



CITY OF JONESBORO
Regular Meeting
1859 CITY CENTER WAY
March 11, 2024 – 6:00 PM

NOTE: As set forth in the Americans with Disabilities Act of 1990, the City of Jonesboro will assist citizens with special needs given proper notice to participate in any open meetings of the City of Jonesboro. Please contact the City Clerk's Office via telephone (770-478-3800) should you need assistance.

Agenda

- I. CALL TO ORDER - MAYOR DONYA L. SARTOR**
- II. ROLL CALL - MELISSA BROOKS, CITY CLERK**
- III. INVOCATION**
- IV. PLEDGE OF ALLEGIANCE**
- V. ADOPTION OF AGENDA**
- VI. PRESENTATIONS**
 1. City Council consideration and action on Clayton State University Internship Program.
- VII. PUBLIC HEARINGS**
 1. Public Hearing regarding Conditional Use Permit Application, 24-CU-003, for a small-scale event center by Nathan Pasha, property owner, and Ishica Bogle, applicant, for property at 952 Dixie Drive (Parcel No. 13209A A007), Jonesboro, Georgia 30236.
 2. Public Hearing regarding Map Amendment, 24-MA-004 Ord. 2024-004, to the Official Zoning Map for rezoning of property located along Tara Boulevard (Parcel No. 13210D B007), Jonesboro, Ga 30236 from Highway Commercial (C-2) to Multi-Family Residential (RM).
 3. Public Hearing regarding Map Amendment, 24-MA-003 Ord. 2024-003, to the Official Zoning Map for rezoning of property located along North Main Street (Parcel No. 13209C E003), Jonesboro, Ga 30236 from Mixed-Use (MX) to Multi-Family Residential (RM), for the purposes of a townhome development.
 4. Public Hearing regarding Conditional Use Permit Application 24-CU-004, for a townhome development by Fayetteville Gingercake Road LLC, property owner, and Templar Development, applicant, for property along Fayetteville Road, North Main Street, and Tara Boulevard (Parcel Nos. 13210D B002, 13209C E003, and 13210D B007), Jonesboro, Georgia 30236.

5. Public Hearing regarding Variance Application, 24-VAR-002, for certain townhome development standards by Fayetteville Gingercake Road LLC, property owner, and Templar Development, applicant, for property along Fayetteville Road, North Main Street, and Tara Boulevard (Parcel Nos. 13210D B002, 13209C E003, and 13210D B007), Jonesboro, Georgia 30236.
6. Public Hearing regarding a certain tract of land to be de-annexed, 24-MA-002, Ord. 2024-002, from the City into unincorporated Clayton County pursuant to a signed petition. Tract of land lying and being in the City of Jonesboro, Georgia, as described in Deed Book 10846, Pages 350 to 352 (Parcel No. 12016D B001Z). Said aforementioned property which is currently zoned as City R-2 (Single-Family Residential) will be rezoned to a County zoning per County Ordinances. Applicant is Key Street, LLC.

VIII. PUBLIC COMMENT (PLEASE LIMIT COMMENTS TO THREE (3) MINUTES)

IX. APPROVAL OF MINUTES

1. Consideration of the Minutes of the March 4, 2024 Work Session.
2. Consideration of the Minutes of the February 12, 2024 Regular Meeting.

X. OLD BUSINESS

1. City of Jonesboro Market Committee
2. Vacancy Fee/Tax Text Amendment to Ordinance
3. Council to consider Conditional Use Permit Application, 24-CU-003, for a small-scale event center by Nathan Pasha, property owner, and Ishica Bogle, applicant, for property at 952 Dixie Drive (Parcel No. 13209A A007), Jonesboro, Georgia 30236.
4. Council to consider Map Amendment, 24-MA-004 Ord. 2024-004, to the Official Zoning Map for rezoning of property located along Tara Boulevard (Parcel No. 13210D B007), Jonesboro, Ga 30236 from Highway Commercial (C-2) to Multi-Family Residential (RM).
5. Council to consider Map Amendment, 24-MA-003 Ord. 2024-003, to the Official Zoning Map for rezoning of property located along North Main Street (Parcel No. 13209C E003), Jonesboro, Ga 30236 from Mixed-Use (MX) to Multi-Family Residential (RM), for the purposes of a townhome development.
6. Council to consider Conditional Use Permit Application 24-CU-004, for a townhome development by Fayetteville Gingercake Road LLC, property owner, and Templar Development, applicant, for property along Fayetteville Road, North Main Street, and Tara Boulevard (Parcel Nos. 13210D B002, 13209C E003, and 13210D B007), Jonesboro, Georgia 30236.
7. Council to consider Variance Application, 24-VAR-002, for certain townhome development standards by Fayetteville Gingercake Road LLC, property owner, and Templar Development, applicant, for property along Fayetteville Road, North Main Street, and Tara Boulevard (Parcel Nos. 13210D B002, 13209C E003, and 13210D B007), Jonesboro, Georgia 30236.
8. Council to consider a certain tract of land to be de-annexed, 24-MA-002, Ord. 2024-002, from the City into unincorporated Clayton County pursuant to a signed petition. Tract of land lying and being in the City of Jonesboro, Georgia, as described in Deed Book 10846, Pages 350 to 352 (Parcel No. 12016D B001Z). Said aforementioned property which is currently zoned as City R-2 (Single-Family Residential) will be rezoned to a County zoning per County Ordinances. Applicant is Key Street, LLC.

XI. NEW BUSINESS


XII. REPORT OF CITY COUNCILMEMBERS

XIII. REPORT OF MAYOR / CITY MANAGER

XIV. OTHER BUSINESS

1. Executive Session for the purpose of discussing the conveyance of real estate.
2. Consider any action(s) if necessary based on decision(s) made in the Executive Session

XV. ADJOURNMENT

	CITY OF JONESBORO, GEORGIA COUNCIL Agenda Item Summary	Agenda Item # <div style="background-color: #f0f0f0; padding: 2px; display: inline-block;">6.1</div>
		<div style="color: red; font-weight: bold; margin-bottom: 5px;">- 1</div> COUNCIL MEETING DATE March 11, 2024
Requesting Agency (Initiator) City Council	Sponsor(s) Councilmember A. Dixon	
Requested Action <small>(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)</small> City Council consideration and action on Clayton State University Internship Program.		
Requirement for Board Action <small>(Cite specific Council policy, statute or code requirement)</small>		
Is this Item Goal Related? <small>(If yes, describe how this action meets the specific Board Focus Area or Goal)</small> Yes Innovative Leadership		
Summary & Background <small>(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)</small> This item was tabled from the February 12, 2024 Regular Session Meeting.		
Fiscal Impact To be determined.		
Exhibits Attached <small>(Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)</small> •		
Staff Recommendation <small>(Type Name, Title, Agency and Phone)</small> City Council's Decretion		

FOLLOW-UP APPROVAL ACTION (City Clerk)		
Typed Name and Title Melissa Brooks, City Clerk	Date March, 11, 2024	
Signature	City Clerk's Office	

**CITY OF JONESBORO
WORK SESSION
1859 CITY CENTER WAY
March 4, 2024 – 6:00 PM**

MINUTES

The City of Jonesboro Mayor & Council held their Work Session on Monday, March 4, 2024. The meeting was held at 6:00 PM at the Jonesboro Police Station, 1859 City Center Way, Jonesboro, Georgia.

I. CALL TO ORDER - MAYOR DONYA L. SARTOR.

II. ROLL CALL - MELISSA BROOKS, CITY CLERK

Attendee Name	Title	Status	Arrived
Tracey Messick	Mayor Pro Tem	Present	
Alfred A. Dixon	Councilmember	Present	
Don D. Dixon	Councilmember	Present	
Bobby Lester	Councilmember	Present	
Asjah Miller	Councilmember	Present	
Billy Powell	Councilmember	Present	
Donya Sartor	Mayor	Present	
Melissa Brooks	City Clerk	Present	
David Allen	Community Development Director	Present	
Christopher Cato	Interim Police Chief	Present	
Pat Daniel	Assistant City Clerk	Present	
Shelby Bentley	Executive Assistant	Present	
Michael Hueing	City Attorney	Present	

III. INVOCATION BY PASTOR MICHAEL BRIDGES - JONESBORO FIRST BAPTIST CHURCH.

IV. PLEDGE OF ALLEGIANCE

V. ADOPTION OF AGENDA

1. Motion to adopt March 4, 2024, meeting agenda with revisions.

Minutes Acceptance: Minutes of Mar 4, 2024 6:00 PM (APPROVAL OF MINUTES)

RESULT: **APPROVED [UNANIMOUS]**
MOVER: Tracey Messick, Mayor Pro Tem
SECONDER: Bobby Lester, Councilmember
AYES: Messick, A. Dixon, D. Dixon, Lester, Miller, Powell

* Deletion of presentations.

* Additions of the purpose of Executive Session - for discussion of personnel matters.

VI. PUBLIC COMMENTS

Ishica Bogle - came forward to speak about her business at 952 Dixie Drive.

VII. PRESENTATIONS

VIII. WORK SESSION

1. City of Jonesboro Market Board

RESULT:	OLD BUSINESS	Next: 3/11/2024 6:00 PM
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On behalf of the Economic Development Director Andrew Simpson, Community Development Director David Allen presented the parameters for the Jonesboro Market Board.

He stated that board is made will consist of five (5) individuals. Three (3) are Market vendors. One (1) is to be a member of the city council. One (1) is from a city board. Each member of the board will be appointed by City Council after an application process, reviewed by the Mayor and City Manager. All Market board members to be subject to the same background checks as other city boards.

2. Vacancy Fee/Tax Text Amendment to Ordinance

RESULT:	OLD BUSINESS	Next: 3/11/2024 6:00 PM
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On behalf of the Economic Development Director Andrew Simpson, Community Development Director David Allen presented the following for the Vacancy Fee/Tax Text Amendment.

Text Amendment, Ordinance #2023-007, 23-TA-006, to the City of Jonesboro Code of Ordinances, Chapter 34, Article I, Division 1 - Vacant Building Registry, concerning the creation of annual fees for certain vacant buildings exceeding a specified period of vacancy. I would like to see the commercial vacant property fee reviewed. I would like to see a zero added so it's a \$2000 penalty fee for a year. An actively marketed property for a minimum of 6 months would be exempt from the fee/tax.

3. Further discussion regarding a certain tract of land to be de-annexed from the City into unincorporated Clayton County pursuant to a signed petition. Tract of land lying and being in the City of Jonesboro, Georgia, as described in Deed Book 10846, Pages 350 to 352 (Parcel No. 12016D B001Z). Said aforementioned property which is currently zoned as City R-2 (Single-Family Residential) will be rezoned to a County zoning per County Ordinances. Applicant is Key Street, LLC.

RESULT: PUBLIC HEARING REQUIRED

Agency Recommendation: Approval of de-annexation of subject tract from the City of Jonesboro to Clayton County. Purpose & Description of the Request - The City of Jonesboro received an application for de-annexation in January 2024 from Harold Cunliffe / Key Street, LLC. The applicant had first communicated his desire to have the City tract brought into the County in the summer of 2023. - The applicant seeks to de-annex a 9.3-acre parcel abutting land he already owns in Clayton County from the City into the County. - The intent is to unite the subject parcel with existing Clayton County residential subdivision parcels under one jurisdiction (Clayton County) and to finish the residential subdivision on the de-annexed parcel. None of the residential lots will be allowed to have driveways onto Key Street in the City. Background Information - The 9.3 acres is currently wooded and undeveloped. The tract, as well as the tract directly across the Key Street right-of-way (City) and the tract to the directly to the east of the subject tract, are all currently owned by Key Street LLC.

4. Council to consider Conditional Use Permit Application, 24-CU-003, for a small-scale event center by Nathan Pasha, property owner, and Ishica Bogle, applicant, for property at 952 Dixie Drive (Parcel No. 13209A A007), Jonesboro, Georgia 30236.

RESULT: PUBLIC HEARING REQUIRED Next: 3/11/2024 6:00 PM

Agency recommendation - Denial of Conditional Use application; Recently, the applicant submitted a zoning request for an small-scale event center space in a suite in the shopping center southeast of the intersection of North Main Street and Hwy. 138 (across Dixie Drive from Crane Hardware), which was annexed into the City in 2019. The shopping center is currently zoned M-X (Mixed Use) and is an L-shaped building fronting both North Main Street and Dixie Drive. The applicant occupies a suite on the "short" part of the building - 952 Dixie Drive. A residential neighborhood lies directly to the east of the shopping center. In the summer of 2023, the applicant applied for and was approved for what staff understood to be a vendor "pop-up" space, where sellers of merchandise collaborated to offer their items to the public. However, at the end of 2023, staff received reports of evening events at the shopping center involving disturbances of the peace, alcohol consumption, and parking on other properties. Staff contacted the applicant. She said she has had no alcohol related events in her suite, that it may have been the suite next door - 948 Dixie Drive. There have been no past approvals for event centers in this shopping

center, and staff is working with the property owner on this situation. In the meantime, the applicant has applied to have small-scale parties, etc. in her suite, in addition to business meetings for vendors. (She has had, per the enclosed pictures, a few small family parties in the suite, in addition to vendor meetings.) Per the applicant: Small dinners, small intimate social events, non-profit kids parties for my non-profit back to school organization and Christmas party for kids; baby showers; 30 people or less.

5. Council to consider Map Amendment, 24-MA-003 Ord. 2024-003, to the Official Zoning Map for rezoning of property located along North Main Street (Parcel No. 13209C E003), Jonesboro, Ga 30236 from Mixed-Use (MX) to Multi-Family Residential (RM), for the purposes of a townhome development.

RESULT:	PUBLIC HEARING REQUIRED	Next: 3/11/2024 6:00 PM
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Staff recommends approval of re-zoning; This rezoning proposal by the applicant is on a relatively small, vacant parcel west of the junction of North Main Street and Fayetteville Road, in the northern portion of the city across the road from Crane Hardware and the Tara Florist shopping center, and behind the Village Square shopping center. The subject property only has access to North Main Street. Currently zoned M-X, the owner has expressed a desire to rezone the property to RM in order to combine the parcel with larger parcels to the south for a proposed housing development. The property is currently wooded and vacant. At 1.3 acres, with its current mixed use zoning, this property does not have the size to be properly developed as a standalone mixed use development. Also, if developed as a standalone piece, the driveway access to this property would have to be placed in a dangerous location relative to the East Dixie Drive / North Main Street intersection across from the parcel. It is best to combine this parcel with a larger adjacent parcel.

6. Council to consider Map Amendment, 24-MA-004 Ord. 2024-004, to the Official Zoning Map for rezoning of property located along Tara Boulevard (Parcel No. 13210D B007), Jonesboro, Ga 30236 from Highway Commercial (C-2) to Multi-Family Residential (RM).

RESULT:	PUBLIC HEARING REQUIRED	Next: 3/11/2024 6:00 PM
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Staff recommendation: Approval of re-zoning; This rezoning proposal by the applicant is on a small, vacant parcel on Tara Boulevard, in the northern portion of the city between Tara Hill Apartments and the Bank of America at the intersection of Tara Boulevard and Hwy. 138 Spur. The subject property only has to Tara Boulevard. Currently zoned C-2, the owner has expressed a desire to rezone the property to RM in order to combine the parcel with larger parcels to the east for a proposed housing development. The property is too small to be viable as a commercial property, with steep slopes and a stream running through it. Its only realistic use is as greenspace or a buffer area. Re-zoning Assessment per Sec. 86-374. - Standards of review for Map Amendments:

7. Council to consider Conditional Use Permit Application 24-CU-004, for a townhome development by Fayetteville Gingercake Road LLC, property owner, and Templar Development, applicant, for property along Fayetteville Road, North Main Street, and Tara Boulevard (Parcel Nos. 13210D B002, 13209C E003, and 13210D B007), Jonesboro, Georgia 30236.

RESULT:**PUBLIC HEARING REQUIRED****Next: 3/11/2024 6:00 PM**

Agency recommendation - Approval (with conditions) of Conditional Use application (also contingent upon approval of Variance application); Last year, a zoning verification form for North Main Street (Parcel 13209D B002 and adjacent parcels 13209C E003 and 13210D B007) for a new townhome community was received, which requires a conditional use permit. The to-be-combined properties would have 11.98 acres total and only contain significant portions of woods and a stream. Assuming rezoning is approved for parcels 13209C E003 and 13210D B007, the property is zoned RM (Multi-family) and only has access to North Main Street and Fayetteville Road (the two roads blend into each other near the subject property). The property is in the extreme northern end of the City and is not in the Historic District or in any Overlay. There are single-family residences along Fayetteville Road to the south of the subject property, the closest on the same side of the street as the development being about one-fifth of a mile from the development and being shielded by trees. Directly across the street and to the north of the development are commercial businesses. The proposal is for 77 townhome units with a price range in the xxxxxxxx. Several new public streets are proposed with 45-foot-wide rights of way. The same property is also under consideration for variances to certain development standards at the same meeting, which are explained in depth in a separate staff report. Denial of one application would necessitate the denial of the other. Sec. 86-101. - R-M multifamily residential district. Purpose. The R-M multifamily residential district is established to provide for multifamily dwellings on properties having a minimum area of two acres. The district accommodates residential development at a maximum density of eight units per acre and is intended to serve a rental market in which attached units are available in a setting with common amenities and greenspace. R-M districts are expected to develop near public transit and along transportation corridors. Such developments may be established at the margin of neighborhood commercial districts, community shopping districts and employment centers, and represent a transition from office and commercial uses to lower density neighborhoods.

Mr. Joshua Mahoney with Battle Law came forward to speak in favor of the request.

8. Council to consider Variance Application, 24-VAR-002, for certain townhome development standards by Fayetteville Gingercake Road LLC, property owner, and Templar Development, applicant, for property along Fayetteville Road, North Main Street, and Tara Boulevard (Parcel Nos. 13210D B002, 13209C E003, and 13210D

B007), Jonesboro, Georgia 30236.

RESULT:	PUBLIC HEARING REQUIRED	Next: 3/11/2024 6:00 PM
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Agency recommendation - Approval (with conditions) of Variance application (also contingent upon approval of Conditional use application); Last year, a zoning verification form for North Main Street (Parcel 13209D B002 and adjacent parcels 13209C E003 and 13210D B007) for a new townhome community was received, which requires a conditional use permit. The to-be-combined properties would have 11.98 acres total and only contain significant portions of woods and a stream. Assuming rezoning is approved for parcels 13209C E003 and 13210D B007, the property is zoned RM (Multi-family) and only has access to North Main Street and Fayetteville Road (the two roads blend into each other near the subject property). The property is in the extreme northern end of the City and is not in the Historic District or in any Overlay. There are single-family residences along Fayetteville Road to the south of the subject property, the closest on the same side of the street as the development being about one-fifth of a mile from the development and being shielded by trees. Directly across the street and to the north of the development are commercial businesses. The proposal is for 77 townhome units with a price range of \$300K to \$350K. Several new public streets are proposed with 45-foot-wide rights of way. The same property is also under consideration for variances to certain development standards at the same meeting. Denial of one application would necessitate the denial of the other.

Variance from 64 units to 77 units.

9. Discussion regarding Resolution RES-24-001, authorizing sale of City-owned King Street properties.

RESULT:	OLD BUSINESS	Next: 3/11/2024 6:00 PM
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At this point, City Attorney Michael Huening stated that it was discovered that in 2021 the properties were Quit Claimed from the Clayton County Land Bank to the City of Jonesboro. The properties are currently designated as City owned property. There are certain requirements for the city to dispose of property. The City would have to go through a public notice provision and collect sealed public bids. Another option - the city could transfer the land back to the Clayton County Landbank or to the Clayton County Development Authority and allow either entity to dispose of the property without certain legal provisions.

Mayor Sartor inquired about moving forward with a resolution of intent.

Minutes Acceptance: Minutes of Mar 4, 2024 6:00 PM (APPROVAL OF MINUTES)

Attorney Huening stated that it's okay to move forward with a resolution of intent, but the city needs to ensure that the pending proper legal requirements for disposition of the properties are met.

Mayor Sartor gave back history of the current situation. She stated that when Hearthside was being constructed -a quarterback committee was created as part of the community requirements with the state. The state required the city to have a community partner. The city selected Habitat for Humanity. Mayor Sartor referred to a letter signed by former Mayor Joy Day to Southern Crescent Habitat for Humanity regarding the development of 214 King Street and 216 King Street.

Mayor requested a consensus from the current council to move forward with legal steps of transferring the properties to Habitat for Humanity.

IX. OTHER BUSINESS

A. Executive Session for the purpose of discussing personnel matters.

1. Motion to enter Executive Session at 7:30 PM.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Alfred A. Dixon, Councilmember
SECONDER:	Bobby Lester, Councilmember
AYES:	Messick, A. Dixon, D. Dixon, Lester, Miller, Powell

2. Motion to reconvene Work Session at 8:00 PM.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Alfred A. Dixon, Councilmember
SECONDER:	Bobby Lester, Councilmember
AYES:	Messick, A. Dixon, D. Dixon, Lester, Miller, Powell

3. Motion for consideration of any action (s) if necessary based on decision (s) made in the Executive Session.

NO OFFICIAL ACTIONS TAKEN.

X. ADJOURNMENT AT 8:00 PM.

1. Motion

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Billy Powell, Councilmember
SECONDER:	Alfred A. Dixon, Councilmember
AYES:	Messick, A. Dixon, D. Dixon, Lester, Miller, Powell

DR. DONYA L. SARTOR – MAYOR

MELISSA BROOKS – CITY CLERK

Minutes Acceptance: Minutes of Mar 4, 2024 6:00 PM (APPROVAL OF MINUTES)

**CITY OF JONESBORO
REGULAR MEETING
1859 CITY CENTER WAY
February 12, 2024 – 6:00 PM**

MINUTES

The City of Jonesboro Mayor & Council held their Regular Meeting on Monday, February 12, 2024. The meeting was held at 6:00 PM at the Jonesboro Police Station, 1859 City Center Way, Jonesboro, Georgia.

I. CALL TO ORDER - MAYOR DONYA L. SARTOR

II. ROLL CALL - MELISSA BROOKS, CITY CLERK

Attendee Name	Title	Status	Arrived
Tracey Messick	Mayor Pro Tem	Absent	
Alfred A. Dixon	Councilmember	Present	
Don D. Dixon	Councilmember	Present	
Bobby Lester	Councilmember	Present	
Asjah Miller	Councilmember	Present	
Billy Powell	Councilmember	Present	
Donya Sartor	Mayor	Present	
Melissa Brooks	City Clerk	Present	
David Allen	Community Development Director	Present	
Christopher Cato	Interim Police Chief	Present	
Pat Daniel	Assistant City Clerk	Absent	
Shelby Bentley	Executive Assistant	Present	
Winston Denmark	City Attorney	Present	

III. INVOCATION - REV. DONALD K. REED, SR. SENIOR PASTOR, ANDREWS CHAPEL UNITED METHODIST CHURCH

IV. PLEDGE OF ALLEGIANCE

After the pledge, Aubri Huynh - 9th grader from Martha Ellen Stilwell School of The Arts came forward and sang "Lift every Voice" in honor of Black History Month.

V. ADOPTION OF AGENDA

Minutes Acceptance: Minutes of Feb 12, 2024 6:00 PM (APPROVAL OF MINUTES)

1. Motion adopt the February 12, 2024, meeting agenda with the following modifications.

RESULT:	APPROVED [4 TO 1]
MOVER:	Alfred A. Dixon, Councilmember
SECONDER:	Don D. Dixon, Councilmember
AYES:	A. Dixon, D. Dixon, Miller, Powell
NAYS:	Lester
ABSENT:	Messick

Mayor Sartor announced that there's two modifications under the presentations:

Removal of the Proclamation Presentation and adding Introduction of the new city manager.

Councilman A. Dixon requested removal of the Consent Agenda Items (Numbers 1-3) for the purpose of advertising the positions.

Mayor Sartor stated that #'s 2 and 3 - individuals have already accepted the positions.

Mayor Sartor asked if it was the desire to remove only items #'s 2 & 3.

Community Development Director stated that # 1 is establishing the Farmers Market Committee.

Councilman A. Dixon confirmed that all items should be removed in effort of opening availability to the Youth Government.

VI. PRESENTATIONS

1. Proclamation for First Introduction of Equal Rights Amendment.

Removed from the agenda.

VII. PUBLIC HEARINGS

1. Public Hearing regarding Alcohol Beverage Pouring license, 24-ALC-001, to dispense beer, wine & distilled spirits at 188 North Avenue, Jonesboro, Georgia 30236. The legal business name is Rendezvous Event Center and Banquet Hall. Mageedah Wood has requested to be the License Representative.

RESULT:	CLOSED
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At this time Mayor Sartor opened the Public Hearing regarding Alcohol Beverage Poring License, 24-ALC-001, to dispense beer, wine and distilled spirits at 188 North Avenue, Jonesboro, GA 30236. As none was present to speak for or against the request. The Public Hearing was duly closed.

