to life or property. In such actions, the applicant for the zoning decision or
285 the quasi-judicial decision shall be a necessary party and shall be named as a defendant in
286 the action and served in accordance with the requirements of Title 5 or Title 9, as
287 appropriate.

288 36-66-6.

289 (a) In any local government which has established a planning department or other similar
290 agency charged with the duty of reviewing zoning proposals, such planning department or
291 other agency shall, with respect to each proposed zoning decision involving land that is
292 adjacent to or within 3,000 feet of any military base or military installation or within
293 the 3,000 foot Clear Zone and Accident Prevention Zones Numbers I and II as prescribed
294 in the definition of an Air Installation Compatible Use Zone of a military airport,
295 investigate and make a recommendation with respect to each of the matters enumerated in
296 subsection (b) of this Code section, in addition to any other duties with which the planning
297 department or agency is charged by the local government. The planning department or
298 other agency shall request from the commander of such military base, military installation,
299 or military airport a written recommendation and supporting facts relating to the use of the
300 land being considered in the proposed zoning decision at least 30 days prior to the hearing
301 required by subsection (a) of Code Section 36-66-4. If the base commander does not
302 submit a response to such request by the date of the public hearing, there shall be a
303 presumption that the proposed zoning decision will not have any adverse effect relative to

304 the matters specified in subsection (b) of this Code section. Any such information provided
305 shall become a part of the public record.

306 (b) The matters with which the planning department or agency shall be required to make
307 such investigation and recommendation shall be:

308 (1) Whether the zoning proposal will permit a use that is suitable in view of the use of
309 adjacent or nearby property within 3,000 feet of a military base, military installation, or
310 military airport;

311 (2) Whether the zoning proposal will adversely affect the existing use or usability of
312 nearby property within 3,000 feet of a military base, military installation, or military
313 airport;

314 (3) Whether the property to be affected by the zoning proposal has a reasonable
315 economic use as currently zoned;

316 (4) Whether the zoning proposal will result in a use which will or could cause a safety
317 concern with respect to excessive or burdensome use of existing streets, transportation
318 facilities, utilities, or schools due to the use of nearby property as a military base, military
319 installation, or military airport;

320 (5) If the local government has an adopted land use plan, whether the zoning proposal
321 is in conformity with the policy and intent of the land use plan; and

322 (6) Whether there are other existing or changing conditions affecting the use of the
323 nearby property as a military base, military installation, or military airport which give
324 supporting grounds for either approval or disapproval of the zoning proposal."

325 **SECTION 2.**

326 This Act shall become effective on July 1, 2022, and shall apply to all zoning and
327 quasi-judicial decisions occurring on and after that date; however, no zoning or quasi-judicial
328 decision prior to July 1, 2023, shall be rendered invalid or void because of a local
329 government's failure to implement language in their ordinances accomplishing the provisions
330 of Code Section 36-66-5.1.

331 **SECTION 3.**

332 All laws and parts of laws in conflict with this Act are repealed.

Zoning Procedures Law Update to Locust Grove Zoning Ordinance DRAFT

17.04.277 - Appeals and variances.

A. The city council shall consider all of the following prior to making a decision:

- 1.The report of recommendations submitted by the community development department.
- 2.Whether all specific requirements of this chapter relative to consideration of a variance have been met.
- 3.The impact the proposed use may have on traffic and neighboring properties.
- 4.The physical characteristics of the site and its suitability for the proposed request. The elements of topography, drainage, size and shape of the land(s) should be part of the decision making process.
- 5.The adequacy and availability of public infrastructure (water, sewer, roads, etc.) to serve the request.
- 6.Whether the applicant has agreed to any specific conditions that will enhance his/her request and will protect the public interest and assure the continued beneficial use of nearby properties.
- 7.Whether the request will further or support the goals and objectives of the land use plan and will not be detrimental to nearby properties and property values.

B. The city council may consider such other information specifically related to public health, safety, aesthetics, and the general welfare of the residents of the city, including without limitation the potential impact on city infrastructure, the impact on adjacent property owners, and necessary road improvements/alignments/relocations.

C. The city council shall hold a public hearing on all variances and appeals. The hearing shall be advertised in a newspaper of general circulation within the city and Henry County no less than thirty (30) days before the public hearing, and a notice of the hearing shall be mailed at least thirty

(30) days prior to the public hearing to the owner of the property that is the subject of the proposed action. Such notices shall include the application number (if any number is assigned), date, time, location, and purpose of the public hearing .

D. The city council shall at its next regular public meeting make a decision on all variances and appeals based on the report of the community development department and from the public hearing.

E. Should the city council deny a request on a parcel(s) of land, then the same request may not be considered until the expiration of at least six months from the date of denial.

RESERVED 17.04.278 Certiorari to Henry County Superior Court

A. In order to comply with O.C.G.A. § 36-66-5.1(c), the Mayor or Mayor Pro Tem are authorized to issue certiorari bonds and certificates of costs upon confirmation with City staff that such approvals are appropriate.

B. For purposes of certiorari proceedings, the Mayor or Mayor Pro Tem are authorized to accept service on behalf of the Respondent. The Mayor is authorized to accept service of process on behalf of the City of Locust Grove as opposite party.

Article III - Conditional Uses and Conditional Exceptions

17.04.292 - Procedure for review and public hearing before the city council.

A. The city council shall review requests for conditional uses and conditional exceptions after completion and review of an application to the city community development department. The application shall be submitted to the city community development director for technical review. A site plan reflecting compliance with all appropriate provisions of this chapter shall accompany the application. The city department community development director shall make a report to the city council on each request. The community development department director and/or the city council may require additional information necessary to evaluate the application.

B. The city council shall hold a public hearing that shall be advertised in a paper of general circulation within the City no less than thirty (30) days prior to the hearing, and a notice of the hearing shall be mailed at least thirty (30) days prior to the public hearing to the owner of the property that is the subject of the proposed action. Such notices shall include the application number (if any number is assigned), date, time, location, and purpose of the public hearing.

C. The city council shall at its next regular public meeting make a decision on all conditional uses and conditional exceptions and appeals based on the report of the community development department and from the public hearing.

D. Should the city council deny a request on a parcel(s) of land, then the same request may not be considered until the expiration of at least six months from the date of denial.

17.04.314 - Notification and public hearing.

A. If Locust Grove, Georgia is taking action resulting in a zoning decision as defined by O.C.G.A. § 36-66-3(4), it shall provide for a hearing on the proposed action. At least fifteen but not more than forty-five days prior to the date of the hearing, the community development department shall cause to be published within a newspaper of general circulation within the city limits and Henry County a notice of the hearing. The notice shall state the time, place and purpose of the hearing.

B. All applications before a quasi-judicial officer, board, or agency as defined below shall receive a public hearing. Such hearing shall be preceded by the City providing publication of a public hearing notice within a newspaper of general circulation in the City at least thirty (30) days prior to the date of the public hearing, and a notice of the hearing shall be mailed at least thirty (30) days prior to the public hearing to the owner of the property that is the subject of the proposed action. Such notices shall include the application number (if any number is assigned), date, time, location, and purpose of the public hearing. Quasi-judicial officers, boards, or agencies means an officer, board, or agency created by the City to exercise delegated, quasi-judicial zoning powers including hearing appeals on administrative decisions by such officers, boards or agencies and hearing and rendering decisions on applications for variances, special administrative permits, special exceptions, conditional use permits, or other similar permits pursuant to standards for the exercise of such quasi-judicial authority adopted by the City.

C . If a zoning decision of Locust Grove, Georgia is for the rezoning of property and the rezoning is initiated by a party other than city officials or a city department then:

1.The notice, in addition to the foregoing requirements, shall include the location of the property, the present zoning classification of the property, and the proposed zoning classification of the property; and

2. A sign containing information required by this chapter shall be placed in a conspicuous location on the property not less than fifteen days prior to the date of the hearing.

D. If the property proposed for rezoning does not have frontage on a public street, then the sign may be posted on the right-of-way of the nearest public street which provides access to the site. No public hearing may be held by the city council until said sign(s) have been posted for at least fifteen days. Said signs shall remain posted until final action has been taken by the city council.

E. Before enacting an amendment to this chapter, whether the proposed amendment is a text or map amendment, the city council shall hold a public hearing thereon for the purpose of receiving and considering public comment on the merits of the proposed amendment. Said hearings shall be held only after full compliance with all required public notification of the hearing as set forth herein.

F. If the zoning decision of the city council is to deny the rezoning request, then the same property may not again be considered for rezoning until the expiration of at least six months immediately following the defeat of the rezoning by the city council.

G. Procedural guidelines shall be available for distribution to the general public.

H. Any proposed action that includes zoning decisions for rezoning of property, special use of property, or variance or conditions concurrent with a rezoning or special use shall only require one hearing pursuant to O.C.G.A. § 36-66-4(a).

I. Procedures for zoning decisions as defined in O.C.G.A. § 36-66-3(4) that amend zoning classifications or definitions related to single-family residential uses so as to authorize multifamily uses on the subject property pursuant to such classifications or definitions shall be in accordance with the following stated procedures.

1. Notwithstanding any other provisions to the contrary, when a proposed zoning decision relates to an amendment of the zoning ordinance to revise one or more zoning classifications or definitions relating to single-family residential uses of property so as to authorize multifamily uses of property pursuant to such classification or definitions, or to grant blanket permission, under certain or all circumstances, for property owners to deviate from the existing zoning requirements of a single-family residential zoning, such zoning decision must be adopted in the following manner:

(a) The zoning decision shall be adopted at two regular meetings of the City Council making the zoning decision, during a period of not less than 21 days apart; and

(b) Prior to the first meeting provided for in subparagraph (a) of this paragraph, at least two public hearings shall be held on the proposed action. Such public hearings shall be held at least three months and not more than nine months prior to the date of final action on the zoning decision. Furthermore, at least one of the public hearings must be held between the hours of 5:00 P.M. and 8:00 P.M. The hearings required by this paragraph shall be in addition to any hearing required under subsection A of this Code section. The local government shall give notice of such hearing by:

(i) Posting notice on each affected premises in the manner prescribed by sections C (2) and D of this Code section; provided, however, that when more than 500 parcels are affected, in which case posting notice is required every 500 feet in the affected area; and

(ii) Publishing in a newspaper of general circulation within the territorial boundaries of the City a notice of each hearing at least 15 days and not more than 45 days prior to the date of the hearing. Both the posted notice and the published notice shall include a prominent statement that the proposed zoning decision relates to or will authorize multifamily uses or give blanket

permission to the property owner to deviate from the zoning requirements of a single-family residential zoning of property in classification previously relating to single-family residential uses. The published notice shall be at least nine column inches in size and shall not be located in the classified advertising section of the newspaper. The notice shall state that a copy of the proposed amendment is on file in the office of the clerk or the recording officer of the City and in the office of the clerk of the superior court of Henry County for the purpose of examination and inspection by the public. The City shall furnish anyone, upon written request, a copy of the proposed amendment, at no cost.

2. The provisions of paragraph (1) of this subsection shall also apply to any zoning decisions that provide for the abolition of all single-family residential zoning classifications within the territorial boundaries of a City or zoning decisions that result in the rezoning of all property zoned for single-family residential uses within the territorial boundaries of a City to multifamily residential uses of property.

3. This subsection shall not apply to zoning decisions for the rezoning of property from a single-family residential use of property to a multifamily residential use of property when the rezoning is initiated by the owner or authorized agent of the owner of such property.

17.04.315 - Procedure for hearing before city council.

A. All proposed amendments to this chapter or to the official zoning map with required site plans shall be considered at public hearing. The city council shall consider the following:

1.The possible effects of the change in the regulations or map on the character of a zoning district, a particular piece of property, neighborhood, a particular area, or the community.

2.The relation that the proposed amendment bears to the purpose of the overall zoning scheme with due consideration given to whether or not the proposed change will help carry out the purposes of this chapter.

3.Consistency with the land use plan.

4.The potential impact of the proposed amendment on city infrastructure including water and sewerage systems.

5.The impact of the proposed amendment on adjacent thoroughfares and pedestrian vehicular circulation and traffic volumes.

6.The impact upon adjacent property owners should the request be approved.

7.The ability of the subject land to be developed as it is presently zoned.

8.The physical conditions of the site relative to its capability to be developed as requested, including topography, drainage, access, and size and shape of the property.

9.The merits of the requested change in zoning relative to any other guidelines and policies for development which the community development commission and city council may use in furthering the objectives of the land use plan.

B. The following rules of procedure shall govern the public hearing before the city council:

1. Each applicant shall appear before the council, identify himself/herself by name, address and whether or not applicant is owner or agent for owner.

2. Each applicant or other interested party who provides the council with documents shall have each document numbered and shall identify each document and each such document submitted shall be made a part of the official record of the hearing.

3. a. Each applicant shall have thirty minutes to present facts pertinent to the application. An applicant may have additional time to address the council if the applicant notifies the city clerk prior to the start of the public hearing that applicant needs additional time. The additional time shall be limited to ten minutes.

b. Each person in opposition to rezoning of property and amendment to the zoning ordinance shall have ten minutes to address the council and shall provide the city clerk with name and address; however, the total time for all interested parties in opposition shall be thirty minutes unless the applicant requests for additional time in subsection (a) above, and then the total time shall not exceed forty minutes.

4. At the conclusion of the hearing, the city council shall make a final decision and its next regular public meeting and direct the community development department to notify the applicant in writing of the council's decision. The decision shall be based on the information contained in Section 17.04.315(A) and from the public hearing. The written notification shall immediately be entered on the minutes and made a part of the record on the date that written notification is given to the applicant.

5. Any aggrieved party shall have thirty days from the date of written notification to file an appeal from the council's decision with the Henry County Superior Court.

a. Appeals of zoning decisions as defined by O.C.G.A. § 36-66-3(4) shall be appealed pursuant to O.C.G.A. § 36-66-5.1(a)(1) and shall be filed with the Henry County superior court within 30 days of the date of the decision to be appealed.

b. Appeals of quasi-judicial decisions as defined by O.C.G.A. § 36-66-3(1.1) shall be appealed pursuant to O.C.G.A. § 36-66-5.1(a)(2) and shall be filed with the Henry County Superior Court within 30 days of the date of the decision to be appealed.



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 annexation of 15.31 +/- acres located on Old Bethlehem Road west of Price Drive (Parcel ID: 111-01015001) in Land Lot 235 of the 2nd District.

Action Item: Yes No

Public Hearing Item: Yes No

Executive Session Item: Yes No

Advertised Date: May 31, 2023

Budget Item: No

Date Received: April 11, 2023

Workshop Date: June 20, 2023

Regular Meeting Date: July 3, 2023

Discussion:

The Cubes at Locust Grove, LLC has submitted an application requesting annexation of a 15.31 +/- acre tract located on Old Bethlehem Road west of Price Drive (Parcel ID # 111-01015000). The zoning of the subject property will remain RA (Residential Agricultural), which is the City of Locust Grove's equivalent to unincorporated Henry County's RA (Residential Agricultural) zoning district. The future land use designation will remain the equivalent Low Density Residential (LD) designation within the incorporated boundaries of Locust Grove. The Applicant is utilizing the 100% method per O.C.G.A. §36-36-20. The Henry County Board of Commissioners raised no objections to this annexation during their May 2, 2023 meeting.

Recommendation:

The annexation request meets the legal requirements per Georgia Annexation Law O.C.G.A. 36-36-11 and received no objection from the Henry County Board of Commissioners at their May 2, 2023 meeting. Therefore, staff recommends APPROVAL of the applicants request to annex the subject property into the City of Locust Grove with the City of Locust Grove equivalent zoning district of RA (Residential Agricultural) and Future Land Use designation of LD (Low Density Residential).

ORDINANCE NO. _____

AN ORDINANCE TO ANNEX APPROXIMATELY 15.31 +/- ACRES LOCATED ON OLD BETHLEHEM ROAD WEST OF PRICE DRIVE IN LAND LOT 235 OF THE 2ND DISTRICT WITHIN THE CITY OF LOCUST GROVE, GEORGIA; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

WHEREAS, the City of Locust Grove (“City”) is a municipal corporation, duly organized and existing under the laws of the State of Georgia; and,

WHEREAS, The Cubes of Locust Grove, LLC, of Overland, MO, (the “Applicant”) petitioned the City to annex and rezone property located on Old Bethlehem Road west of Price Drive consisting of 15.31 +/- acres (Parcel ID: 111-01015001), located in Land Lot 235 of the 2nd District (the “Property”) attached hereto as **Exhibit A**; and,

WHEREAS, the Applicant filed a request to annex and rezone the subject Property into the City of Locust Grove on April 11, 2023, as shown in the staff report attached hereto and incorporated herein by reference as **Exhibit B**; and,

WHEREAS, The City of Locust Grove provided notice of the annexation to the Henry County Board of Commissioners on April 12, 2023 by certified mail; and,

WHEREAS, the Henry County Board of Commissioners reviewed the Applicant’s request during their May 2, 2023 meeting and raised no objections to said request; and,

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

WHEREAS, the Applicant requested that the Property retain the same zoning in the City (RA: Residential Agricultural) that they had in the County (RA: Residential Agricultural), addressed under a separate action; and,

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

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

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

1.

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

2.

That the use of the Property is subject to:

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

3.

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

4.

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

SO ORDAINED by the Council of this City this 3rd day of July 2023.

ROBERT S. PRICE, Mayor

ATTEST:

MISTY SPURLING, City Clerk

(Seal)

APPROVED AS TO FORM:

City Attorney

EXHIBIT A

SCHOTT & HAMILTON, LLC

1610 Des Peres Road, Suite 385
St. Louis, MO 63131

April 5, 2023

RECEIVED

APR 11 REC'D

Office of the City Manager
City of Locust Grove
3644 Highway 42
Locust Grove, GA 30248

City of Locust Grove


4/11/2023

Re: Application for Annexation

City Manager:

On behalf of The Cubes at Locust Grove, LLC, enclosed is an Application for Annexation. If you have any questions, please reach out to me directly (314) 323-0581, caroline@schotthamilton.com.

Very truly yours,



Caroline Saunders

SCHOTT & HAMILTON, LLC

RECEIVED

APR 11 REC'D

City of Locust Grove

7 8:50



ANNEXATION APPLICATION

The enclosed forms have been compiled for your convenience in cases where land owners desire to annex property into the incorporated city limits of the City of Locust Grove.

All applicants for annexation must complete FORM 1 in its entirety.

--ALSO--

- If you and/or anyone else reside(s) on the property for which you are seeking annexation, please complete FORM 2.
- If no one resides on the property for which you are seeking annexation, please complete FORM 3.

Additional required information:

- A copy of the recorded deed for the subject property.
- A legal description of the subject property.
- A plat of the subject property, prepared by a professional surveyor, licensed in Georgia.

Please submit the above-noted information to the following location:

Office of the City Manager
City of Locust Grove
3644 Highway 42
Locust Grove, GA 30248

For questions regarding the annexation process, please call 770-957-5043

APR 11 REC'D

City of Locust Grove

8:53

THE ONE HUNDRED PERCENT (100%) METHOD

Date of Submission: April 5, 2023

To the Mayor and City Council of the City of Locust Grove, Henry County, Georgia.

1. We, the undersigned, all of the owners of all real property of the territory described herein respectfully request that the City Council annex this territory to the City of Locust Grove, Georgia, and extend the City boundaries to include the same.
2. The territory to be annexed is unincorporated and contiguous (as described in O.C.G.A. 36-36-20) to the existing corporate limits of Locust Grove, Georgia, and the description of such territory is hereto attached as Exhibit A.


OWNERS NAME(S)	The Cubes at Locust Grove, LLC c/o CRG 2199 Innerbelt Business Center Drive Overland, MO 63119 Attn: Carol Martin
PROPERTY LOCATION	Old Bethlehem Road (See Exhibits Attached)
PHONE NUMBER	Carol Martin: (314) 592-2181 Caroline Saunders: (314) 323-0581
LAND LOT/DISTRICT	Land Lot 235 of the 2 nd District of Henry County
MAP CODE NO.	PIN 111-01015001
Acreage	15.31 acres (per Survey attached)
Zoning Classification	Vacant undeveloped Land

All property owners must sign as their name appears on the Deed.

OWNER:

THE CUBES AT LOCUST GROVE, LLC,
a Delaware limited liability company

By: CRG Services Management, LLC, a Missouri
limited liability company, its Manager

By: 
 Name: Lawrence R. Chapman, Jr.
 Title: Vice-President

RECEIVED

APR 11 REC'D

City of Locust Grove

4/11/2021

FORM

APPLICATION FOR ANNEXATION UNDER THE SIXTY PERCENT (60%) METHOD LAND OWNERS ONLY

Date of Submission : April 5, 2023

To the Mayor and City Council of Locust Grove,

Georgia

- 1. We, the undersigned, representing not less than 60 percent of the electors resident in the territory described herein and the owners of not less than 60 percent of the real property within the territory described herein, do respectfully request that the City Council of Locust Grove, Georgia, annex the territory described below to the City of Locust Grove, Georgia, said City having a population of 200 or more persons, and extend the city boundaries to include the same.
2. The territory to be annexed is unincorporated and contiguous (as described in O.C. G. A. 36-36-31) to the existing corporate limits of Locust Grove, Georgia, and the description of such territory is attached as Exhibit A.

Table with 2 columns: Field Name and Description. Fields include OWNERS NAME(S), PROPERTY LOCATION, PHONE NUMBER, LAND LOT/DISTRICT, MAP CODE NO., Acreage, and Zoning Classification.