Minutes Acceptance: Minutes of Feb 12, 2024 6:00 PM (APPROVAL OF MINUTES)

2. Public Hearing regarding Conditional Use Permit application, 24-CU-002, for a new Clayton County government complex, by Clayton Co. Board of Commissioners, property owner, and Claudia Haines, of Nelson Worldwide, applicant, for properties along Old Poston Road and Tara Boulevard (Parcel Nos. 05239 240001 and 05239 033002), Jonesboro, Georgia 30236.

RESULT:**CLOSED**

At this time Mayor Sartor opened the Public Hearing regarding Conditional Use Permit Application 24-CU-002, for a new Clayton County Government Complex, by Clayton Co. Board of Commissioners, property owner, and Claudia Haines, of Nelson Worldwide. As none was present to speak for or against the request. The Public Hearing was duly closed.

3. Public Hearing regarding Variance application, 24-VAR-001, concerning certain development standards for a new Clayton County government complex, by Clayton Co. Board of Commissioners, property owner, and Claudia Haines, of Nelson Worldwide, applicant, for properties along Old Poston Road and Tara Boulevard (Parcel Nos. 05239 240001 and 05239 033002), Jonesboro, Georgia 30236.

RESULT:**CLOSED**

At this time Mayor Sartor opened the Public Hearing regarding Variance Application, 24-VAR-001, concerning certain development standards for a new Clayton County Government Complex, by Clayton County Board of Commissioners, property owner, and Claudia Haines, of Nelson Worldwide. As none was present to speak for or against the request. The Public Hearing was duly closed.

VIII. PUBLIC COMMENT (PLEASE LIMIT COMMENTS TO THREE (3) MINUTES)

Mary George signed up for Public Comments - Did not come forward.

Patrick Polk - a 12 grader from Martha Ellen Stilwell School of The Arts came forward to speak about the importance of increasing the hourly minimum wage for city employees.

IX. FINANCIAL REPORT

No Financial Report.

X. ECONOMIC DEVELOPMENT REPORT

1. Economic Development Report for February.

Economic Development Director Andrew Simpson came forward and gave an update on the following:

Central Business District Sidewalk (CDBG Grant Funding) - \$120,811.

Two Parklets to be installed by the end of February and one more by the end of May.

Minutes Acceptance: Minutes of Feb 12, 2024 6:00 PM (APPROVAL OF MINUTES)

Congratulations to Trina Kolawole for passing her Main Street 101.

The Event calendar for the year has now been ratified. Our breakfast networking event in partnership with the Jonesboro Small Business Alliance is on Friday February 16th. 8:30am to 10:00am.

The Heart Health Awareness event is on February 24th.

The St. Patrick's Day Street Party is Saturday March 16th on S. Main St. between W. Mill St. & Church St. Facebook Analytics: Engagement. 2527. +117%. 13,475. Reach 13,475. +340%

The Vacant Commercial buildings are causing an issue in the revitalization of our downtown. Without the rehabilitation and renovation of these buildings in 2024, our downtown efforts will be stalled until these vacant buildings become occupied. I am asking Council for the vacancy fee to be raised from \$200 annually to \$2000 annually.

Minutes Acceptance: Minutes of Feb 12, 2024 6:00 PM (APPROVAL OF MINUTES)

XI. MINUTES

1. Consideration of the Minutes of the January 8, 2024 Regular Meeting.

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Don D. Dixon, Councilmember
SECONDER:	Alfred A. Dixon, Councilmember
AYES:	A. Dixon, D. Dixon, Lester, Miller, Powell
ABSENT:	Tracey Messick

2. Consideration of the Minutes of the January 24, 2024 Special Called Meeting.

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Don D. Dixon, Councilmember
SECONDER:	Alfred A. Dixon, Councilmember
AYES:	A. Dixon, D. Dixon, Lester, Miller, Powell
ABSENT:	Tracey Messick

3. Consideration of the Minutes of the February 5, 2024 Special Called Meeting.

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Don D. Dixon, Councilmember
SECONDER:	Bobby Lester, Councilmember
AYES:	A. Dixon, D. Dixon, Lester, Miller, Powell
ABSENT:	Tracey Messick

4. Consideration of the Minutes of the February 5, 2024 Work Session.

Mayor Sartor stated that for the February 5, 2024, Work Session - there were 3 people to give public comments. After checking the record, the

minutes were correct as presented. Comments from the 3rd person were captured under Agenda Item IX. (1) Discussion regarding Possible minimum wage increase for hourly city workers. NO CORRECTIONS WERE MADE TO THE MINUTES.

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Don D. Dixon, Councilmember
SECONDER:	Alfred A. Dixon, Councilmember
AYES:	A. Dixon, D. Dixon, Lester, Miller, Powell
ABSENT:	Tracey Messick

XII. CONSENT AGENDA

1. Council to approve establishment of a Market Committee to oversee the activities of the organization currently known as the City of Jonesboro Farmers Market. Committee shall consist of 3 vendors, 1 councilmember, and 1 person currently serving on other City committee or board.
2. Council to approve Historic Preservation Commission re-appointments: Betsy Wester for a 3-year term expiring 2/1/27; Jule Segner for a 2-year term expiring 2/1/26; and Alison Murphy for a 3-year term expiring 2/1/27.
3. Council to approve Design Review Commission re-appointments: Bonnie Shekarabi for a 3-year term expiring 2/1/27; Kimberly Lightford for a 3-year term expiring 2/1/27; Barbara Casey Lane for a 2-year term expiring 2/1/26; Tammary Dowdell for a 2-year term expiring 2/1/26; and Ricky McKenzie for a 1-year term expiring 2/1/25.

XIII. OLD BUSINESS

1. Council to consider minimum wage increase for certain hourly City employees.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Billy Powell, Councilmember
SECONDER:	Don D. Dixon, Councilmember
AYES:	A. Dixon, D. Dixon, Lester, Miller, Powell
ABSENT:	Messick

Mayor Sartor went over the budget impact for increasing the minimum wage for the following amounts:

\$19.00 per hour

\$20.00 per hour

\$22.00 per hour

Mayor spoke about an hourly minimum wage increase that is equitable for all. Mayor stated that this item can be tabled to allow the City Manager to review what's available. She requested that the \$22.00 per hour be considered.

Mayor stated that the city has 6 employees that make \$15.30 per hour and 4 employees at the rate of \$15.70 to \$17.05.

Councilman D. Dixon commented that the \$22.00 per hour hits the budget hard.

Councilman Powell stated that he would like to vote on \$19.00 per hour to be effective the first pay period in March.

Mayor Sartor asked if the Council would still consider the \$22.00.

2. Council to consider Alcohol Beverage Pouring license, 24-ALC-001, to dispense beer, wine & distilled spirits at 188 North Avenue, Jonesboro, Georgia 30236. The legal business name is Rendezvous Event Center and Banquet Hall. Mageedah Wood has requested to be the License Representative.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Alfred A. Dixon, Councilmember
SECONDER:	Bobby Lester, Councilmember
AYES:	A. Dixon, D. Dixon, Lester, Miller, Powell
ABSENT:	Messick

3. Council to consider Conditional Use Permit application, 24-CU-002, for a new Clayton County government complex, by Clayton Co. Board of Commissioners, property owner, and Claudia Haines, of Nelson Worldwide, applicant, for properties along Old Poston Road and Tara Boulevard (Parcel Nos. 05239 240001 and 05239 033002), Jonesboro, Georgia 30236.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Billy Powell, Councilmember
SECONDER:	Don D. Dixon, Councilmember
AYES:	A. Dixon, D. Dixon, Lester, Miller, Powell
ABSENT:	Messick

No changes to the request since the workshop session.

4. Council to consider Variance application, 24-VAR-001, concerning certain development standards for a new Clayton County government complex, by Clayton Co. Board of Commissioners, property owner, and Claudia Haines, of Nelson Worldwide, applicant, for properties along Old Poston Road and Tara Boulevard (Parcel Nos. 05239 240001 and 05239 033002), Jonesboro, Georgia 30236.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Bobby Lester, Councilmember
SECONDER:	Alfred A. Dixon, Councilmember
AYES:	A. Dixon, D. Dixon, Lester, Miller, Powell
ABSENT:	Messick

No changes to the request since the workshop session.

5. Council to consider increase in annual vacancy fee for certain commercial buildings.

Economic Development Director Simpson came forward to give an overview of the agenda item.

The fee is for any taxable space.

A brief discussion took place regarding the annual vacancy fee.

Councilman A. Dixon proposed a \$4000.00 fee instead of the recommended \$2000.00.

Attorney Demark stated that \$2000.00 could exceed the city's authority. He stated that if this is a proposed fine pursuant to the city's Charter - the city is limited on the amount that can be assessed.

Clarification was given that this is a proposed annual fee - not a per day fine.

Attorney Denmark stated that If the city is imposing a **vacant property tax** - the city is not subject to the \$1000.00 limitation.

Attorney Denmark stated that the City would have to levy the tax by providing public notice and follow all legal requirements. The city can levy up to \$4000.00. Does this have to go before the State Legislators? No.

How long does the property have to be vacant before the tax can be levied? 12 months.

If it's determined that the property is being actively marketed - then the property owner will not receive the vacant tax fee.

The tax is for commercial/retail properties.

6. Further consideration and discussion of proposed Jonesboro Internship Policy, created by Councilman Alfred Dixon.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Alfred A. Dixon, Bobby Lester
SECONDER:	Billy Powell, Councilmember
AYES:	A. Dixon, D. Dixon, Lester, Miller, Powell
ABSENT:	Messick

Councilman A. Dixon stated that within 6 weeks the interns have completed over 200 hours.

Councilman A. Dixon went over the guidelines. He stated that he would like to expand the program to include opportunities in Human Resources, Finance, IT departments, and Public Works.

Mayor Sartor suggested that the city utilizes Clayton State's internship program.

Councilman A. Dixon stated that - Clayton State has an Internship Program, and the city will continue that relationship with Clayton State, but if a student attending other colleges wishes to participate in Jonesboro Internship - I would like to open the program up to them as well.

Mayor Sartor stated that the interns are different from the constituent aide position. Interns will require oversight and other requirements stipulated by Clayton State.

Mayor Sartor requested a representative from Clayton State to attend the City Council meeting for clarification.

Mayor Sartor stated that we must decide whether the interns will be paid or unpaid.

There was no answer in response to the question of “Do the current interns expect to get paid.”

This is an option that can be offered to all department heads.

Councilman Lester motioned to continue with current Internship Program and table the revisions that is being proposed until the council receives addition information.

Attorney Denmark stated that the council can ratify a practice that the council has already engaged in.

Councilman Lester stated that his motion is to ratify the current practice regarding the contingent aides.

Mayor Sartor stated that the motion is to not expand the internship program and to table for further information.

7. Further discussion and consideration of revised Jonesboro Rules of Procedure and Code of Conduct for Elected Officials.

RESULT:	NO ACTION TAKEN [3 TO 2]
MOVER:	Don D. Dixon, Councilmember
SECONDER:	Bobby Lester, Councilmember
AYES:	D. Dixon, Lester, Powell
NAYS:	A. Dixon, Miller
ABSENT:	Messick

Councilman D. Dixon motioned to approve the revised City of Jonesboro Rules and Procedures and requested that the City Attorney prepare the ordinance for signatures at the March Regular Session Meeting.

Mayor Sartor stated that she believes that there’s a number of items in the Rules and Procedures document that would require an amendment to the City Charter.

Councilman D. Dixon stated that items that would require an amendment to the City Charter have been removed:

24-Hour notification, Termination of employees

We do not need to know where you are - just a notification that you’re not here. And that the mayor pro tem needs to stand by.

Mayor stated for the record, that Georgia is a Dillon Rule State. Mayor Sartor

read the document. *(a copy will be incorporated into the minutes)*

Mayor stated that if she cannot provide the services that the city needs, she will notify the council.

Councilwoman Miller stated that she was included in the drafting of the Jonesboro Rules and Procedures document.

Councilman A. Dixon, Councilman Lester, Councilman Powell (3-Yays)

Councilman A. Dixon, Councilwoman Miller, Mayor Sartor (3- Nays)

Mayor Pro Tem Messick - Absent

Councilman A. Dixon requested a friendly amendment to the motion.

The motion died. Motion did not carry.

XIV. NEW BUSINESS

1. Council to consider waiver of permit fees for applicants qualifying for the Commercial Beautification and Improvement Grant.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Alfred A. Dixon, Councilmember
SECONDER:	Asjah Miller, Councilmember
AYES:	A. Dixon, D. Dixon, Lester, Miller, Powell
ABSENT:	Messick

XV. REPORT OF MAYOR / CITY MANAGER

Mayor Sartor stated that the Chief of Police and the Finance Director's position have been posted.

Mayor Sartor stated that the events calendar has been posted to the webpage.

Red Dress Event will be held on February 24, 2024, hosted in conjunction with Shiloh Baptist Church.

XVI. REPORT OF CITY COUNCILMEMBERS

Councilman A. Dixon acknowledged Nancy Howard with Keep Georgia Beautiful Foundation.

Gave and update on the GMA Youth Forum.

XVII. OTHER BUSINESS

NO OTHER BUSINESS TO BE DISCUSSED.

XVIII. ADJOURNMENT


1. Motion to adjourn at 8:01 PM.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Billy Powell, Councilmember
SECONDER:	Don D. Dixon, Councilmember
AYES:	A. Dixon, D. Dixon, Lester, Miller, Powell
ABSENT:	Messick

DR. DONYA L. SARTOR – MAYOR

MELISSA BROOKS – CITY CLERK

Minutes Acceptance: Minutes of Feb 12, 2024 6:00 PM (APPROVAL OF MINUTES)

	CITY OF JONESBORO, GEORGIA COUNCIL Agenda Item Summary		Agenda Item # 10.1
			OLD BUSINESS – 1 COUNCIL MEETING DATE March 11, 2024
Requesting Agency (Initiator) Downtown Development Authority	Sponsor(s) Mr. Simpson		
Requested Action <i>(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)</i> City of Jonesboro Market Committee			
Requirement for Board Action <i>(Cite specific Council policy, statute or code requirement)</i> Approval			
Is this Item Goal Related? <i>(If yes, describe how this action meets the specific Board Focus Area or Goal)</i> Yes Economic Development			
Summary & Background <i>(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)</i> <div style="border: 1px solid black; padding: 10px; min-height: 200px;"> <p>Confirm Board Parameters</p> <p>The board is made up of five (5) individuals. Three (3) are Market vendors. One (1) is to be a member of city council. One (1) is from a city board. Each member of the board will be appointed by City Council after an application process, reviewed by the Mayor and City Manager. All Market board members to be subject to the same background checks as other city boards.</p> </div>			
Fiscal Impact <i>(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)</i> 			
Exhibits Attached <i>(Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)</i> •			
Staff Recommendation <i>(Type Name, Title, Agency and Phone)</i> Approval			

FOLLOW-UP APPROVAL ACTION (City Clerk)			
Typed Name and Title Melissa Brooks, City Clerk	Date March, 11, 2024	03/04/24 City Council OLD BUSINESS Next: 03/11/24	
Signature	City Clerk's Office		



CITY OF JONESBORO, GEORGIA COUNCIL
Agenda Item Summary

Agenda Item #

10.2

OLD BUSINESS – 2

COUNCIL MEETING DATE

March 11, 2024

Requesting Agency (Initiator)

Downtown Development Authority

Sponsor(s)

Mr. Simpson

Requested Action (Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)

Vacancy Fee/Tax Text Amendment to Ordinance

Requirement for Board Action (Cite specific Council policy, statute or code requirement)

Approval

Is this Item Goal Related? (If yes, describe how this action meets the specific Board Focus Area or Goal)

Yes

Economic Development

Summary & Background

(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)

Text Amendment, Ordinance #2023-007, 23-TA-006, to the City of Jonesboro Code of Ordinances, Chapter 34, Article I, Division 1 – Vacant Building Registry, concerning the creation of annual fees for certain vacant buildings exceeding a specified period of vacancy.

I would like to see the commercial vacant property fee reviewed. I would like to see a zero added so it's a \$2000 penalty fee for a year. An actively marketed property for a minimum of 6 months would be exempt from the fee/tax.

g) For commercial, office, and industrial buildings that have remained “vacant occupiable” for longer than 180 days in a tax year, whether consecutive or non-consecutive, shall be **annually assessed a \$2000 penalty fee**, in addition to the registration fee **(\$50)** established in Sec. 34-3 (c). The fee amount shall double for each year the property remains vacant. Commercial, office, and industrial buildings which have an active building permit, are already undergoing the plan review / permitting process, **or are being actively marketed for a minimum of 6 months** shall be exempt from this fee, but said buildings which have obtained some type of zoning approval (rezoning, conditional use permit, zoning appeal, variance or zoning verification of permitted use) shall be assessed the penalty fee if more than 180 days occur between zoning approval and commencement of the plan review and / or permitting process. Zoning approvals must remain current to avoid penalty. Re-application of expired zoning approvals, as well as denials of unpermitted uses, shall not be considered part of the permitting process.

Fiscal Impact

(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)

Exhibits Attached (Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)

•

Staff Recommendation (Type Name, Title, Agency and Phone)

Approval

FOLLOW-UP APPROVAL ACTION (City Clerk)

Typed Name and Title

Melissa Brooks, City Clerk

Date

March, 11, 2024

03/04/24

City Council OLD BUSINESS

Next: 03/11/24

Signature

City Clerk's Office



CITY OF JONESBORO, GEORGIA COUNCIL
Agenda Item Summary

Agenda Item #

10.3

PUBLIC HEARING – 3

COUNCIL MEETING DATE

March 11, 2024

Requesting Agency (Initiator)

Office of the City Manager

Sponsor(s)

Community Development Director Allen

Requested Action (Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)

Council to consider Conditional Use Permit Application, 24-CU-003, for a small-scale event center by Nathan Pasha, property owner, and Ishica Bogle, applicant, for property at 952 Dixie Drive (Parcel No. 13209A A007), Jonesboro, Georgia 30236.

Requirement for Board Action (Cite specific Council policy, statute or code requirement)

Section 86-104 MX District Purpose and Standards; Article XVII Sec. 86-532

Is this Item Goal Related? (If yes, describe how this action meets the specific Board Focus Area or Goal)

Yes Economic Development, Community Planning, Neighborhood and Business Revitalization

Summary & Background

(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)

Agency recommendation – **Denial of Conditional Use application**; Recently, the applicant submitted a zoning request for an small-scale event center space in a suite in the shopping center southeast of the intersection of North Main Street and Hwy. 138 (across Dixie Drive from Crane Hardware), which was annexed into the City in 2019. The shopping center is currently zoned M-X (Mixed Use) and is an L-shaped building fronting both North Main Street and Dixie Drive. The applicant occupies a suite on the “short” part of the building – 952 Dixie Drive. A residential neighborhood lies directly to the east of the shopping center. In the summer of 2023, the applicant applied for and was approved for what staff understood to be a vendor “pop-up” space, where sellers of merchandise collaborated to offer their items to the public. However, at the end of 2023, staff received reports of evening events at the shopping center involving disturbances of the peace, alcohol consumption, and parking on other properties. Staff contacted the applicant. She said she has had no alcohol related events in her suite, that it may have been the suite next door – 948 Dixie Drive. There have been no past approvals for event centers in this shopping center, and staff is working with the property owner on this situation. In the meantime, the applicant has applied to have small-scale parties, etc. in her suite, in addition to business meetings for vendors. (She has had, per the enclosed pictures, a few small family parties in the suite, in addition to vendor meetings.)

Per the applicant:

Small dinners, small intimate social events, non-profit kids parties for my non-profit back to school organization and Christmas party for kids; baby showers; 30 people or less.

The Table of Uses requires a conditional use permit for this particular kind of use in MX zoning, with the following conditions:

Sec. 86-532. NAICS 531120 – Lessors of Nonresidential Building (except Mini-warehouses), including Event Centers (Excluding funerals and wakes)

(1) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided. **There are 12 parking spaces on the short side of the shopping center, which are shared by 5 suites, including the event space suite. The only other possible accommodation for parking on the subject property is the back of the building, accessed by an alleyway on the eastern side of the building. With the dumpster and loading areas back there, they may be, at the most, 8 to 10 parking spaces, assuming the property owner is willing to allow access there. The alleyway is only wide enough for one-way traffic. If you had a thirty person gathering at the suite, and every vehicle has two attendees, there would not be enough parking in the front to accommodate this**

FOLLOW-UP APPROVAL ACTION (City Clerk)

Typed Name and Title

Melissa Brooks, City Clerk

Date

March, 11, 2024

03/04/24

REQUIRED

City Council

PUBLIC HEARING

Next: 03/11/24

Signature

City Clerk's Office

type of event without infringing on other suites and properties.

(2) Any alcohol service and consumption on the premises must conform to Chapter 6 standards, Alcoholic Beverages.

No alcohol permit has been applied for.

(3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking). **The proposed event space is a suite in a connected storefront, the next to last suite on the "shorter" side of the building. There is a hair salon next door (954), and then a residential neighborhood starts on the other side of a Leyland Cypress hedge. Every suite shares parking, and there is a chance that the hair salon could be impacted by events held at the event center during the day.**

(4) A minimum 50-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially zoned property.

Though the building and paving are pre-existing, the corner of the building is only 15 feet off of the eastern property line, which borders a residential, active property.

This property cannot meet the physical conditions for an event center. A larger property is needed.

(Note: she is a non-profit as well, and has had a back to school giveaway and Christmas toy giveaway at the suite, which staff considers part of the original business model and not the proposed event center for other parties coming into the suite.

Should the Mayor and Council approve the use, the following minimum conditions should apply:

- 1. Sprinkler system requirement shall be clarified by the County Fire Marshal's office.**
- 2. Approval of the use does not connote approval of any future alcohol service, which is a separate approval conforming to the standards of Chapter 6, Alcoholic Beverages.**
- 3. No parking on right-of-way or other properties shall occur.**

Update for 3.11.24 Meeting:

- 1. No intention for alcohol events.**
- 2. No food will be prepared on premises.**
- 3. Suite is only 150 square feet and will limit the size of events.**
- 4. Planned for 4 days a week – Thursday through Sunday, weekends until 11 pm.**

Fiscal Impact

(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)

Private Owner

Exhibits Attached (Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)

- Zoning Info
- Property Pictures

- Business Pictures
- Conditional Use - 952 Dixie Drive - Event Center - Legal Notice
- Zoning Sign
- Meeting Notice Letter
- Event Center Brochure

Staff Recommendation *(Type Name, Title, Agency and Phone)*

Denial



CITY OF JONESBORO
 1859 City Center Way
 Jonesboro, Georgia 30236
 City Hall: (770) 478-3800
 Fax: (470) 726-1646
 www.jonesboroga.com

MARIA

ZONING VERIFICATION REQUEST

Important Notice:

BEFORE leasing, purchasing, or otherwise committing to a property you are **STRONGLY ADVISED** to confirm that the zoning and physical layout of the building and site are appropriate for the business use intended and will comply with the City's Zoning Ordinance. This includes having a clear understanding of any code restrictions, limitations or architectural guidelines that may impact your operation and any building and site modifications that may be necessary to open your business. This document does not authorize a business to conduct business without an Occupational Tax Certificate. This could result in closure and/or ticketing.

Applicant's Information

Name of Applicant: Ishica Bogle
 Name of Business: Chic Creative Space LLC
 Property's Address: 952 Dixie Dr Jonesboro 30236
 Email Address: Ishica Bogle
 Phone: (Day): 678.237.6798 (Evening): _____

Property Information

Current Use of Property: Creative Space, pop up shop, meetings, photography
 Proposed Use of Property (Please provide in great detail the intended use of the property):
Small Dinner, Small Intimate Social Events, non profit
Kids party for my non profit back to school and Christmas party for kids
Intimate Babysitter 30 people or less. My Space is small so event
Ishica Bogle will be 30 people or less Intimate gathering. 1/29/24
 Applicant's Signature EVENT CENTER Date _____

FOR OFFICE USE ONLY:

Current Zoning: MX NAICS Code: 531120
 Required Zoning: H1, H2, OT1, MX, C1, C2 Conditional Use Needed? Yes or No

Comments: ☐ APPROVED ☐ DENIED
Conditional Use Permit Required And Must Comply
With Sec. 95 - 532

Zoning Official Signature _____

Date 1/29/24

Attachment: Zoning Info (3715 : Event Center - 952 Dixie Drive)

Applicant – Ishica Bogle
 Name of Business – Chic Creative Space LLC
 Address – 952 Dixie Drive
 Zoning District – UV (County); **MX (City) (June 2019 Annexation)**
 NAICS – 531120

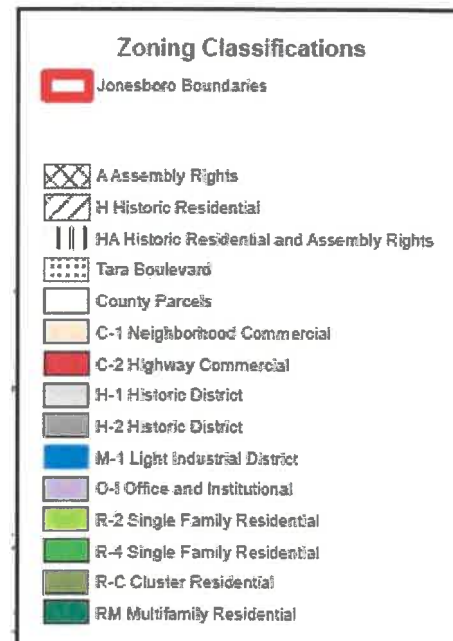
Proposed Use: Event center

Use is permitted "by right" in the district indicated = P

Use is permitted as a conditional use (section indicated) = C

Use is not permitted = N

NAICS Code	USES	R-2	R-4	R-C	CCM	RM	H-1	H-2	O&I	M X	C-1	C-2	M-1	Code Section
531120	Lessors of Nonresidential Building (except Miniwarehouses), including Event Centers (Excluding funerals and wakes)	N	N	N	N	N	C	C	C	C	N	C	C	Sec. 86-532; Sec. 86-118;



Sec. 86-532. NAICS 531120 – Lessors of Nonresidential Building (except Mini-warehouses), including Event Centers (Excluding funerals and wakes)

The following conditions are assigned in the H-1, H-2, O&I, M-X, C-2, and M-1 districts:

- (1) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (2) Any alcohol service and consumption on the premises must conform to Chapter 6 standards, Alcoholic Beverages.
- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) A minimum 50-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially zoned property.



CITY OF JONESBORO
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ORIGINAL
 MARIA

ZONING VERIFICATION REQUEST

Important Notice:

BEFORE leasing, purchasing, or otherwise committing to a property you are STRONGLY ADVISED to confirm that the zoning and physical layout of the building and site are appropriate for the business use intended and will comply with the City's Zoning Ordinance. This includes having a clear understanding of any code restrictions, limitations or architectural guidelines that may impact your operation and any building and site modifications that may be necessary to open your business. This document does not authorize a business to conduct business without an Occupational Tax Certificate. This could result in closure and/or ticketing.

Applicant's Information

Name of Applicant: Ishica Bogle
 Name of Business: Chic Creative Space LLC
 Property's Address: 952 Dixie Drive Jonesboro, GA 30236
 Email Address: IshicaMB@aol.com
 Phone: (Day): 678-237-6798 (Evening): 678-237-6798

Property Information

Current Use of Property: VACANT
 Proposed Use of Property (Please provide in great detail the intended use of the property):

meetings, creative collaboration, photography work,
classes, vision board meetings, pop up shops Vendors
Ishica Bogle 8/18/23 MEETING SPACE
 Applicant's Signature Date

FOR OFFICE USE ONLY:

Current Zoning: MX NAICS Code: 452319
 Required Zoning: H1, H2, MX, C1, C2 Conditional Use Needed? Yes or No
☒ APPROVED ☐ DENIED

Comments: NOT APPROVED AS EVENT CENTER - ALL VENDORS
MUST OPERATE IN SPACE ONLY
8/21/23
 Zoning Official Signature Date

Attachment: Zoning Info (3715 : Event Center - 952 Dixie Drive)

ORIGINAL

Applicant – Ishica Bogle
 Name of Business – Chic Creative Space LLC
 Address – 952 Dixie Drive
 Zoning District – UV (County); **MX (City) (June 2019 Annexation)**
 NAICS – 452319

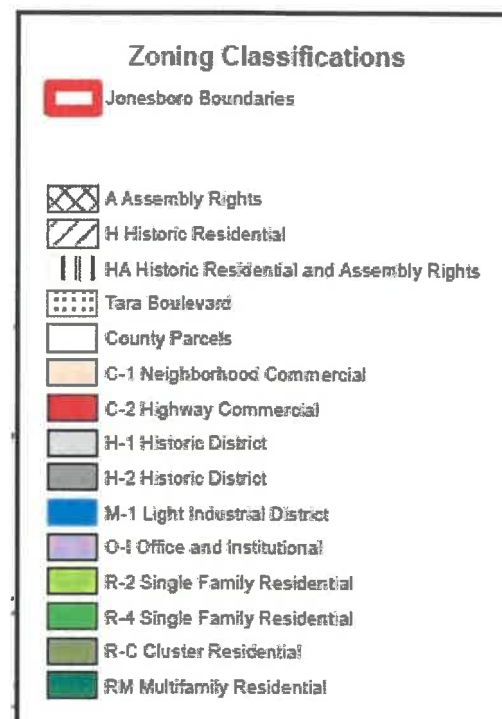
Proposed Use: Pop-up vendors, collaborative meeting space

Use is permitted "by right" in the district indicated = P

Use is permitted as a conditional use (section indicated) = C

Use is not permitted = N

NAICS Code	USES	R-2	R-4	R-C	R-A	RM	H-1	H-2	O&I	M X	C-1	C-2	M-1	Code Section
452319	All Other General Merchandise Stores	N	N	N	N	N	P	P	N	P*	C	P	N	Sec. 86-167



* Not approved as event center.

* All vendors must operate inside only.

David D. Allen, Zoning Administrator / Community Development Director
 August 21, 2023

Google Maps 961 Dixie Dr

Jonesboro, Georgia

Google Street View

Mar 2022 See more dates



Image capture: Mar 2022 © 2024 Google



Google Maps 961 Dixie Dr



Image capture: Mar 2022 © 2024 Google



Google Maps 961 Dixie Dr



Jonesboro, Georgia

Google Street View

Mar 2022 See more dates

Image capture: Mar 2022 © 2024 Google



Google Maps



Map data ©2024, Map data ©2024 20 ft



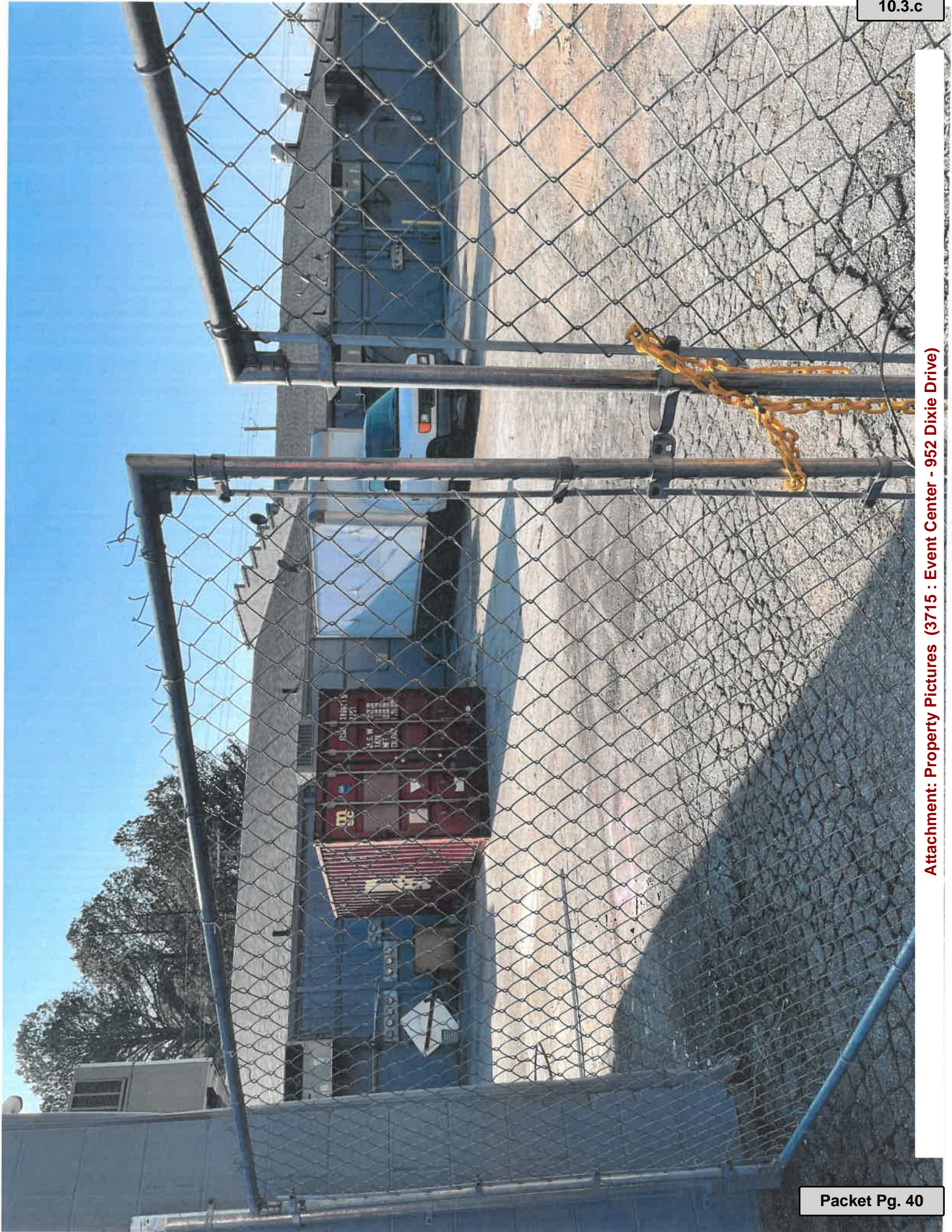
Google Maps



Attachment: Property Pictures (3715 : Event Center - 952 Dixie Drive)



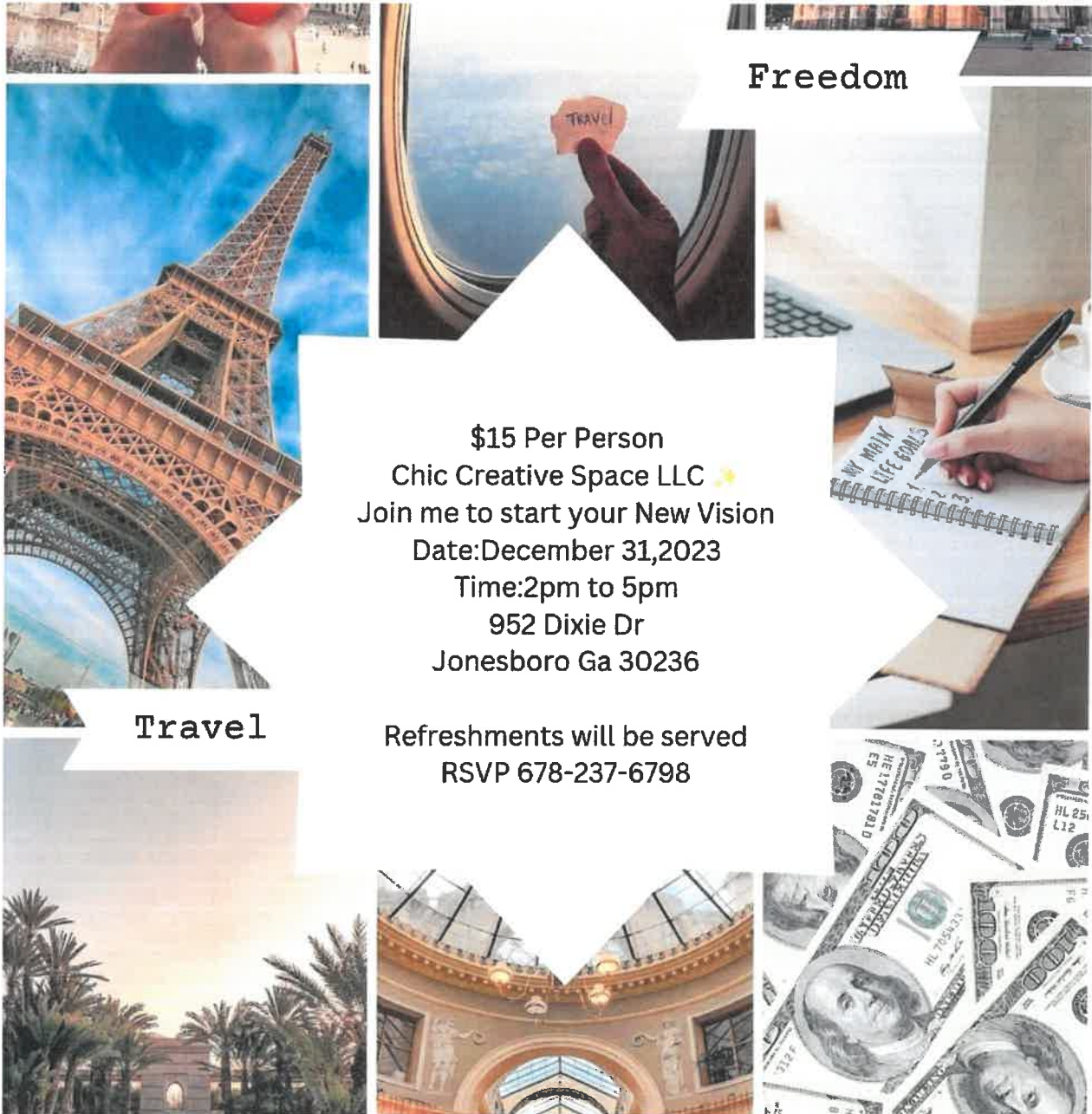
Attachment: Property Pictures (3715 : Event Center - 952 Dixie Drive)



Attachment: Property Pictures (3715 : Event Center - 952 Dixie Drive)



Attachment: Property Pictures (3715 : Event Center - 952 Dixie Drive)



Freedom

Travel

\$15 Per Person
Chic Creative Space LLC 🌟
Join me to start your New Vision
Date: December 31, 2023
Time: 2pm to 5pm
952 Dixie Dr
Jonesboro Ga 30236

Refreshments will be served
RSVP 678-237-6798



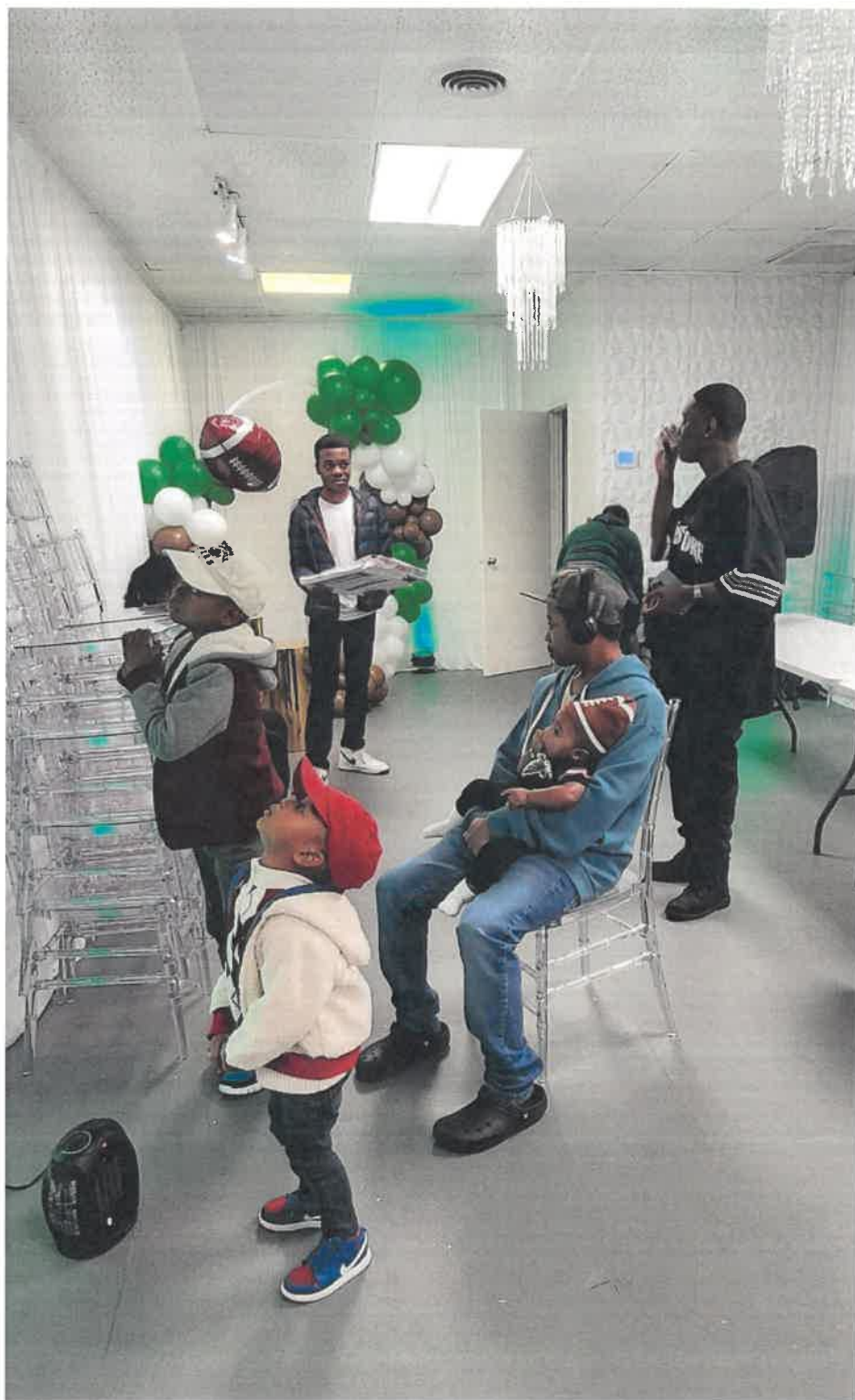


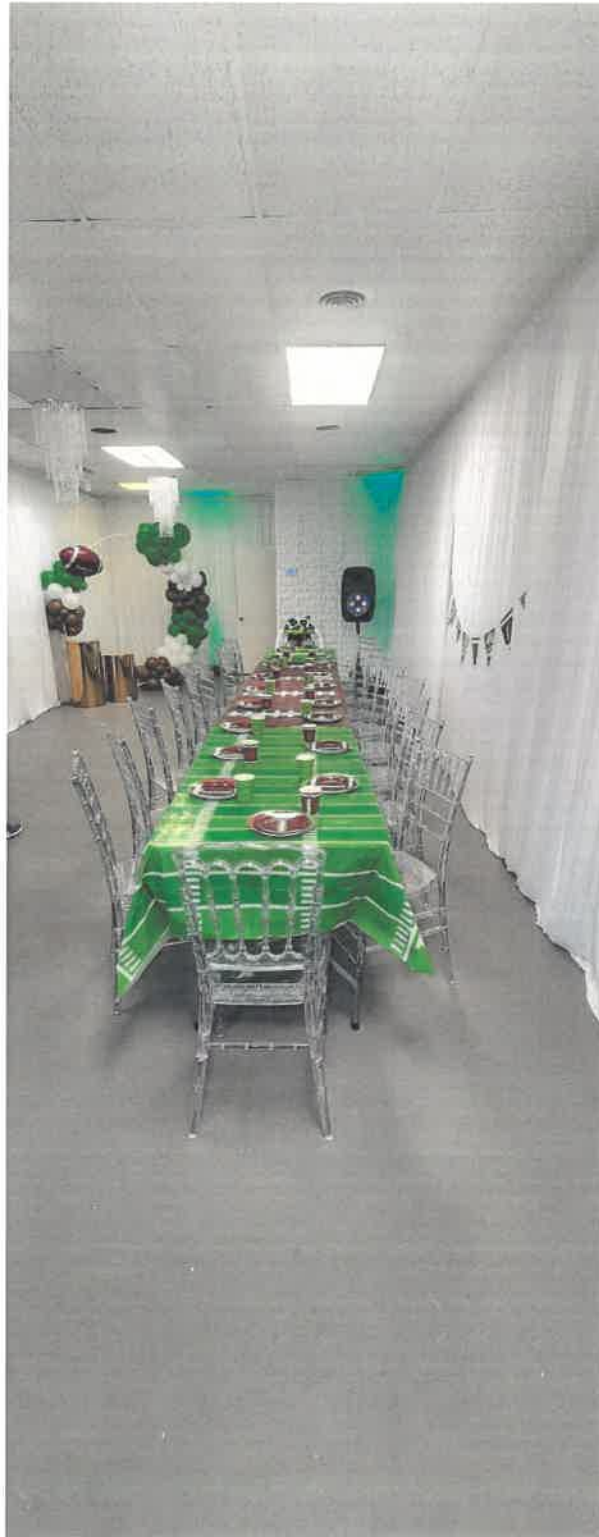
Attachment: Business Pictures (3715 : Event Center - 952 Dixie Drive)



Attachment: Business Pictures (3715 : Event Center - 952 Dixie Drive)

Family Birthday party





Attachment: Business Pictures (3715 : Event Center - 952 Dixie Drive)

Toy Give Away



Attachment: Business Pictures (3715 : Event Center - 952 Dixie Drive)

Family Christening



Attachment: Business Pictures (3715 : Event Center - 952 Dixie Drive)



Attachment: Business Pictures (3715 : Event Center - 952 Dixie Drive)

Legal Notice

Public Hearing will be held by the Mayor and Council of the City of Jonesboro at 6:00 P.M. on March 11, 2024, in the court chambers of the Jonesboro City Center, 1859 City Center Way, Jonesboro, GA, to consider a Conditional Use Permit Application for a small-scale event center by Nathan Pasha, property owner, and Ishica Bogle, applicant, for property at 952 Dixie Drive (Parcel No. 13209A A007), Jonesboro, Georgia 30236. Item will first be discussed at the Work Session on March 4, 2024 at 6:00 P.M., also in the court chambers of the Jonesboro City Center, 1859 City Center Way, Jonesboro, GA 30236.

David Allen
Community Development Director

Publish 2/21/24



Attachment: Zoning Sign (3715 : Event Center - 952 Dixie Drive)



MEMORANDUM

To: Ishica Bogle
7560 Taylor Road
Riverdale, Ga. 30274

From: David D. Allen
City of Jonesboro
1859 City Center Way
Jonesboro, GA 30236

Date: February 27, 2024

Re: Notification of Request for Conditional Use Permit – 952 Dixie Drive, Parcel No. 13209A A007

Dear Applicant,

This letter is to serve as notification that the City of Jonesboro has received your request for a conditional use permit for the above referenced property concerning the following:

- Event Center

A Public Hearing has been scheduled for Monday, March 11, 2024 at 6:00 pm before the Jonesboro Mayor and City Council to consider the request as described above. A Work Session has been scheduled on the same item for Monday, March 4, 2024 at 6:00 pm. The meetings will be conducted in the court chambers of the Jonesboro City Center, 1859 City Center Way, Jonesboro, Ga.

Should you have any questions regarding the decision, please do not hesitate to contact me at 770-478-3800 or at dallen@jonesboroga.com.

Sincerely,

David D. Allen
Community Development Director / Zoning Administrator

Attachment: Meeting Notice Letter (3715 : Event Center - 952 Dixie Drive)

IshicaMB@aol.com

678-237-6798

Atlanta, GA

Chic Creative Space LLC

Owner/CEO

Ishica Bogle

2024

Business Portfolio



Chic Creative Space LLC

Attachment: Event Center Brochure (3715 : Event Center - 952 Dixie Drive)

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Cover Page	
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Inventory	
Human Resources	
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Chic Creative Space LLC is an all-exclusive creative event space where all creators dreams come true. Whether you're hosting a small intimate workshop, a meeting, pop-up shop our space is a blank canvas waiting for your vision to unfold. Dedicated to deliver your dreams in a "major" way.

Company Pitch:

5 6ft Rectangular Tables
 45 Chiavari Chairs
 30 Gold Charger Plates
 30 Silver Charger Plates
 1 Throne Chair
 20 Center Pieces
 B.A.B.Y. Letter Blocks for Baby Showers
 20 Tablecloths
 50 Cloth Napkins
 15 Table Runners
 2 Grass Walls
 5 Marquee LED Letters (0, 1, 2, 4, 5, 6)
 15 Kids Chairs
 5 Cake Stands
 2 Circle Balloon Arches
 2 Back Drop Stands
 Telephone Stand

Inventory:

Operation Hours:

Thursday: 11AM-7PM

Friday: 12PM-11PM

Saturday: 12PM-11PM

Sunday: 11AM-11PM

Services:

Meeting and Conferences

Baby Showers

New-Born Celebrations

Sip and Paints

Learning Sessions

Vision Board Classes

Birthday Dinners

Back to School Drives

Food Wars

I Ishica Bogle has 6+ Years' experience planning varies events as in Parties, Baby Shower, Seminar Groups and many more. I have many truehearted customers that refer their friends and family members. Also I has a devoted fan base on the social media platforms Instagram and Facebook. I run many yearly Specials and ads to bring more customers.