OWNER:

THE CUBES AT LOCUST GROVE, LLC,

RECEIVED


APR 11 REC'D

City of Locust Grove

a Delaware limited liability company

By: CRG Services Management, LLC, a Missouri
limited liability company, its Manager

8:57

By: 
Name: Lawrence R. Chapman, Jr.
Title: Vice-President

All property owners must sign as their name appears on the Deed.
FORM3

RECEIVED

APR 11 RECD

City of Locust Grove

7 8/57

EXHIBIT A
LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 235 OF THE 2ND DISTRICT OF HENRY COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: TO LOCATE THE POINT OF BEGINNING, COMMENCE AT A POINT LOCATED AT THE INTERSECTION OF THE SOUTHEASTERLY RIGHT-OF-WAY OF OLD BETHLEHEM ROAD (A 60 FOOT RIGHT-OF-WAY) AND THE LINE DIVIDING LAND LOTS 247 AND 234 (BEING THE NORTH LINE OF LAND LOT 234) SAID DISTRICT AND COUNTY; RUNNING THENCE ALONG THE CURVATURE OF THE SOUTHEASTERLY, SOUTHERLY, AND SOUTHWESTERLY RIGHT OF WAY OF OLD BETHLEHEM ROAD THE FOLLOWING COURSES AND DISTANCES: SOUTHWESTERLY ALONG AN ARC WHICH IS SUBTENDED BY A CORD HAVING A CORD BEARING OF SOUTH 78 DEGREES 08 MINUTES 36 SECONDS WEST AND A CORD DISTANCE OF 275.83 FEET, AN ARC DISTANCE OF 277.72 FEET TO A RIGHT-OF-WAY MONUMENT; THENCE SOUTH 89 DEGREES 58 MINUTES 45 SECONDS WEST A DISTANCE OF 42.54 FEET TO A RIGHT-OF-WAY MONUMENT; THENCE NORTH 85 DEGREES 03 MINUTES 05 SECONDS WEST A DISTANCE OF 165.06 FEET TO A POINT; THENCE SOUTH 88 DEGREES 04 MINUTES 57 SECONDS WEST A DISTANCE OF 185.13 FEET TO A POINT; THENCE SOUTH 84 DEGREES 09 MINUTES 44 SECONDS WEST A DISTANCE OF 181.89 FEET TO A POINT; THENCE SOUTH 82 DEGREES 06 MINUTES 01 SECONDS WEST A DISTANCE OF 168.36 FEET TO A POINT; THENCE SOUTH 82 DEGREES 49 MINUTES 32 SECONDS WEST A DISTANCE OF 135.05 FEET TO A POINT; THENCE SOUTH 82 DEGREES 24 MINUTES 03 SECONDS WEST A DISTANCE OF 71.77 FEET TO A POINT ON THE SOUTHEASTERLY RIGHT-OF-WAY OF OLD BETHLEHEM ROAD, SAME BEING THE POINT OF BEGINNING; FROM THE POINT OF BEGINNING AS THUS ESTABLISHED, RUNNING THENCE SOUTH 01 DEGREES 30 MINUTES 46 SECONDS WEST A DISTANCE OF 2,893.50 FEET TO A POINT LOCATED ON THE SOUTHERLY LAND LOT LINE OF LAND LOT 235; RUNNING THENCE NORTH 89 DEGREES 18 MINUTES 19 SECONDS WEST ALONG THE SOUTHERLY LAND LOT LINE OF LAND LOT 235 A DISTANCE OF 380.45 FEET TO A FENCE CORNER; RUNNING THENCE NORTH 01 DEGREES 30 MINUTES 46 SECONDS EAST A DISTANCE OF 2,827.35 FEET TO A POINT LOCATED ON THE SOUTHEASTERLY RIGHT-OF-WAY OF OLD BETHLEHEM ROAD; RUNNING THENCE ALONG THE SAID RIGHT-OF-WAY OF OLD BETHLEHEM ROAD NORTH 79 DEGREES 03 MINUTES 52 SECONDS EAST A DISTANCE OF 83.88 FEET TO A POINT; THENCE CONTINUING ALONG THE RIGHT-OF-WAY OF OLD BETHLEHEM ROAD NORTH 80 DEGREES 28 MINUTES 27 SECONDS EAST A DISTANCE OF 130.09 FEET TO A POINT; THENCE CONTINUING ALONG THE RIGHT-OF-WAY OF OLD BETHLEHEM ROAD NORTH 81 DEGREES 52 MINUTES 09 SECONDS EAST A DISTANCE OF 127.37 FEET TO A POINT; THENCE CONTINUING ALONG THE RIGHT-OF-WAY OF OLD BETHLEHEM ROAD NORTH 82 DEGREES 24 MINUTES 03 SECONDS EAST A DISTANCE OF 45.83 FEET TO THE POINT OF BEGINNING, SAME BEING DESIGNATED AS TRACT A CONSISTING OF 25.00 ACRES AS DELINEATED ON PLAT OF SURVEY BY G. TIM CONKLE, GEORGIA REGISTERED LAND SURVEYOR, DATED JUNE 22, 1987.

LESS AND EXCEPT:

ALL THAT PORTION OF THE ABOVE DESCRIBED PROPERTY WHICH WAS CONDEMNED IN THAT CERTAIN CONDEMNATION PROCEEDING CIVIL ACTION FILE NO. 94-CV-0852 IN THE SUPERIOR COURT OF HENRY COUNTY, GEORGIA, SAME BEING THAT CERTAIN 9.18 ACRES LYING AND BEING IN LAND LOT 235 OF THE 2ND DISTRICT, HENRY COUNTY, GEORGIA RECORDS AS PER PLAT OF SURVEY DATED FEBRUARY 8, 1994 RECORDED IN PLAT BOOK 23, PAGE 92, HENRY COUNTY, GEORGIA RECORDS.

SAID TRACT CONTAINS APPROXIMATELY 15.381 ACRES.

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EXHIBIT B
DEED

City of Locust Grove

9 8:53

RECEIVED

APR 11 REC'D

City of Locust Grove

Handwritten initials and number: JH 8.5?

BK:19234 PG:877-881
Filed and Recorded
Dec-28-2022 08:16 AM
DOC# 2022 - 043114
Real Estate Transfer Tax
Paid: \$ 162.40
0752022013405
SABRIYA HILL
CLERK OF SUPERIOR COURT
HENRY COUNTY, GA
Participant ID: 1983094574

After recording, return to:
Morris, Manning & Martin, LLP
1600 Atlanta Financial Center
3343 Peachtree Road, NE
Atlanta, GA 30326
Attn: Marc. R. Bulson

Property Tax Parcel ID#: 111-01015001

STATE OF GEORGIA

COUNTY OF FULTON

LIMITED WARRANTY DEED

THIS INDENTURE, made effective as of the 21st day of December, 2022, between CRG ACQUISITION, LLC, a Missouri limited liability company (the GRANTOR”), and THE CUBES AT LOCUST GROVE, LLC, a Delaware limited liability company (the “GRANTEE”); “Grantor” and “Grantee” shall include their respective heirs, successors and assigns.

WITNESSETH:

THAT, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) in hand paid and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does hereby grant, bargain, sell, alien, convey and confirm unto Grantee that certain tract or parcel of land lying and being in Henry County, Georgia and being more fully described in Exhibit “A” attached hereto and made a part hereof, together with all improvements located thereon, if any, together with all rights, members and appurtenances in any manner appertaining or belonging to said property (collectively the “PROPERTY”);

TO HAVE AND TO HOLD the Property to the only proper use, benefit and behoof of Grantee forever in fee simple; subject only to real estate taxes and assessments that are unpaid as non-delinquent for the year 2022 and subsequent years, all encumbrances, easements and restrictions of public record, and all matters which would be disclosed by an accurate survey of the Property (hereinafter the “PERMITTED EXCEPTIONS”), and Grantor shall warrant and forever defend the right, title and interest to the Property unto Grantee against the claims of all

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City of Locust Grove

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BK-19234 PG:878

persons claiming by, through or under Grantor, except for claims arising under and by virtue of the Permitted Exceptions.

(Signature Page to Follow)

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City of Locust Grove

9

IN WITNESS WHEREOF, Grantor has executed this Deed under seal on the day and year set forth above.

Signed, sealed and delivered in the presence of:

Courtney Ray
Unofficial Witness Courtney Ray

Carol Martin

Notary Public
My Commission Expires: 3-10-23

[NOTARIAL SEAL]

GRANTOR:

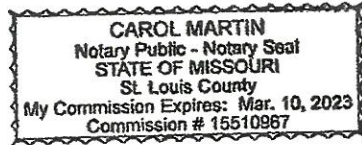
CRG ACQUISITION, LLC,
a Missouri limited liability company

By: CRG Services Management, LLC,
its Manager

By: [Signature]

Name: Christopher P. McKee

Title: Chief Development Officer



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City of Locust Grove

8:53

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Exhibit A

Legal Description

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 235 OF THE 2ND DISTRICT OF HENRY COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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City of Locust Grove

BK:19234 PG:881

AS DELINEATED ON PLAT OF SURVEY BY G. TIM CONKLE, GEORGIA REGISTERED LAND SURVEYOR, DATED JUNE 22, 1987.

LESS AND EXCEPT: ALL THAT PORTION OF THE ABOVE DESCRIBED PROPERTY WHICH WAS CONDEMNED IN THAT CERTAIN CONDEMNATION PROCEEDING CIVIL ACTION FILE NO. 94-CV- 0852 IN THE SUPERIOR COURT OF HENRY COUNTY, GEORGIA, SAME BEING THAT CERTAIN 9.18 ACRES LYING AND BEING IN LAND LOT 235 OF THE 2ND DISTRICT, HENRY COUNTY, GEORGIA RECORDS AS PER PLAT OF SURVEY DATED FEBRUARY 8, 1994 RECORDED IN PLAT BOOK 23, PAGE 92, HENRY COUNTY, GEORGIA RECORDS.

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City of Locust Grove

EXHIBIT C
SURVEY



City of Locust Grove

P.O. Box 900 Locust Grove, Georgia 30248-0900

Telephone (770) 957—5043 Fax: 1-866-364-0996

MAYOR

Robert Price

COUNCIL

Keith Boone

Rudy Breedlove

Carlos Greer

Rod Shearouse

Willie J. Taylor

Vincent Williams

CITY MANAGER

Tim Young

CITY CLERK

Misty Spurling

April 11, 2023

Henry County Board of Commissioners
Attention: Carlotta Harrell, Chair
140 Henry Parkway
McDonough, GA 30253

RE: Annexation of 15.31 +/- acres (Parcel ID: 111-01015001) located on [Old] Bethlehem Road.

Dear Chair Harrell:

The City of Locust Grove has accepted an application on April 11, 2023, for annexation of the following property:

15.31 +/- acres (Parcel ID: 111-01015001) located on [Old] Bethlehem Road. The annexation request is on behalf of The Cubes at Locust Grove, LLC in care of CRG Services Management, LLC.

The subject property will be contiguous to the existing City Limits and is being annexed by the 100% Method with no planned change in zoning other than a classification of the same RA (Residential-Agricultural) zoning district and Future Land Use designation of Low Density Residential in the City of Locust Grove as is equivalent in Henry County.

Utilities will be provided by the Henry County Water Authority per the most recent Service Delivery Strategy agreement with the Henry County Water Authority.

This notice is being provided to you in accordance with Agreement Section 4. H. 4 and O.C.G.A. § 36-36-111 of the acceptance of the application for your consideration and comment.

Should you need any further information on this matter, please feel free to contact me at (770) 957-5043.

Respectfully,

Tim Young, City Manager

Cc: Cheri Hobson-Matthews, County Manager
Nancy Rowan, Henry County Attorney
Andy Welch, City Attorney
Locust Grove City Council
Henry County Water Authority
Henry County Tax Assessors

SCHOTT & HAMILTON, LLC

1610 Des Peres Road, Suite 385
St. Louis, MO 63131

April 5, 2023

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APR 11 REC'D

Office of the City Manager
City of Locust Grove
3644 Highway 42
Locust Grove, GA 30248

City of Locust Grove


4/11/2023

Re: Application for Annexation

City Manager:

On behalf of The Cubes at Locust Grove, LLC, enclosed is an Application for Annexation. If you have any questions, please reach out to me directly (314) 323-0581, caroline@schotthamilton.com.

Very truly yours,



Caroline Saunders

SCHOTT & HAMILTON, LLC

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City of Locust Grove

8:150



ANNEXATION APPLICATION

The enclosed forms have been compiled for your convenience in cases where land owners desire to annex property into the incorporated city limits of the City of Locust Grove.

All applicants for annexation must complete FORM 1 in its entirety.

--ALSO--

- If you and/or anyone else reside(s) on the property for which you are seeking annexation, please complete FORM 2.
- If no one resides on the property for which you are seeking annexation, please complete FORM 3.

Additional required information:

- A copy of the recorded deed for the subject property.
- A legal description of the subject property.
- A plat of the subject property, prepared by a professional surveyor, licensed in Georgia.

Please submit the above-noted information to the following location:

Office of the City Manager
City of Locust Grove
3644 Highway 42
Locust Grove, GA 30248

For questions regarding the annexation process, please call 770-957-5043

8:53

THE ONE HUNDRED PERCENT (100%) METHOD

Date of Submission: April 5, 2023

To the Mayor and City Council of the City of Locust Grove, Henry County, Georgia.

1. We, the undersigned, all of the owners of all real property of the territory described herein respectfully request that the City Council annex this territory to the City of Locust Grove, Georgia, and extend the City boundaries to include the same.
2. The territory to be annexed is unincorporated and contiguous (as described in O.C.G.A. 36-36-20) to the existing corporate limits of Locust Grove, Georgia, and the description of such territory is hereto attached as Exhibit A.


OWNERS NAME(S)	The Cubes at Locust Grove, LLC c/o CRG 2199 Innerbelt Business Center Drive Overland, MO 63119 Attn: Carol Martin
PROPERTY LOCATION	Old Bethlehem Road (See Exhibits Attached)
PHONE NUMBER	Carol Martin: (314) 592-2181 Caroline Saunders: (314) 323-0581
LAND LOT/DISTRICT	Land Lot 235 of the 2 nd District of Henry County
MAP CODE NO.	PIN 111-01015001
Acreage	15.31 acres (per Survey attached)
Zoning Classification	Vacant undeveloped Land

All property owners must sign as their name appears on the Deed.

OWNER:

THE CUBES AT LOCUST GROVE, LLC,
a Delaware limited liability company

By: CRG Services Management, LLC, a Missouri
limited liability company, its Manager

By: 
 Name: Lawrence R. Chapman, Jr.
 Title: Vice-President

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City of Locust Grove

4/11/2021

FORM

APPLICATION FOR ANNEXATION UNDER THE SIXTY PERCENT (60%) METHOD LAND OWNERS ONLY

Date of Submission : April 5, 2023

To the Mayor and City Council of Locust Grove,

Georgia

- 1. We, the undersigned, representing not less than 60 percent of the electors resident in the territory described herein and the owners of not less than 60 percent of the real property within the territory described herein, do respectfully request that the City Council of Locust Grove, Georgia, annex the territory described below to the City of Locust Grove, Georgia, said City having a population of 200 or more persons, and extend the city boundaries to include the same.
2. The territory to be annexed is unincorporated and contiguous (as described in O.C. G. A. 36-36-31) to the existing corporate limits of Locust Grove, Georgia, and the description of such territory is attached as Exhibit A.

Table with 2 columns: Field Name and Description. Fields include OWNERS NAME(S), PROPERTY LOCATION, PHONE NUMBER, LAND LOT/DISTRICT, MAP CODE NO., Acreage, and Zoning Classification.

OWNER:

THE CUBES AT LOCUST GROVE, LLC,

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City of Locust Grove

a Delaware limited liability company

By: CRG Services Management, LLC, a Missouri
limited liability company, its Manager

8:57

By: 

Name: Lawrence R. Chapman, Jr.

Title: Vice-President

All property owners must sign as their name appears on the Deed.

FORM3

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City of Locust Grove

7 8/59

EXHIBIT A
LEGAL DESCRIPTION

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City of Locust Grove

9 8:53

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City of Locust Grove

Handwritten initials and number: JH 8.57

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Atlanta, GA 30326
Attn: Marc. R. Bulson

Property Tax Parcel ID#: 111-01015001

STATE OF GEORGIA

COUNTY OF FULTON

LIMITED WARRANTY DEED

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City of Locust Grove

153

BK-19234 PG:878

persons claiming by, through or under Grantor, except for claims arising under and by virtue of the Permitted Exceptions.

(Signature Page to Follow)

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BK-19234 PG:879

City of Locust Grove

9

IN WITNESS WHEREOF, Grantor has executed this Deed under seal on the day and year set forth above.

Signed, sealed and delivered in the presence of:

Courtney Ray
Unofficial Witness Courtney Ray

Carol Martin

Notary Public
My Commission Expires: 3-10-23

[NOTARIAL SEAL]

GRANTOR:

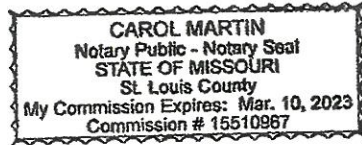
CRG ACQUISITION, LLC,
a Missouri limited liability company

By: CRG Services Management, LLC,
its Manager

By: [Signature]

Name: Christopher P. McKee

Title: Chief Development Officer



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BK:19234 PG:880

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Legal Description

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 235 OF THE 2ND DISTRICT OF HENRY COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO LOCATE THE POINT OF BEGINNING, COMMENCE AT A POINT LOCATED AT THE INTERSECTION OF THE SOUTHEASTERLY RIGHT-OF-WAY OF OLD BETHLEHEM ROAD (A 60 FOOT RIGHT-OF-WAY) AND THE LINE DIVIDING LAND LOTS 247 AND 234 (BEING THE NORTH LINE OF LAND LOT 234) SAID DISTRICT AND COUNTY; RUNNING THENCE ALONG THE CURVATURE OF THE SOUTHEASTERLY, SOUTHERLY, AND SOUTHWESTERLY RIGHT OF WAY OF OLD BETHLEHEM ROAD THE FOLLOWING COURSES AND DISTANCES: SOUTHWESTERLY ALONG AN ARC WHICH IS SUBTENDED BY A CORD HAVING A CORD BEARING OF SOUTH 78 DEGREES 08 MINUTES 36 SECONDS WEST AND A CORD DISTANCE OF 275.83 FEET, AN ARC DISTANCE OF 277.72 FEET TO A RIGHT-OF-WAY MONUMENT; THENCE SOUTH 89 DEGREES 58 MINUTES 45 SECONDS WEST A DISTANCE OF 42.54 FEET TO A RIGHT-OF-WAY MONUMENT; THENCE NORTH 85 DEGREES 03 MINUTES 05 SECONDS WEST A DISTANCE OF 165.06 FEET TO A POINT; THENCE SOUTH 88 DEGREES 04 MINUTES 57 SECONDS WEST A DISTANCE OF 185.13 FEET TO A POINT; THENCE SOUTH 84 DEGREES 09 MINUTES 44 SECONDS WEST A DISTANCE OF 181.89 FEET TO A POINT; THENCE SOUTH 82 DEGREES 06 MINUTES 01 SECONDS WEST A DISTANCE OF 168.36 FEET TO A POINT; THENCE SOUTH 82 DEGREES 49 MINUTES 32 SECONDS WEST A DISTANCE OF 135.05 FEET TO A POINT; THENCE SOUTH 82 DEGREES 24 MINUTES 03 SECONDS WEST A DISTANCE OF 71.77 FEET TO A POINT ON THE SOUTHEASTERLY RIGHT-OF-WAY OF OLD BETHLEHEM ROAD, SAME BEING THE POINT OF BEGINNING; FROM THE POINT OF BEGINNING AS THUS ESTABLISHED, RUNNING THENCE SOUTH 01 DEGREES 30 MINUTES 46 SECONDS WEST A DISTANCE OF 2,893.50 FEET TO A POINT LOCATED ON THE SOUTHERLY LAND LOT LINE OF LAND LOT 235; RUNNING THENCE NORTH 89 DEGREES 18 MINUTES 19 SECONDS WEST ALONG THE SOUTHERLY LAND LOT LINE OF LAND LOT 235 A DISTANCE OF 380.45 FEET TO A FENCE CORNER; RUNNING THENCE NORTH 01 DEGREES 30 MINUTES 46 SECONDS EAST A DISTANCE OF 2,827.35 FEET TO A POINT LOCATED ON THE SOUTHEASTERLY RIGHT-OF-WAY OF OLD BETHLEHEM ROAD; RUNNING THENCE ALONG THE SAID RIGHT-OF-WAY OF OLD BETHLEHEM ROAD NORTH 79 DEGREES 03 MINUTES 52 SECONDS EAST A DISTANCE OF 83.88 FEET TO A POINT; THENCE CONTINUING ALONG THE RIGHT-OF-WAY OF OLD BETHLEHEM ROAD NORTH 80 DEGREES 28 MINUTES 27 SECONDS EAST A DISTANCE OF 130.09 FEET TO A POINT; THENCE CONTINUING ALONG THE RIGHT-OF-WAY OF OLD BETHLEHEM ROAD NORTH 81 DEGREES 52 MINUTES 09 SECONDS EAST A DISTANCE OF 127.37 FEET TO A POINT; THENCE CONTINUING ALONG THE RIGHT-OF-WAY OF OLD BETHLEHEM ROAD NORTH 82 DEGREES 24 MINUTES 03 SECONDS EAST A DISTANCE OF 45.83 FEET TO THE POINT OF BEGINNING, SAME BEING DESIGNATED AS TRACT A CONSISTING OF 25.00 ACRES

RECEIVED

APR 11 REC'D

g
8:53

City of Locust Grove

BK:19234 PG:881

AS DELINEATED ON PLAT OF SURVEY BY G. TIM CONKLE, GEORGIA REGISTERED LAND SURVEYOR, DATED JUNE 22, 1987.

LESS AND EXCEPT: ALL THAT PORTION OF THE ABOVE DESCRIBED PROPERTY WHICH WAS CONDEMNED IN THAT CERTAIN CONDEMNATION PROCEEDING CIVIL ACTION FILE NO. 94-CV- 0852 IN THE SUPERIOR COURT OF HENRY COUNTY, GEORGIA, SAME BEING THAT CERTAIN 9.18 ACRES LYING AND BEING IN LAND LOT 235 OF THE 2ND DISTRICT, HENRY COUNTY, GEORGIA RECORDS AS PER PLAT OF SURVEY DATED FEBRUARY 8, 1994 RECORDED IN PLAT BOOK 23, PAGE 92, HENRY COUNTY, GEORGIA RECORDS.