Ishica Bogle

Human Resources:

1 additional staff will be needed to help run the business

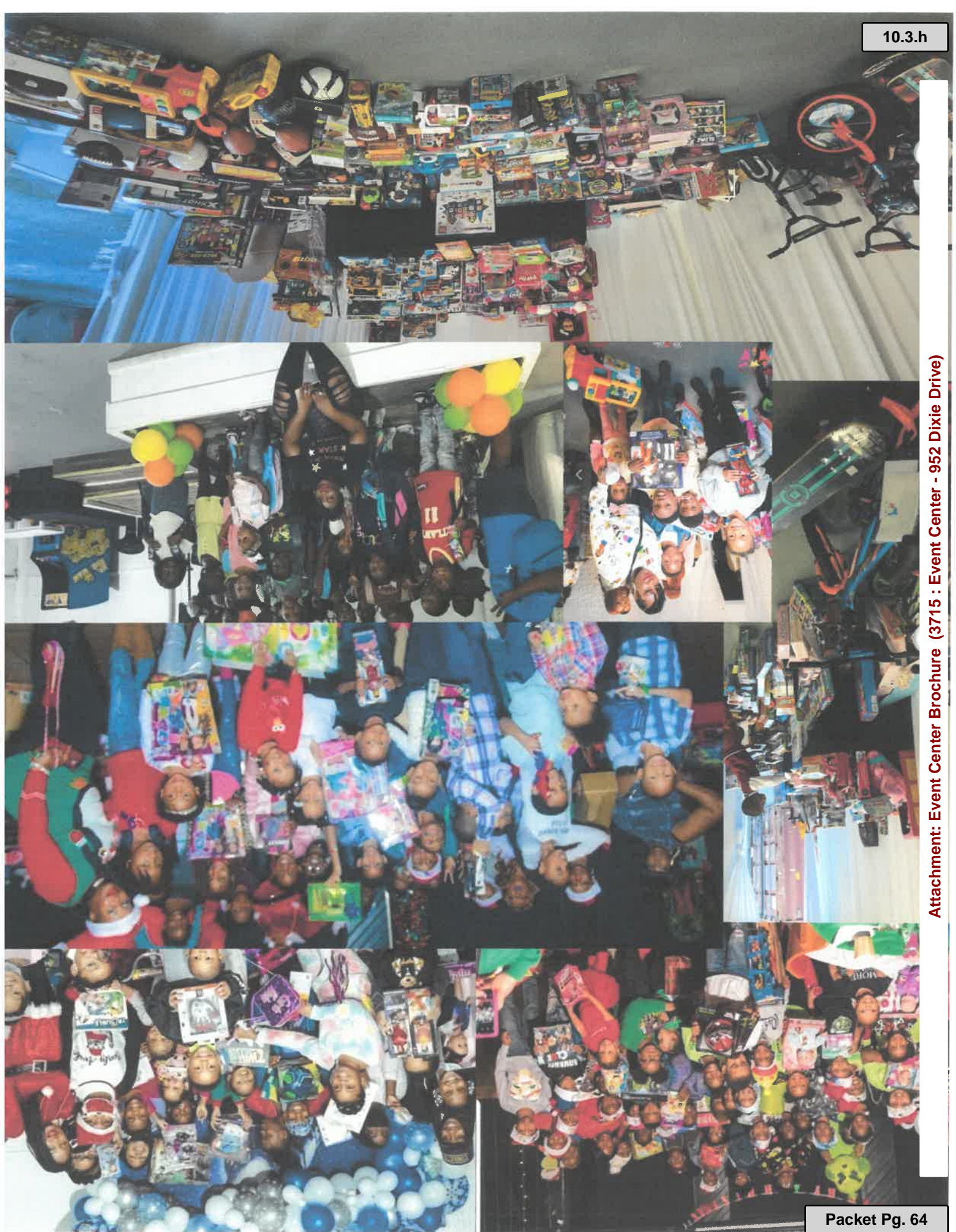
The assistant will not need any experience or skills and will be paid \$13.00 an hour.

Chic Creative Space LLC is completely different from our competitors. We're a one stop shop!! we offer things in FULL such as decoration, catering, and other full package deals!!

Why are we better?

Parking

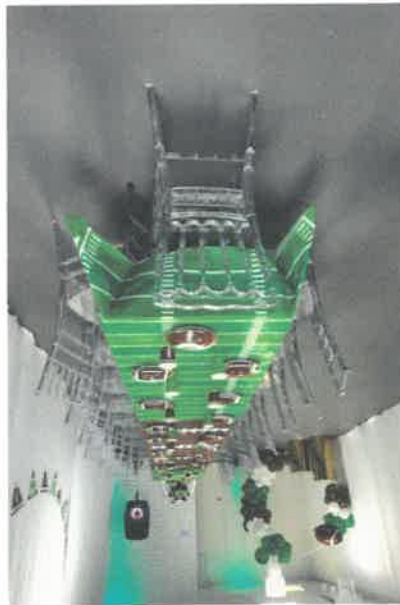




Attachment: Event Center Brochure (3715 : Event Center - 952 Dixie Drive)

My nonprofit foundation is dedicated to supporting those less fortunate through annual giveaways, feeding the homeless and hosting yearly back to school drive and Christmas giveaway parties together, we strive to make a lasting impact on the lives of those in our community.

Ms. Jennifer





CITY OF JONESBORO, GEORGIA COUNCIL
Agenda Item Summary

Agenda Item # **10.4**
PUBLIC HEARING – 4

COUNCIL MEETING DATE
March 11, 2024

Requesting Agency (Initiator)

Office of the City Manager

Sponsor(s)

Community Development Director Allen

Requested Action (Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)

Council to consider Map Amendment, 24-MA-004 Ord. 2024-004, to the Official Zoning Map for rezoning of property located along Tara Boulevard (Parcel No. 13210D B007), Jonesboro, Ga 30236 from Highway Commercial (C-2) to Multi-Family Residential (RM).

Requirement for Board Action (Cite specific Council policy, statute or code requirement)

Article XII, Amendments

Is this Item Goal Related? (If yes, describe how this action meets the specific Board Focus Area or Goal)

Yes Community Planning, Neighborhood and Business Revitalization

Summary & Background

(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)

Staff recommendation: Approval of re-zoning; This rezoning proposal by the applicant is on a small, vacant parcel on Tara Boulevard, in the northern portion of the city between Tara Hill Apartments and the Bank of America at the intersection of Tara Boulevard and Hwy. 138 Spur. The subject property only has to Tara Boulevard. Currently zoned C-2, the owner has expressed a desire to rezone the property to RM in order to combine the parcel with larger parcels to the east for a proposed housing development. The property is too small to be viable as a commercial property, with steep slopes and a stream running through it. Its only realistic use is as greenspace or a buffer area.

Re-zoning Assessment per Sec. 86-374. - Standards of review for Map Amendments:

- **Relationship to the established land use pattern.** Surrounding properties are as follows: RM Multifamily (southand east), C-2 Highway Commercial (north), and MX Mixed Use (east).
- **Compatibility with comprehensive plan; timing of development.** According to the City's most current Future Land Development Map the immediate area is a mix of "Residential" and "Tara Blvd Corridor" commercial properties.
- **Suitability of the zoning proposal.** Properties in the immediate vicinity are a mix of commercial and multi-family residential uses. Staff does not project any issues for the request, in terms of nuisance to nearby property owners, as the vacant parcel will not be developed.
- **Impact on public facilities and services; referrals to other agencies.** No further impact to public services is expected, as the vacant parcel will not be developed.
- **Impact on public financial resources.** No further impact to public financial resources is expected, as the vacant parcel will not be developed.
- **Availability of other land suitable for the proposed use.** The subject property will remain vacant.
- **Impact on neighborhood character.** Rezoning the property should have no detriment to the neighborhood character, as the vacant parcel will not be developed.
- **Opportunity for economic use of property.** The property is too small to be economically viable.
- **Effect on adjacent property.** Staff believes that the adjacent area would not be harmed from the change in zoning.
- **Impact on surrounding property values.** Staff does not foresee any negative impacts to the surrounding properties.
- **Circumstances peculiar to the context.** None known.
- **Impact on the public interest.** None – vacant property.
- **Environmental impact.** The property has a stream running through it, but no development will occur on the parcel.

In summary, approval of this rezoning does not constitute approval of any specific, future use. However, this property's size and the presence of steep slopes and a stream on it, render it unviable for commercial use.

FOLLOW-UP APPROVAL ACTION (City Clerk)

Typed Name and Title

Melissa Brooks, City Clerk

Date

March, 11, 2024

**03/04/24
REQUIRED**

**City Council PUBLIC HEARING
Next: 03/11/24**

Signature

City Clerk's Office

Fiscal Impact*(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)*

Private developer

Exhibits Attached *(Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)*

- Statement of Intent
- Zoning Map
- Property Maps
- Future Land Use Map
- Map Amendment - Parcel 13210D B007 Tara Boulevard - Legal Notice
- Zoning Sign
- Meeting Notice Letter

Staff Recommendation *(Type Name, Title, Agency and Phone)***Approval**



Battle Law

STATEMENT OF INTENT

and

Other Material Required by
The Jonesboro Zoning Ordinance
For
A Conditional Use Permit, Rezoning, and Variance

of

Templar Development Group, LLC
c/o Battle Law, P.C.

for

+/- 11.98 Acres of Land
Being the intersection of Tara Boulevard & N. Main Street
Jonesboro, Georgia and
Parcel Nos. 13210D B002, 13209C E003

Submitted for Applicant by:

Joshua Mahoney, Esq.
Battle Law, P.C.
Habersham at Northlake, Building J, Suite 100
Tucker, Georgia 300384
(404) 601-7616 Phone
(404) 745-0045 Facsimile
mlb@battlelawpc.com

Attachment: Statement of Intent (3717 : Tara Boulevard Rezoning)



Battle Law

I. LETTER OF INTENT

Templar Development Group, LLC (the “Applicant”) is seeking to develop on +/- 11.98 acres of land being Tax Parcel Nos. 13210D B002 and 13209C E003, having frontage on North Main Street (the “Subject Property”) with a townhome development consisting of 75 housing units. The Applicant is filing four applications. First, the applicant is proposing a rezoning of the parcels, 13209C E003, from MX to RM, which will bring the entire subject property under RM zoning. Second, the applicant is requesting a rezoning of property with parcel number 13210D B007 from C-2 to RM. Third, the applicant is requesting a conditional use permit to allow for 75 townhomes. Fourth, the applicant is requesting a variance from Sec. 86-101(b)(6) to reduce the minimum rear yard from 35 feet to 25 feet, which shall apply only to five units and will allow for a deceleration lane into the proposed development. The applicant is also requesting a variance from Sec. 86-101(c)(7) to allow for the townhomes to have front-loaded driveways., Lastly, the applicant is requesting a variance from Sec. 86-202 to increase the maximum number of units per development from 64 to 75. This document serves as a statement of intent, analysis of the criteria under the City of Jonesboro Standards for Map Amendment, and contains notice of constitutional allegations as a reservation of the Applicant’s rights. .

II. CITY OF JONESBORO STANDARDS FOR MAP AMENDMENT

What is the relationship between the proposed change to the established land use pattern? Is the proposed change compatible with the City’s comprehensive plan and what is the proposed timing of development?

The Subject Property is in the Residential character area of the comprehensive plan. The proposed change to the Subject Property’s zoning aligns with Residential character, which specifically enumerates townhomes adjacent to residential areas as a form of compatible residential development.

What impacts, if any, would the proposed change have on public facilities, services, neighborhood character, environmental impact, public interest, and public financial resources?

The proposed development would increase Jonesboro’s tax base while adding a residential development that does not unduly burden public facilities or services. The development will comply with all environmental regulations to minimize environmental impact.

What economic opportunities are projected for the property?

The Applicant projects new housing opportunities for the City at this property.



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To what extent would property values be diminished by the particular zoning restrictions?

The Applicant does not expect property values to be diminished by the proposed rezoning, and expects that new, high-quality housing will increase nearby property values.

To what extent would the destruction of property values, if any, promote the health, safety, morals, or general welfare of the public?

The Applicant does not expect that the proposed applications will destroy property values.

What is the relative gain to the public, as compared to the hardship, if any, imposed on the individual property owner?

The City will gain townhome housing in a different part of the city, increasing the housing options available within Jonesboro. In so doing, the City would make home ownership for new residents easier for those looking to move to the City of Jonesboro.

What is the length of time the property, if vacant, has been vacant as zoned? Considered in the context of land development in the areas and the vicinity of the property.

The Subject Property has never been developed under its current zoning. The particular parcel to be rezoned is small and presents challenges to being developed independently.

II. CITY OF JONESBORO STANDARDS FOR VARIANCE

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

The Subject Property has a unique position with its frontage along Fayetteville Road, which limits the locations where the Applicant can safely provide access to the property. Providing general access at the northern end of the frontage risks creating a complicated intersection where North Main Street meets Fayetteville Road. The limited access for general traffic has required the Applicant to create an intersection with a deceleration lane for safe flow of general traffic. To allow for that deceleration lane, the applicant is requesting a variance from Sec. 86-101(b)(6) to reduce the minimum rear yard from 35 feet to 25 feet, which shall apply only to five units.

The Subject Property also has an irregular shape which makes it impossible to make internal front streets and rear alleys. As a result, the applicant is also requesting a variance from Sec. 86-101(c)(7) to allow for the townhomes to have front-loaded driveways.



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List one or more unique characteristics that are generally not applicable to similarly situated properties.

The Subject Property has unique frontage along Fayetteville Road and has an irregular, non-rectangular shape that is unique among RM parcels and has created challenges for laying out lots.

Provide a literal interpretation of the provisions of above referenced chapter and/or section that would deprive the applicant of rights commonly enjoyed by other properties of the district in which the property is located.

A literal interpretation of the above referenced sections would deprive the applicant of the opportunity to fully develop the site. Combining the two parcels that form the Subject Property is important because it allows both properties to be served by a single access point, allowing for a safe traffic pattern that provides access to whole property.

Demonstrate how a variance prevents reasonable use of the property.

Not granting the requested variances would eliminate so many lots on the property that the overall project would not be feasible and the land would remain undeveloped.

Please explain the reasoning for the variance and state whether it is a result of the applicant.

The need for variances is not the result of the applicant.

Demonstrate how the variance is the only result to allow reasonable use of the property.

The variance is the only result to allow a reasonable use of the property because the property's irregular shape and frontage would persist for any intended use.

Will the granting of the requested variance be injurious to the public health, safety or welfare?

Granting the requested variance would not be injurious to the public health, safety or welfare. The proposed variance to allow for a deceleration lane is designed to increase driver safety.

Will the requested variance be in harmony with the purpose and intent of the above referenced chapter and/or section?

As explained in more detail above under the rezoning standards section, the requested variance will allow for a development that is consistent with the character and intent of the Residential character area.



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III. CONCLUSION

For the foregoing reasons, the Applicant hereby requests that the application for a rezoning, conditional use permit, and variance be approved. The Applicant welcomes any questions and feedback from the planning staff.

IV. NOTICE OF CONSTITUTIONAL ALLEGATIONS AND PRESERVATION OF CONSTITUTIONAL RIGHTS

The portions of the Jonesboro Zoning Ordinance, facially and as applied to the Subject Property, which restrict or classify or may restrict or classify the Subject Property so as to prohibit its development as proposed by the Applicant are or would be unconstitutional in that they would destroy the Applicant's property rights without first paying fair, adequate and just compensation for such rights, in violation of the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States and Article I, Section I, Paragraph I of the Constitution of the State of Georgia of 1983, Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and would be in violation of the Commerce Clause, Article I, Section 8, Clause 3 of the Constitution of the United States.

The application of the Jonesboro Zoning Ordinance to the Subject Property which restricts its use to any classification other than that proposed by the Applicant is unconstitutional, illegal, null and void, constituting a taking of Applicant's Property in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States, Article I, Section I, Paragraph I, and Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States denying the Applicant an economically viable use of its land while not substantially advancing legitimate state interests.

A denial of this Application would constitute an arbitrary irrational abuse of discretion and unreasonable use of the zoning power because they bear no substantial relationship to the public health, safety, morality or general welfare of the public and substantially harm the Applicant in violation of the due process and equal protection rights guaranteed by the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph 1 of the Constitution of the State of Georgia.

A refusal by the Jonesboro City Council to amend the land use and/or rezone the Subject Property to the classification as requested by the Applicant would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of similarly



Battle Law

situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any rezoning of the Property subject to conditions which are different from the conditions requested by the Applicant, to the extent such different conditions would have the effect of further restricting Applicant's utilization of the property, would also constitute an arbitrary, capricious and discriminatory act in zoning the Subject Property to an unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove.

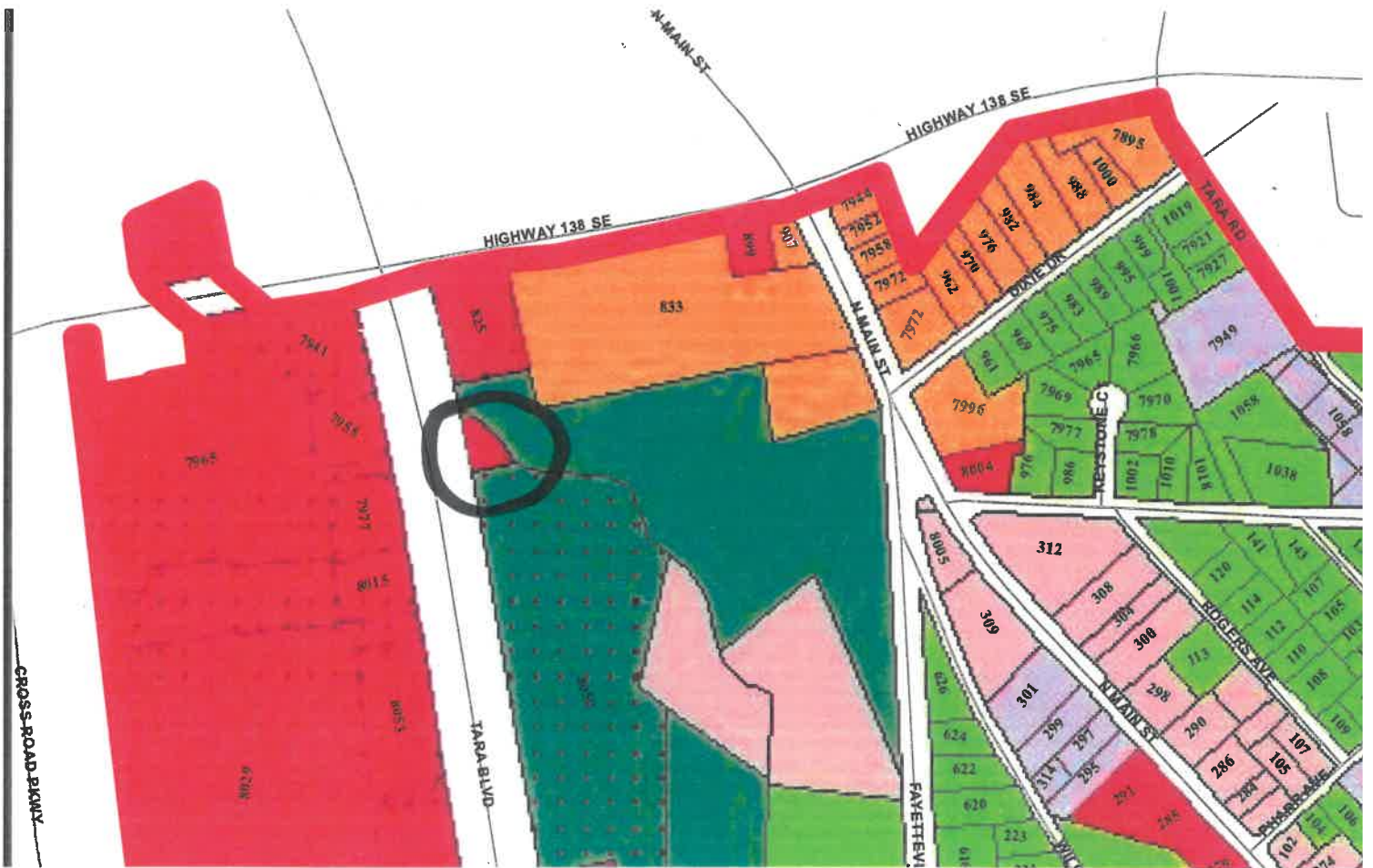
A refusal to allow the land use amendment and conditional land use permit in question would be unjustified from a fact-based standpoint and instead would result only from constituent opposition, which would be an unlawful delegation of authority in violation of Article IX, Section II, Paragraph IV of the Georgia Constitution.

A refusal to allow the land use amendment and conditional land use permit in question would be invalid inasmuch as it would be denied pursuant to an ordinance which is not in compliance with the Zoning Procedures Law, O.C.G.A Section 36-66/1 et seq., due to the manner in which the Ordinance as a whole and its map(s) have been adopted.

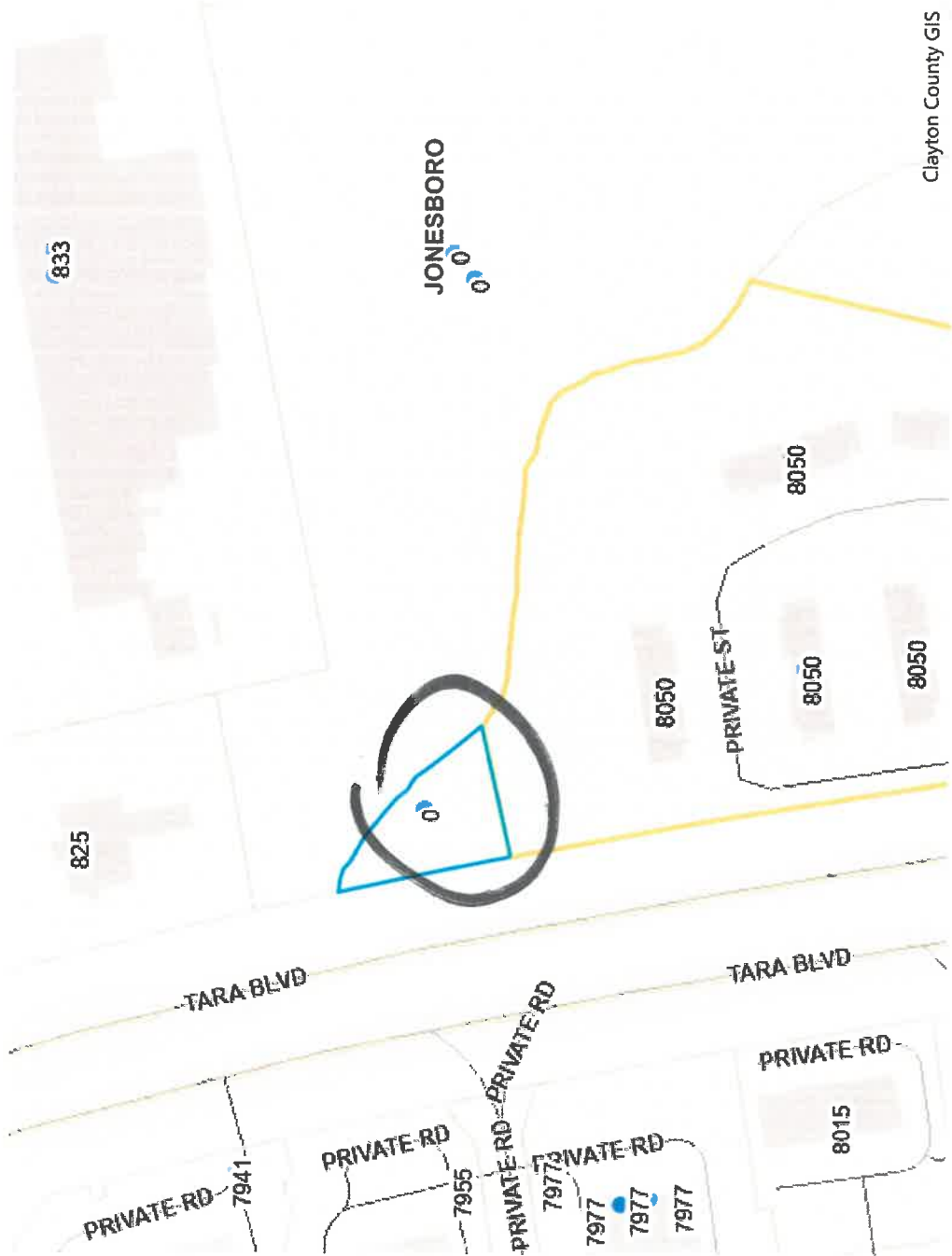
The existing land use designation and/or zoning classification on the Subject Property is unconstitutional as it applies to the Subject Property. This notice is being given to comply with the provisions of O.C.G.A. Section 36-11-1 to afford the County an opportunity to revise the Property to a constitutional classification. If action is not taken by the County to rectify this unconstitutional land use designation and/or zoning classification within a reasonable time, the Applicant is hereby placing the County on notice that it may elect to file a claim in the Superior Court of Clayton County demanding just and adequate compensation under Georgia law for the taking of the Subject Property, diminution of value of the Subject Property, attorney's fees and other damages arising out of the unlawful deprivation of the Applicant's property rights.

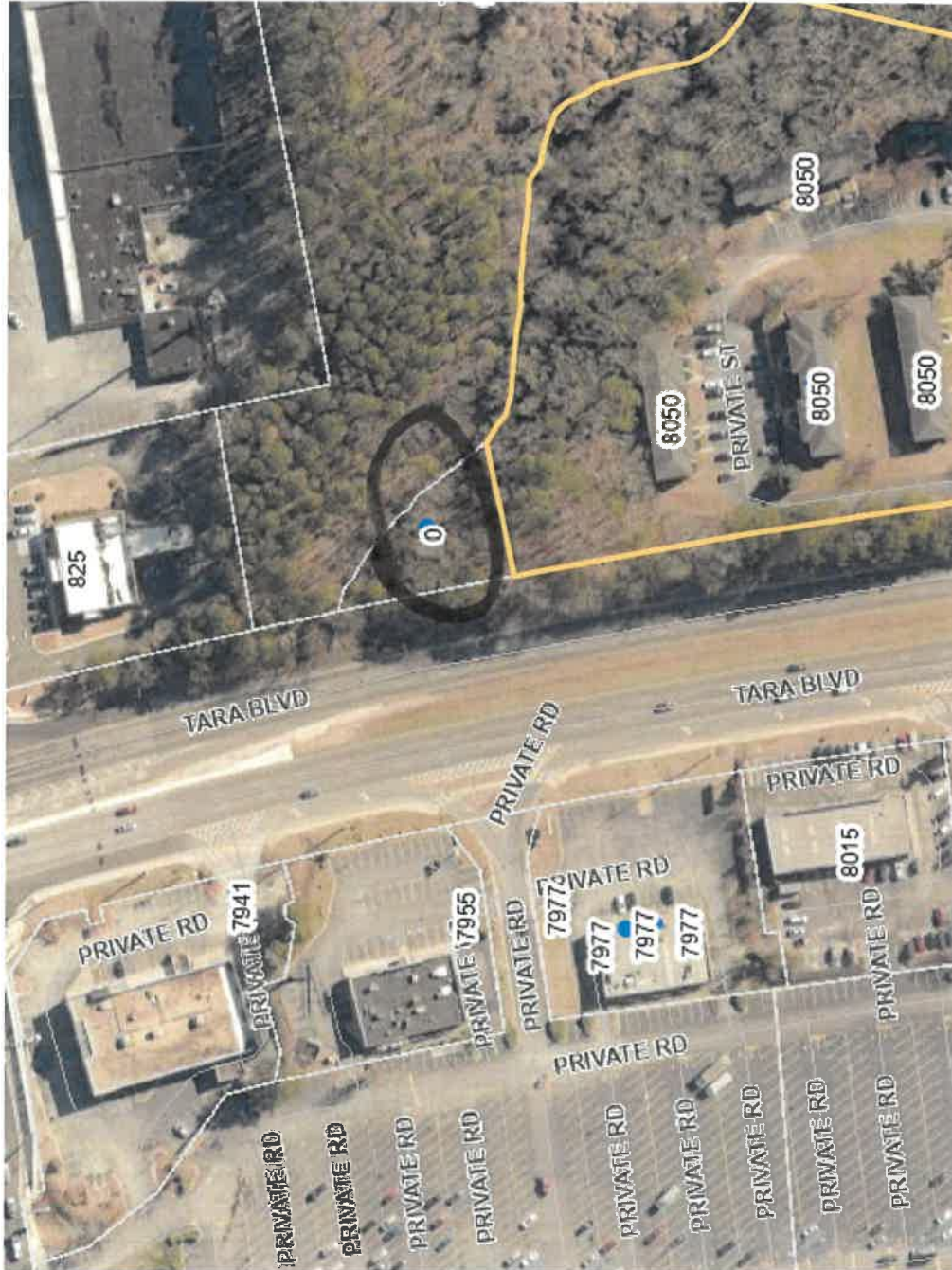
Joshua Mahoney, Esq.
Attorney for the Applicant

Attachment: Statement of Intent (3717 : Tara Boulevard Rezoning)



Attachment: Zoning Map (3717 : Tara Boulevard Rezoning)

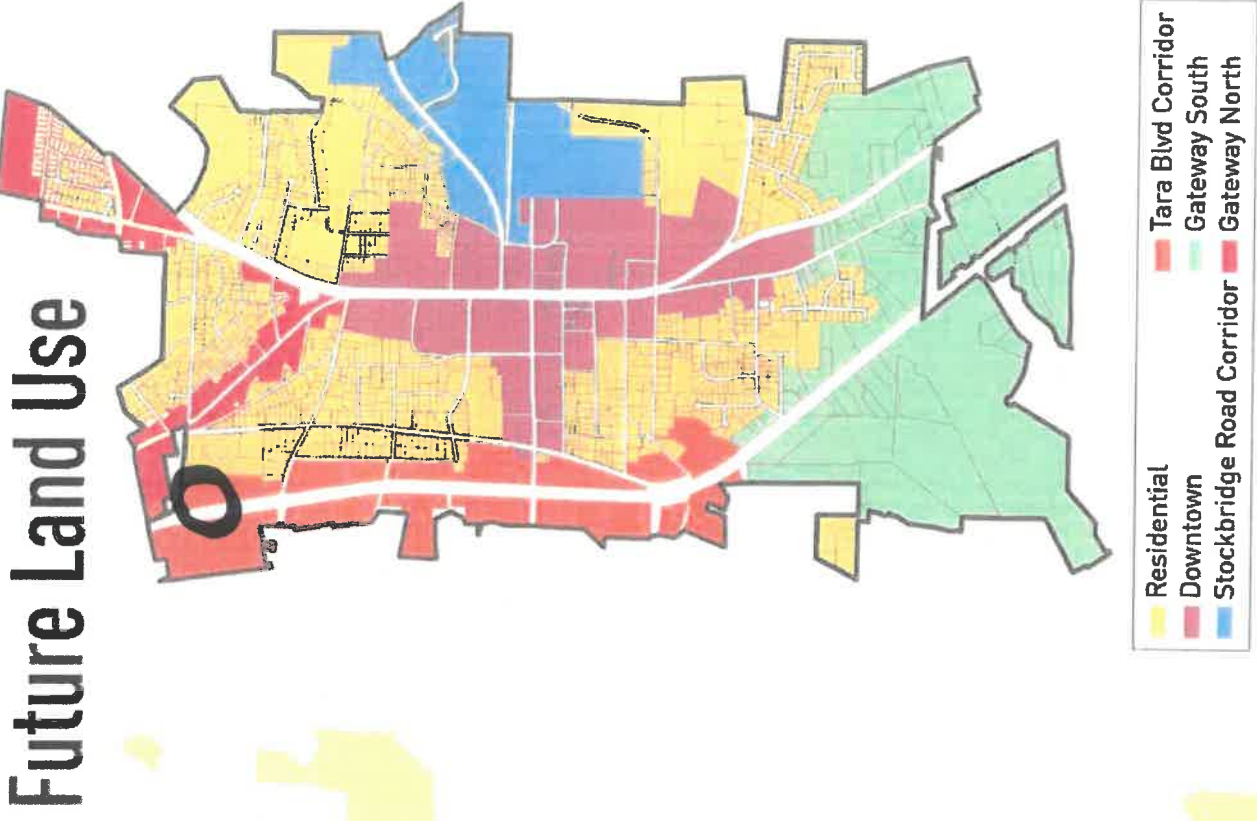




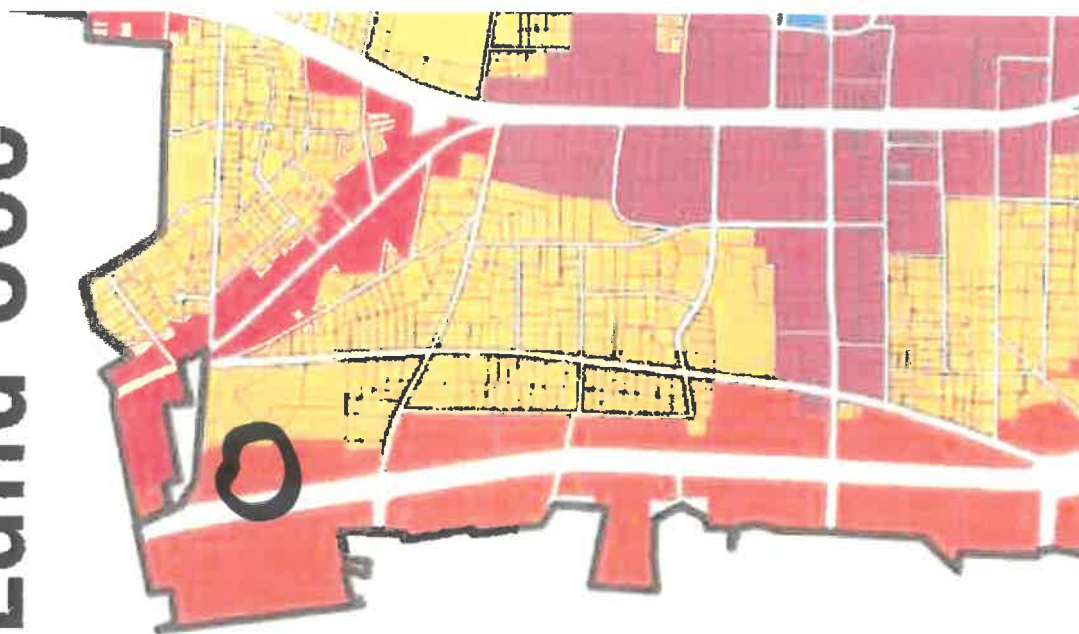
Future Land Use

As an important first step in creating an appropriate redevelopment atmosphere, the city has updated its Future Land Use Map, dividing the city into *Character Areas*. These updated Character Areas are intended to ensure compatible and unified development within specified areas of the city, and acknowledge the changing dynamics within the city over the last several years.

As described over the next few pages, these Character Areas guide land use characteristics and development standards. They influence development through guidelines for standards such as density and land use policies. Permissible land uses and compatible implementation measures are outlined in each section.



Future Land Use



Attachment: Future Land Use Map (3717 : Tara Boulevard Rezoning)

Legal Notice

Public Hearing will be held by the Mayor and Council of the City of Jonesboro at 6:00 P.M. on March 11, 2024 in the court chambers of the Jonesboro City Center, 1859 City Center Way, Jonesboro, GA, to consider a map amendment to the Official Zoning Map for rezoning of property located along Tara Boulevard (Parcel No. 13210D B007), Jonesboro, Ga 30236 from Highway Commercial (C-2) to Multi-Family Residential (RM). Mayor and Council will first discuss this item at their Work Session on March 4, 2024 at 6:00 P.M., also in the court chambers of the Jonesboro City Center, 1859 City Center Way, Jonesboro, GA 30236.

David Allen
Community Development Director

Publish 2/21/24



Attachment: Zoning Sign (3717 : Tara Boulevard Rezoning)

CITY OF JONESBORO

PUBLIC NOTICE

An application has been filed for a

REZONING: C2 → RM

at this location

O TARA BLVD - PARCEL 13210D B007

A PUBLIC HEARING on this application will be held on **MARCH 11** 20 **24**, at **6** p.m.

1859 CITY CENTER WAY

Any questions, call City Hall at 770-478-3800

Date of Posting. **FEBRUARY 26** 20 **24**

ATTENTION

DO NOT REMOVE UNTIL ABOVE MEETING DATE

Anyone caught defacing or removing this sign shall be guilty of a misdemeanor



MEMORANDUM

To: Jay Knight
Templar Development
160 Whitney Street
Fayetteville, Ga. 30214

From: David D. Allen
City of Jonesboro
1859 City Center Way
Jonesboro, GA 30236

Date: February 27, 2024

Re: Notification of Request for Rezoning (Map Amendment) – 0 Tara Blvd, Parcel No. 13209 B007

Dear Applicant,

This letter is to serve as notification that the City of Jonesboro has received your request for a rezoning (map amendment) for the above referenced property concerning the following:

- Highway Commercial (C2) to Multifamily (RM)

A Public Hearing has been scheduled for Monday, March 11, 2024 at 6:00 pm before the Jonesboro Mayor and City Council to consider the request as described above. A Work Session has been scheduled on the same item for Monday, March 4, 2024 at 6:00 pm. The meetings will be conducted in the court chambers of the Jonesboro City Center, 1859 City Center Way, Jonesboro, Ga.

Should you have any questions regarding the decision, please do not hesitate to contact me at 770-478-3800 or at dallen@jonesboroga.com.

Sincerely,

David D. Allen
Community Development Director / Zoning Administrator

Attachment: Meeting Notice Letter (3717 : Tara Boulevard Rezoning)



CITY OF JONESBORO, GEORGIA COUNCIL
Agenda Item Summary

Agenda Item # **10.5**
PUBLIC HEARING – 5

COUNCIL MEETING DATE
March 11, 2024

Requesting Agency (Initiator)

Office of the City Manager

Sponsor(s)

Community Development Director Allen

Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Council to consider Map Amendment, 24-MA-003 Ord. 2024-003, to the Official Zoning Map for rezoning of property located along North Main Street (Parcel No. 13209C E003), Jonesboro, Ga 30236 from Mixed-Use (MX) to Multi-Family Residential (RM), for the purposes of a townhome development.

Requirement for Board Action *(Cite specific Council policy, statute or code requirement)*

Article XII, Amendments

Is this Item Goal Related? *(If yes, describe how this action meets the specific Board Focus Area or Goal)*

Yes Community Planning, Neighborhood and Business Revitalization

Summary & Background

(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)

Staff recommendation: Approval of re-zoning; This rezoning proposal by the applicant is on a relatively small, vacant parcel west of the junction of North Main Street and Fayetteville Road, in the northern portion of the city across the road from Crane Hardware and the Tara Florist shopping center, and behind the Village Square shopping center. The subject property only has access to North Main Street. Currently zoned M-X, the owner has expressed a desire to rezone the property to RM in order to combine the parcel with larger parcels to the south for a proposed housing development. The property is currently wooded and vacant. **At 1.3 acres, with its current mixed use zoning, this property does not have the size to be properly developed as a standalone mixed use development. Also, if developed as a standalone piece, the driveway access to this property would have to be placed in a dangerous location relative to the East Dixie Drive / North Main Street intersection across from the parcel. It is best to combine this parcel with a larger adjacent parcel.**

Re-zoning Assessment per Sec. 86-374. - Standards of review for Map Amendments:

- **Relationship to the established land use pattern.** Surrounding properties are as follows: RM Multifamily (southand west an across road), and MX Mixed Use (north).
- **Compatibility with comprehensive plan; timing of development.** According to the City's most current Future Land Development Map the immediate area is "Residential."
- **Suitability of the zoning proposal.** Properties in the immediate vicinity are a mix of commercial and multi-family residential uses. Staff does not project any issues for the request, in terms of nuisance to nearby property owners, which are already commercial.
- **Impact on public facilities and services; referrals to other agencies.** Further impact to public services, if rezoned and combined with the adjacent parcel, include more water, sewer, and interior streets.
- **Impact on public financial resources.** The proposed development would be privately funded.
- **Availability of other land suitable for the proposed use.** The subject property is not suitable for a standalone development.
- **Impact on neighborhood character.** Rezoning the property should have no detriment to the neighborhood character, which is almost totally commercial.
- **Opportunity for economic use of property.** The property is too small to be economically viable as a mixed use development.
- **Effect on adjacent property.** Staff believes that the adjacent area would not be harmed from the change in zoning.
- **Impact on surrounding property values.** Staff does not foresee any negative impacts to the surrounding properties, which are almost totally commercial.

FOLLOW-UP APPROVAL ACTION (City Clerk)

Typed Name and Title

Melissa Brooks, City Clerk

Date

March, 11, 2024

**03/04/24
REQUIRED**

**City Council PUBLIC HEARING
Next: 03/11/24**

Signature

City Clerk's Office

- **Circumstances peculiar to the context.** None known.
- **Impact on the public interest.** None – vacant property.
- **Environmental impact.** None known. A nearby stream runs on an adjacent property, not the subject property.

In summary, approval of this rezoning does not necessarily constitute approval of any specific, future use. However, this property's size renders it unviable for a proper mixed use development, thus, it needs to be combined with an adjacent, similarly zoned property. The only way to achieve this is through rezoning.

Fiscal Impact

(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)

Private developer

Exhibits Attached *(Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)*

- Statement of Intent
- Zoning Map
- Property Map
- Future Land Use Map
- Site Plan
- Map Amendment - Parcel 13209C E003 North Main Street - Legal Notice
- Zoning Sign
- Meeting Notice Letter

Staff Recommendation *(Type Name, Title, Agency and Phone)*

Approval



Battle Law

STATEMENT OF INTENT

and

Other Material Required by
The Jonesboro Zoning Ordinance
For
A Conditional Use Permit, Rezoning, and Variance

of

Templar Development Group, LLC
c/o Battle Law, P.C.

for

+/- 11.98 Acres of Land
Being the intersection of Tara Boulevard & N. Main Street
Jonesboro, Georgia and
Parcel Nos. 13210D B002, 13209C E003

Submitted for Applicant by:

Joshua Mahoney, Esq.
Battle Law, P.C.
Habersham at Northlake, Building J, Suite 100
Tucker, Georgia 300384
(404) 601-7616 Phone
(404) 745-0045 Facsimile
mlb@battlelawpc.com

Attachment: Statement of Intent (3716 : Rezoning - North Main Street)



Battle Law

I. LETTER OF INTENT

Templar Development Group, LLC (the “Applicant”) is seeking to develop on +/- 11.98 acres of land being Tax Parcel Nos. 13210D B002 and 13209C E003, having frontage on North Main Street (the “Subject Property”) with a townhome development consisting of 75 housing units. The Applicant is filing four applications. First, the applicant is proposing a rezoning of the parcels, 13209C E003, from MX to RM, which will bring the entire subject property under RM zoning. Second, the applicant is requesting a rezoning of property with parcel number 13210D B007 from C-2 to RM. Third, the applicant is requesting a conditional use permit to allow for 75 townhomes. Fourth, the applicant is requesting a variance from Sec. 86-101(b)(6) to reduce the minimum rear yard from 35 feet to 25 feet, which shall apply only to five units and will allow for a deceleration lane into the proposed development. The applicant is also requesting a variance from Sec. 86-101(c)(7) to allow for the townhomes to have front-loaded driveways., Lastly, the applicant is requesting a variance from Sec. 86-202 to increase the maximum number of units per development from 64 to 75. This document serves as a statement of intent, analysis of the criteria under the City of Jonesboro Standards for Map Amendment, and contains notice of constitutional allegations as a reservation of the Applicant’s rights. .

II. CITY OF JONESBORO STANDARDS FOR MAP AMENDMENT

What is the relationship between the proposed change to the established land use pattern? Is the proposed change compatible with the City’s comprehensive plan and what is the proposed timing of development?

The Subject Property is in the Residential character area of the comprehensive plan. The proposed change to the Subject Property’s zoning aligns with Residential character, which specifically enumerates townhomes adjacent to residential areas as a form of compatible residential development.

What impacts, if any, would the proposed change have on public facilities, services, neighborhood character, environmental impact, public interest, and public financial resources?

The proposed development would increase Jonesboro’s tax base while adding a residential development that does not unduly burden public facilities or services. The development will comply with all environmental regulations to minimize environmental impact.

What economic opportunities are projected for the property?

The Applicant projects new housing opportunities for the City at this property.



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To what extent would property values be diminished by the particular zoning restrictions?

The Applicant does not expect property values to be diminished by the proposed rezoning, and expects that new, high-quality housing will increase nearby property values.

To what extent would the destruction of property values, if any, promote the health, safety, morals, or general welfare of the public?

The Applicant does not expect that the proposed applications will destroy property values.

What is the relative gain to the public, as compared to the hardship, if any, imposed on the individual property owner?

The City will gain townhome housing in a different part of the city, increasing the housing options available within Jonesboro. In so doing, the City would make home ownership for new residents easier for those looking to move to the City of Jonesboro.

What is the length of time the property, if vacant, has been vacant as zoned? Considered in the context of land development in the areas and the vicinity of the property.

The Subject Property has never been developed under its current zoning. The particular parcel to be rezoned is small and presents challenges to being developed independently.

II. CITY OF JONESBORO STANDARDS FOR VARIANCE

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

The Subject Property has a unique position with its frontage along Fayetteville Road, which limits the locations where the Applicant can safely provide access to the property. Providing general access at the northern end of the frontage risks creating a complicated intersection where North Main Street meets Fayetteville Road. The limited access for general traffic has required the Applicant to create an intersection with a deceleration lane for safe flow of general traffic. To allow for that deceleration lane, the applicant is requesting a variance from Sec. 86-101(b)(6) to reduce the minimum rear yard from 35 feet to 25 feet, which shall apply only to five units.

The Subject Property also has an irregular shape which makes it impossible to make internal front streets and rear alleys. As a result, the applicant is also requesting a variance from Sec. 86-101(c)(7) to allow for the townhomes to have front-loaded driveways.



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List one or more unique characteristics that are generally not applicable to similarly situated properties.

The Subject Property has unique frontage along Fayetteville Road and has an irregular, non-rectangular shape that is unique among RM parcels and has created challenges for laying out lots.

Provide a literal interpretation of the provisions of above referenced chapter and/or section that would deprive the applicant of rights commonly enjoyed by other properties of the district in which the property is located.

A literal interpretation of the above referenced sections would deprive the applicant of the opportunity to fully develop the site. Combining the two parcels that form the Subject Property is important because it allows both properties to be served by a single access point, allowing for a safe traffic pattern that provides access to whole property.

Demonstrate how a variance prevents reasonable use of the property.

Not granting the requested variances would eliminate so many lots on the property that the overall project would not be feasible and the land would remain undeveloped.

Please explain the reasoning for the variance and state whether it is a result of the applicant.

The need for variances is not the result of the applicant.

Demonstrate how the variance is the only result to allow reasonable use of the property.

The variance is the only result to allow a reasonable use of the property because the property's irregular shape and frontage would persist for any intended use.

Will the granting of the requested variance be injurious to the public health, safety or welfare?

Granting the requested variance would not be injurious to the public health, safety or welfare. The proposed variance to allow for a deceleration lane is designed to increase driver safety.

Will the requested variance be in harmony with the purpose and intent of the above referenced chapter and/or section?

As explained in more detail above under the rezoning standards section, the requested variance will allow for a development that is consistent with the character and intent of the Residential character area.



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III. CONCLUSION

For the foregoing reasons, the Applicant hereby requests that the application for a rezoning, conditional use permit, and variance be approved. The Applicant welcomes any questions and feedback from the planning staff.

IV. NOTICE OF CONSTITUTIONAL ALLEGATIONS AND PRESERVATION OF CONSTITUTIONAL RIGHTS

The portions of the Jonesboro Zoning Ordinance, facially and as applied to the Subject Property, which restrict or classify or may restrict or classify the Subject Property so as to prohibit its development as proposed by the Applicant are or would be unconstitutional in that they would destroy the Applicant's property rights without first paying fair, adequate and just compensation for such rights, in violation of the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States and Article I, Section I, Paragraph I of the Constitution of the State of Georgia of 1983, Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and would be in violation of the Commerce Clause, Article I, Section 8, Clause 3 of the Constitution of the United States.

The application of the Jonesboro Zoning Ordinance to the Subject Property which restricts its use to any classification other than that proposed by the Applicant is unconstitutional, illegal, null and void, constituting a taking of Applicant's Property in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States, Article I, Section I, Paragraph I, and Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States denying the Applicant an economically viable use of its land while not substantially advancing legitimate state interests.

A denial of this Application would constitute an arbitrary irrational abuse of discretion and unreasonable use of the zoning power because they bear no substantial relationship to the public health, safety, morality or general welfare of the public and substantially harm the Applicant in violation of the due process and equal protection rights guaranteed by the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph 1 of the Constitution of the State of Georgia.

A refusal by the Jonesboro City Council to amend the land use and/or rezone the Subject Property to the classification as requested by the Applicant would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of similarly



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situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any rezoning of the Property subject to conditions which are different from the conditions requested by the Applicant, to the extent such different conditions would have the effect of further restricting Applicant's utilization of the property, would also constitute an arbitrary, capricious and discriminatory act in zoning the Subject Property to an unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove.