RECEIVED

APR 11 REC'D

8:57

City of Locust Grove

EXHIBIT C
SURVEY

EXHIBIT B



ANNEXATION EVALUATION REPORT

June 20, 2023

FILE: AX-23-04-01

ANNEXATION

Property Information

Tax ID	111-01015001
Location/address	Land Lot 235 of the 2 nd district/ Price Drive and Old Bethlehem Road
Parcel Size	15.31+/- acres
Current Zoning	RA (County Residential Agricultural) RA (City Residential Agricultural)
Request	Annex RA zoned property from unincorporated Henry County into the City of Locust Grove with an RA zoning
Proposed Use	Future Industrial/ Price Drive realignment
Existing Land Use	Vacant/undeveloped
Future Land Use	County Low Density Residential to City Low Density Residential
Recommendation	Approval

Summary

The Cubes at Locust Grove, LLC has submitted an application requesting annexation of a 15.31 +/- acre tract located on Old Bethlehem Road west of Price Drive (Parcel ID # 111-01015000). The zoning of the subject property will remain RA (Residential Agricultural), which is the City of Locust Grove's equivalent to unincorporated Henry County's RA (Residential Agricultural) zoning district. The future land use designation will remain the equivalent Low Density Residential (LD) designation within the incorporated boundaries of Locust Grove. The Applicant is utilizing the 100% method per O.C.G.A. §36-36-20. The Henry County Board of Commissioners raised no objections to this annexation during their May 2, 2023 meeting.

Service Delivery / Infrastructure

Water and Sewer: According to the City of Locust Grove Public Works Department, the subject property is not currently located within the City's water and sanitary sewer service areas. Water and sanitary sewer service is available within the vicinity via the Henry County Water Authority.



ANNEXATION EVALUATION REPORT

June 20, 2023

FILE: AX-23-04-01

ANNEXATION

Police Services: If the Subject Property is annexed into the city limits, it will be placed on a regular patrol route.

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

Transportation Impacts: There are no discernible increases or changes to transportation patterns in the vicinity because of this annexation request. The applicant intends to develop the subject property in the future as part of an adjacent industrial site. Therefore, if and when future development of the subject property occurs, transportation impacts will be analyzed at that time during the anticipated rezoning process.

Criteria for Evaluation of Annexation 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.** No impacts on the character of the particular area are anticipated as a result of this request given the zoning on the Subject Property is going from RA-County to RA-City as part of an annexation request.
 - (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 continue the current Residential Agricultural uses of the subject property as it transitions from the unincorporated area of Henry County into the city limits of Locust Grove, until such time that 1 year has passed and the applicant proceeds with next steps in rezoning the subject property for future industrial use and expansion of existing/future industrial development along Price Drive.
 - (3) **Consistency with the Land Use Plan.** If the annexation is approved, the City's Future Land Use designation of Low Density Residential (LD) would appropriately match the current rural/ low density character of Bethlehem Road.
 - (4) **The potential impact of the proposed amendment on City infrastructure including water and sewerage systems.** There are no impacts to the City's infrastructure given the subject property will not discontinue the current residential agricultural uses for at a minimum of one year.



ANNEXATION EVALUATION REPORT

June 20, 2023

FILE: AX-23-04-01

ANNEXATION

- (5) **The impact of the proposed amendment on adjacent thoroughfares and pedestrian vehicular circulation and traffic volumes.** No immediate impacts are anticipated from granting this annexation request. However, future development of the subject property and adjacent parcels will likely impact traffic circulation in the area. Upcoming transportation improvements such as the Bethlehem Road Interchange and Price Drive realignment will improve traffic flow and access to I-75 to better accommodate existing and future industrial development in the area. The main use of the subject property being considered for annexation/rezoning is for the future relocation of Price Drive, an overall positive impact.
- (6) **The impact upon adjacent property owners should the request be approved.** Should the annexation request be approved, there are no immediate plans to change the manner in which the subject property is currently utilized. However, the applicant has communicated plans to develop the subject property as part of an adjacent industrial development after one-year post-annexation, which is required per O.C.G.A. 36-36-11. Any development of the subject property in the future will have an impact on adjacent property owners specific to increases in traffic and pedestrian volumes. Future impacts will be identified and evaluated at the time any future rezoning is requested.
- (7) **The ability of the subject land to be developed as it is presently zoned.** Currently, the subject property may be developed into permitted uses granted by the RA (Residential Agricultural) zoning district both in the City and unincorporated County.
- (8) **The physical conditions of the site relative to its capability to be developed as requested, including topography, drainage, access, and size and shape of the property.** There are no known physical conditions or limitations that could preclude the use of the subject property.
- (9) **The merits of the requested change in zoning relative to any other guidelines and policies for development which the Community Development Commission and City Council may use in furthering the objectives of the Land Use Plan.** The merits are consistent with both the City's zoning ordinance, future and existing development patterns in the area as well as future transportation improvements.

Recommendation

The annexation request meets the legal requirements per Georgia Annexation Law O.C.G.A. 36-36-11 and received no objection from the Henry County Board of Commissioners at their May 2, 2023 meeting. Therefore, staff recommends APPROVAL of the applicant's request to annex the subject property into the City of Locust Grove with the City of Locust Grove equivalent zoning district of RA (Residential Agricultural) and Future Land Use designation of Low Density Residential.

EXHIBIT C

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

ORDER CONFIRMATION

Salesperson: DAWN WARD

Printed at 05/23/23 16:43 by dward-tj

Acct #: 238991

Ad #: 346355

Status: New

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

Start: 05/31/2023 Stop: 05/31/2023

Times Ord: 1

Times Run: ***

LEGLV 1.00 X 5.07 Words: 200

Total LEGLV 5.07

Class: 9003 PUBLIC HEARING

Rate: LEGL

Cost: 45.00

Affidavits: 1

Ad Descrpt: HDH1273 GPN16 6/20/23

Descr Cont: HDH1273 GPN16 PUBLIC HEAR

Given by: ANNA WILLIAMS

P.O. #:

Contact:

Phone: (770)957-7055

Fax#:

Email: mspurling@locustgrove-ga.gov

Created: dward 05/23/23 16:35

Agency:

Last Changed: dward 05/23/23 16:42

PUB ZONE EDT TP RUN DATES
HDH A 95 S 05/31

AUTHORIZATION

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

Name (print or type)

Name (signature)

(CONTINUED ON NEXT PAGE)

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

ORDER CONFIRMATION (CONTINUED)

Salesperson: DAWN WARD

Printed at 05/23/23 16:43 by dward-tj

Acct #: 238991

Ad #: 346355

Status: New

Hdh1273
gpn16
Public Hearing Notice
City of Locust Grove
June 20, 2023
6:00 PM
Locust Grove Public
Safety Building
3640 Highway 42 South
Locust Grove, GA 30248

Notice is hereby given as required by Chapter 66 of Title 36 of the Official Code of Georgia Annotated (Zoning Procedures Law) and Section 17.04 of the Code of Ordinances, City of Locust Grove, Georgia, that the Locust Grove City Council, on Tuesday, June 20, 2023, at 6:00 PM, will conduct public hearings for the purpose of the following:

ANNEXATION

AX 23-04-01 The Cubes at Locust Grove, LLC has submitted an application requesting annexation of a 15.31 +/- acre tract (Parcel ID: 111-01015000) in Land Lot 235 of the 2nd District, located on Old Bethlehem Road west of Price Drive. The zoning of the subject property will remain RA (Residential Agricultural), the City of Locust Groves equivalent to unincorporated Henry Countys RA (Residential Agricultural) zoning district. The future land use designation will remain Low-Density Residential within the incorporated boundaries of Locust Grove.

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

Daunté Gibbs
Community Development
Director - City of Locust
Grove
5:31, 2023

AFFIDAVIT OF SIGN POSTING

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

1.

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

2.

The Cubes at Locust Grove, LLC, of Overland, MO has submitted an application for annexation and rezoning of 15.31+/- acres into the City of Locust Grove; Parcel 111-01015001; in Land Lot 235 of the 2nd District.

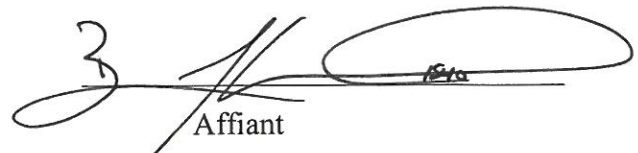
3.

On the 31st day of May 2023, I, Brian Fornal, posted double-sided sign notifications on the subject parcel advertising a public hearing on the above requests to be heard by the Locust Grove City Council on the 20th day of June 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 Exhibits "A" and "B" respectively and incorporated herein by reference. The public hearing signs were posted at the following locations:

- 1. Two double-sided signs posted at 9:25 AM on the south side of Old Bethlehem Road, west of Price Drive, on 5/31/23.

FURTHER AFFIANT SAYETH NOT.

This 1st day of June 2023.


 Affiant

Sworn and subscribed before me
 this 1 st day of June , 2023

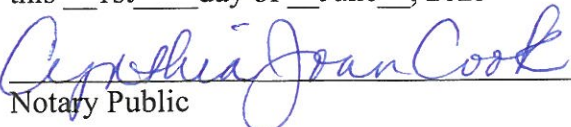

 Notary Public



Exhibit "A"



Exhibit "B"





Community Development Department

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

Item Coversheet

Item: An ordinance to rezone 15.31+/- acres located on Old Bethlehem Road west of Price Drive (Parcel ID - 111-01015001) in Land Lot 235 of the 2nd District from unincorporated Henry County RA (Residential Agricultural) to incorporated City of Locust Grove RA (Residential Agricultural).

Action Item: Yes No

Public Hearing Item: Yes No

Executive Session Item: Yes No

Advertised Date: May 31, 2023

Budget Item: No

Date Received: April 11, 2023

Workshop Date: June 20, 2023

Regular Meeting Date: July 3, 2023

Discussion:

The Cubes at Locust Grove, LLC has submitted an application requesting rezoning of a 15.31 +/- acre tract located on Old Bethlehem Road west of Price Drive (Parcel ID # 111-01015000) from RA (Residential Agricultural) in unincorporated Henry County to RA (Residential Agricultural) in the City of Locust Grove. This rezoning request has been submitted in conjunction with a concurrent request for annexation of the subject property. The Henry County Board of Commissioners raised no objections to this annexation during their May 2, 2023 meeting.

Recommendation:

Staff recommends APPROVAL of the applicants request to rezone the subject property into the City of Locust Grove with the City of Locust Grove equivalent zoning district of RA (Residential Agricultural) and Future Land Use designation of LD (Low Density Residential).

ORDINANCE NO. _____

AN ORDINANCE TO REZONE APPROXIMATELY 15.31+/- ACRES LOCATED ON OLD BETHLEHEM ROAD WEST OF PRICE DRIVE IN LAND LOT 235 OF THE 2ND DISTRICT WITHIN THE CITY OF LOCUST GROVE, GEORGIA; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

WHEREAS, the City of Locust Grove (“City”) is a municipal corporation, duly organized and existing under the laws of the State of Georgia; and,

WHEREAS, The Cubes of Locust Grove, LLC, of Overland, MO, (the “Applicant”) petitioned the City to annex and rezone property located on Old Bethlehem Road west of Price Drive consisting of 15.31 +/- (Parcel ID: 111-01015001) located in Land Lot 235 of the 2nd District (the “Property”) attached hereto as **Exhibit A**; and,

WHEREAS, the Applicant filed a request to annex and rezone the subject Property into the City of Locust Grove on April 11, 2023, as shown in the staff report attached hereto and incorporated herein by reference as **Exhibit B**; and,

WHEREAS, THE City of Locust Grove provided notice of the annexation to the Henry County Board of Commissioners on April 12, 2023 by certified mail; and,

WHEREAS, the Henry County Board of Commissioners reviewed the Applicant’s request during their May 2, 2023 meeting and raised no objections to said request; and,

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

WHEREAS, the Applicant requested that the Property retain the same zoning in the City (RA: Residential Agricultural) that they had in the County (RA: Residential Agricultural), addressed under a separate action; and,

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

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

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

1.

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

2.

That the use of the Property is subject to:

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

3.

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

4.

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

SO ORDAINED by the Council of this City this 3rd day of July 2023.

ROBERT S. PRICE, Mayor

ATTEST:

MISTY SPURLING, City Clerk

(Seal)

APPROVED AS TO FORM:

City Attorney

EXHIBIT A

SCHOTT & HAMILTON, LLC

1610 Des Peres Road, Suite 385
St. Louis, MO 63131

April 5, 2023

RECEIVED

APR 11 REC'D

Office of the City Manager
City of Locust Grove
3644 Highway 42
Locust Grove, GA 30248

City of Locust Grove


4/11/2023

Re: Application for Annexation

City Manager:

On behalf of The Cubes at Locust Grove, LLC, enclosed is an Application for Annexation. If you have any questions, please reach out to me directly (314) 323-0581, caroline@schotthamilton.com.

Very truly yours,



Caroline Saunders

SCHOTT & HAMILTON, LLC

RECEIVED

APR 11 REC'D

City of Locust Grove

8:150



ANNEXATION APPLICATION

The enclosed forms have been compiled for your convenience in cases where land owners desire to annex property into the incorporated city limits of the City of Locust Grove.

All applicants for annexation must complete FORM 1 in its entirety.

--ALSO--

- If you and/or anyone else reside(s) on the property for which you are seeking annexation, please complete FORM 2.
- If no one resides on the property for which you are seeking annexation, please complete FORM 3.

Additional required information:

- A copy of the recorded deed for the subject property.
- A legal description of the subject property.
- A plat of the subject property, prepared by a professional surveyor, licensed in Georgia.

Please submit the above-noted information to the following location:

Office of the City Manager
City of Locust Grove
3644 Highway 42
Locust Grove, GA 30248

For questions regarding the annexation process, please call 770-957-5043

APR 11 REC'D

City of Locust Grove

8:53

THE ONE HUNDRED PERCENT (100%) METHOD

Date of Submission: April 5, 2023

To the Mayor and City Council of the City of Locust Grove, Henry County, Georgia.

1. We, the undersigned, all of the owners of all real property of the territory described herein respectfully request that the City Council annex this territory to the City of Locust Grove, Georgia, and extend the City boundaries to include the same.
2. The territory to be annexed is unincorporated and contiguous (as described in O.C.G.A. 36-36-20) to the existing corporate limits of Locust Grove, Georgia, and the description of such territory is hereto attached as Exhibit A.


OWNERS NAME(S)	The Cubes at Locust Grove, LLC c/o CRG 2199 Innerbelt Business Center Drive Overland, MO 63119 Attn: Carol Martin
PROPERTY LOCATION	Old Bethlehem Road (See Exhibits Attached)
PHONE NUMBER	Carol Martin: (314) 592-2181 Caroline Saunders: (314) 323-0581
LAND LOT/DISTRICT	Land Lot 235 of the 2 nd District of Henry County
MAP CODE NO.	PIN 111-01015001
Acreage	15.31 acres (per Survey attached)
Zoning Classification	Vacant undeveloped Land

All property owners must sign as their name appears on the Deed.

OWNER:

THE CUBES AT LOCUST GROVE, LLC,
a Delaware limited liability company

By: CRG Services Management, LLC, a Missouri
limited liability company, its Manager

By: 
 Name: Lawrence R. Chapman, Jr.
 Title: Vice-President

RECEIVED

APR 11 REC'D

City of Locust Grove

4/11/2021

FORM

APPLICATION FOR ANNEXATION UNDER THE SIXTY PERCENT (60%) METHOD LAND OWNERS ONLY

Date of Submission : April 5, 2023

To the Mayor and City Council of Locust Grove,

Georgia

- 1. We, the undersigned, representing not less than 60 percent of the electors resident in the territory described herein and the owners of not less than 60 percent of the real property within the territory described herein, do respectfully request that the City Council of Locust Grove, Georgia, annex the territory described below to the City of Locust Grove, Georgia, said City having a population of 200 or more persons, and extend the city boundaries to include the same.
2. The territory to be annexed is unincorporated and contiguous (as described in O.C. G. A. 36-36-31) to the existing corporate limits of Locust Grove, Georgia, and the description of such territory is attached as Exhibit A.

Table with 2 columns: Field Name and Description. Fields include OWNERS NAME(S), PROPERTY LOCATION, PHONE NUMBER, LAND LOT/DISTRICT, MAP CODE NO., Acreage, and Zoning Classification.

OWNER:

THE CUBES AT LOCUST GROVE, LLC,

RECEIVED


APR 11 REC'D

City of Locust Grove

a Delaware limited liability company

By: CRG Services Management, LLC, a Missouri
limited liability company, its Manager

8:57

By: 
Name: Lawrence R. Chapman, Jr.
Title: Vice-President

All property owners must sign as their name appears on the Deed.
FORM3

RECEIVED

APR 11 RECD

City of Locust Grove

7/8/57

EXHIBIT A
LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 235 OF THE 2ND DISTRICT OF HENRY COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: TO LOCATE THE POINT OF BEGINNING, COMMENCE AT A POINT LOCATED AT THE INTERSECTION OF THE SOUTHEASTERLY RIGHT-OF-WAY OF OLD BETHLEHEM ROAD (A 60 FOOT RIGHT-OF-WAY) AND THE LINE DIVIDING LAND LOTS 247 AND 234 (BEING THE NORTH LINE OF LAND LOT 234) SAID DISTRICT AND COUNTY; RUNNING THENCE ALONG THE CURVATURE OF THE SOUTHEASTERLY, SOUTHERLY, AND SOUTHWESTERLY RIGHT OF WAY OF OLD BETHLEHEM ROAD THE FOLLOWING COURSES AND DISTANCES: SOUTHWESTERLY ALONG AN ARC WHICH IS SUBTENDED BY A CORD HAVING A CORD BEARING OF SOUTH 78 DEGREES 08 MINUTES 36 SECONDS WEST AND A CORD DISTANCE OF 275.83 FEET, AN ARC DISTANCE OF 277.72 FEET TO A RIGHT-OF-WAY MONUMENT; THENCE SOUTH 89 DEGREES 58 MINUTES 45 SECONDS WEST A DISTANCE OF 42.54 FEET TO A RIGHT-OF-WAY MONUMENT; THENCE NORTH 85 DEGREES 03 MINUTES 05 SECONDS WEST A DISTANCE OF 165.06 FEET TO A POINT; THENCE SOUTH 88 DEGREES 04 MINUTES 57 SECONDS WEST A DISTANCE OF 185.13 FEET TO A POINT; THENCE SOUTH 84 DEGREES 09 MINUTES 44 SECONDS WEST A DISTANCE OF 181.89 FEET TO A POINT; THENCE SOUTH 82 DEGREES 06 MINUTES 01 SECONDS WEST A DISTANCE OF 168.36 FEET TO A POINT; THENCE SOUTH 82 DEGREES 49 MINUTES 32 SECONDS WEST A DISTANCE OF 135.05 FEET TO A POINT; THENCE SOUTH 82 DEGREES 24 MINUTES 03 SECONDS WEST A DISTANCE OF 71.77 FEET TO A POINT ON THE SOUTHEASTERLY RIGHT-OF-WAY OF OLD BETHLEHEM ROAD, SAME BEING THE POINT OF BEGINNING; FROM THE POINT OF BEGINNING AS THUS ESTABLISHED, RUNNING THENCE SOUTH 01 DEGREES 30 MINUTES 46 SECONDS WEST A DISTANCE OF 2,893.50 FEET TO A POINT LOCATED ON THE SOUTHERLY LAND LOT LINE OF LAND LOT 235; RUNNING THENCE NORTH 89 DEGREES 18 MINUTES 19 SECONDS WEST ALONG THE SOUTHERLY LAND LOT LINE OF LAND LOT 235 A DISTANCE OF 380.45 FEET TO A FENCE CORNER; RUNNING THENCE NORTH 01 DEGREES 30 MINUTES 46 SECONDS EAST A DISTANCE OF 2,827.35 FEET TO A POINT LOCATED ON THE SOUTHEASTERLY RIGHT-OF-WAY OF OLD BETHLEHEM ROAD; RUNNING THENCE ALONG THE SAID RIGHT-OF-WAY OF OLD BETHLEHEM ROAD NORTH 79 DEGREES 03 MINUTES 52 SECONDS EAST A DISTANCE OF 83.88 FEET TO A POINT; THENCE CONTINUING ALONG THE RIGHT-OF-WAY OF OLD BETHLEHEM ROAD NORTH 80 DEGREES 28 MINUTES 27 SECONDS EAST A DISTANCE OF 130.09 FEET TO A POINT; THENCE CONTINUING ALONG THE RIGHT-OF-WAY OF OLD BETHLEHEM ROAD NORTH 81 DEGREES 52 MINUTES 09 SECONDS EAST A DISTANCE OF 127.37 FEET TO A POINT; THENCE CONTINUING ALONG THE RIGHT-OF-WAY OF OLD BETHLEHEM ROAD NORTH 82 DEGREES 24 MINUTES 03 SECONDS EAST A DISTANCE OF 45.83 FEET TO THE POINT OF BEGINNING, SAME BEING DESIGNATED AS TRACT A CONSISTING OF 25.00 ACRES AS DELINEATED ON PLAT OF SURVEY BY G. TIM CONKLE, GEORGIA REGISTERED LAND SURVEYOR, DATED JUNE 22, 1987.

LESS AND EXCEPT:

ALL THAT PORTION OF THE ABOVE DESCRIBED PROPERTY WHICH WAS CONDEMNED IN THAT CERTAIN CONDEMNATION PROCEEDING CIVIL ACTION FILE NO. 94-CV-0852 IN THE SUPERIOR COURT OF HENRY COUNTY, GEORGIA, SAME BEING THAT CERTAIN 9.18 ACRES LYING AND BEING IN LAND LOT 235 OF THE 2ND DISTRICT, HENRY COUNTY, GEORGIA RECORDS AS PER PLAT OF SURVEY DATED FEBRUARY 8, 1994 RECORDED IN PLAT BOOK 23, PAGE 92, HENRY COUNTY, GEORGIA RECORDS.

SAID TRACT CONTAINS APPROXIMATELY 15.381 ACRES.