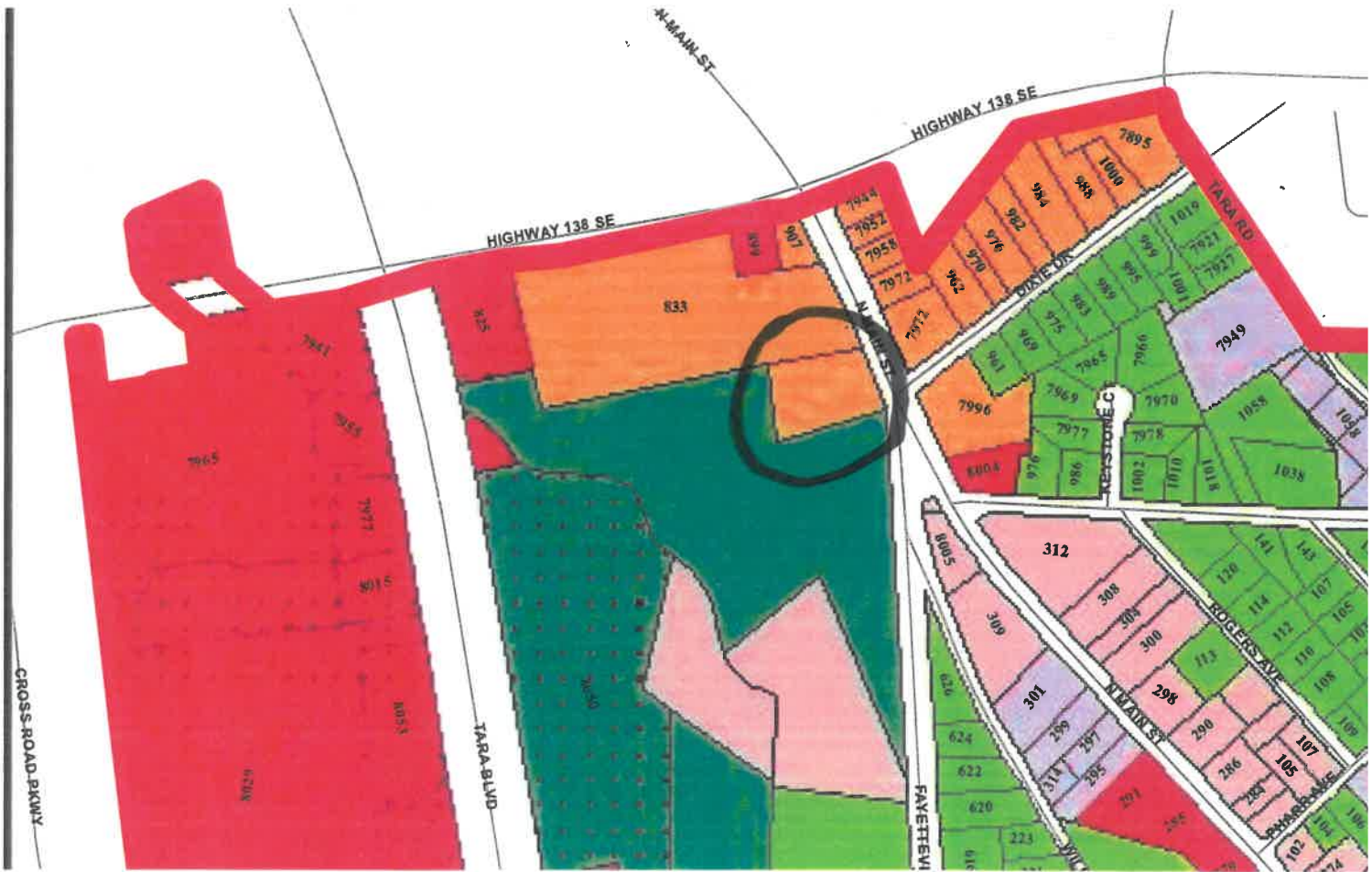
A refusal to allow the land use amendment and conditional land use permit in question would be unjustified from a fact-based standpoint and instead would result only from constituent opposition, which would be an unlawful delegation of authority in violation of Article IX, Section II, Paragraph IV of the Georgia Constitution.

A refusal to allow the land use amendment and conditional land use permit in question would be invalid inasmuch as it would be denied pursuant to an ordinance which is not in compliance with the Zoning Procedures Law, O.C.G.A Section 36-66/1 et seq., due to the manner in which the Ordinance as a whole and its map(s) have been adopted.

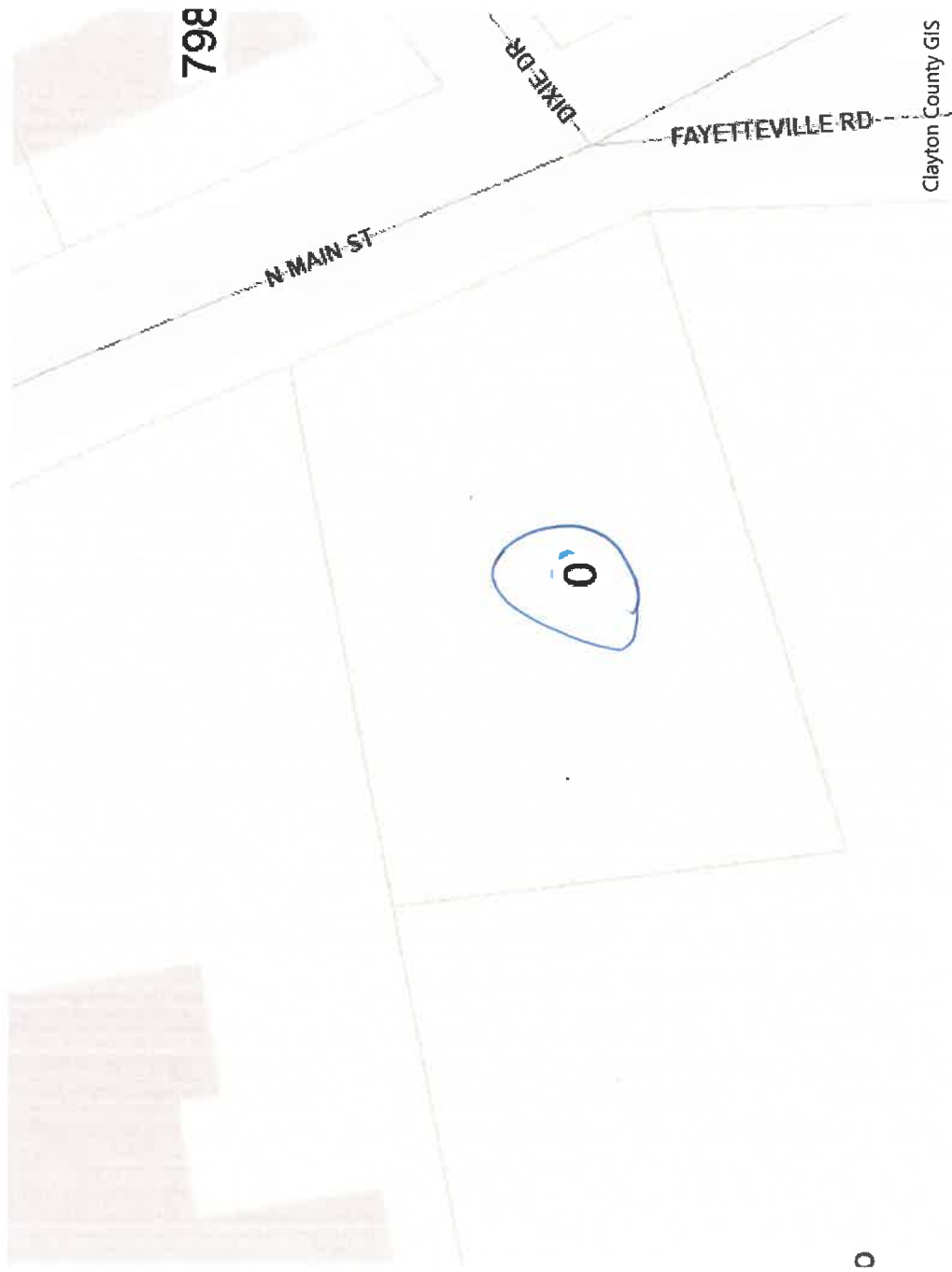
The existing land use designation and/or zoning classification on the Subject Property is unconstitutional as it applies to the Subject Property. This notice is being given to comply with the provisions of O.C.G.A. Section 36-11-1 to afford the County an opportunity to revise the Property to a constitutional classification. If action is not taken by the County to rectify this unconstitutional land use designation and/or zoning classification within a reasonable time, the Applicant is hereby placing the County on notice that it may elect to file a claim in the Superior Court of Clayton County demanding just and adequate compensation under Georgia law for the taking of the Subject Property, diminution of value of the Subject Property, attorney's fees and other damages arising out of the unlawful deprivation of the Applicant's property rights.

Joshua Mahoney, Esq.
Attorney for the Applicant

Attachment: Statement of Intent (3716 : Rezoning - North Main Street)



Attachment: Zoning Map (3716 : Rezoning - North Main Street)

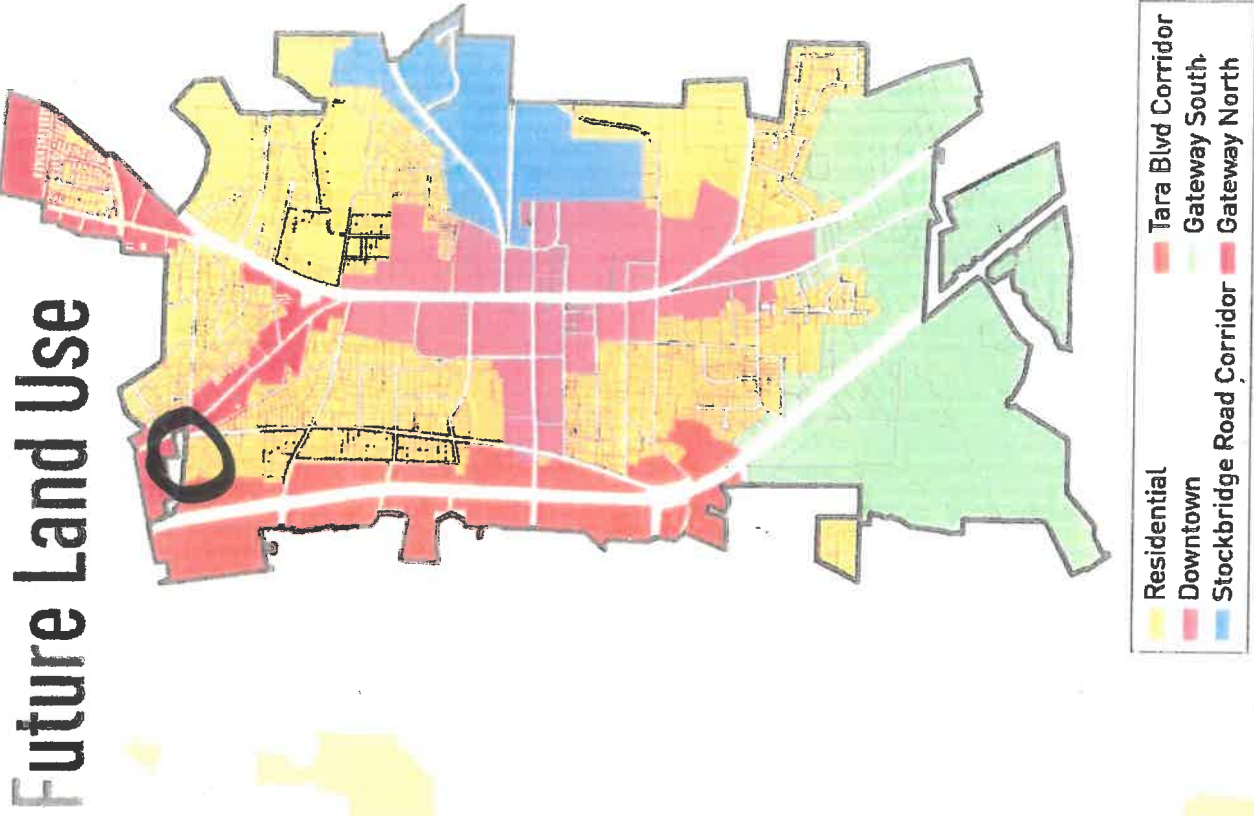




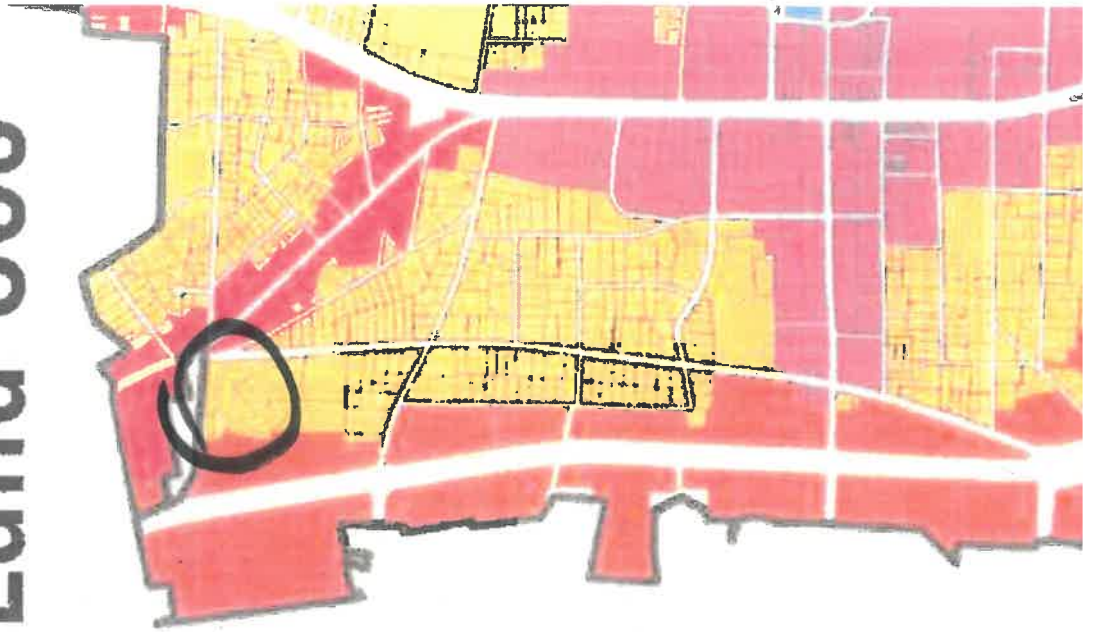
Future Land Use

As an important first step in creating an appropriate redevelopment atmosphere, the city has updated its Future Land Use Map, dividing the city into *Character Areas*. These updated Character Areas are intended to ensure compatible and unified development within specified areas of the city, and acknowledge the changing dynamics within the city over the last several years.

As described over the next few pages, these Character Areas guide land use characteristics and development standards. They influence development through guidelines for standards such as density and land use policies. Permissible land uses and compatible implementation measures are outlined in each section.



Future Land Use



Attachment: Future Land Use Map (3716 : Rezoning - North Main Street)



Legal Notice

Public Hearing will be held by the Mayor and Council of the City of Jonesboro at 6:00 P.M. on March 11, 2024 in the court chambers of the Jonesboro City Center, 1859 City Center Way, Jonesboro, GA, to consider a map amendment to the Official Zoning Map for rezoning of property located along North Main Street (Parcel No. 13209C E003), Jonesboro, Ga 30236 from Mixed-Use (MX) to Multi-Family Residential (RM), for the purposes of a townhome development. Mayor and Council will first discuss this item at their Work Session on March 4, 2024 at 6:00 P.M., also in the court chambers of the Jonesboro City Center, 1859 City Center Way, Jonesboro, GA 30236.

David Allen
Community Development Director

Publish 2/21/24



Attachment: Zoning Sign (3716 : Rezoning - North Main Street)

CITY OF JONESBORO

PUBLIC NOTICE

An application has been filed for a

REZONING / CONDITIONAL USE / VARIANCE

at this location

**REZONING: MX TO RM PARCEL 13209C E003
CONDITIONAL USE / VARIANCE: PARCELS 13210D B002 13209C**

A PUBLIC HEARING on this application will ^{AND} E003
held on. **MARCH 11** 20.24, at **6** p.m.

1859 CITY CENTER WAY 13210D B007

Any questions, call City Hall at 770-478-3800

Date of Posting - **FEBRUARY 26** 20.24

ATTENTION

DO NOT REMOVE UNTIL ABOVE MEETING DATE

Anyone caught defacing or removing this sign shall be guilty of a misdemeanor



MEMORANDUM

To: Jay Knight
Templar Development
160 Whitney Street
Fayetteville, Ga. 30214

From: David D. Allen
City of Jonesboro
1859 City Center Way
Jonesboro, GA 30236

Date: February 27, 2024

Re: Notification of Request for Rezoning (Map Amendment) – 0 North Main Street,
Parcel No. 13209C E003

Dear Applicant,

This letter is to serve as notification that the City of Jonesboro has received your request for a rezoning (map amendment) for the above referenced property concerning the following:

- Mixed Use (MX) to Multifamily (RM)

A Public Hearing has been scheduled for Monday, March 11, 2024 at 6:00 pm before the Jonesboro Mayor and City Council to consider the request as described above. A Work Session has been scheduled on the same item for Monday, March 4, 2024 at 6:00 pm. The meetings will be conducted in the court chambers of the Jonesboro City Center, 1859 City Center Way, Jonesboro, Ga.

Should you have any questions regarding the decision, please do not hesitate to contact me at 770-478-3800 or at dallen@jonesboroga.com.

Sincerely,

David D. Allen
Community Development Director / Zoning Administrator

Attachment: Meeting Notice Letter (3716 : Rezoning - North Main Street)



CITY OF JONESBORO, GEORGIA COUNCIL
Agenda Item Summary

Agenda Item # **10.6**
PUBLIC HEARING – 6

COUNCIL MEETING DATE
March 11, 2024

Requesting Agency (Initiator)

Office of the City Manager

Sponsor(s)

Community Development Director Allen

Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Council to consider Conditional Use Permit Application 24-CU-004, for a townhome development by Fayetteville Gingercake Road LLC, property owner, and Templar Development, applicant, for property along Fayetteville Road, North Main Street, and Tara Boulevard (Parcel Nos. 13210D B002, 13209C E003, and 13210D B007), Jonesboro, Georgia 30236.

Requirement for Board Action *(Cite specific Council policy, statute or code requirement)*

City Code Section 86-101 – RM Zoning Purpose and Standards; 86-100 R-A Development Standards (Revised)

Is this Item Goal Related? *(If yes, describe how this action meets the specific Board Focus Area or Goal)*

Yes

Community Planning, Neighborhood and Business Revitalization

Summary & Background

(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)

Agency recommendation – **Approval (with conditions) of Conditional Use application (also contingent upon approval of Variance application)**; Last year, a zoning verification form for North Main Street (Parcel 13209D B002 and adjacent parcels 13209C E003 and 13210D B007) for a new townhome community was received, which requires a conditional use permit. The to-be-combined properties would have 11.98 acres total and only contain significant portions of woods and a stream. Assuming rezoning is approved for parcels 13209C E003 and 13210D B007, the property is zoned RM (Multi-family) and only has access to North Main Street and Fayetteville Road (the two roads blend into each other near the subject property). The property is in the extreme northern end of the City and is not in the Historic District or in any Overlay. There are single-family residences along Fayetteville Road to the south of the subject property, the closest on the same side of the street as the development being about one-fifth of a mile from the development and being shielded by trees. Directly across the street and to the north of the development are commercial businesses. **The proposal is for 77 townhome units with a price range in the xxxxxxxxx. Several new public streets are proposed with 45-foot-wide rights of way. The same property is also under consideration for variances to certain development standards at the same meeting, which are explained in depth in a separate staff report. Denial of one application would necessitate the denial of the other.**

Sec. 86-101. - R-M multifamily residential district.

Purpose. The R-M multifamily residential district is established to provide for multifamily dwellings on properties having a minimum area of two acres. The district accommodates residential development at a maximum density of eight units per acre and is intended to serve a rental market in which attached units are available in a setting with common amenities and greenspace. R-M districts are expected to develop near public transit and along transportation corridors. Such developments may be established at the margin of neighborhood commercial districts, community shopping districts and employment centers, and represent a transition from office and commercial uses to lower density neighborhoods.

The intent is achieved with this proposed development, as the site would be over two acres, and is located at the margin of a neighborhood commercial districts, and would represent a transition from the commercial uses on North Main Street and the lower density residences along Fayetteville Road.

More recently, however, the City's Comprehensive Plan was updated, with a stated goal of diversifying and updating the City's housing stock. Per the attached documents from the updated Comprehensive Plan, the subject property is now mostly in the "residential" area:

The City's residential areas are a mixture of historic residences and more modern updates to the general housing stock.

FOLLOW-UP APPROVAL ACTION (City Clerk)

Typed Name and Title

Melissa Brooks, City Clerk

Date

March, 11, 2024

**03/04/24
REQUIRED**

**City Council PUBLIC HEARING
Next: 03/11/24**

Signature

City Clerk's Office

The City shall thoughtfully consider placement of future, more diversified housing types adjacent to areas of more traditional neighborhoods.

Possible Uses, Where Appropriate:

- *Single-family detached residential*
- *Townhomes*
- *Condominiums*
- *Duplexes and Triplexes*
- *Multi-family*

Implementation Measures:

- *Promote new developments that emulate the positive aspects of historic Jonesboro's architecture, where relevant.*
- *Promote new developments that diversify the City's housing stock with thoughtful planning and high quality architecture.*
- *Promote vehicular and pedestrian/bike connections to retail/commercial services as well as internal street connectivity, connectivity to adjacent properties/subdivisions, and multiple site access points.*

Thus, the City's most current stance is looking at home models other than single-family detached, in an effort to make the most of the City's limited available space by going denser and more vertical. The subject property is one of the few remaining "larger" tracts of undeveloped land in the City. That being said, what would be the best use for this property in the future? A development with several single-family detached dwellings would not be efficient. The addition of several new driveways for single-family residences could pose a problem in a "complicated" traffic area. A new townhome community with quality architecture in the north part of the City could serve as a catalyst for change in the immediate area, providing more of an "aesthetic" entrance into the City and creating a need for more service oriented businesses, such as restaurants.

The City's townhome standards were also updated recently:

Sec. 86-202. - Townhouses and condominiums.

The following conditions are assigned in the CCM, R-M, H-1, H-2, and MX districts:

(1) The standards of the R-A district shall control development of townhouses and condominiums.

(b) Development standards. Unless otherwise provided in this chapter, uses permitted in the R-A district shall conform to the following development standards:

- (1) Minimum parent tract size: 87,120 square feet (two acres) **Complies**
- (2) Minimum lot area per unit: 1800 square feet 1 **Complies**
- (3) Minimum parent tract width: 150 feet 2 **Complies**
- (4) Minimum front yard: 20 feet 3 **Complies**
- (5) Minimum side yard at perimeter of tract: 25 feet **Complies**
- (6) Minimum rear yard: 35 feet **Mostly complies (see variance application)**
- (7) Minimum floor area per dwelling unit: 1,500 square feet **Will comply**
- (8) Maximum building height: Three stories **Will comply**
- (9) Maximum number of units per building: Eight **Complies**
- (10) Maximum number of units per development: 64 **77 proposed (see variance application)**
- (11) Maximum density: Eight units per acre **Complies**
- (12) Minimum greenspace: 15 percent of gross acreage **Complies**
- (13) Minimum building separation: **Complies**

Front to Front	40 feet
Front to Rear	40 feet
Front to Side	35 feet
Rear to Rear	40 feet
Rear to Side	35 feet
Side to Side	25 feet

1 This requirement may be waived for zero lot townhomes, provided the developer includes a provision in the Covenants, Conditions, and Restrictions for the project that clearly describes the maintenance and access of all common areas, streets, alleys, and driveways.

2 Measured at the building line.

3 The required front yard on any street classified as a collector or above shall be 25 feet.

(c) Design standards. Unless otherwise provided in this chapter, uses permitted in an R-A district shall conform to the following design standards:

- (1) Off-street parking shall be provided as specified in article XIII of this chapter. Each dwelling shall provide for a minimum two-car garage and a minimum 18-foot-wide concrete driveway. **Complies**

- (2) Buffers shall be provided as specified in Article XV of this chapter. **Complies**
- (3) A homeowners association accompanied by recorded covenants shall be mandatory for all townhouse or condominium developments, subject to approval by the City Manager. **Will comply**
- (4) Minimum width of each townhouse unit shall be 24 feet. **Complies**
- (5) A minimum of three different exterior elevations shall be provided for a townhouse development that exceeds two acres. **Will comply**
- (6) Townhouse building facades shall visually differentiate individual units through the use of architectural materials; a minimum of 50 percent of the front elevation shall consist of brick or stone. Brick, stone, and/or cementitious siding (which may be board, shingle, or lap siding.) variations may be approved by the Community Development Director and/or Design Review Commission and Historic Preservation Commission. Split faced-concrete block, stucco, or granite block shall only be used in an accent capacity for any building elevation. **Will comply**
- (7) All townhouse units shall be designed to have rear entry via rear alleys. If permitted, front-loaded driveways shall be scored or finished with decorative treatment, subject to approval by the Design Review Commission, and, if applicable, the Historic Preservation Commission. **No rear alleys (see variance application)**
- (8) Greenspace shall be improved with walking trails and an amenity area having a minimum area of 400 square feet with equipment and facilities appropriate to the needs of residents. Greenspace shall have a minimum width of 100 feet; trail connections between greenspace areas shall have a minimum width of 50 feet. **Will comply**
- (9) An appropriate landscape plan shall be reviewed and approved by the Community Development Director prior to installation of the landscaping. **Will comply**

Site concerns to consider:

1. There is a stream running under Tara Blvd and through the development. (Buffering of stream is noted on site plan.
2. The intersection of east Dixie Drive and North Main Street is signalized, near an “awkward” merger of North Main Street and Fayetteville Road. Thus, the entrance to the subdivision would have to be either directly aligned with this signalized intersection or at least a few hundred feet south of the intersection.