RECEIVED

APR 11 REC'D

EXHIBIT B
DEED

City of Locust Grove

9 8:53

RECEIVED

APR 11 REC'D

City of Locust Grove

Handwritten initials and number: JH 8.57

BK:19234 PG:877-881
Filed and Recorded
Dec-28-2022 08:16 AM
DOC# 2022 - 043114
Real Estate Transfer Tax
Paid: \$ 162.40
0752022013405
SABRIYA HILL
CLERK OF SUPERIOR COURT
HENRY COUNTY, GA
Participant ID: 1983094574

After recording, return to:
Morris, Manning & Martin, LLP
1600 Atlanta Financial Center
3343 Peachtree Road, NE
Atlanta, GA 30326
Attn: Marc. R. Bulson

Property Tax Parcel ID#: 111-01015001

STATE OF GEORGIA

COUNTY OF FULTON

LIMITED WARRANTY DEED

THIS INDENTURE, made effective as of the 21st day of December, 2022, between CRG ACQUISITION, LLC, a Missouri limited liability company (the GRANTOR”), and THE CUBES AT LOCUST GROVE, LLC, a Delaware limited liability company (the “GRANTEE”); “Grantor” and “Grantee” shall include their respective heirs, successors and assigns.

WITNESSETH:

THAT, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) in hand paid and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does hereby grant, bargain, sell, alien, convey and confirm unto Grantee that certain tract or parcel of land lying and being in Henry County, Georgia and being more fully described in Exhibit “A” attached hereto and made a part hereof, together with all improvements located thereon, if any, together with all rights, members and appurtenances in any manner appertaining or belonging to said property (collectively the “PROPERTY”);

TO HAVE AND TO HOLD the Property to the only proper use, benefit and behoof of Grantee forever in fee simple; subject only to real estate taxes and assessments that are unpaid as non-delinquent for the year 2022 and subsequent years, all encumbrances, easements and restrictions of public record, and all matters which would be disclosed by an accurate survey of the Property (hereinafter the “PERMITTED EXCEPTIONS”), and Grantor shall warrant and forever defend the right, title and interest to the Property unto Grantee against the claims of all

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persons claiming by, through or under Grantor, except for claims arising under and by virtue of the Permitted Exceptions.

(Signature Page to Follow)

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City of Locust Grove

9

IN WITNESS WHEREOF, Grantor has executed this Deed under seal on the day and year set forth above.

Signed, sealed and delivered in the presence of:

Courtney Ray
Unofficial Witness Courtney Ray

Carol Martin

Notary Public
My Commission Expires: 3-10-23

[NOTARIAL SEAL]

GRANTOR:

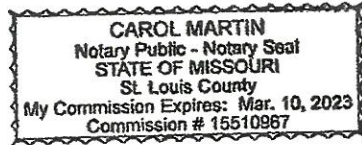
CRG ACQUISITION, LLC,
a Missouri limited liability company

By: CRG Services Management, LLC,
its Manager

By: [Signature]

Name: Christopher P. McKee

Title: Chief Development Officer



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Exhibit A

Legal Description

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 235 OF THE 2ND DISTRICT OF HENRY COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO LOCATE THE POINT OF BEGINNING, COMMENCE AT A POINT LOCATED AT THE INTERSECTION OF THE SOUTHEASTERLY RIGHT-OF-WAY OF OLD BETHLEHEM ROAD (A 60 FOOT RIGHT-OF-WAY) AND THE LINE DIVIDING LAND LOTS 247 AND 234 (BEING THE NORTH LINE OF LAND LOT 234) SAID DISTRICT AND COUNTY; RUNNING THENCE ALONG THE CURVATURE OF THE SOUTHEASTERLY, SOUTHERLY, AND SOUTHWESTERLY RIGHT OF WAY OF OLD BETHLEHEM ROAD THE FOLLOWING COURSES AND DISTANCES: SOUTHWESTERLY ALONG AN ARC WHICH IS SUBTENDED BY A CORD HAVING A CORD BEARING OF SOUTH 78 DEGREES 08 MINUTES 36 SECONDS WEST AND A CORD DISTANCE OF 275.83 FEET, AN ARC DISTANCE OF 277.72 FEET TO A RIGHT-OF-WAY MONUMENT; THENCE SOUTH 89 DEGREES 58 MINUTES 45 SECONDS WEST A DISTANCE OF 42.54 FEET TO A RIGHT-OF-WAY MONUMENT; THENCE NORTH 85 DEGREES 03 MINUTES 05 SECONDS WEST A DISTANCE OF 165.06 FEET TO A POINT; THENCE SOUTH 88 DEGREES 04 MINUTES 57 SECONDS WEST A DISTANCE OF 185.13 FEET TO A POINT; THENCE SOUTH 84 DEGREES 09 MINUTES 44 SECONDS WEST A DISTANCE OF 181.89 FEET TO A POINT; THENCE SOUTH 82 DEGREES 06 MINUTES 01 SECONDS WEST A DISTANCE OF 168.36 FEET TO A POINT; THENCE SOUTH 82 DEGREES 49 MINUTES 32 SECONDS WEST A DISTANCE OF 135.05 FEET TO A POINT; THENCE SOUTH 82 DEGREES 24 MINUTES 03 SECONDS WEST A DISTANCE OF 71.77 FEET TO A POINT ON THE SOUTHEASTERLY RIGHT-OF-WAY OF OLD BETHLEHEM ROAD, SAME BEING THE POINT OF BEGINNING; FROM THE POINT OF BEGINNING AS THUS ESTABLISHED, RUNNING THENCE SOUTH 01 DEGREES 30 MINUTES 46 SECONDS WEST A DISTANCE OF 2,893.50 FEET TO A POINT LOCATED ON THE SOUTHERLY LAND LOT LINE OF LAND LOT 235; RUNNING THENCE NORTH 89 DEGREES 18 MINUTES 19 SECONDS WEST ALONG THE SOUTHERLY LAND LOT LINE OF LAND LOT 235 A DISTANCE OF 380.45 FEET TO A FENCE CORNER; RUNNING THENCE NORTH 01 DEGREES 30 MINUTES 46 SECONDS EAST A DISTANCE OF 2,827.35 FEET TO A POINT LOCATED ON THE SOUTHEASTERLY RIGHT-OF-WAY OF OLD BETHLEHEM ROAD; RUNNING THENCE ALONG THE SAID RIGHT-OF-WAY OF OLD BETHLEHEM ROAD NORTH 79 DEGREES 03 MINUTES 52 SECONDS EAST A DISTANCE OF 83.88 FEET TO A POINT; THENCE CONTINUING ALONG THE RIGHT-OF-WAY OF OLD BETHLEHEM ROAD NORTH 80 DEGREES 28 MINUTES 27 SECONDS EAST A DISTANCE OF 130.09 FEET TO A POINT; THENCE CONTINUING ALONG THE RIGHT-OF-WAY OF OLD BETHLEHEM ROAD NORTH 81 DEGREES 52 MINUTES 09 SECONDS EAST A DISTANCE OF 127.37 FEET TO A POINT; THENCE CONTINUING ALONG THE RIGHT-OF-WAY OF OLD BETHLEHEM ROAD NORTH 82 DEGREES 24 MINUTES 03 SECONDS EAST A DISTANCE OF 45.83 FEET TO THE POINT OF BEGINNING, SAME BEING DESIGNATED AS TRACT A CONSISTING OF 25.00 ACRES

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City of Locust Grove

BK:19234 PG:881

AS DELINEATED ON PLAT OF SURVEY BY G. TIM CONKLE, GEORGIA REGISTERED LAND SURVEYOR, DATED JUNE 22, 1987.

LESS AND EXCEPT: ALL THAT PORTION OF THE ABOVE DESCRIBED PROPERTY WHICH WAS CONDEMNED IN THAT CERTAIN CONDEMNATION PROCEEDING CIVIL ACTION FILE NO. 94-CV- 0852 IN THE SUPERIOR COURT OF HENRY COUNTY, GEORGIA, SAME BEING THAT CERTAIN 9.18 ACRES LYING AND BEING IN LAND LOT 235 OF THE 2ND DISTRICT, HENRY COUNTY, GEORGIA RECORDS AS PER PLAT OF SURVEY DATED FEBRUARY 8, 1994 RECORDED IN PLAT BOOK 23, PAGE 92, HENRY COUNTY, GEORGIA RECORDS.

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City of Locust Grove

EXHIBIT C
SURVEY

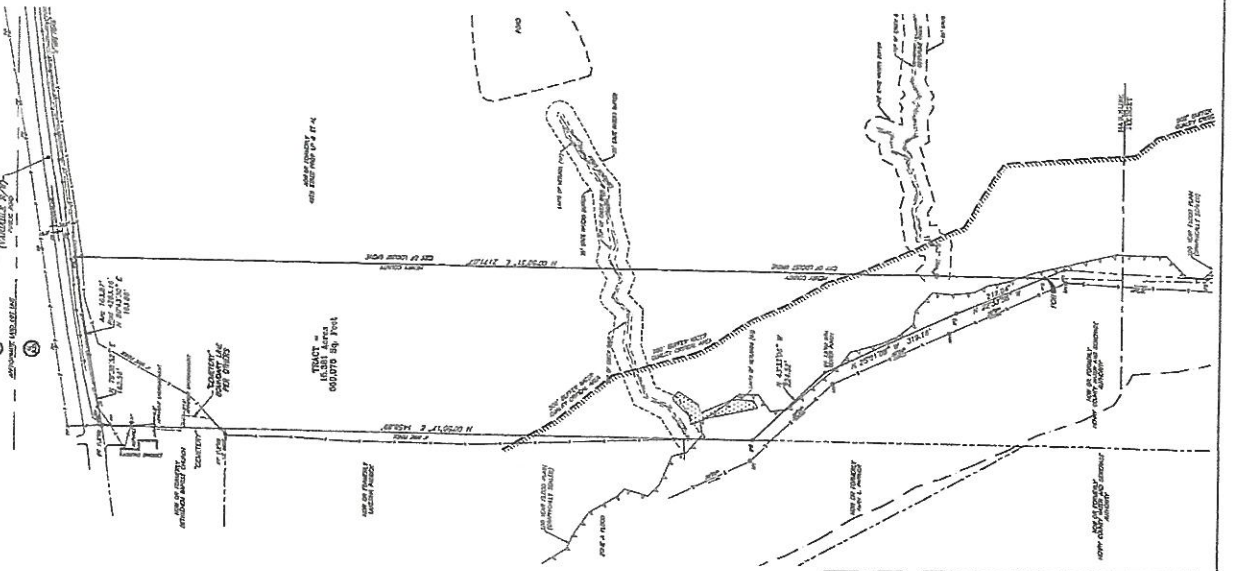
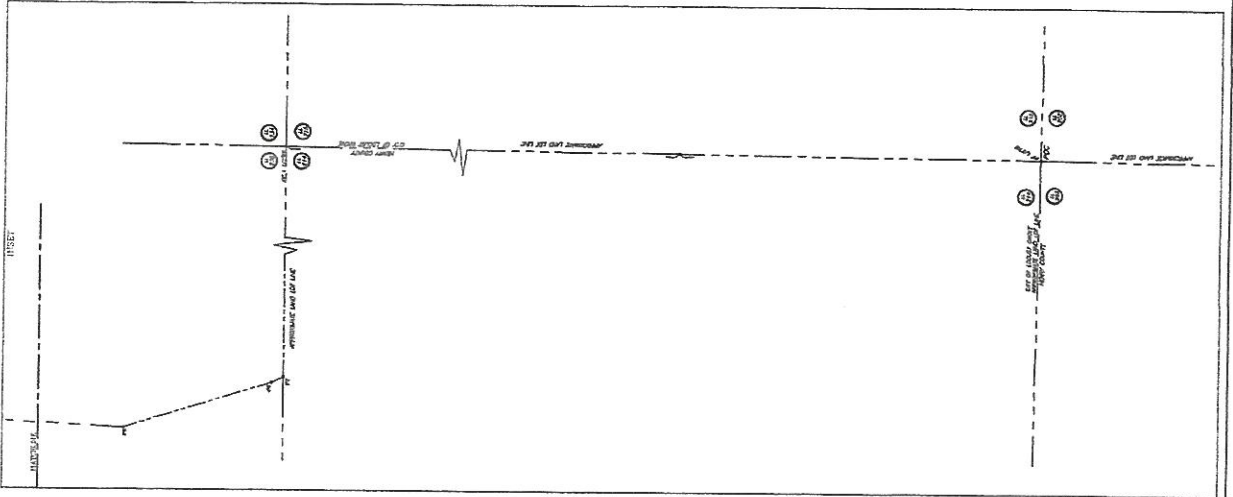
NO.	REVISION	DATE

BOUNDARY SURVEY
 FOR
 CLAYCO
 LAND TRACTS AND DISTRICT
 HADLEY COUNTY, GEORGIA

DRAFT 3-26-18
 1
 SHEET 1 OF 1
 DATE: 3-13-18
 CSD: 18025
 BY: PMW

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 City of Locust Grove
 8.53

COMPANY SURVEY
 This survey was prepared in compliance with the Professional Surveying Act of 1982, Georgia Code Title 43, Chapter 62-2. The Surveyor's Seal and Signature are required by law to be on all copies of this survey. The original of this survey is the only one that is valid. All other copies are void. The Surveyor is not responsible for the accuracy of the information provided on this survey.



LEGEND

[Symbol]	EXISTING CONCRETE DRIVE
[Symbol]	EXISTING ASPHALT DRIVE
[Symbol]	EXISTING GRASS DRIVE
[Symbol]	EXISTING DIRT DRIVE
[Symbol]	EXISTING SIDEWALK
[Symbol]	EXISTING CURB
[Symbol]	EXISTING FENCE
[Symbol]	EXISTING UTILITY LINE
[Symbol]	EXISTING EASEMENT
[Symbol]	EXISTING RIGHT-OF-WAY
[Symbol]	EXISTING ROAD
[Symbol]	EXISTING RAILROAD
[Symbol]	EXISTING WATERWAY
[Symbol]	EXISTING WOODS
[Symbol]	EXISTING CLEARING
[Symbol]	EXISTING CONCRETE FOUNDATION
[Symbol]	EXISTING BRICK FOUNDATION
[Symbol]	EXISTING BLOCK FOUNDATION
[Symbol]	EXISTING SLAB FOUNDATION
[Symbol]	EXISTING POST AND RAIL FOUNDATION
[Symbol]	EXISTING CONCRETE PIER
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[Symbol]	EXISTING BLOCK WALL
[Symbol]	EXISTING SLAB WALL
[Symbol]	EXISTING POST AND RAIL WALL



RECORDED AND RETURNED TO THE COUNTY CLERK'S OFFICE, HADLEY COUNTY, GEORGIA, ON APRIL 11, 2018, PURSUANT TO O.C.G.A. § 44-5-120.
 THE ORIGINAL OF THIS SURVEY WAS FILED IN THE PUBLIC RECORDS OF HADLEY COUNTY, GEORGIA, ON APRIL 11, 2018, PURSUANT TO O.C.G.A. § 44-5-120.
 THE ORIGINAL OF THIS SURVEY WAS FILED IN THE PUBLIC RECORDS OF HADLEY COUNTY, GEORGIA, ON APRIL 11, 2018, PURSUANT TO O.C.G.A. § 44-5-120.
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 THE ORIGINAL OF THIS SURVEY WAS FILED IN THE PUBLIC RECORDS OF HADLEY COUNTY, GEORGIA, ON APRIL 11, 2018, PURSUANT TO O.C.G.A. § 44-5-120.



City of Locust Grove

P.O. Box 900 Locust Grove, Georgia 30248-0900

Telephone (770) 957—5043 Fax: 1-866-364-0996

MAYOR

Robert Price

COUNCIL

Keith Boone

Rudy Breedlove

Carlos Greer

Rod Shearouse

Willie J. Taylor

Vincent Williams

CITY MANAGER

Tim Young

CITY CLERK

Misty Spurling

April 11, 2023

Henry County Board of Commissioners
Attention: Carlotta Harrell, Chair
140 Henry Parkway
McDonough, GA 30253

RE: Annexation of 15.31 +/- acres (Parcel ID: 111-01015001) located on [Old] Bethlehem Road.

Dear Chair Harrell:

The City of Locust Grove has accepted an application on April 11, 2023, for annexation of the following property:

15.31 +/- acres (Parcel ID: 111-01015001) located on [Old] Bethlehem Road. The annexation request is on behalf of The Cubes at Locust Grove, LLC in care of CRG Services Management, LLC.

The subject property will be contiguous to the existing City Limits and is being annexed by the 100% Method with no planned change in zoning other than a classification of the same RA (Residential-Agricultural) zoning district and Future Land Use designation of Low Density Residential in the City of Locust Grove as is equivalent in Henry County.

Utilities will be provided by the Henry County Water Authority per the most recent Service Delivery Strategy agreement with the Henry County Water Authority.

This notice is being provided to you in accordance with Agreement Section 4. H. 4 and O.C.G.A. § 36-36-111 of the acceptance of the application for your consideration and comment.

Should you need any further information on this matter, please feel free to contact me at (770) 957-5043.

Respectfully,

Tim Young, City Manager

Cc: Cheri Hobson-Matthews, County Manager
Nancy Rowan, Henry County Attorney
Andy Welch, City Attorney
Locust Grove City Council
Henry County Water Authority
Henry County Tax Assessors

SCHOTT & HAMILTON, LLC

1610 Des Peres Road, Suite 385
St. Louis, MO 63131

April 5, 2023

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Office of the City Manager
City of Locust Grove
3644 Highway 42
Locust Grove, GA 30248

City of Locust Grove


4/11/2023

Re: Application for Annexation

City Manager:

On behalf of The Cubes at Locust Grove, LLC, enclosed is an Application for Annexation. If you have any questions, please reach out to me directly (314) 323-0581, caroline@schotthamilton.com.

Very truly yours,



Caroline Saunders

SCHOTT & HAMILTON, LLC

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City of Locust Grove

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ANNEXATION APPLICATION

The enclosed forms have been compiled for your convenience in cases where land owners desire to annex property into the incorporated city limits of the City of Locust Grove.

All applicants for annexation must complete FORM 1 in its entirety.

--ALSO--

- If you and/or anyone else reside(s) on the property for which you are seeking annexation, please complete FORM 2.
- If no one resides on the property for which you are seeking annexation, please complete FORM 3.

Additional required information:

- A copy of the recorded deed for the subject property.
- A legal description of the subject property.
- A plat of the subject property, prepared by a professional surveyor, licensed in Georgia.

Please submit the above-noted information to the following location:

Office of the City Manager
City of Locust Grove
3644 Highway 42
Locust Grove, GA 30248

For questions regarding the annexation process, please call 770-957-5043

8:53

THE ONE HUNDRED PERCENT (100%) METHOD

Date of Submission: April 5, 2023

To the Mayor and City Council of the City of Locust Grove, Henry County, Georgia.

1. We, the undersigned, all of the owners of all real property of the territory described herein respectfully request that the City Council annex this territory to the City of Locust Grove, Georgia, and extend the City boundaries to include the same.
2. The territory to be annexed is unincorporated and contiguous (as described in O.C.G.A. 36-36-20) to the existing corporate limits of Locust Grove, Georgia, and the description of such territory is hereto attached as Exhibit A.


OWNERS NAME(S)	The Cubes at Locust Grove, LLC c/o CRG 2199 Innerbelt Business Center Drive Overland, MO 63119 Attn: Carol Martin
PROPERTY LOCATION	Old Bethlehem Road (See Exhibits Attached)
PHONE NUMBER	Carol Martin: (314) 592-2181 Caroline Saunders: (314) 323-0581
LAND LOT/DISTRICT	Land Lot 235 of the 2 nd District of Henry County
MAP CODE NO.	PIN 111-01015001
Acreage	15.31 acres (per Survey attached)
Zoning Classification	Vacant undeveloped Land

All property owners must sign as their name appears on the Deed.

OWNER:

THE CUBES AT LOCUST GROVE, LLC,
a Delaware limited liability company

By: CRG Services Management, LLC, a Missouri
limited liability company, its Manager

By: 
 Name: Lawrence R. Chapman, Jr.
 Title: Vice-President

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APR 11 REC'D

City of Locust Grove

4/11/2021

FORM

APPLICATION FOR ANNEXATION UNDER THE SIXTY PERCENT (60%) METHOD LAND OWNERS ONLY

Date of Submission : April 5, 2023

To the Mayor and City Council of Locust Grove,

Georgia

- 1. We, the undersigned, representing not less than 60 percent of the electors resident in the territory described herein and the owners of not less than 60 percent of the real property within the territory described herein, do respectfully request that the City Council of Locust Grove, Georgia, annex the territory described below to the City of Locust Grove, Georgia, said City having a population of 200 or more persons, and extend the city boundaries to include the same.
2. The territory to be annexed is unincorporated and contiguous (as described in O.C. G. A. 36-36-31) to the existing corporate limits of Locust Grove, Georgia, and the description of such territory is attached as Exhibit A.

Table with 2 columns: Field Name and Description. Fields include OWNERS NAME(S), PROPERTY LOCATION, PHONE NUMBER, LAND LOT/DISTRICT, MAP CODE NO., Acreage, and Zoning Classification.

OWNER:

THE CUBES AT LOCUST GROVE, LLC,

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City of Locust Grove

a Delaware limited liability company

By: CRG Services Management, LLC, a Missouri
limited liability company, its Manager

8:57

By: 
Name: Lawrence R. Chapman, Jr.
Title: Vice-President

All property owners must sign as their name appears on the Deed.
FORM3

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APR 11 1994

City of Locust Grove

7 8/59

EXHIBIT A
LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 235 OF THE 2ND DISTRICT OF HENRY COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: TO LOCATE THE POINT OF BEGINNING, COMMENCE AT A POINT LOCATED AT THE INTERSECTION OF THE SOUTHEASTERLY RIGHT-OF-WAY OF OLD BETHLEHEM ROAD (A 60 FOOT RIGHT-OF-WAY) AND THE LINE DIVIDING LAND LOTS 247 AND 234 (BEING THE NORTH LINE OF LAND LOT 234) SAID DISTRICT AND COUNTY; RUNNING THENCE ALONG THE CURVATURE OF THE SOUTHEASTERLY, SOUTHERLY, AND SOUTHWESTERLY RIGHT OF WAY OF OLD BETHLEHEM ROAD THE FOLLOWING COURSES AND DISTANCES: SOUTHWESTERLY ALONG AN ARC WHICH IS SUBTENDED BY A CORD HAVING A CORD BEARING OF SOUTH 78 DEGREES 08 MINUTES 36 SECONDS WEST AND A CORD DISTANCE OF 275.83 FEET, AN ARC DISTANCE OF 277.72 FEET TO A RIGHT-OF-WAY MONUMENT; THENCE SOUTH 89 DEGREES 58 MINUTES 45 SECONDS WEST A DISTANCE OF 42.54 FEET TO A RIGHT-OF-WAY MONUMENT; THENCE NORTH 85 DEGREES 03 MINUTES 05 SECONDS WEST A DISTANCE OF 165.06 FEET TO A POINT; THENCE SOUTH 88 DEGREES 04 MINUTES 57 SECONDS WEST A DISTANCE OF 185.13 FEET TO A POINT; THENCE SOUTH 84 DEGREES 09 MINUTES 44 SECONDS WEST A DISTANCE OF 181.89 FEET TO A POINT; THENCE SOUTH 82 DEGREES 06 MINUTES 01 SECONDS WEST A DISTANCE OF 168.36 FEET TO A POINT; THENCE SOUTH 82 DEGREES 49 MINUTES 32 SECONDS WEST A DISTANCE OF 135.05 FEET TO A POINT; THENCE SOUTH 82 DEGREES 24 MINUTES 03 SECONDS WEST A DISTANCE OF 71.77 FEET TO A POINT ON THE SOUTHEASTERLY RIGHT-OF-WAY OF OLD BETHLEHEM ROAD, SAME BEING THE POINT OF BEGINNING; FROM THE POINT OF BEGINNING AS THUS ESTABLISHED, RUNNING THENCE SOUTH 01 DEGREES 30 MINUTES 46 SECONDS WEST A DISTANCE OF 2,893.50 FEET TO A POINT LOCATED ON THE SOUTHERLY LAND LOT LINE OF LAND LOT 235; RUNNING THENCE NORTH 89 DEGREES 18 MINUTES 19 SECONDS WEST ALONG THE SOUTHERLY LAND LOT LINE OF LAND LOT 235 A DISTANCE OF 380.45 FEET TO A FENCE CORNER; RUNNING THENCE NORTH 01 DEGREES 30 MINUTES 46 SECONDS EAST A DISTANCE OF 2,827.35 FEET TO A POINT LOCATED ON THE SOUTHEASTERLY RIGHT-OF-WAY OF OLD BETHLEHEM ROAD; RUNNING THENCE ALONG THE SAID RIGHT-OF-WAY OF OLD BETHLEHEM ROAD NORTH 79 DEGREES 03 MINUTES 52 SECONDS EAST A DISTANCE OF 83.88 FEET TO A POINT; THENCE CONTINUING ALONG THE RIGHT-OF-WAY OF OLD BETHLEHEM ROAD NORTH 80 DEGREES 28 MINUTES 27 SECONDS EAST A DISTANCE OF 130.09 FEET TO A POINT; THENCE CONTINUING ALONG THE RIGHT-OF-WAY OF OLD BETHLEHEM ROAD NORTH 81 DEGREES 52 MINUTES 09 SECONDS EAST A DISTANCE OF 127.37 FEET TO A POINT; THENCE CONTINUING ALONG THE RIGHT-OF-WAY OF OLD BETHLEHEM ROAD NORTH 82 DEGREES 24 MINUTES 03 SECONDS EAST A DISTANCE OF 45.83 FEET TO THE POINT OF BEGINNING, SAME BEING DESIGNATED AS TRACT A CONSISTING OF 25.00 ACRES AS DELINEATED ON PLAT OF SURVEY BY G. TIM CONKLE, GEORGIA REGISTERED LAND SURVEYOR, DATED JUNE 22, 1987.

LESS AND EXCEPT:

ALL THAT PORTION OF THE ABOVE DESCRIBED PROPERTY WHICH WAS CONDEMNED IN THAT CERTAIN CONDEMNATION PROCEEDING CIVIL ACTION FILE NO. 94-CV-0852 IN THE SUPERIOR COURT OF HENRY COUNTY, GEORGIA, SAME BEING THAT CERTAIN 9.18 ACRES LYING AND BEING IN LAND LOT 235 OF THE 2ND DISTRICT, HENRY COUNTY, GEORGIA RECORDS AS PER PLAT OF SURVEY DATED FEBRUARY 8, 1994 RECORDED IN PLAT BOOK 23, PAGE 92, HENRY COUNTY, GEORGIA RECORDS.

SAID TRACT CONTAINS APPROXIMATELY 15.381 ACRES.

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EXHIBIT B
DEED

City of Locust Grove

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City of Locust Grove

Handwritten initials and number: "J" and "8.57"

BK:19234 PG:877-881
Filed and Recorded
Dec-28-2022 08:16 AM
DOC# 2022 - 043114
Real Estate Transfer Tax
Paid: \$ 162.40
0752022013405
SABRIYA HILL
CLERK OF SUPERIOR COURT
HENRY COUNTY, GA
Participant ID: 1983094574

After recording, return to:
Morris, Manning & Martin, LLP
1600 Atlanta Financial Center
3343 Peachtree Road, NE
Atlanta, GA 30326
Attn: Marc. R. Bulson

Property Tax Parcel ID#: 111-01015001

STATE OF GEORGIA

COUNTY OF FULTON

LIMITED WARRANTY DEED

THIS INDENTURE, made effective as of the 21st day of December, 2022, between CRG ACQUISITION, LLC, a Missouri limited liability company (the GRANTOR”), and THE CUBES AT LOCUST GROVE, LLC, a Delaware limited liability company (the “GRANTEE”); “Grantor” and “Grantee” shall include their respective heirs, successors and assigns.

WITNESSETH:

THAT, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) in hand paid and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does hereby grant, bargain, sell, alien, convey and confirm unto Grantee that certain tract or parcel of land lying and being in Henry County, Georgia and being more fully described in Exhibit “A” attached hereto and made a part hereof, together with all improvements located thereon, if any, together with all rights, members and appurtenances in any manner appertaining or belonging to said property (collectively the “PROPERTY”);

TO HAVE AND TO HOLD the Property to the only proper use, benefit and behoof of Grantee forever in fee simple; subject only to real estate taxes and assessments that are unpaid as non-delinquent for the year 2022 and subsequent years, all encumbrances, easements and restrictions of public record, and all matters which would be disclosed by an accurate survey of the Property (hereinafter the “PERMITTED EXCEPTIONS”), and Grantor shall warrant and forever defend the right, title and interest to the Property unto Grantee against the claims of all

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City of Locust Grove

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BK-19234 PG:878

persons claiming by, through or under Grantor, except for claims arising under and by virtue of the Permitted Exceptions.

(Signature Page to Follow)

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BK-19234 PG:879

City of Locust Grove

9

IN WITNESS WHEREOF, Grantor has executed this Deed under seal on the day and year set forth above.

Signed, sealed and delivered in the presence of:

Courtney Ray
Unofficial Witness Courtney Ray

Carol Martin

Notary Public
My Commission Expires: 3-10-23

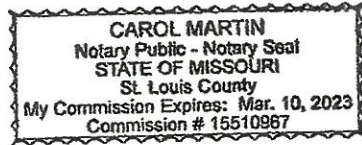
[NOTARIAL SEAL]

GRANTOR:

CRG ACQUISITION, LLC,
a Missouri limited liability company

By: CRG Services Management, LLC,
its Manager

By: [Signature]
Name: Christopher P. McKee
Title: Chief Development Officer



RECEIVED

APR 11 REC'D

City of Locust Grove

8:53

BK:19234 PG:880

Exhibit A

Legal Description

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 235 OF THE 2ND DISTRICT OF HENRY COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO LOCATE THE POINT OF BEGINNING, COMMENCE AT A POINT LOCATED AT THE INTERSECTION OF THE SOUTHEASTERLY RIGHT-OF-WAY OF OLD BETHLEHEM ROAD (A 60 FOOT RIGHT-OF-WAY) AND THE LINE DIVIDING LAND LOTS 247 AND 234 (BEING THE NORTH LINE OF LAND LOT 234) SAID DISTRICT AND COUNTY; RUNNING THENCE ALONG THE CURVATURE OF THE SOUTHEASTERLY, SOUTHERLY, AND SOUTHWESTERLY RIGHT OF WAY OF OLD BETHLEHEM ROAD THE FOLLOWING COURSES AND DISTANCES: SOUTHWESTERLY ALONG AN ARC WHICH IS SUBTENDED BY A CORD HAVING A CORD BEARING OF SOUTH 78 DEGREES 08 MINUTES 36 SECONDS WEST AND A CORD DISTANCE OF 275.83 FEET, AN ARC DISTANCE OF 277.72 FEET TO A RIGHT-OF-WAY MONUMENT; THENCE SOUTH 89 DEGREES 58 MINUTES 45 SECONDS WEST A DISTANCE OF 42.54 FEET TO A RIGHT-OF-WAY MONUMENT; THENCE NORTH 85 DEGREES 03 MINUTES 05 SECONDS WEST A DISTANCE OF 165.06 FEET TO A POINT; THENCE SOUTH 88 DEGREES 04 MINUTES 57 SECONDS WEST A DISTANCE OF 185.13 FEET TO A POINT; THENCE SOUTH 84 DEGREES 09 MINUTES 44 SECONDS WEST A DISTANCE OF 181.89 FEET TO A POINT; THENCE SOUTH 82 DEGREES 06 MINUTES 01 SECONDS WEST A DISTANCE OF 168.36 FEET TO A POINT; THENCE SOUTH 82 DEGREES 49 MINUTES 32 SECONDS WEST A DISTANCE OF 135.05 FEET TO A POINT; THENCE SOUTH 82 DEGREES 24 MINUTES 03 SECONDS WEST A DISTANCE OF 71.77 FEET TO A POINT ON THE SOUTHEASTERLY RIGHT-OF-WAY OF OLD BETHLEHEM ROAD, SAME BEING THE POINT OF BEGINNING; FROM THE POINT OF BEGINNING AS THUS ESTABLISHED, RUNNING THENCE SOUTH 01 DEGREES 30 MINUTES 46 SECONDS WEST A DISTANCE OF 2,893.50 FEET TO A POINT LOCATED ON THE SOUTHERLY LAND LOT LINE OF LAND LOT 235; RUNNING THENCE NORTH 89 DEGREES 18 MINUTES 19 SECONDS WEST ALONG THE SOUTHERLY LAND LOT LINE OF LAND LOT 235 A DISTANCE OF 380.45 FEET TO A FENCE CORNER; RUNNING THENCE NORTH 01 DEGREES 30 MINUTES 46 SECONDS EAST A DISTANCE OF 2,827.35 FEET TO A POINT LOCATED ON THE SOUTHEASTERLY RIGHT-OF-WAY OF OLD BETHLEHEM ROAD; RUNNING THENCE ALONG THE SAID RIGHT-OF-WAY OF OLD BETHLEHEM ROAD NORTH 79 DEGREES 03 MINUTES 52 SECONDS EAST A DISTANCE OF 83.88 FEET TO A POINT; THENCE CONTINUING ALONG THE RIGHT-OF-WAY OF OLD BETHLEHEM ROAD NORTH 80 DEGREES 28 MINUTES 27 SECONDS EAST A DISTANCE OF 130.09 FEET TO A POINT; THENCE CONTINUING ALONG THE RIGHT-OF-WAY OF OLD BETHLEHEM ROAD NORTH 81 DEGREES 52 MINUTES 09 SECONDS EAST A DISTANCE OF 127.37 FEET TO A POINT; THENCE CONTINUING ALONG THE RIGHT-OF-WAY OF OLD BETHLEHEM ROAD NORTH 82 DEGREES 24 MINUTES 03 SECONDS EAST A DISTANCE OF 45.83 FEET TO THE POINT OF BEGINNING, SAME BEING DESIGNATED AS TRACT A CONSISTING OF 25.00 ACRES

RECEIVED

APR 11 REC'D

g
8:53

City of Locust Grove

BK:19234 PG:881

AS DELINEATED ON PLAT OF SURVEY BY G. TIM CONKLE, GEORGIA REGISTERED LAND SURVEYOR, DATED JUNE 22, 1987.

LESS AND EXCEPT: ALL THAT PORTION OF THE ABOVE DESCRIBED PROPERTY WHICH WAS CONDEMNED IN THAT CERTAIN CONDEMNATION PROCEEDING CIVIL ACTION FILE NO. 94-CV- 0852 IN THE SUPERIOR COURT OF HENRY COUNTY, GEORGIA, SAME BEING THAT CERTAIN 9.18 ACRES LYING AND BEING IN LAND LOT 235 OF THE 2ND DISTRICT, HENRY COUNTY, GEORGIA RECORDS AS PER PLAT OF SURVEY DATED FEBRUARY 8, 1994 RECORDED IN PLAT BOOK 23, PAGE 92, HENRY COUNTY, GEORGIA RECORDS.

RECEIVED

APR 11 REC'D

8:57

City of Locust Grove

EXHIBIT C
SURVEY

EXHIBIT B



REZONING EVALUATION REPORT

June 20, 2023

FILE: RZ-23-04-02

REZONING

Property Information

Tax ID	111-01015001
Location/address	Land Lot 235 of the 2 nd district/ Price Drive and Old Bethlehem Road
Parcel Size	15.31+/- acres
Current Zoning	RA (County Residential Agricultural)
Request	Annex and Rezone RA-zoned property from unincorporated Henry County into the City of Locust Grove with RA zoning
Proposed Use	Future Industrial/Price Drive realignment
Existing Land Use	Vacant/undeveloped
Future Land Use	County Low Density Residential (unincorporated Henry County)
Recommendation	Approval

Summary

The Cubes at Locust Grove, LLC has submitted an application requesting annexation of a 15.31 +/- acre tract located on Old Bethlehem Road west of Price Drive (Parcel ID # 111-01015000). The zoning of the subject property is currently RA (Residential Agricultural) within unincorporated Henry County. The proposed rezoning is to City's equivalent zoning district of RA (Residential Agricultural). The future land use designation will remain the equivalent Low Density Residential (LD) designation within the incorporated boundaries of Locust Grove. The Applicant is utilizing the 100% method per O.C.G.A. §36-36-20. The Henry County Board of Commissioners raised no objections to this annexation during their May 2, 2023 meeting.

Service Delivery / Infrastructure

Preserving the Past...Planning the Future



REZONING EVALUATION REPORT

June 20, 2023

FILE: RZ-23-04-02

REZONING

Water and Sewer: According to the City of Locust Grove Public Works Department, the subject property is not currently located within the City's water and sanitary sewer service areas. Water and sanitary sewer service is available within the vicinity via the Henry County Water Authority.

Police Services: If the Subject Property is annexed into the city limits, it will be placed on a regular patrol route.

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

Transportation Impacts: There are no discernible increases or changes to transportation patterns in the vicinity because of this annexation request. The applicant intends to develop the subject property in the future as part of an adjacent industrial site. Therefore, if and when future development of the subject property occurs, transportation impacts will be analyzed at that time during the anticipated rezoning process.

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.** No impacts on the character of the particular area are anticipated as a result of this request given the zoning on the Subject Property is being rezoned from RA-County to RA-City as part of an annexation request.
 - (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 continue the current Residential Agricultural uses of the subject property as it transitions from the unincorporated area of Henry County into the city limits of Locust Grove, until such time that 1 year has passed and the applicant proceeds with next steps in rezoning the subject property for future industrial use and expansion of existing/future industrial development along Price Drive.
 - (3) **Consistency with the Land Use Plan.** If the annexation is approved, the City's Future Land Use designation of Rural Residential (RR) would appropriately match the current rural/ low density character of Bethlehem Road.



REZONING EVALUATION REPORT

June 20, 2023

FILE: RZ-23-04-02

REZONING

- (4) **The potential impact of the proposed amendment on City infrastructure including water and sewerage systems.** There are no impacts to the City's infrastructure given the subject property will not discontinue the current residential agricultural uses for at a minimum of one year.
- (5) **The impact of the proposed amendment on adjacent thoroughfares and pedestrian vehicular circulation and traffic volumes.** No immediate impacts are anticipated from granting this annexation request. However, future development of the subject property and adjacent parcels will likely impact traffic circulation in the area. Upcoming transportation improvements such as the Bethlehem Road Interchange and Price Drive realignment will improve traffic flow and access to I-75 to better accommodate existing and future industrial development in the area. The main use of the subject property being considered for annexation/rezoning is for the future relocation of Price Drive, an overall positive impact.
- (6) **The impact upon adjacent property owners should the request be approved.** Should the annexation request be approved, there are no immediate plans to change the manner in which the subject property is currently utilized. However, the applicant has communicated plans to develop the subject property as part of an adjacent industrial development after one-year post-annexation, which is required per O.C.G.A. 36-36-11. Any development of the subject property in the future will have an impact on adjacent property owners specific to increases in traffic and pedestrian volumes. Future impacts will be identified and evaluated at the time any future rezoning is requested.
- (7) **The ability of the subject land to be developed as it is presently zoned.** Currently, the subject property may be developed into permitted uses granted by the RA (Residential Agricultural) zoning district both in the City and unincorporated County.
- (8) **The physical conditions of the site relative to its capability to be developed as requested, including topography, drainage, access, and size and shape of the property.** There are no known physical conditions or limitations that could preclude the use of the subject property.
- (9) **The merits of the requested change in zoning relative to any other guidelines and policies for development which the Community Development Commission and City Council may use in furthering the objectives of the Land Use Plan.** The merits are consistent with both the City's zoning ordinance, future and existing development patterns in the area as well as future transportation improvements.

Recommendation

Taking into consideration that the annexation request meets all of the legalities required by the Georgia Annexation Law, staff recommends APPROVAL of the applicants request to rezone the subject property into the City of Locust Grove from RA (Residential Agricultural) unincorporated

Preserving the Past...Planning the Future



REZONING EVALUATION REPORT

June 20, 2023

FILE: RZ-23-04-02

REZONING

Henry County to RA (Residential Agricultural) City of Locust Grove, as part of the applicant's annexation request.

EXHIBIT C

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

ORDER CONFIRMATION

Salesperson: DAWN WARD

Printed at 05/23/23 16:43 by dward-tj

Acct #: 238991

Ad #: 346355

Status: New

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

Start: 05/31/2023 Stop: 05/31/2023

Times Ord: 1

Times Run: ***

LEGLV 1.00 X 5.07 Words: 200

Total LEGLV 5.07

Class: 9003 PUBLIC HEARING

Rate: LEGL

Cost: 45.00

Affidavits: 1

Ad Descrpt: HDH1273 GPN16 6/20/23

Descr Cont: HDH1273 GPN16 PUBLIC HEAR

Given by: ANNA WILLIAMS

P.O. #:

Contact:

Phone: (770)957-7055

Fax#:

Email: mspurling@locustgrove-ga.gov

Created: dward 05/23/23 16:35

Agency:

Last Changed: dward 05/23/23 16:42

PUB ZONE EDT TP RUN DATES
HDH A 95 S 05/31

AUTHORIZATION

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

Name (print or type)

Name (signature)

(CONTINUED ON NEXT PAGE)

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

ORDER CONFIRMATION (CONTINUED)

Salesperson: DAWN WARD

Printed at 05/23/23 16:43 by dward-tj

Acct #: 238991

Ad #: 346355

Status: New

Hdh1273
gpn16
Public Hearing Notice
City of Locust Grove
June 20, 2023
6:00 PM
Locust Grove Public
Safety Building
3640 Highway 42 South
Locust Grove, GA 30248

Notice is hereby given as required by Chapter 66 of Title 36 of the Official Code of Georgia Annotated (Zoning Procedures Law) and Section 17.04 of the Code of Ordinances, City of Locust Grove, Georgia, that the Locust Grove City Council, on Tuesday, June 20, 2023, at 6:00 PM, will conduct public hearings for the purpose of the following:

ANNEXATION

AX 23-04-01 The Cubes at Locust Grove, LLC has submitted an application requesting annexation of a 15.31 +/- acre tract (Parcel ID: 111-01015000) in Land Lot 235 of the 2nd District, located on Old Bethlehem Road west of Price Drive. The zoning of the subject property will remain RA (Residential Agricultural), the City of Locust Groves equivalent to unincorporated Henry Countys RA (Residential Agricultural) zoning district. The future land use designation will remain Low-Density Residential within the incorporated boundaries of Locust Grove.

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

Daunté Gibbs
Community Development
Director - City of Locust
Grove
5:31, 2023

AFFIDAVIT OF SIGN POSTING

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

1.

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

2.

The Cubes at Locust Grove, LLC, of Overland, MO has submitted an application for annexation and rezoning of 15.31+/- acres into the City of Locust Grove; Parcel 111-01015001; in Land Lot 235 of the 2nd District.

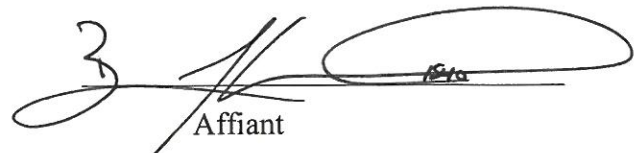
3.

On the 31st day of May 2023, I, Brian Fornal, posted double-sided sign notifications on the subject parcel advertising a public hearing on the above requests to be heard by the Locust Grove City Council on the 20th day of June 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 Exhibits "A" and "B" respectively and incorporated herein by reference. The public hearing signs were posted at the following locations:

1. Two double-sided signs posted at 9:25 AM on the south side of Old Bethlehem Road, west of Price Drive, on 5/31/23.

FURTHER AFFIANT SAYETH NOT.

This 1st day of June 2023.


 Affiant

Sworn and subscribed before me
 this 1 st day of June , 2023

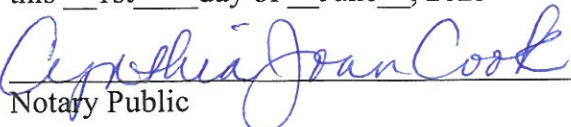

 Notary Public



Exhibit "A"



Exhibit "B"





Administration Department

P. O. Box 900
Locust Grove, Georgia 30248

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

Item Coversheet

Item: Pay Plan No. 701 of Personnel – COLA/Updated Sheet

Action Item: Yes No

Public Hearing Item: Yes No

Executive Session Item: Yes No

Advertised Date: N/A

Budget Item: Yes, General / Enterprise Funds with personnel assigned

Date Received: June 14, 2023

Workshop Date: June 20, 2023

Regular Meeting Date: N/A

Discussion:

Ordinance to amend Chapter 701 of the Personnel Policy is attached reflecting changes related to cost of living (based on a short series of annualized changes not subject to the volatility with fuel and food pricing) along with certain corrections to the pay sheet to account for prior cell references in prior sheets. The proposed COLA is 5.4%, which is the same as last year to smooth out the rapid increases in pricing late in 2022 and into the slowdown in the Spring of this year. As proposed, the beginning salary now of \$15.85/hour to maintain competitive wages with our excellent benefits to the growing labor market.