In the summer of 2023, the Mayor and Council approved a larger townhome development on the south end of town, by the same applicant. That approval dealt with issues of a railroad, a grave, Historic District standards, and the presence of many single-family homes in quite neighborhoods in the immediate area. This application has none of those issues. It meets all zoning requirements, save for the few variance items. The two main site issues, the stream and the “awkward” intersection at Dixie Drive / North Main Street will be dealt with – the stream will be heavily buffered with greenspace around it, and the primary entrance to the townhome development will be well south of this intersection, on Fayetteville Road, where it will cost minimal traffic issues. There is not as much congestion on Fayetteville Road as South Main Street. The homes will not be seen at all from Tara Blvd. Only the fronts of 15 homes will be seen from North Main Street / Fayetteville Road, and these will have quality architecture. The homes will not be a detriment to the nearby businesses; rather, they will provide more customers for them. Most importantly, the development will honor the stated goals of the City’s updated Comprehensive Plan, providing more diversified housing stock. It also conforms to the City’s Future Land Use Map and is already mostly zoned RM.

Should the Mayor and Council choose to approve the conditional use permit for the townhomes, the following minimum approval conditions shall apply:

- 1. Development shall not exceed the 77 dwelling units shown.**
- 2. Final architectural exteriors shall be subject to review and approval by the Design Review Commission.**
- 3. A developer’s agreement shall be provided to and approved by the Mayor and Council pertaining to architectural and site design elements, including streetlights. Development shall form an HOA.**
- 4. Final landscape plan shall be subject to review and approval by the Community Development Director.**
- 5. The development shall be subject to the requirements of the Specimen Tree Protection Ordinance, including any necessary tree replacement and / or recompense for removed specimen trees.**
- 6. Minimum 4-foot-wide concrete sidewalks shall occur down the entire frontage of the property.**
- 7. The standards of Chapter 66, Article VIII Street Light Districts shall apply.**
- 8. Townhomes directly adjacent to North Main Street and / or Fayetteville Road shall face North Main Street and / or Fayetteville Road.**
- 9. Entrance shall not divert from the presented site plan. Entrance across from intersection of Dixie Drive and North Main Street shall remain emergency access only and shall meet the physical requirements of public safety departments.**

10. Proposed street names are subject to approval by the Mayor and Council and Clayton County GIS.
11. Landscape strip along North Main Street / Fayetteville Road shall retain as many existing trees as possible.
12. No access to Tara Boulevard or the shopping center to the north of the subject property is allowed.

Update for 3.11.24 Meeting:

- Townhomes for sale.
- 3 bedrooms (all).
- 2-car garages, 18-foot wide driveways.
- \$300 to \$350 price range.
- Sidewalks in interior.
- Possible sidewalk along frontage.
- Decel lane to slow traffic.
- Space for unspecified amenities in greenspace.

Fiscal Impact

(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)

Private developer

Exhibits Attached *(Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)*

- Statement of Intent
- Site Plan
- Property Pictures
- Zoning Info
- Conditional Use - North Main Street - Townhomes - Legal Notice
- Zoning Sign
- Meeting Notice Letter
- Townhome Designs

Staff Recommendation *(Type Name, Title, Agency and Phone)*

Approval, with Conditions



Battle Law

STATEMENT OF INTENT

and

Other Material Required by
The Jonesboro Zoning Ordinance
For
A Conditional Use Permit, Rezoning, and Variance

of

Templar Development Group, LLC
c/o Battle Law, P.C.

for

+/- 11.98 Acres of Land
Being the intersection of Tara Boulevard & N. Main Street
Jonesboro, Georgia and
Parcel Nos. 13210D B002, 13209C E003

Submitted for Applicant by:

Joshua Mahoney, Esq.
Battle Law, P.C.
Habersham at Northlake, Building J, Suite 100
Tucker, Georgia 300384
(404) 601-7616 Phone
(404) 745-0045 Facsimile
mlb@battlelawpc.com

Attachment: Statement of Intent (3718 : Townhomes - North Main Street and Fayetteville Road)



Battle Law

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II. CITY OF JONESBORO STANDARDS FOR VARIANCE

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

The Subject Property has a unique position with its frontage along Fayetteville Road, which limits the locations where the Applicant can safely provide access to the property. Providing general access at the northern end of the frontage risks creating a complicated intersection where North Main Street meets Fayetteville Road. The limited access for general traffic has required the Applicant to create an intersection with a deceleration lane for safe flow of general traffic. To allow for that deceleration lane, the applicant is requesting a variance from Sec. 86-101(b)(6) to reduce the minimum rear yard from 35 feet to 25 feet, which shall apply only to five units.

The Subject Property also has an irregular shape which makes it impossible to make internal front streets and rear alleys. As a result, the applicant is also requesting a variance from Sec. 86-101(c)(7) to allow for the townhomes to have front-loaded driveways.



Battle Law

List one or more unique characteristics that are generally not applicable to similarly situated properties.

The Subject Property has unique frontage along Fayetteville Road and has an irregular, non-rectangular shape that is unique among RM parcels and has created challenges for laying out lots.

Provide a literal interpretation of the provisions of above referenced chapter and/or section that would deprive the applicant of rights commonly enjoyed by other properties of the district in which the property is located.

A literal interpretation of the above referenced sections would deprive the applicant of the opportunity to fully develop the site. Combining the two parcels that form the Subject Property is important because it allows both properties to be served by a single access point, allowing for a safe traffic pattern that provides access to whole property.

Demonstrate how a variance prevents reasonable use of the property.

Not granting the requested variances would eliminate so many lots on the property that the overall project would not be feasible and the land would remain undeveloped.

Please explain the reasoning for the variance and state whether it is a result of the applicant.

The need for variances is not the result of the applicant.

Demonstrate how the variance is the only result to allow reasonable use of the property.

The variance is the only result to allow a reasonable use of the property because the property's irregular shape and frontage would persist for any intended use.

Will the granting of the requested variance be injurious to the public health, safety or welfare?

Granting the requested variance would not be injurious to the public health, safety or welfare. The proposed variance to allow for a deceleration lane is designed to increase driver safety.

Will the requested variance be in harmony with the purpose and intent of the above referenced chapter and/or section?

As explained in more detail above under the rezoning standards section, the requested variance will allow for a development that is consistent with the character and intent of the Residential character area.



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III. CONCLUSION

For the foregoing reasons, the Applicant hereby requests that the application for a rezoning, conditional use permit, and variance be approved. The Applicant welcomes any questions and feedback from the planning staff.

IV. NOTICE OF CONSTITUTIONAL ALLEGATIONS AND PRESERVATION OF CONSTITUTIONAL RIGHTS

The portions of the Jonesboro Zoning Ordinance, facially and as applied to the Subject Property, which restrict or classify or may restrict or classify the Subject Property so as to prohibit its development as proposed by the Applicant are or would be unconstitutional in that they would destroy the Applicant's property rights without first paying fair, adequate and just compensation for such rights, in violation of the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States and Article I, Section I, Paragraph I of the Constitution of the State of Georgia of 1983, Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and would be in violation of the Commerce Clause, Article I, Section 8, Clause 3 of the Constitution of the United States.

The application of the Jonesboro Zoning Ordinance to the Subject Property which restricts its use to any classification other than that proposed by the Applicant is unconstitutional, illegal, null and void, constituting a taking of Applicant's Property in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States, Article I, Section I, Paragraph I, and Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States denying the Applicant an economically viable use of its land while not substantially advancing legitimate state interests.

A denial of this Application would constitute an arbitrary irrational abuse of discretion and unreasonable use of the zoning power because they bear no substantial relationship to the public health, safety, morality or general welfare of the public and substantially harm the Applicant in violation of the due process and equal protection rights guaranteed by the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph 1 of the Constitution of the State of Georgia.

A refusal by the Jonesboro City Council to amend the land use and/or rezone the Subject Property to the classification as requested by the Applicant would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of similarly



Battle Law

situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any rezoning of the Property subject to conditions which are different from the conditions requested by the Applicant, to the extent such different conditions would have the effect of further restricting Applicant's utilization of the property, would also constitute an arbitrary, capricious and discriminatory act in zoning the Subject Property to an unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove.

A refusal to allow the land use amendment and conditional land use permit in question would be unjustified from a fact-based standpoint and instead would result only from constituent opposition, which would be an unlawful delegation of authority in violation of Article IX, Section II, Paragraph IV of the Georgia Constitution.

A refusal to allow the land use amendment and conditional land use permit in question would be invalid inasmuch as it would be denied pursuant to an ordinance which is not in compliance with the Zoning Procedures Law, O.C.G.A. Section 36-66/1 et seq., due to the manner in which the Ordinance as a whole and its map(s) have been adopted.

The existing land use designation and/or zoning classification on the Subject Property is unconstitutional as it applies to the Subject Property. This notice is being given to comply with the provisions of O.C.G.A. Section 36-11-1 to afford the County an opportunity to revise the Property to a constitutional classification. If action is not taken by the County to rectify this unconstitutional land use designation and/or zoning classification within a reasonable time, the Applicant is hereby placing the County on notice that it may elect to file a claim in the Superior Court of Clayton County demanding just and adequate compensation under Georgia law for the taking of the Subject Property, diminution of value of the Subject Property, attorney's fees and other damages arising out of the unlawful deprivation of the Applicant's property rights.

Joshua Mahoney, Esq.
Attorney for the Applicant

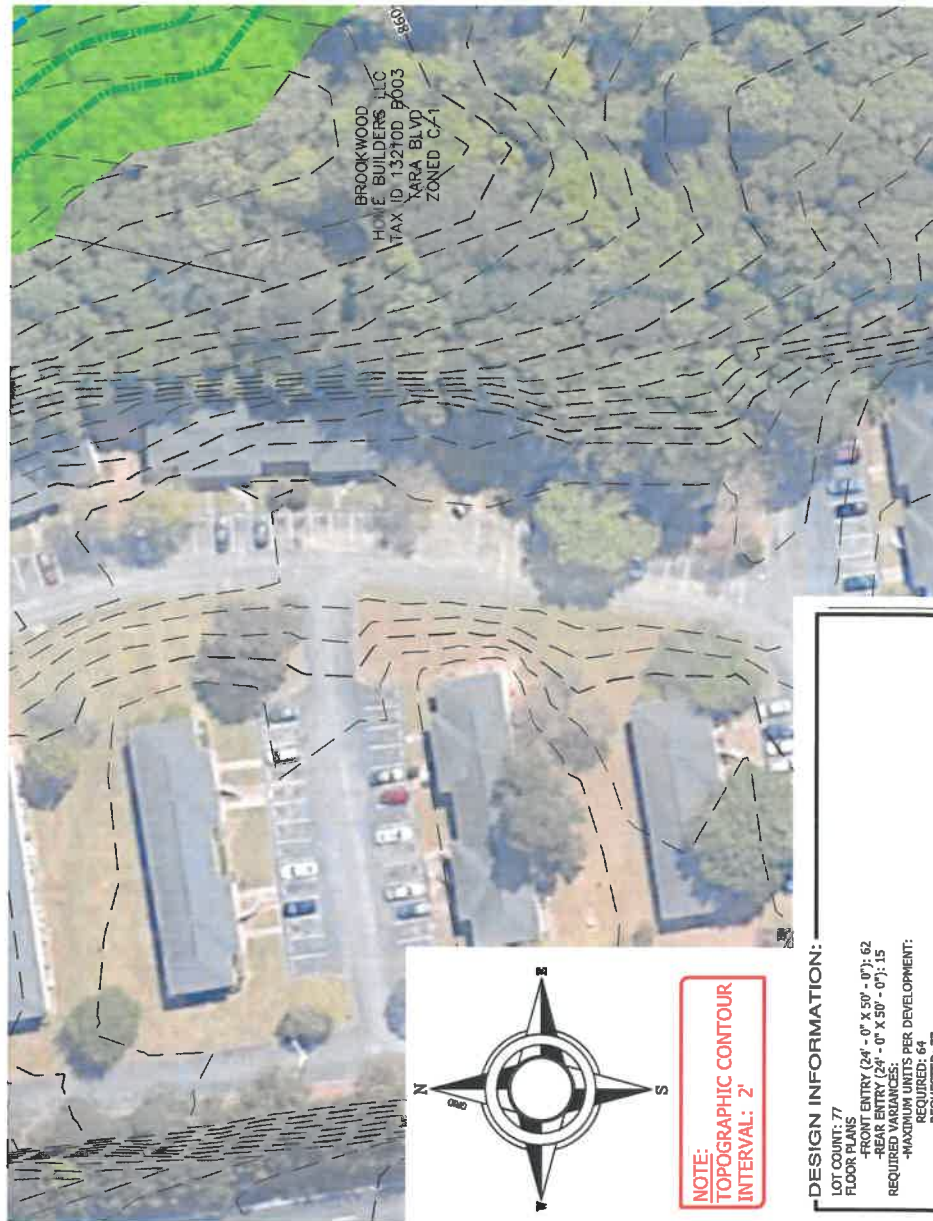
Attachment: Statement of Intent (3718 : Townhomes - North Main Street and Fayetteville Road)



Attachment: Site Plan (3718 : Townhomes - North Main Street and Fayetteville Road)



1. CURRENT ZONING: RM & C-2
PROPOSED USE: SINGLE FAMILY ATTACHED TOWNHOUSES
TAX ID #: 13209C E003, 13210D E002 & 13210D E007
- SETBACKS:
 - FRONT: -20' (LOCAL STREET)
 - REAR: 10' (LOCAL STREET OR ABOVE)
 - SIDE: 0', 25' SEPARATION BETWEEN BUILDINGS; 25' ADJACENT TO R/W
- BUILDING SEPARATION:
 - FRONT-FRONT: 40'
 - FRONT-REAR: 40'
 - REAR-REAR: 35'
 - REAR-REAR: 40'
 - REAR-SIDE: 35'
 - SIDE-SIDE: 25'
- TOTAL NUMBER OF UNITS: 77
- MINIMUM DOWNSIDE GARAGE REQUIRED:
 - 1,200 S.F. (ONE BEDROOM)
 - 1,200 S.F. (TWO BEDROOM)
 - 1,400 S.F. (THREE BEDROOM)
- MAXIMUM BUILDING HEIGHT: 3-STORIES (40')
- TWO CAR GARAGE WITH MIN. 18' WIDE DRIVEWAY REQUIRED FOR EACH TOWNHOUSE
- MAXIMUM LOT COVERAGE: 40%
- INTERNAL STREET RIGHT-OF-WAY WIDTH: 45'
- INTERNAL STREET WIDTH: 22' FROM BACK OF CURB TO BACK OF CURB
2. PROPERTY CONTAINS 11.98 ACRES
3. DENSITY:
 - SITE AREA: 11.98 ACRES
 - NUMBER OF UNITS = 77 / 11.98 ACRES
 - = 6.4 UNITS / ACRE (12 MAX.)
4. TOPOGRAPHY AND RIGHT-OF-WAY INFORMATION OBTAINED FROM GIS DATA & PUBLIC RECORDS. GEOGRAPHIC INFORMATION TAKEN FROM GIS DATA.
5. THIS SITE DOES NOT CONTAIN AREAS WITHIN THE 100-YEAR FLOOD HAZARD AREA PER F.E.M.A.
6. TRAIL CONNECTIONS TO EXISTING TRAILS: 9712' (EXISTING) REQUIRED / 40% PROPOSED
7. TOTAL OPEN SPACE: 77 UNITS x 40% = 30.8 ACRES REQUIRED
7. WATER TO BE PROVIDED BY CLAYTON COUNTY WATER AUTHORITY. WASTEWATER SERVICE TO BE PROVIDED BY CLAYTON COUNTY WATER AUTHORITY.
8. EASEMENTS WILL BE CREATED FOR FUTURE STORMWATER MAINTENANCE FACILITIES AND BIO-RETENTION AREAS. THERE WILL BE 20' EASEMENTS FOR ANY SANITARY SEWER OUTSIDE OF WHICH EVER IS GREATER
9. PROPOSED DEVELOPMENT SCHEDULE:
 - START CONSTRUCTION IN EARLY 2024
 - COMPLETE DEVELOPMENT BY EARLY 2025
 - FULL HOME BUILT OUT BY EARLY 2027
10. ELEVATIONS: BUILDING ELEVATIONS SHALL VARY TO DIFFERENTIATE INDIVIDUAL UNITS THROUGH THE USE OF ARCHITECTURAL MATERIALS, A MINIMUM OF 50% OF THE FRONT ELEVATION SHALL CONSIST OF BRICK OR STONE, BRICK, STONE, AND/OR CEMENTITIOUS SIDING (WHICH MAY BE BOARD, SHINGLE, OR
11. FINISHING. VARIATIONS MAY BE APPROVED BY THE COMMUNITY DEVELOPMENT DIRECTOR AND/OR DESIGN REVIEW COMMISSION AND HISTORIC PRESERVATION COMMISSION.
12. ALL TOWNHOUSE UNITS SHALL BE DESIGNED TO HAVE REAR ENTRY VIA REAR ALLEYS. IF PERMITTED, FRONT-LOADED DRIVEWAYS SHALL BE SCORED OR FINISHED WITH DECORATIVE TREATMENT, STUCCO, OR GRANITE BLOCK SHALL ONLY BE USED IN AN ACCENT CAPACITY FOR ANY BUILDING ELEVATION.
13. TO APPROVAL BY THE DESIGN REVIEW COMMISSION, AND, IF APPLICABLE, THE HISTORIC PRESERVATION COMMISSION.
14. GREENSPACE SHALL BE IMPROVED WITH WALKING TRAILS AND AN AMENITY AREA HAVING A MINIMUM AREA OF 400 S.F. FOR EVERY 24 UNITS, WITH EQUIPMENT AND FACILITIES APPROPRIATE TO RESIDENTS.
15. GREENSPACE SHALL HAVE A MINIMUM WIDTH OF 75', TRAIL CONNECTIONS BETWEEN GREENSPACE AREAS SHALL HAVE A MINIMUM WIDTH OF 25'.



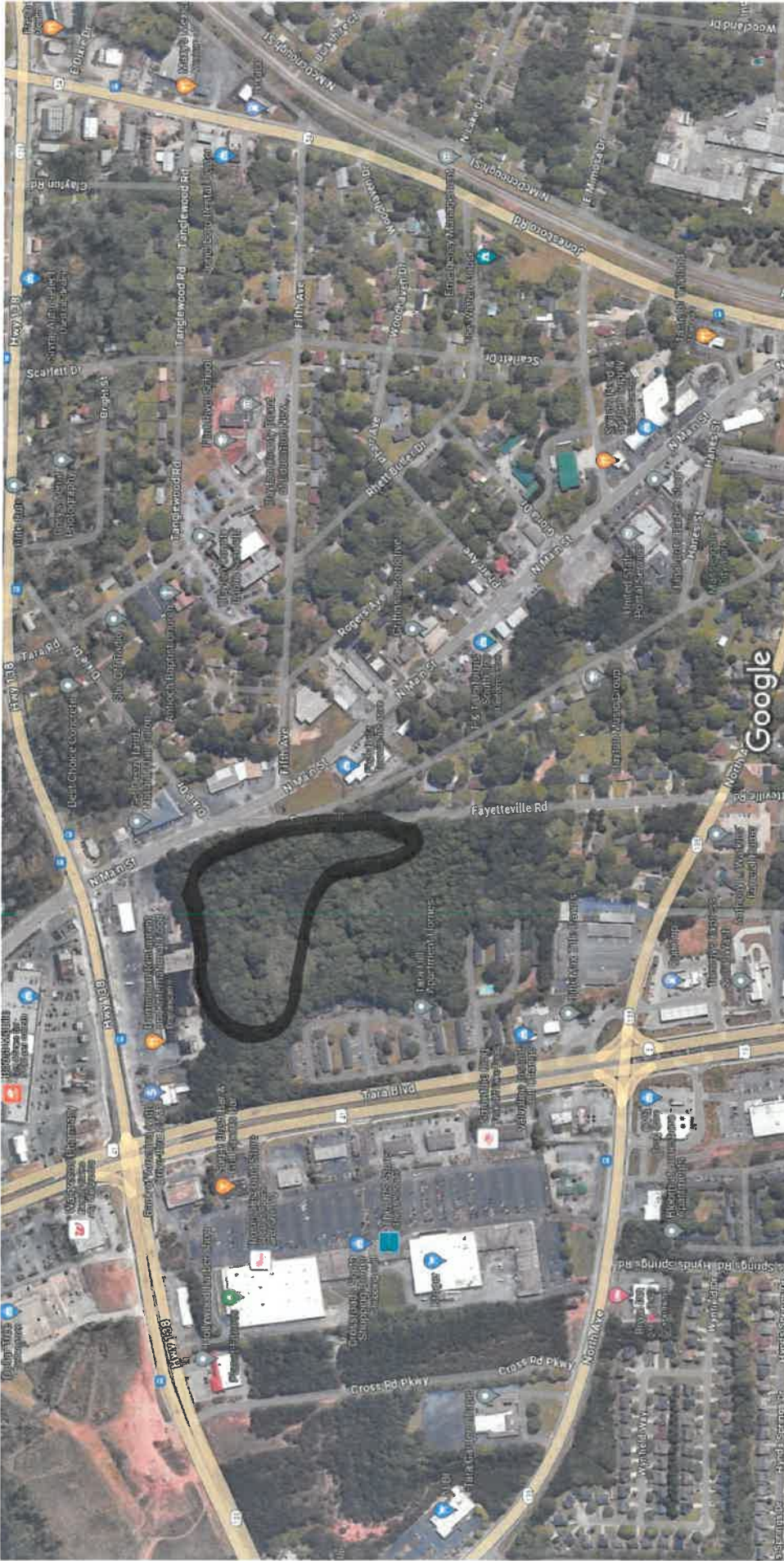
ENGINEER

ASHFORD ENGINEERS SOUTH, LLC
350 VIRGINIA HIGHLANDS
FAYETTEVILLE, GEORGIA 30215
(678) 817 - 6956
CONTACT: DANIEL R. GREENE, P.E.
GSWCC LEVEL II CERTIFICATION#0000015975

Gil ,

DESIGN INFORMATION:

LOT COUNT: 77
FLOOR PLANS:
-FRONT ENTRY (24' - 0" X 50' - 0"); 62
-REAR ENTRY (24' - 0" X 50' - 0"); 15
REQUIRED VARIANCES:
-MAXIMUM UNITS PER DEVELOPMENT:
REQUIRED: 64
REQUIRED: 77
-ENTRY ACCESS:
REQUIRED: REAR ENTRY
REQUIRED: FRONT ENTRY EXCEPT FOR UNITS ADJACENT TO FAVETTAVILLE HWY.
-SETBACKS:
REQUIRED
-FRONT:
-20' (LOCAL STREET)
-20' (COLLECTOR STREET OR ABOVE)
-SIDE/REAR: 25' SEPARATION BETWEEN BUILDINGS; 25' ADJACENT TO R/W
REAR: 35'
REQUIRED:
-25' REAR SETBACK ALONG R/W DEDICATION ALONG FAVETTAVILLE HWY.
(LOTS 63 - 67)