The sheet also reflects a correction in the pay range fields to account for an internal reference error that hopefully reads better, as the “Top End” was not adjusting correctly. Granted that while we are still doing our new position and classification plan, this will work better in the interim.

Recommendation:

APPROVE ORDINANCE TO AMEND CHAPTER 701 OF THE PERSONNEL POLICY “THE PAY PLAN” AND APPROVE THE COST-OF-LIVING UPDATE DURING THE LAST OPERATING PERIOD.

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE CITY OF LOCUST GROVE PERSONNEL POLICY; TO AMEND NO. 701 ENTITLED “THE PAY PLAN”; TO APPROVE THE NEW SALARY SCHEDULE FOR ALLOWANCE OF COST OF LIVING ADJUSTMENTS PER RECENT CPI INFLATION OVER THE PAST OPERATING YEAR; TO PROVIDE FOR CODIFICATION IN THE CITY OF LOCUST GROVE PERSONNEL POLICY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

WHEREAS, the City of Locust Grove, Georgia (“City”) approved a Fiscal Year 2023 Operating and Capital Budget authorizing the expenditure for certain departments throughout the City and other operating and capital funds; and,

WHEREAS, the City seeks to annually adjust the pay scale for cost-of-living adjustments on a more annualized basis in addition to needs to meet the market demands for beginning wages considering tremendous growth in our region; and,

WHEREAS, the Salary Schedule per Section 701 of the Personnel Policy, as shown in **Exhibit “A”**; must show all classifications including new/idle positions as per the adjusted salary scale for COLA and any corrections to the scale, as amended,

WHEREAS, pursuant to the Section 3.51 of the charter of the City of Locust Grove, Georgia, the Mayor, and City Council hereby amend the Job Classification Manual and the Pay Plan to provide for these additional positions and pay classifications.

THE COUNCIL OF THE CITY OF LOCUST GROVE HEREBY ORDAINS

SECTION 1. **Adoption of the amended Salary Schedule to Section 701.** The following amended to Section 701 of the Personnel Policy entitled “The Pay Plan” is hereby amended by adopting the new Salary Schedule as attached hereto and incorporated herein as **Exhibit “A”** reflecting the annualized cost of living adjustments as well as any corrections in the scale.

SECTION 2. The City Clerk is hereby directed to record this Ordinance in the official minutes of the City.

SECTION 3. The Personnel Policy adopted and dated July 12, 2004, is hereby re-adopted in its entirety except as amended as the Personnel Policy of the City of Locust Grove.

SECTION 4.

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

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

this Ordinance is mutually dependent upon any other Section, paragraph, sentence, clause, or phrase of this Ordinance.

C. In the event that any section, paragraph, sentence, clause or phrase of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the City Council that 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 5. Repeal of Conflicting Ordinances. Except as otherwise provided herein, all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 6. Effective Date. This ordinance shall become effective immediately as adopted by the Mayor and Council of the City of Locust Grove.

SO ORDAINED this 20th day of June, 2023

ROBERT S. PRICE, Mayor

ATTEST:

APPROVED AS TO FORM:

MISTY SPURLING City Clerk

CITY ATTORNEY

(Seal)

EXHIBIT "A"

**AMENDMENT TO PAY PLAN (SECTION 701 OF PERSONNEL POLICY) TO
PROVIDE FOR COST OF LIVING AS WELL AS CORRECTIONS TO THE SCALE
FROM PRIOR PERIODS.**

The Pay Plan No. 701 of Personnel Policy		Year 2023 - COLA (Early 2023 CPI = 5.4%) - Corrected Top Out					
Grade	Position	Beginning	Top Out	INC25%	Midpoint	INC75%	P/Hour
50	Part Time Seasonal Maintenance (inactive)	\$ 27,653.34	N/A	N/A	N/A	N/A	\$ 13.29
51	Administration/Comm. Dev. Intern (PT - Inactive)	\$ 29,036.15	\$ 45,385.82	\$ 33,123.57	\$ 37,210.99	\$ 41,298.41	\$ 13.96
52	Maintenance Worker I	\$ 32,960.44	\$ 51,519.80	\$ 37,600.28	\$ 42,240.12	\$ 46,879.96	\$ 15.85
	Facilities Maintenance Technician I (inactive)						
	Stormwater Maintenance Technician I						
	CSR/Receptionist (PT/FT) Admin						
	Main Street Administrative Asst (PT/FT)						
53	Administrative Assistant I	\$ 34,608.46	\$ 54,095.79	\$ 39,480.29	\$ 44,352.12	\$ 49,223.95	\$ 16.64
	Administrative Assistant I (Police/Public Safety)						
	Facilities Maintenance Technician II (inactive)						
	Business/Alcohol License Clerk I						
	Maintenance Worker II						
	Stormwater Maintenance Technician II						
	Permit Coordinator I						
	Utility Billing Clerk I						
54	Facilities Maintenance Supervisor (inactive)	\$ 36,338.88	\$ 56,800.57	\$ 41,454.30	\$ 46,569.73	\$ 51,685.15	\$ 17.47
	Water Meter Maintenance Technician I						
55	Water/ Sewer Operator Trainee (provisional)	\$ 36,716.68	\$ 57,391.11	\$ 41,885.29	\$ 47,053.89	\$ 52,222.50	\$ 17.65
	Stormwater Maintenance Technician III						
	Maintenance Worker III						
	Administrative Assitant II (Police/Public Safety)						

The Pay Plan No. 701 of Personnel Policy		Year 2023 - COLA (Early 2023 CPI = 5.4%) - Corrected Top Out					
Grade	Position	Beginning	Top Out	INC25%	Midpoint	INC75%	P/Hour
	Assistant Municipal Court Clerk I						
56	Administrative Assistant II	\$ 38,553.25	\$ 60,261.82	\$ 43,980.39	\$ 49,407.53	\$ 54,834.67	\$ 18.54
	Permit Coordinator II						
	Utility Billing Clerk II						
	Business/Alcohol License Clerk II						
	Heavy Equipment Operator I						
	Maintenance Crew Leader I						
	Water Meter Maintenance Technician II						
	Assistant Municipal Court Clerk II						
	Water/ Sewer Operator Trainee (confirmed)						
57	Accounts Payable Clerk I	\$ 40,480.98	\$ 63,275.02	\$ 46,179.49	\$ 51,878.00	\$ 57,576.51	\$ 19.46
	Municipal Court/Police Clerk I						
	Court Bailiff (uncertified)/PT						
58	Maintenance Crew Leader II	\$ 42,505.67	\$ 66,439.77	\$ 48,489.20	\$ 54,472.72	\$ 60,456.24	\$ 20.44
	Water/Sewer Operator III						
	Water Meter Maintenance Technician III						
	Heavy Equipment Operator II						
	Utility Billing Clerk III						
	Administrative Assistant III						
	Business/Alcohol License Clerk III						
	Permit Coordinator III						
	Accounts Payable Clerk II						
	Police Officer (In Training - Uncertified)						

The Pay Plan No. 701 of Personnel Policy		Year 2023 - COLA (Early 2023 CPI = 5.4%) - Corrected Top Out					
Grade	Position	Beginning	Top Out	INC25%	Midpoint	INC75%	P/Hour
59	Planning Technician (Comm. Dev. - FT) I	\$ 44,631.68	\$ 69,762.89	\$ 50,914.48	\$ 57,197.28	\$ 63,480.08	\$ 21.46
	Executive Administrative Assistant I						
	Assistant City Clerk I (non certified)						
	Municipal Court/Police Clerk II						
	Accounts Payable Clerk III						
60	Water/Sewer Operator II	\$ 46,863.34	\$ 73,251.15	\$ 53,460.30	\$ 60,057.25	\$ 66,654.20	\$ 22.53
	Code Enforcement Officer (uncertified)						
	Maintenance Crew Leader III						
	Heavy Equipment Operator III						
	Planning Technician (Comm. Dev. - FT) II						
	Executive Administrative Assistant II						
	Assistant City Clerk II (non certified)						
	Municipal Court/Police Clerk III						
	Mechanic I						
61	Water/Sewer Operator I	\$ 49,893.03	\$ 77,986.80	\$ 56,916.47	\$ 63,939.92	\$ 70,963.36	\$ 23.99
	Police Officer I						\$ 22.84
	Mechanic II						
	Bailiff (P.O.S.T. Certified)						
	Code Enforcement Officer (POST certification)						
	Master Level - Permit Clerk/Bus. License Clerk/ Utility Billing/AP Clerk						
62	Public Works Manager	\$ 51,693.56	\$ 80,801.17	\$ 58,970.46	\$ 66,247.36	\$ 73,524.27	\$ 24.85
	Corporal I						\$ 23.67
	Police Officer II						

The Pay Plan No. 701 of Personnel Policy		Year 2023 - COLA (Early 2023 CPI = 5.4%) - Corrected Top Out					
Grade	Position	Beginning	Top Out	INC25%	Midpoint	INC75%	P/Hour
	Fleet Manager - PW						
	Assistant City Clerk II (certified)						
	Utility Billing Manager I						
inactive	Purchasing Manager I (HS/AD 3/5 Years exp)						
inactive	Planner I						
63	Investigator I	\$ 53,493.11	\$ 83,614.01	\$ 61,023.33	\$ 68,553.56	\$ 76,083.78	\$ 25.72
	Corporal II						
	Police Officer III						\$ 24.49
	Accounting Specialist I						
	Human Resources Specialist (2-5 Years)						
	City Clerk - (uncertified - HS/BA 2 - 5 years)						
64	GIS Coordinator/Stormwater Specialist	\$ 56,167.78	\$ 87,794.73	\$ 64,074.52	\$ 71,981.26	\$ 79,888.00	\$ 27.00
	Corporal III						
	Police Sergeant I						\$ 25.72
	Investigator II						
	Professional Standards Specialist - I (Police)						
	Building Inspector I (Residential/Commercial)						
	Development Inspector (Storm/Erosion/Plans)						
	Assistant City Clerk III (post certification)						
	Utility Billing Manager II						
inactive	Purchasing Manager II (BS/BA 3 Years exp)						
	Accounting Specialist II						
65	Planner II (A.I.C.P.)	\$ 58,642.33	\$ 91,662.65	\$ 66,897.41	\$ 75,152.49	\$ 83,407.57	\$ 28.19
	Human Resources Specialist II (5+ Years)						\$ 26.85

The Pay Plan No. 701 of Personnel Policy		Year 2023 - COLA (Early 2023 CPI = 5.4%) - Corrected Top Out					
Grade	Position	Beginning	Top Out	INC25%	Midpoint	INC75%	P/Hour
	Main Street Manager/Economic Development						
66	Police Sergeant II	\$ 61,574.45	\$ 96,245.79	\$ 70,242.29	\$ 78,910.12	\$ 87,577.96	\$ 29.60
	Police Sergeant II						\$ 28.19
inactive	Professional Standards Specialist - II (Police)						
inactive	Purchasing Manager - Certified CPM						
	Accounting Specialist Certified Financial CVI						
	Building Inspector II (Residential/Commercial)						
	Assistant City Clerk Master (5+ Years Certified)						
	Human Resources Specialist Master (5+Years)						
67	Chief Building Official	\$ 64,653.18	\$ 101,058.09	\$ 73,754.40	\$ 82,855.63	\$ 91,956.86	\$ 31.08
	Lieutenant I						\$ 29.60
	Planner III (A.I.C.P. with 3+ years experience)						
68	Asst. Community Development Director	\$ 67,885.82	\$ 106,110.97	\$ 77,442.11	\$ 86,998.39	\$ 96,554.68	\$ 32.64
69	Stormwater Utility Manager	\$ 71,280.12	\$ 111,416.53	\$ 81,314.22	\$ 91,348.32	\$ 101,382.42	\$ 34.27
	Lieutenant II						\$ 32.64
	Public Works Manager - Street Maintenance						
	Public Works Manager - Utilities Distribution						
	City Clerk - (Cert. or Uncert. - BA >5 years)						
	Fire Marshal DOQ1						
70	Water and Wastewater Manager (For 2022)	\$ 74,844.13	\$ 116,987.36	\$ 85,379.94	\$ 95,915.75	\$ 106,451.55	\$ 35.98
	Police Captain						\$ 34.27
	Lieutenant III						\$ 34.27

ORD. 23-06-000
 Amend Sect. 701
 of Personnel Policy

The Pay Plan No. 701 of Personnel Policy		Year 2023 - COLA (Early 2023 CPI = 5.4%) - Corrected Top Out					
Grade	Position	Beginning	Top Out	INC25%	Midpoint	INC75%	P/Hour
	Public Works Manager II - Street Maintenance						
	Public Works Manager II - Utilities Distribution						
	Fire Marshal DOQ2 (Certified <5 Years)						
71	City Clerk (Certified 5+ Years)	\$ 78,586.34	\$ 122,836.73	\$ 89,648.94	\$ 100,711.54	\$ 111,774.13	\$ 37.78
	Police Captain II						
	Fire Marshal DOQ3 (Certified 5+ Years)						
72	Public Works and Facilities Director	\$ 82,515.65	\$ 128,978.56	\$ 94,131.38	\$ 105,747.10	\$ 117,362.83	\$ 39.67
	City Clerk II (Certified 5-10 Years)						
73	Community Development Director	\$ 86,641.44	\$ 135,427.50	\$ 98,837.95	\$ 111,034.47	\$ 123,230.98	\$ 41.65
	City Clerk III (Certified 10+ Years)						
74	Police Chief	\$ 90,973.52	\$ 142,198.89	\$ 103,779.86	\$ 116,586.20	\$ 129,392.54	\$ 43.74
	Public Safety Director (inactive)						
75	Human Resources Director (Inactive/Future)	\$ 95,522.18	\$ 149,308.81	\$ 108,968.84	\$ 122,415.50	\$ 135,862.16	\$ 45.92
76	Finance Director (Inactive/Future)	\$ 100,298.30	\$ 156,774.26	\$ 114,417.29	\$ 128,536.28	\$ 142,655.27	\$ 48.22
	Police Chief (over 5 Years)						
	Community Development Director (5+ Years/Cert)						
77	Assistant / Deputy City Manager (Active)	\$ 105,313.20	\$ 164,612.95	\$ 120,138.13	\$ 134,963.07	\$ 149,788.01	\$ 50.63
78	City Manager I	\$ 110,578.86	\$ 172,843.61	\$ 126,145.05	\$ 141,711.24	\$ 157,277.42	\$ 53.16
	Assistant / Deputy City Manager II (over 5 Years)						

ORD. 23-06-000
 Amend Sect. 701
 of Personnel Policy

The Pay Plan No. 701 of Personnel Policy		Year 2023 - COLA (Early 2023 CPI = 5.4%) - Corrected Top Out					
Grade	Position	Beginning	Top Out	INC25%	Midpoint	INC75%	P/Hour
79	City Manager II (over 5 Years)	\$ 116,107.81	\$ 181,485.79	\$ 132,452.30	\$ 148,796.80	\$ 165,141.30	\$ 55.82
	Asst./Deputy City Manager III (Certified ICMA/GMA)						
80	City Manager III (Certified ICMA/GMA)	\$ 121,913.20	\$ 190,560.09	\$ 139,074.92	\$ 156,236.64	\$ 173,398.37	\$ 58.61



Community Development Department

P. O. Box 900
Locust Grove, Georgia 30248

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

Item Coversheet

Item: Request for a Special Event Permit for the Locust Grove Fire Marshal and The Johnson Foundation school supply distribution on July 22, 2023.

Action Item: Yes No

Public Hearing Item: Yes No

Executive Session Item: Yes No

Advertised Date: N/A

Budget Item: N/A

Date Received: June 12, 2023

Workshop Date: N/A

Regular Meeting Date: June 20, 2023

Discussion:

The Locust Grove Fire Marshal and The Johnson Foundation Inc. request a special event permit to host a school supply distribution event. This event would provide free school supplies to local students, targeting City of Locust Grove students, Pre-K thru 8th grade. The request also includes use of the Claude Gray Park, including restroom and pavilion to setup two 10x10 tents and several tables. Fire truck and fire safety amusement structures will be present at this event. The applicant has answered the following questions:

- The duration of the event (including set up and break down)
 - Set up will begin @ 9:00am and should be wrapped up and cleaned up by 3:00pm on July 22, 2023
- Contact information for the non-profit beneficiary including proof of non-profit status
 - The Johnson Foundation Inc.– Olivia McCornell 404-430-2989

- **Fire Marshal- Anthony J. Hicks 678-438-1191**

- Contact information for the person who will be onsite on race day.
 - **Anthony J. Hicks 678-438-1191**

Comments:

The Johnson Foundation, Inc., is recognized by the IRS as a 501(c)(3) tax-exempt organization founded in 2017 by Mrs. E. Olivia McCornell, with the purpose of the welfare advancement of students and young individuals. The organization has hosted several events and awarded several scholarships that align with their purpose. Mrs. McCornell is a Locust Grove resident and is dedicated to serving the community.

Recommendation:

Staff recommends APPROVAL of the applicant's special event request.



SPECIAL EVENTS PERMIT APPLICATION

Applicant: Anthony Hicks & Olivia McCornell	Submittal Date: June 12, 2023
Organization: LG Fire Marshal & The Johnson Foundation Inc	Event Date(s)*: July 22, 2023
Type of Event:	Event Time(s): 11am-3pm

*Please provide the following information a **minimum of thirty (30) days** prior to the event date.

This request will be placed on the next available City Council agenda for a hearing.

The applicant (or designated representative) must attend this hearing.

Applicant's local address:	
Applicant's e-mail address:	ahicks@locustgrove-ga.gov
Location of the Event:	Claude Gray Park 99 Frances Ward Dr.
Name and telephone number of onsite contact who will be onsite for the duration of the event.	Anthony Hicks-678-438-1191 Olivia McCornell-404-430-2989
Description of the nature of the special event:	The event will provide free school supplies to local students ,Pre-K-8th grade.
Identify sponsors and/or merchants participating in the event.	Publix-Sponsor, Kona-Ice-Merchant,Chipotle-Sponsor, Dorothy Dessert-Merchant
Identify types of goods to be sold*, if any <i>*Additional permits may be required</i>	Food truck items
Duration of the event (including setup and take down)	9am setup- 4pm take down
Description of music/entertainment*: <i>*City's Noise Ordinance prohibits loud music/voices after midnight.</i>	DJ will be on-site for music from Noon-2pm

Additional required information:

- Written permission from the property owner
- Legible copy of the applicant's driver's license (or other State issued ID)
- If the event is a road race, parade, march, running or cycling along public streets, attach a proposed route for review and approval.
 - List number of police officers/public works staff requested – additional fees may apply
- All fees* are payable to the City of Locust Grove in the amount of \$150

**If the event is for a non-profit organization wishing to waive the fees, proof of the organization's non-profit status must be submitted.*
- **FOR PROFIT EVENTS ONLY:** Complete the "Georgia Bureau of Investigation – Georgia Crime Information Center Consent Form" for a background check.
- **FOR PROFIT EVENTS ONLY:** Complete the attached "E-Verify Affidavit"
- **FOR PROFIT EVENTS ONLY:** Complete the attached "Affidavit Verifying Status for Receipt of Public Benefits"

Signature: Anthony J. Hicks Date: 6/12/2023



AFFIDAVIT VERIFYING STATUS for RECEIPT OF PUBLIC BENEFITS
O.C.G.A. § 50-36-1(e)(2) AFFIDAVIT

By executing this affidavit under oath, as an applicant for the City of Locust Grove, Georgia public benefit (defined below), as supplemented by resolution of the City Council, and as referenced in O.C.G.A. § 50-36-1, I am stating the following with respect to my application to the City of Locust Grove:

X I am a United States citizen.

OR

_____ I am a legal permanent resident 18 years of age or older, or I am an otherwise qualified alien or non-immigrant under the Federal Immigration and Nationality Act 18 years of age or older and lawfully present in the United States.*

I understand that "public benefit" includes but is not limited to: Adult education; Authorization to conduct a commercial enterprise or business; Authorization to conduct activities regulated by local government such as flea markets, peddlers, sidewalk vendors, massage therapy, bingo games, adult entertainment, pawn shops, day cares, etc.; Business certificate, license, or registration; Business loan; Cash allowance; Contract for materials or services; Disability assistance or insurance; Down payment assistance; Energy assistance; Food stamps; Gaming license; Health benefits; Housing allowance, grant, guarantee, or loan; Home occupation certificate, license, license and registration; Loan guarantee; Medicaid; Occupational license; Professional license; Registration of a regulated business; Rent assistance or subsidy; Retirement benefits; State grant or loan; State identification card; Tax certificate required to conduct a commercial business; Temporary assistance for needy families (TANF); Unemployment insurance; Vehicles for Hire certificate or license; and Welfare to work.

Anthony Hicks

Name of natural person applying on behalf of individual, business, corporation, partnership or other private entity

3644 Hwy 42s Locust Grove, GA 30248
Address of applicant named above

470-707-3444
Telephone Number

Name of individual, business, corporation, partnership or other private entity for whom application is being made

Category of Public Benefit

In making the above representations under oath, I understand that any person who knowing and willfully makes a false, fictitious or fraudulent statement or representation in an affidavit shall be guilty of a violation of O.C.G.A. § 16-10-20.

SUBSCRIBED AND SWORN
BEFORE ME ON THIS THE

12 DAY OF June 2023

Manu Padayake
NOTARY PUBLIC

MY COMMISSION EXPIRES: Jan 2, 2027

Anthony J. Hicks
Signature of Applicant

6/12/23
Date

Anthony J. Hicks
Printed Name

*Alien Registration Number for Non-citizens



Community Development Department

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

Item Coversheet

Item: A special event permit request to host a neighborhood block party at 104 Sims Street.

Action Item: Yes No

Public Hearing Item: Yes No

Executive Session Item: Yes No

Advertised Date: NA

Budget Item: NA

Date Received: June 13, 2023

Workshop Date: June 20, 2023

Regular Meeting Date: N/A

Discussion:

Staff received a request for a Special Events Permit from Willie Foster (the “Applicant”) to host a neighborhood block party on August 5, 2023

- Music and entertainment
 - Music and DJ until 6 PM
- Food and drink prepared and consumed on-site
 - Food grilled onsite, but not sold
- Event location(s)

- 104 Sims Street
- The duration of the event (including set up and break down)
 - Saturday, August 5, 2023 12:00 PM – 6:00 PM
- Contact information for the person who will be onsite during the event
 - Willie Foster – 678-873-2916

Comments:

Staff recommends APPROVAL.

Similar block parties have been approved in various neighborhoods over the past several years.

Recommendation:

I MOVE TO APPROVE THE REQUEST FOR A SPECIAL EVENT PERMIT TO HOST A NEIGHBORHOOD BLOCK PARTY AT 104 SIMS STREET ON AUGUST 5, 2023 WITH THE FOLLOWING CONDITIONS:

- 1. ON-STREET PARKING SHALL BE ALLOWED ON THE ODD-NUMBERED ADDRESS SIDE OF THE STREET IN THE DIRECTION OF TRAVEL. AT NO TIME SHALL THE EVENT OBSTRUCT EMERGENCY VEHICLES.**
- 2. NO PARKING SHALL BE ALLOWED WITHIN THE CUL-DE-SAC OR WITHIN TWENTY (20) FEET OF AN INTERSECTION.**
- 3. PARKING SHALL NOT BLOCK ACCESS TO DRIVEWAYS AND/OR WITHIN TEN (10) FEET OF FIRE HYDRANTS.**



SPECIAL EVENTS PERMIT APPLICATION

Applicant: <i>Willie Foster</i>	Submittal Date: <i>6-13-23</i>
Organization: <i>Community Give Back / Black Party</i>	Event Date(s)*: <i>8-5-23</i>
Type of Event:	Event Time(s): <i>12pm - 6pm</i>

*Please provide the following information a minimum of thirty (30) days prior to the event date.

This request will be placed on the next available City Council agenda for a hearing.

The applicant (or designated representative) must attend this hearing.

Applicant's local address:	<i>104 Sims St Locust Grove Lot 2</i>
Applicant's e-mail address:	<i>Nickfost7@aol.com</i>
Location of the Event:	<i>104 Sims St Locust Grove Lot 2</i>
Name and telephone number of onsite contact who will be onsite for the duration of the event.	<i>Willie Foster 678-873-2916</i>
Description of the nature of the special event:	<i>Community Give Back celebration</i>
Identify sponsors and/or merchants participating in the event.	<i>Community</i>
Identify types of goods to be sold*, if any <i>*Additional permits may be required</i>	<i>N/A</i>
Duration of the event (including setup and take down)	<i>12pm - 6pm</i>
Description of music/entertainment*: <i>*City's Noise Ordinance prohibits loud music/voices after midnight.</i>	<i>DJ</i>

Additional required information:

- Written permission from the property owner
- Legible copy of the applicant's driver's license (or other State issued ID)
- If the event is a road race, parade, march, running or cycling along public streets, attach a proposed route for review and approval.
 - List number of police officers/public works staff requested – additional fees may apply
- All fees* are payable to the City of Locust Grove in the amount of \$150
**If the event is for a non-profit organization wishing to waive the fees, proof of the organization's non-profit status must be submitted.*
- **FOR PROFIT EVENTS ONLY:** Complete the "Georgia Bureau of Investigation – Georgia Crime Information Center Consent Form" for a background check.
- **FOR PROFIT EVENTS ONLY:** Complete the attached "E-Verify Affidavit"
- **FOR PROFIT EVENTS ONLY:** Complete the attached "Affidavit Verifying Status for Receipt of Public Benefits"

Signature: *Willie Foster* Date: *6-13-23*



E-VERIFY AFFIDAVIT

Locust Grove, GA

E-verify Private Employer Affidavit Pursuant to O.C.G.A. § 36-60-6(d)

By executing this affidavit, the undersigned private employer verifies its compliance with O.C.G.A. § 36-60-6(d), stating affirmatively that the individual, firm or corporation has registered with and utilizes the federal work authorization program commonly know as E-Verify, or any subsequent replacement in O.C.G.A. § 36-60-6(d). Furthermore, the undersigned applicant verifies one of the following with respect to my application for the above mentioned document:

- 1. (a) _____ The individual, firm or corporation employed more than ten (10) employees.
- (b) + _____ The individual, firm or corporation employed ten (10) or fewer employees.

If the employer selected 1(a) please fill out Section 2 below.

- 2. The undersigned private employer attests that its federal work authorization user identification number and date of authorization are listed below:

_____ Federal Work Authorization User Identification Number

_____ Date of Authorization

I hereby declare under penalty of perjury that the foregoing is true and correct.

[Handwritten Signature]

Signature of Authorized Officer or Agent

Wille Foster

Printed Name and Title of Authorized Officer or Agent

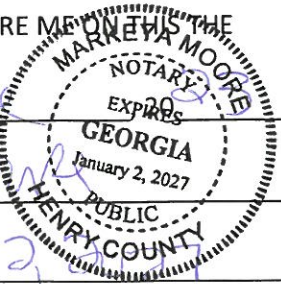
SUBSCRIBED AND SWORN BEFORE ME ON THIS THE _____

13 DAY OF Jun

Manya Akon

NOTARY PUBLIC

My Commission Expires: Jan 2, 2027





AFFIDAVIT VERIFYING STATUS for RECEIPT OF PUBLIC BENEFITS
O.C.G.A. § 50-36-1(e)(2) AFFIDAVIT

By executing this affidavit under oath, as an applicant for the City of Locust Grove, Georgia public benefit (defined below), as supplemented by resolution of the City Council, and as referenced in O.C.G.A. § 50-36-1, I am stating the following with respect to my application to the City of Locust Grove:

Willie Foster I am a United States citizen.

OR

Willie Foster I am a legal permanent resident 18 years of age or older, or I am an otherwise qualified alien or non-immigrant under the Federal Immigration and Nationality Act 18 years of age or older and lawfully present in the United States.*

I understand that "public benefit" includes but is not limited to: Adult education; Authorization to conduct a commercial enterprise or business; Authorization to conduct activities regulated by local government such as flea markets, peddlers, sidewalk vendors, massage therapy, bingo games, adult entertainment, pawn shops, day cares, etc.; Business certificate, license, or registration; Business loan; Cash allowance; Contract for materials or services; Disability assistance or insurance; Down payment assistance; Energy assistance; Food stamps; Gaming license; Health benefits; Housing allowance, grant, guarantee, or loan; Home occupation certificate, license, license and registration; Loan guarantee; Medicaid; Occupational license; Professional license; Registration of a regulated business; Rent assistance or subsidy; Retirement benefits; State grant or loan; State identification card; Tax certificate required to conduct a commercial business; Temporary assistance for needy families (TANF); Unemployment insurance; Vehicles for Hire certificate or license; and Welfare to work.

Willie Foster
Name of natural person applying on behalf of individual, business, corporation, partnership or other private entity

104 Sims St. Locust Grove Lot 2
Address of applicant named above

678-823-2916
Telephone Number

Name of individual, business, corporation, partnership or other private entity for whom application is being made

Category of Public Benefit

In making the above representations under oath, I understand that any person who knowing and willfully makes a false, fictitious or fraudulent statement or representation in an affidavit shall be guilty of a violation of O.C.G.A. § 16-10-20.

SUBSCRIBED AND SWORN
BEFORE ME ON THIS THE

13 DAY OF June

Maney Moore
NOTARY PUBLIC
MY COMMISSION EXPIRES January 2, 2027



Willie Foster 6-13-23
Signature of Applicant Date

Willie Foster
Printed Name

*Alien Registration Number for Non-citizens

LOCUST GROVE POLICE DEPARTMENT

Monthly Status Report

Mission Statement

It is the mission of the Locust Grove Police Department to enhance the quality of life in the City of Locust Grove, by working cooperatively with this community as we enforce the laws and preserve the peace. We are committed to providing professional and effective police services and strive to protect the rights and safety of our citizens and the community we serve.

	MAY 2022	MAY 2023
NIBRS Group A Crimes	52	57
NIBRS Group B Crimes	29	27

Patrol Division

Total Calls for Service	1,353	1,454
Miles Patrolled	25,275	17,569
Total Accident Reports Written	74	73
Total Incident Reports Written	150	147
Total Citations Written	391	394
Total Warnings Written	136	217
Arrests	28	42

Criminal Investigations

Assigned Cases	40	47
Cleared Cases	33	45

Municipal Court

Total Fines Collected	\$53,968.00	\$92,772.50
Probated Fines	\$10,532.00	\$29,052.00

Departmental Training

Total Hours	226	104
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**COMMUNITY DEVELOPMENT DEPARTMENT REPORT
(As of 6/13/2023) vs. this same time in 2022**

- **627 permits issued in 2023**
Year 2022: 844

- **84 new house permits issued in 2023**
Year 2022: 128

- **79 COs issued in 2023**
Year 2022: 162
 - Residential = 43
 - Year 2022: 115
 - Commercial = 36
 - Year 2022: 47

- **309 Business Licenses issued in 2023**
Year 2022: 435

2023 Active Developments				
	<u>Residential</u>	<u>Commercial</u>	<u>Industrial</u>	<u>Capital Project</u>
1	Bunn Farms	World Peace Center (paused)	Walker Crossing	Bill Gardner modifications (underway)
2	Locust Grove Station Pine Valley	Gabino's Mexican Restaurant	M&M Waste	Market Place Blvd. at Hwy. 42 signalization (complete)
3	Elmstone Commons	C-Store Indian Creek	Gardner Logistics Park	Extra Lane on Hwy 42
4	Liberty Grove/Derrington Manor	Strong Rock Container Bldgs.	Spec. Bldg. at Colvin and Hwy. 42	Peeksville Road Extension
5	Bridle Creek	680 Marketplace	Scannel Bldg. 3 - Phase III	Davis Lake Interceptor
6	Collinswood	Chase Bank (Old Ithop)	Sansone/Stonemont (forthcoming)	MMIP/Bethlehem Road Interchange
7	River Oaks	Arby's (Coming Soon)	Norfolk Southern (future intermodel dev.)	Bethlehem Road Interchange (coming soon)
8	Wentworth	Commercial Suites next to Express Oil (coming soon)	Bowery Farms	
9	Locust Grove Station Pod B		Renewal by Anderson (\$420 million investment)	
10	Cedar Ridge Pod D			
11	Oak Ridge Meadows Pod E			
12	Flakes Mill South Bethany			
13	Nine Oak Phase 2 & 3			
14	Peeksville Landing			
15	Capshaw Homes - Jackson St.			
16	Dawson Creek subdivision			
17	Copperfield subdivision			
18	RangeWater Real Estate Multi-family (coming soon)			
19	Berkley Lakes			
20	Price Drive Planned Development (future)			
21	Pine Valley			
22	The Springs (f.k.a. Tellus) (coming soon)			



Community Development Department

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

Item Coversheet

Item: Resolution approving the architectural plans submitted for Arby's to be located at 4939 Bill Gardner Pkwy.

Action Item: Yes No

Public Hearing Item: Yes No

Executive Session Item: Yes No

Advertised Date: NA

Budget Item: No

Date Received: June 6, 2023

Workshop Date: June 20, 2023

Regular Meeting Date: July 3, 2023

Discussion:

Jacob Lang of Rincon, GA has submitted building elevation renderings for a proposed Arby's fast-food restaurant to be located at 4939 Bill Gardner Parkway. (Parcel ID # 112-01013034).

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

The proposed building facades consist primarily of brick in neutral earth tones, red metal canopies, and metal storefront and windows typical of this type of development.

Chapter 15.44 Architectural Review

15.44.050 - Exterior materials standards.

A. Except where otherwise provided in this chapter or in the Code of Ordinances, the exterior architectural features of buildings and structures within multifamily, office/institutional,

commercial, and industrial zoning districts shall adhere to the following minimum standards:

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

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

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

2. All exterior siding material such as aluminum, steel, vinyl, mirrored or reflective glass, cinderblock, unfinished concrete, fiberglass or plastic are prohibited except that architectural fiberglass or plastic can be used to such extent that such material is used as detailing and decorative trim if approved by the board.
3. Fifty percent of the width of the front facade of the building shall consist of fenestration. All fenestration comprised of glass shall be multi-paned in appearance. Single-paned plate glass windows greater than six square feet in surface area without the appearance of being multi-paned shall be prohibited unless approved by the board.
4. All exterior painted surfaces, where visible from the public street shall be painted in earth tones. Colors shall be non-primary colors including darker and cooler shades of green, red, such as brick, yellow including beige, and lighter shades of brown including tan. However, white may be permitted if approved by the board. Corporate graphics, trademarks, corporate logos, corporate service marks and corporate branding items may be permitted by the board to the extent used for decorative trim or for signage as part of the overall exterior features.
5. Roofs on multifamily and commercial or office buildings shall generally consist of a pitch of 7/12 or greater with exception of porches and porticos and be comprised of asphalt, cedar shake, cement tile material. Standing seam metal roofing shall be allowed as approved by the board. Flat roofs shall be permitted in larger commercial and industrial zoning where rooftop equipment is screened from view by raised parapet walls and shall be consistently flat across the building length with exception of features of fenestration to break up building mass and long, monotonous facades. Flat roofs may be permitted on larger multifamily and office buildings as approved by the board.
6. Burglar bars and steel roll down doors or curtains shall not be visible from the public street, with exception to buildings in industrial zoning districts as approved by the board.

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

Recommendation:

STAFF RECOMMENDS APPROVAL OF THE ARCHITECTURAL BUILDING ELEVATIONS SUBMITTED BY JACOB LANG FOR ARBY'S TO BE LOCATED ON BILL GARDNER PARKWAY.

RESOLUTION NO. _____

A RESOLUTION TO APPROVE ARCHITECTURAL PLANS FOR ARBY'S TO BE LOCATED AT 4939 BILL GARDNER PARKWAY IN ACCORDANCE WITH CHAPTER 15.44 OF THE LOCUST GROVE CITY CODE; TO AUTHORIZE THE MAYOR AND CITY CLERK TO EXECUTE ANY DOCUMENTS NECESSARY TO CARRY OUT THIS RESOLUTION; TO REPEAL INCONSISTENT PROVISIONS; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

W I T N E S S E T H :

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

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

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

WHEREAS, Jacob Lang of Rincon, GA submitted building elevation renderings for a proposed Arby's fast-food restaurant to be located on Bill Gardner Parkway attached hereto and made part thereof as **Exhibit "A"**, and;

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

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

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

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

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

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

THIS RESOLUTION adopted this 3rd day of July, 2023.

ROBERT S. PRICE, Mayor

ATTEST:

MISTY SPURLING, City Clerk

(Seal)

APPROVED AS TO FORM:

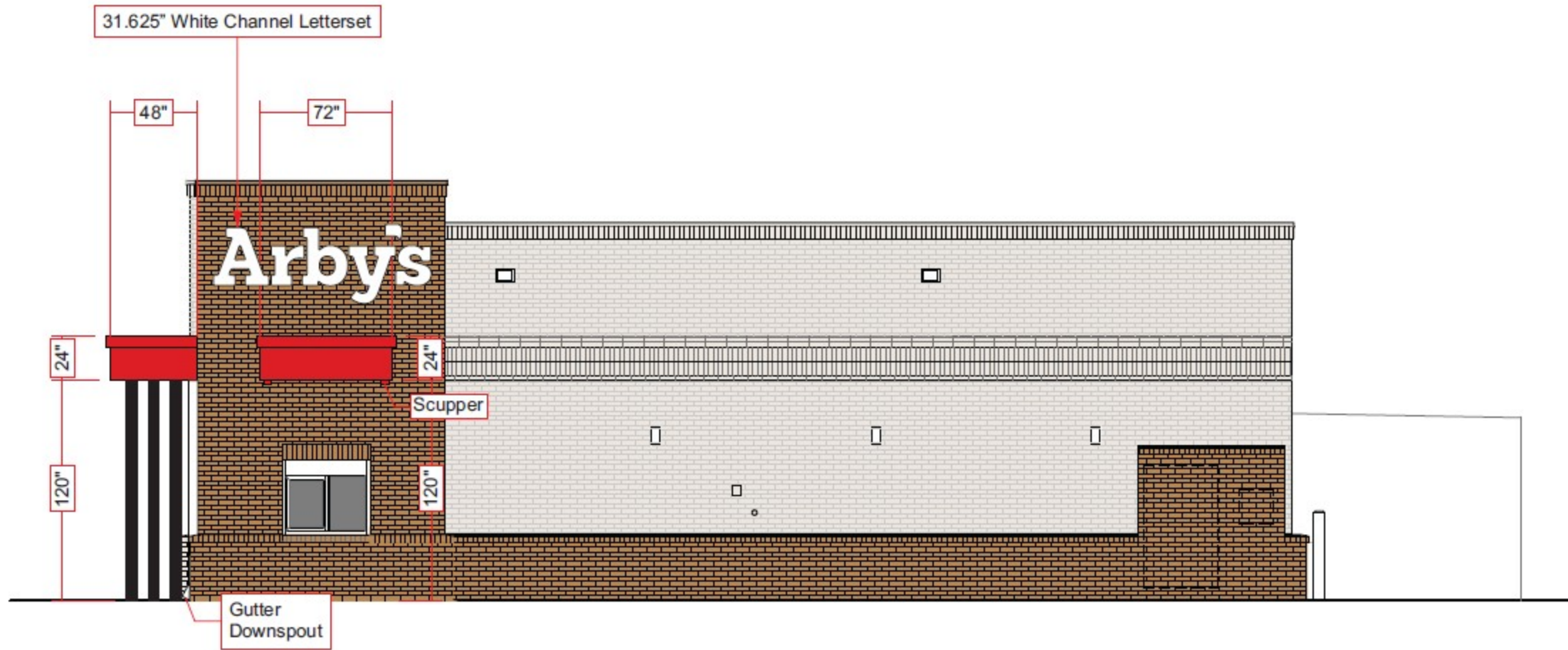
City Attorney

EXHIBIT “A”

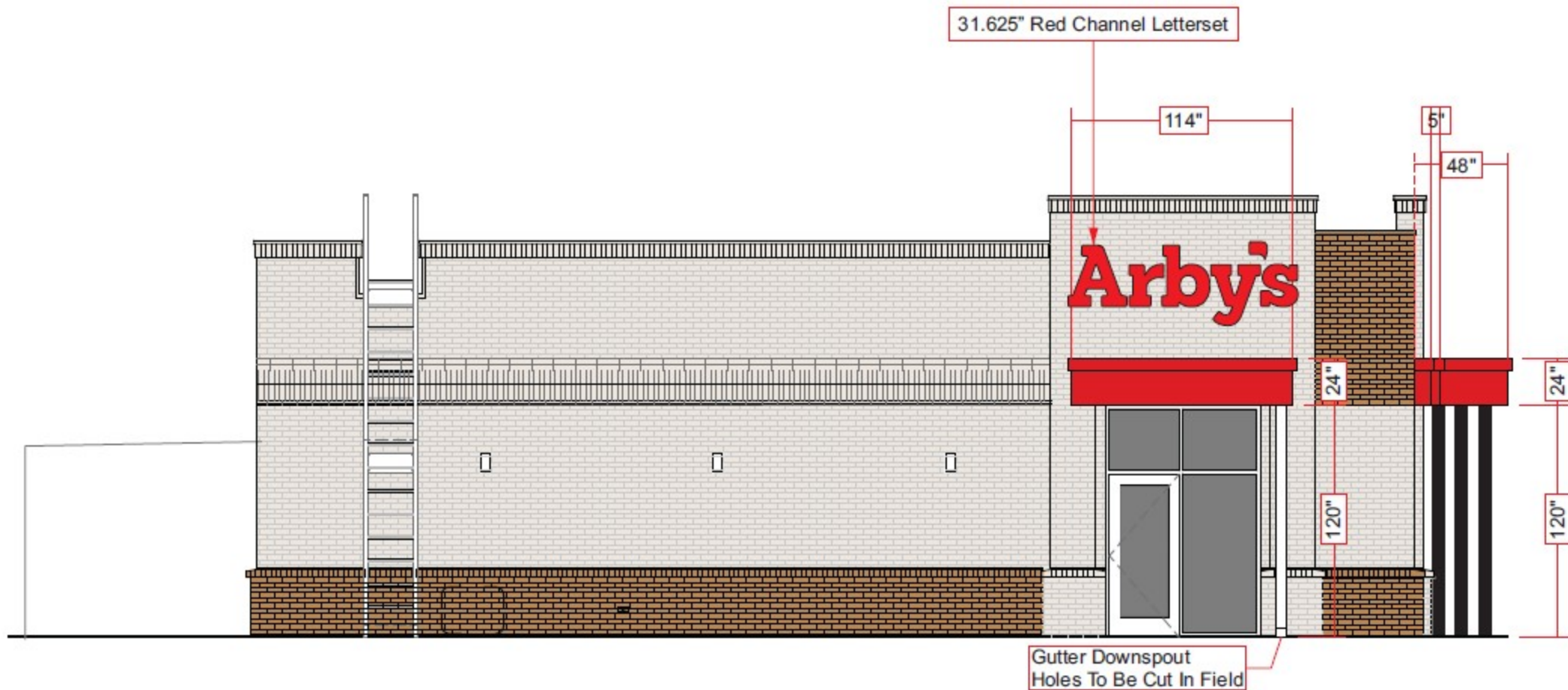
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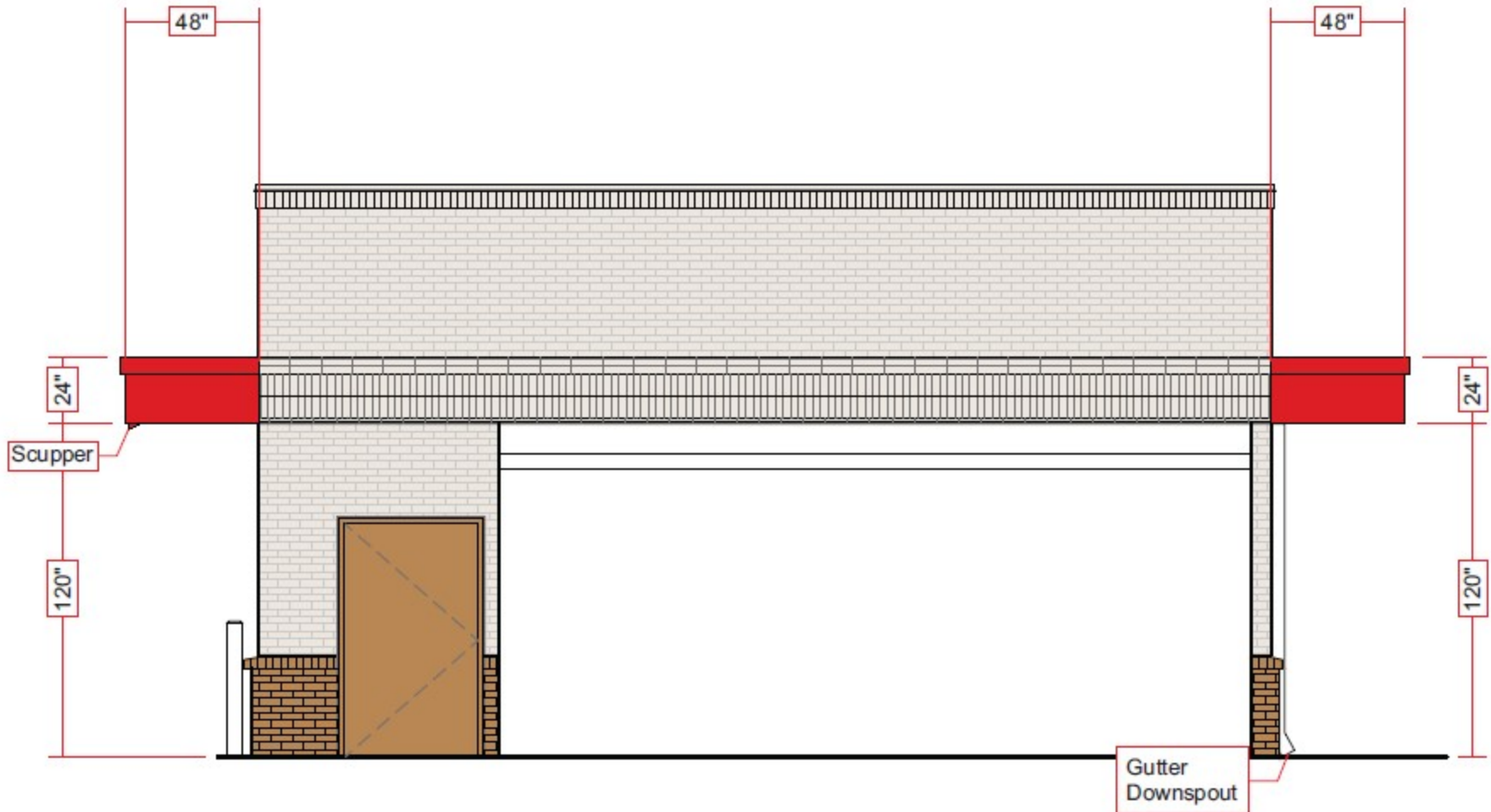
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THIS GRAPHIC IS FOR VISUAL PURPOSES ONLY



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Community Development Department

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

Item Coversheet

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

Action Item: Yes No

Public Hearing Item: Yes No

Executive Session Item: Yes No

Advertised Date: NA

Budget Item: No

Date Received: June 6, 2023

Workshop Date: June 20, 2023

Regular Meeting Date: July 3, 2023

Discussion:

Jacob Lang of Rincon, GA has submitted building elevation renderings for a proposed two-tenant retail building to be located at 603 Marketplace Boulevard. (Parcel ID # 112-01013034).

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

The proposed building facades consist of brick and stucco-like EIFS in neutral earth tones, fabric canopies, and metal storefronts typical of this type of development. Bricked portions of the façade include pilaster, belt-course, and water-table detailing to add visual interest.

Chapter 15.44 Architectural Review

15.44.050 - Exterior materials standards.

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

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

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

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

Recommendation:

STAFF RECOMMENDS APPROVAL OF THE ARCHITECTURAL BUILDING ELEVATIONS SUBMITTED BY JACOB LANG FOR A RETAIL BUILDING TO BE LOCATED AT 603 MARKETPLACE BOULEVARD.

RESOLUTION NO. _____

A RESOLUTION TO APPROVE ARCHITECTURAL PLANS FOR A RETAIL BUILDING TO BE LOCATED AT 603 MARKETPLACE BOULEVARD IN ACCORDANCE WITH CHAPTER 15.44 OF THE LOCUST GROVE CITY CODE; TO AUTHORIZE THE MAYOR AND CITY CLERK TO EXECUTE ANY DOCUMENTS NECESSARY TO CARRY OUT THIS RESOLUTION; TO REPEAL INCONSISTENT PROVISIONS; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

W I T N E S S E T H :

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

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

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

WHEREAS, Jacob Lang of Rincon, GA submitted building elevation renderings for a proposed retail building to be located at 603 Marketplace Boulevard attached hereto and made part thereof as **Exhibit “A”**, and;

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

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

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

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

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

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

THIS RESOLUTION adopted this 3rd day of July, 2023.

ROBERT S. PRICE, Mayor

ATTEST:

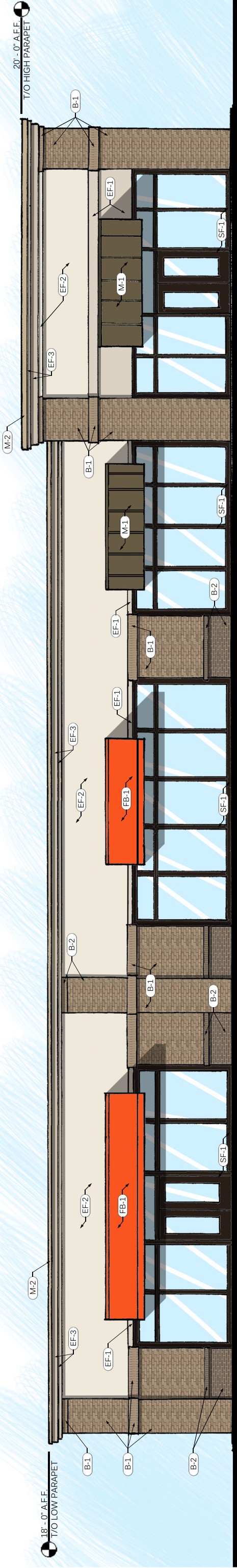
MISTY SPURLING, City Clerk

(Seal)

APPROVED AS TO FORM:

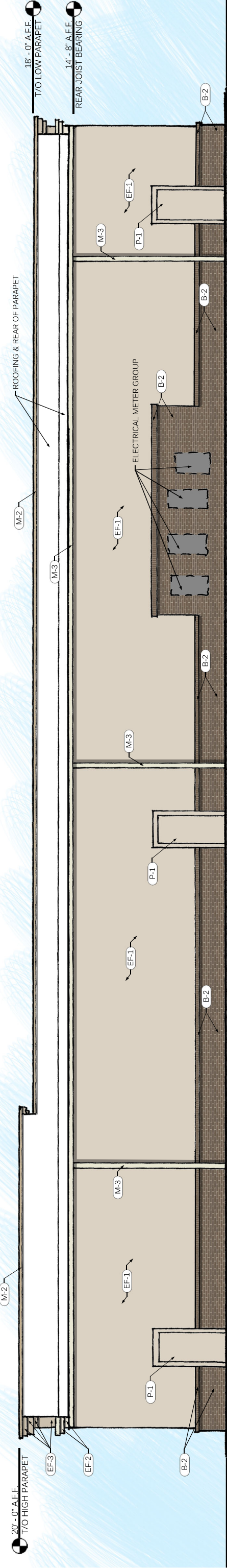
City Attorney

EXHIBIT “A”



FRONT ELEVATION

SCALE: NONE



REAR ELEVATION

SCALE: NONE

EXTERIOR FINISH SCHEDULE

EF-1	EIFS	DRYVIT	SAND PEBBLE FINISH EIFS; COLOR TO MATCH: SW 7567 "NATURAL TAN" (284-C1)
EF-2	EIFS	DRYVIT	SAND PEBBLE FINISH EIFS; COLOR TO MATCH: SW 7012 "CREAMY" (261-C3)
EF-3	EIFS	DRYVIT	SAND PEBBLE FINISH EIFS; COLOR TO MATCH: SW 7547 "SANDBAR" (284-C2)
M-1	METAL	PAC-CLAD	METAL COPING, COLOR: "MEDIUM BRONZE"
M-2	METAL	PAC-CLAD	METAL COPING, COLOR: "SIERRA TAN"
M-3	METAL	PAC-CLAD	METAL COPING, COLOR: "ALMOND"
SF-1	STOREFRONT	YKK	INSULATED STOREFRONT SYSTEM; COLOR: "DARK BRONZE"
B-1	BRICK	CHEROKEE BRICK	MODULAR BRICK M/S VELOUR LIGHT GRAY W/ ARGOS SAHARA MORTAR
B-2	BRICK	CHEROKEE BRICK	MODULAR BRICK M/S VELOUR DARK GRAY W/ ARGOS LIMESTONE MORTAR
FB-1	FABRIC AWNING	SUNBRELLA	COLOR "ORANGE"
P-1	PAINT	SHERWIN WILLIAMS	COLOR TO MATCH SW 7567 "NATURAL TAN"

DEVELOPED BY:



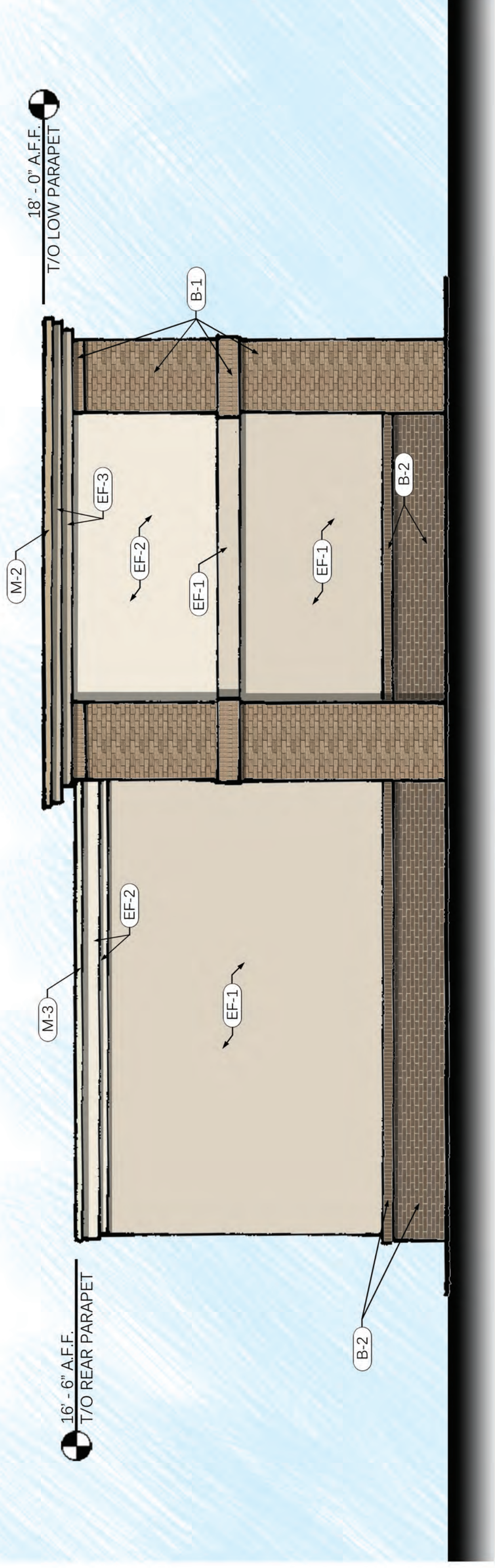
LOCUST GROVE BUILDING - 3

LOCUST GROVE, GEORGIA

MaxDesign Group Project
D23-104

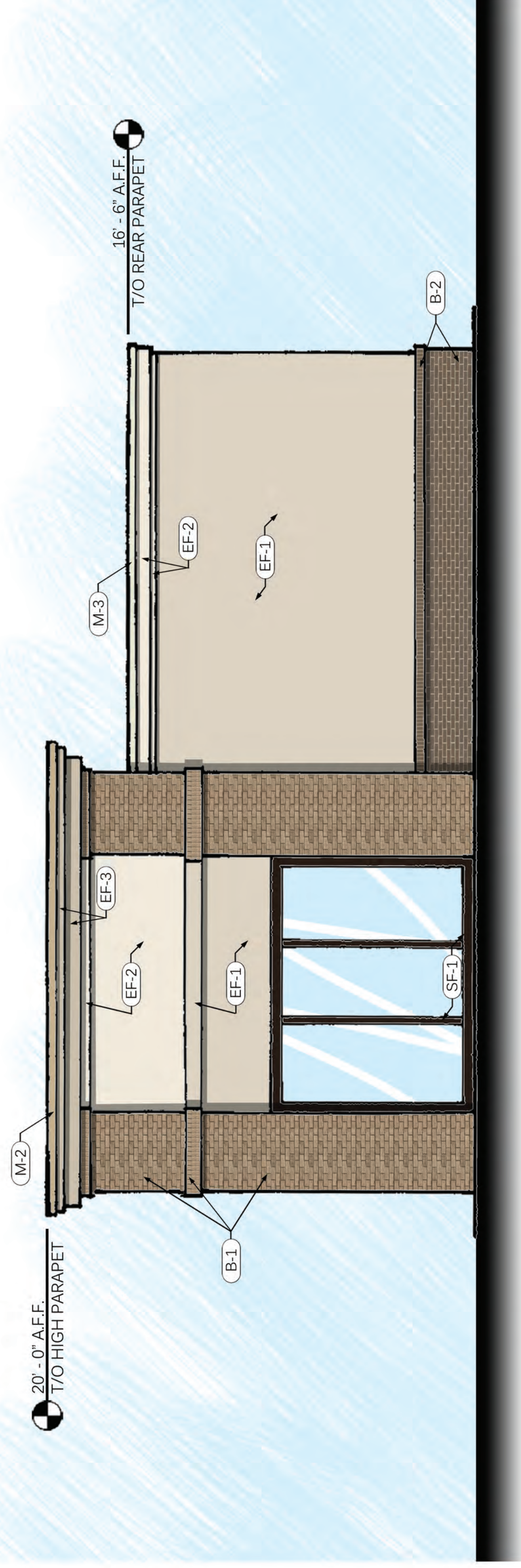
07 JUNE 2023





SIDE ELEVATION

SCALE: NONE



MARKETPLACE BLVD SIDE ELEVATION

SCALE: NONE

EXTERIOR FINISH SCHEDULE	
EF-1	EIFS DRYVIT SAND PEBBLE FINISH EIFS; COLOR TO MATCH: SW 7567 "NATURAL TAN" (284-C1)
EF-2	EIFS DRYVIT SAND PEBBLE FINISH EIFS; COLOR TO MATCH: SW 7012 "CREAMY" (261-C3)
EF-3	EIFS DRYVIT SAND PEBBLE FINISH EIFS; COLOR TO MATCH: SW 7547 "SANDBAR" (284-C2)
M-1	METAL PAC-CLAD METAL COPING, COLOR: "MEDIUM BRONZE"
M-2	METAL PAC-CLAD METAL COPING, COLOR: "SIERRA TAN"
M-3	METAL PAC-CLAD METAL COPING, COLOR: "ALMOND"
SF-1	STOREFRONT YKK INSULATED STOREFRONT SYSTEM, COLOR: "DARK BRONZE"
B-1	BRICK CHEROKEE BRICK MODULAR BRICK M/S VELOUR LIGHT GRAY W/ ARGOS SAHARA MORTAR
B-2	BRICK CHEROKEE BRICK MODULAR BRICK M/S VELOUR DARK GRAY W/ ARGOS LIMESTONE MORTAR
FB-1	FABRIC AWNING SUNBRELLA COLOR "ORANGE"

DEVELOPED BY:



LOCUST GROVE BUILDING - 3

LOCUST GROVE, GEORGIA

MaxDesign Group Project
D23-104

07 JUNE 2023



MP
WAL-MAR REAL ESTATE
BUSINESS TRUST
DB MHPG @
~ASPHALT PARKING~



EXISTING 12" WATERLINE
EXISTING WATER VALVE (2)
EXISTING 8" WATERLINE
-VALVES LOCATED
WATER LINE SHOWN PER
CERTIFIED AS-BUILT BY
POINT TO POINT LAND
SURVEYING

ROW LINE DIVIDES
PUBLIC AND PRIVATE
SERVICE

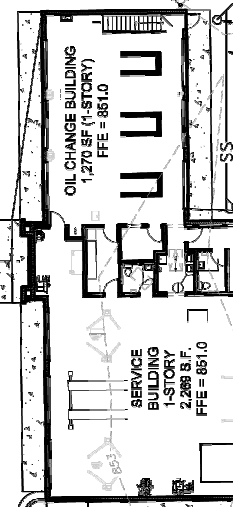
1.5 IN DOMESTIC
WATER METER

1.5 IN IRRIGATION
METER

CONNECTIONS TO
BE 1.5 IN TYPE K
COPPER

EXISTING FIRE HYDRANT

1.5 IN TYPE K COPPER DOMESTIC WATERLINE
-SEE PLUMBING PLANS FOR CONTINUATION





Administration Department

P. O. Box 900
Locust Grove, Georgia 30248

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

Item Coversheet

Item: Resolution – HCDA and Retail Strategies Consulting Work

Action Item: Yes No

Public Hearing Item: Yes No

Executive Session Item: Yes No

Advertised Date: N/A

Budget Item: Yes, Enterprise H/M Fund 275 (Economic Development)

Date Received: June 14, 2023

Workshop Date: June 20, 2023

Regular Meeting Date: July 3, 2023

Discussion:

The Henry County Development Authority (HCDA) has been working with Retail Strategies, Inc. a retail recruitment and marketing consultant to develop a strategy to market and reach out to various retail and service providers (primarily restaurants) to actively recruit the Henry County area better for new locations of stores, restaurants, and entertainment facilities. The work will not only focus on Henry County but also the submarkets of Locust Grove, McDonough, and Stockbridge. Josh Fenn presented some of the initial work to us at our last retreat of which this is to begin the push for them to begin marketing and analyzing our area more in depth and note where we may be deficient in infrastructure or process along with any new business markets we might be “missing”. Hampton – who was invited and sat in on all pre-meetings on this action – elected *not* to participate on Tuesday, June 13, 2023, so we are awaiting any change in scope to affect our outlay. At a maximum, the HCDA has agreed to fund 50% of Hampton’s share, leaving the remaining at \$11,000.

Recommendation:

DISCUSSION AND FEEDBACK AS WE AWAIT CHANGES FROM THE CONSULTING COMPANY BASED ON THE DROPOUT OF HAMPTON.

I | *... in The Grove*

RESOLUTION 23-06-000

RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF LOCUST GROVE TO JOIN WITH THE CITIES OF HAMPTON, MCDONOUGH, STOCKBRIDGE AND HENRY COUNTY IN SUPPORT OF THE HENRY COUNTY DEVELOPMENT AUTHORITY'S EFFORTS TO EXPAND RETAIL FACILITIES WITHIN HENRY COUNTY TO CREATE EMPLOYMENT, ENHANCE TAX REVENUE AND IMPROVE THE QUALITY OF LIFE IN EACH CITY AND THROUGHOUT THE COUNTY.

WHEREAS, Under the Georgia Home Rule Act, the governing authority of a municipality has the power to take actions for which no provision is otherwise provided by general law, and is not otherwise prohibited by the state constitution (OCGA Sect. 36-35-3). These powers specifically include the power to contract with other governmental agencies and subdivisions (OCGA Sect. 36-34-2); and

WHEREAS, Article IX, Section VI, Paragraph III of the Georgia Constitution declares the development of trade, commerce, industry and employment Opportunities to be a public purpose vital to the welfare of the people; and

WHEREAS, the Henry County Development Authority (HCDA), along with the County and the cities of Locust Grove, McDonough and Stockbridge, have determined that the solicitation, development and expansion of retail facilities in Henry County will expand commerce, create employment, enhance tax revenue and improve the quality of life in each city and the entire county: and

WHEREAS, the County and each of the cities have, after consultation, agreed that a unified county-wide Retail Strategy effort (the Project) conducted and coordinated by the HCDA would be beneficial to each of the cities, and be a cost effective way to proceed, and

WHEREAS, the HCDA has solicited a written proposal from “retail strategies”, a national entity specializing in retail recruitment services (Consultants) a copy of which is attached as Exhibit A to the Resolution (the Proposal); and

WHEREAS, the Mayor and Council have been asked, along with the County and each of the other cities, to contribute \$11,000 toward the \$80,000 fee for the first year of county wide retail recruitment services pursuant to the Proposal;

NOW THEREFORE, IT IS RESOLVED THAT:

1. The City shall contribute the \$11,000 toward the \$80,000 fee for the first year of county wide retail recruitment services pursuant to the Proposal, contingent upon a similar contribution from the county and the other 2 cities in the county, and the contribution of \$35,000 by the HCDA.

2. The HCDA shall serve as the exclusive coordinator of the Project and shall provide the Mayor and Counsel periodic progress reports of the activities of the Consultants on at least a quarterly basis.
3. The City staff is directed to assist on a timely basis with requests for information and cooperation from the HCDA and/or the Consultants.
4. The parties acknowledge that the Proposal contemplates a 3-year commitment for the Project. Not later than March 31st, 2024, all of the cities and the county shall consult with the HCDA regarding the Consultant's interim progress with the Project. Unless the parties are not satisfied with the progress made on the Project, the parties agree to contribute toward the second year's fees in the same proportion as set forth herein for the first year's fees.
5. No later than March 31st, 2025, the same procedure shall be utilized for the third year's fees."

SO ADOPTED THIS ___ DAY OF JULY, 2023.

Mayor Robert Price

ATTEST:

Misty Spurling, City Clerk

APPROVED AS TO FORM:

City Attorney