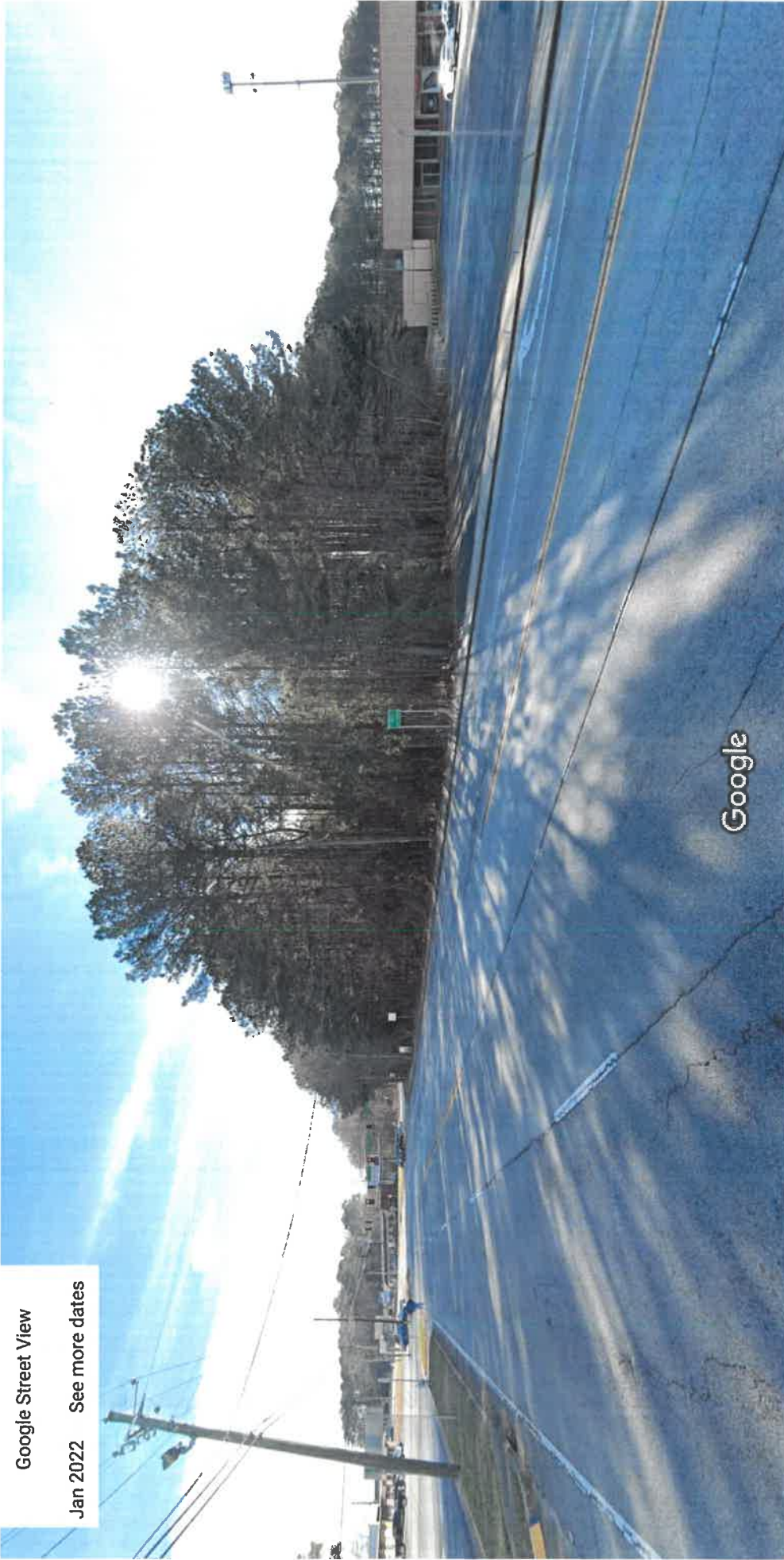


Imagery ©2024 Airbus, CNES / Airbus, Maxar Technologies, U.S. Geological Survey, USDA/FPAC/GEQ, Map data ©2024 200 ft



Imagery ©2024 Airbus, CNES / Airbus, Maxar Technologies, U.S. Geological Survey, Map data ©2024 50 ft

Google Maps Jonesboro, Georgia



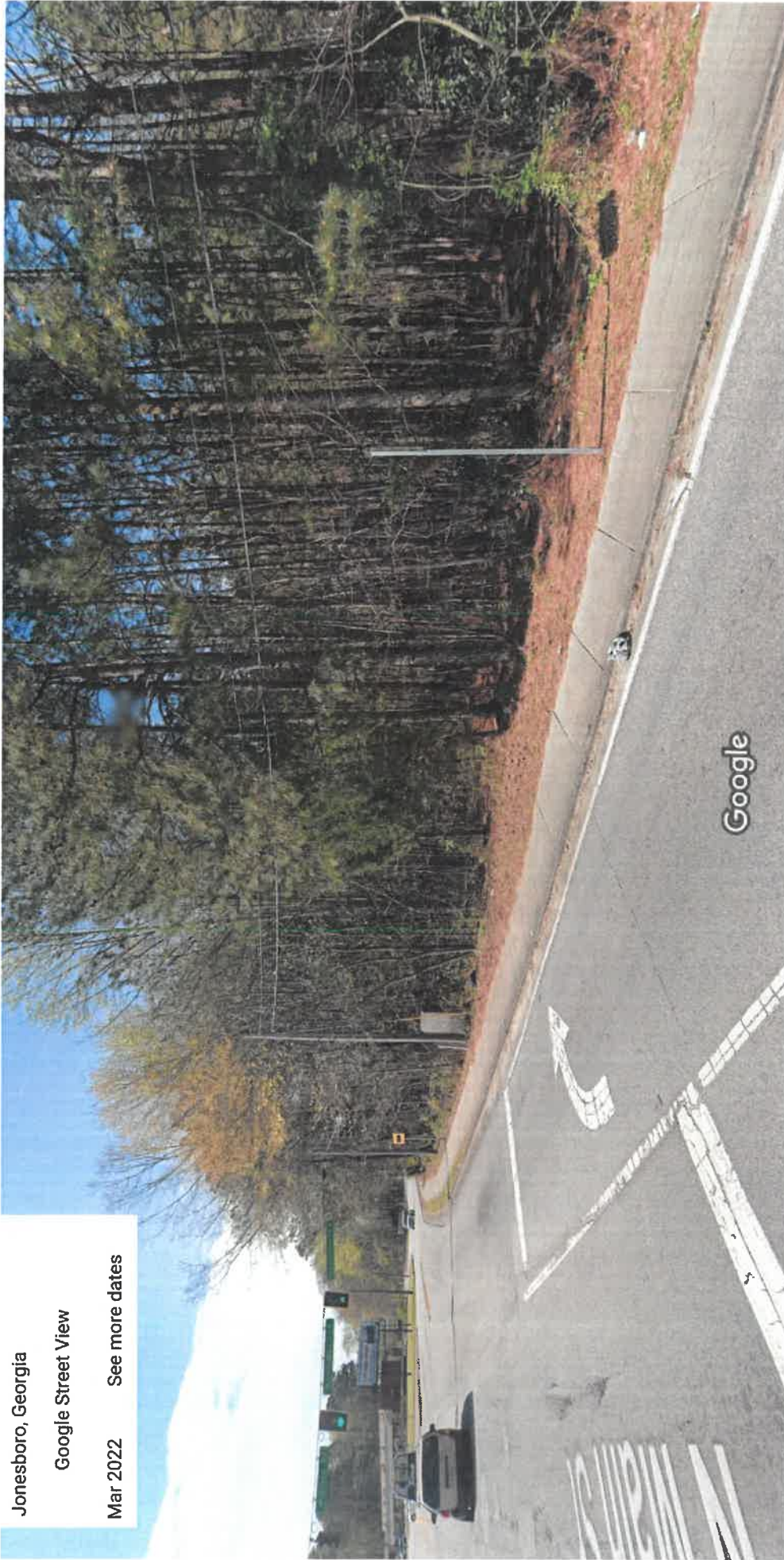
Google Street View

Jan 2022 See more dates

Image capture: Jan 2022 © 2024 Google



Google Maps 7988 N Main St



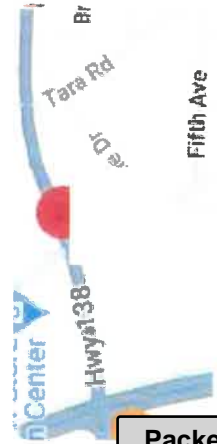
Jonesboro, Georgia

Google Street View

Mar 2022

See more dates

Image capture: Mar 2022 © 2024 Google



Google Maps 7988 N Main St

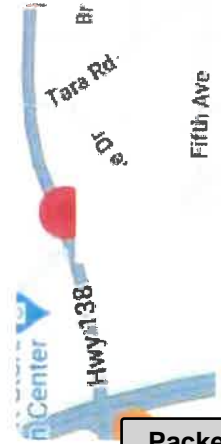
Jonesboro, Georgia

Google Street View

Mar 2022 See more dates



Image capture: Mar 2022 © 2024 Google



Google Maps 7996 Fifth Ave

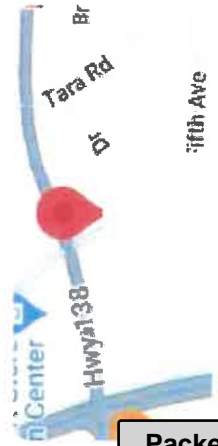
Jonesboro, Georgia

Google Street View

Mar 2022 See more dates



Image capture: Mar 2022 © 2024 Google



Google Maps N Main St

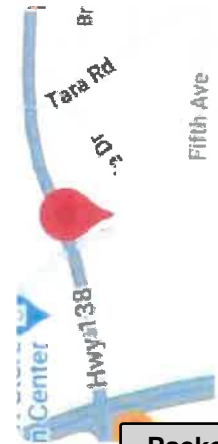
Jonesboro, Georgia

Google Street View

Jan 2022 See more dates



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Google Maps 783 Fayetteville Rd



Jonesboro, Georgia

Google Street View

Dec 2021 See more dates

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Google Maps 783 Fayetteville Rd

Jonesboro, Georgia

Google Street View

Dec 2021

See more dates

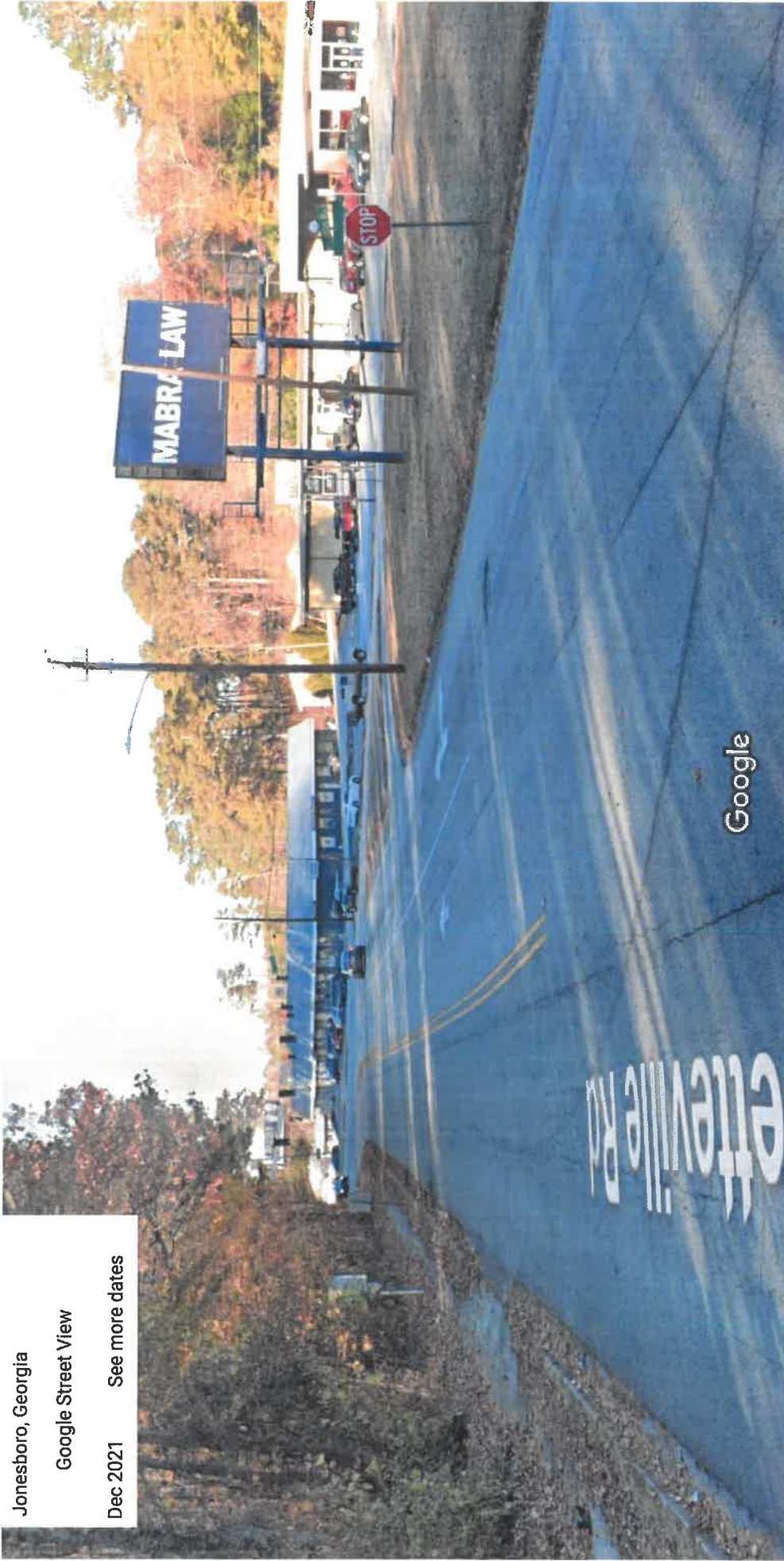


Image capture: Dec 2021 © 2024 Google



David Allen

From: David Allen
Sent: Thursday, November 16, 2023 9:14 AM
To: ashengrs
Subject: North Main Street Townhome Analysis
Attachments: SKM_C55823111609440.pdf

So, I analyzed what I have so far, without having any specs on the sizes or designs of the townhomes.

You have three different parcels with three different zonings. So, first and foremost, they will all need to be unified under one zoning, RM.

If the rezoning is approved, then you would also be required to have a conditional use permit hearing. This could be concurrent with the rezoning.

Sec. 86-202 says that the standards of RA zoning, not RM zoning, shall be used for townhomes. Looks like your notes may be using RM. There is not a lot of difference between the two.

Please note RA setbacks:

Front: 20 feet

Side: 25 feet

Rear: 35 feet

Based on the RA standards attached, you would need the following variances so far:

1. Max. number of units per development: 64 **Variance required.**
2. Rear entry alleys for townhomes. **Variance required.**

Again, this is not knowing so far if the actual dwelling units meet the size and design requirements or would need variances.

You won't need any buffers since you are not adjacent to any single-family detached housing.

The bottom line is that you would need rezoning, conditional use, and variance hearings.

From: donotreply@relay.tri-copy.com <donotreply@relay.tri-copy.com>
Sent: Thursday, November 16, 2023 8:49 AM
To: David Allen <dallen@jonesboroga.com>
Subject: Message from KM_C558

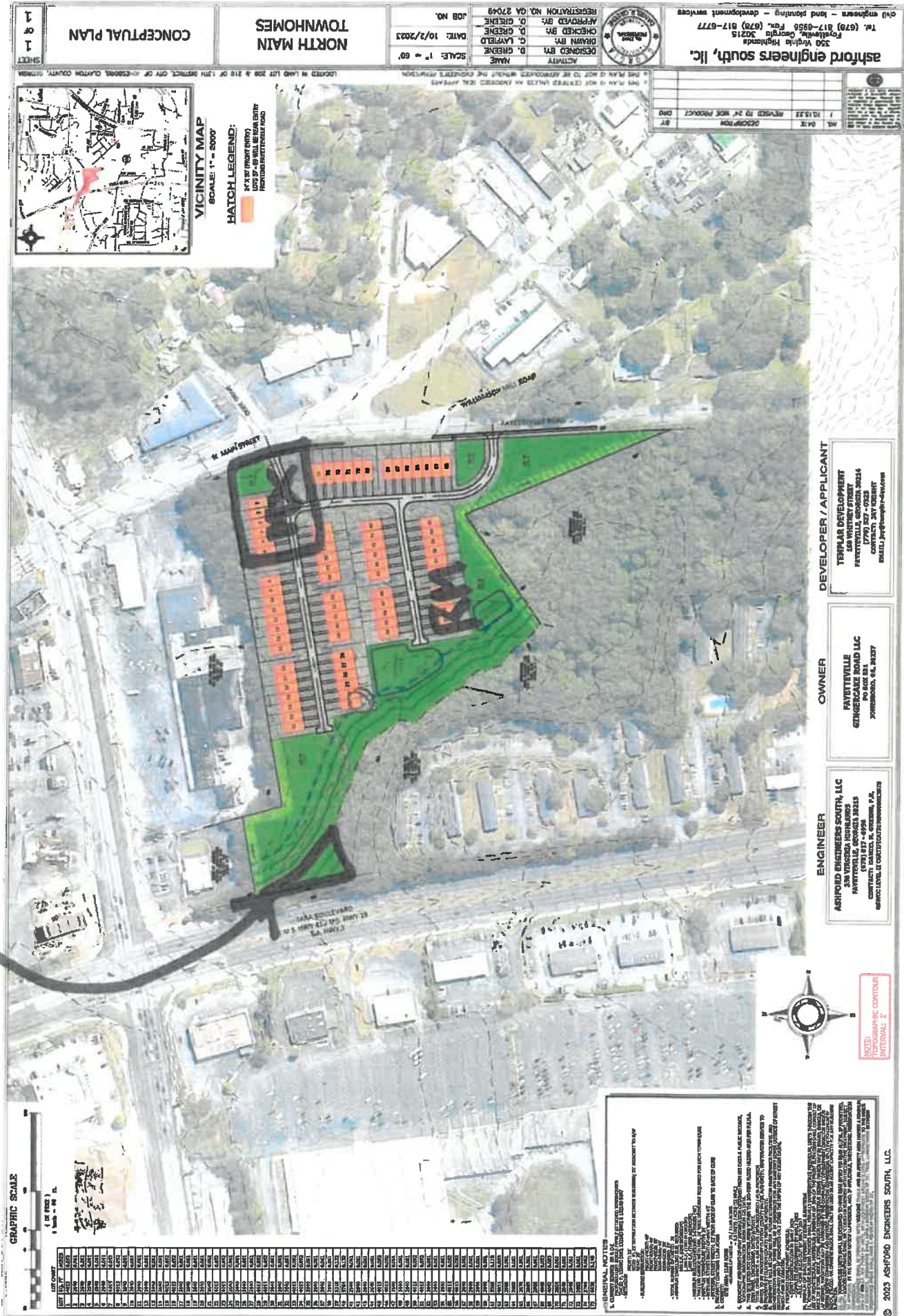
GENERAL NOTES

1. CURRENT ZONING: RM & ~~C-2~~ *REZONE*
 PROPOSED USE: SINGLE FAMILY ATTACHED TOWNHOUSES
 TAX ID #: 13209C E003, 13210D B002 & 13210D B007
 - SETBACKS:
 FRONT: 25'
 SIDE: 0'; 25' SEPARATION BETWEEN BUILDINGS; 25' ADJACENT TO R/W
 REAR: 35'
 - BUILDING SEPARATION:
 FRONT-FRONT: 40'
 FRONT-REAR: 40'
 FRONT-SIDE: 35'
 REAR-REAR: 40'
 REAR-SIDE: 35'
 SIDE-SIDE: 25'
 - TOTAL NUMBER OF UNITS: 75
 - MINIMUM DWELLING SIZE REQUIRED:
 900 S.F. (ONE BEDROOM)
 1,200 S.F. (TWO BEDROOM)
 1,400 S.F. (THREE BEDROOM)
 - MAXIMUM BUILDING HEIGHT: 3-STORIES (40')
 - TWO CAR GARAGE WITH MIN. 18' WIDE DRIVEWAY REQUIRED FOR EACH TOWNHOUSE
 - MINIMUM TOWNHOUSE WIDTH: 24'
 - INTERNAL STREET RIGHT-OF-WAY WIDTH: 45'
 - INTERNAL STREET WIDTH: 22' FROM BACK OF CURB TO BACK OF CURB
2. PROPERTY CONTAINS 11.98 ACRES
3. DENSITY:
 SITE AREA: 11.98 ACRES
 - NUMBER OF UNITS = 75 / 11.98 ACRES *8 MAX.*
 = 6.3 UNITS / ACRE *(12 MAX.)*
4. BOUNDARY AND RIGHT-OF-WAY INFORMATION OBTAINED FROM GIS DATA & PUBLIC RECORDS. TOPOGRAPHIC INFORMATION TAKEN FROM GIS DATA.
5. THIS SITE DOES NOT CONTAIN AREAS WITHIN THE 100-YEAR FLOOD HAZARD AREA PER F.E.M.A. FIRM PANEL 13063C0086F, DATED 6/7/2017.
6. TOTAL OPEN SPACE = 4.86 ACRES (20% REQUIRED / 41% PROPOSED)
7. WATER TO BE PROVIDED BY CLAYTON COUNTY WATER AUTHORITY. WASTEWATER SERVICE TO BE PROVIDED BY CLAYTON COUNTY WATER AUTHORITY.
8. EASEMENTS WILL BE CREATED FOR FUTURE STORMWATER MAINTENANCE FACILITIES AND BIO-RETENTION AREAS. THERE WILL BE 20' EASEMENTS FOR ANY SANITARY SEWER OUTSIDE OF STREET RIGHTS-OF-WAY AND 20' EASEMENTS OR 2 TIMES THE DEPTH OF ANY STORM DRAIN, WHICH EVER IS GREATER.
9. PROPOSED DEVELOPMENT SCHEDULE:
 - START CONSTRUCTION IN EARLY 2024
 - COMPLETE DEVELOPMENT BY EARLY 2025
 - FULL HOME BUILD OUT BY EARLY 2027
10. MINIMUM OF THREE DIFFERENT EXTERIOR ELEVATIONS
11. TOWNHOUSE BUILDING FACADES SHALL VISUALLY DIFFERENTIATE INDIVIDUAL UNITS THROUGH THE USE OF ARCHITECTURAL MATERIALS; A MINIMUM OF 50% OF THE FRONT ELEVATION SHALL CONSIST OF BRICK OR STONE. BRICK, STONE, AND/OR CEMENTITIOUS SIDING (WHICH MAY BE BOARD, SHINGLE, OR LAP SIDING). VARIATIONS MAY BE APPROVED BY THE COMMUNITY DEVELOPMENT DIRECTOR AND/OR DESIGN REVIEW COMMISSION AND HISTORIC PRESERVATION COMMISSION. SPLIT FACED-CONCRETE BLOCK, STUCCO, OR GRANITE BLOCK SHALL ONLY BE USED IN AN ACCENT CAPACITY FOR ANY BUILDING ELEVATION.
12. ALL TOWNHOUSE UNITS SHALL BE DESIGNED TO HAVE REAR ENTRY VIA REAR ALLEYS. IF PERMITTED, FRONT- LOADED DRIVEWAYS SHALL BE SCORED OR FINISHED WITH DECORATIVE TREATMENT, SUBJECT TO APPROVAL BY THE DESIGN REVIEW COMMISSION, AND, IF APPLICABLE, THE HISTORIC PRESERVATION COMMISSION.
13. GREENSPACE SHALL BE IMPROVED WITH WALKING TRAILS AND AN AMENITY AREA HAVING A MINIMUM AREA OF 400 S.F. FOR EVERY 24 UNITS, WITH EQUIPMENT AND FACILITIES APPROPRIATE TO THE NEEDS OF RESIDENTS. GREENSPACE SHALL HAVE A MINIMUM WIDTH OF 75'; TRAIL CONNECTIONS BETWEEN GREENSPACE AREAS SHALL HAVE A MINIMUM WIDTH OF 25'.

*- CONDITION
USE*

*USE
R-A
STANDARDS
INSTEAD*





Sec. 86-204. - Table of Uses Allowed by Zoning Districts.

P = Use is permitted "by right" in the Zoning District indicated

C = Use is permitted only as an approved conditional use permit (code section indicated)

N = Use is not permitted in the Zoning District indicated

2017 NAICS Code	USES	R- 2	R- 4	R- C	C C M	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
	RESIDENTIAL USES													
n/a	Single Family Detached Dwelling, Site-Built	P	P	P	N	N	P	P	N	P	N	N	N	Sec. 86- 111; Article VII; Sec. 86- 117
n/a	Single Family Detached Dwelling, Manufactured, Mobile, or Modular with Permanent Foundation	N	N	N	N	N	N	N	N	N	N	N	N	Article VII
n/a	Two-Family Dwelling (Duplex)	N	N	N	N	C	N	N	N	C	N	N	N	Article VII; Sec. 86- 117; Sec. 86-118
n/a	Triplexes and Quadruplexes, not part of Apartment Communities	N	N	N	N	N	N	N	N	N	N	N	N	
n/a	Single Family Attached (Townhouses and Condominiums)	N	N	N	C	C	C	C	N	C	N	N	N	Sec. 86- 202; Sec. 86-117; Sec. 86-118
n/a	Multifamily (Apartments)	C	C	N	C	C	C	C	N	C	N	N	N	Sec. 86-205; Sec. 86-117; Sec. 86-118
n/a	Mixed Use Dwelling, including Lofts	N	N	N	C	P	C	C	C	P	C	N	N	Sec. 86-182; Sec. 86-117; Sec. 86-118

Sec. 86-200. - NAICS 51913, 519130 Internet publishing, broadcasting, and web search portals.

The following conditions are assigned in the H-1, H-2, O&I MX, and C-2 districts:

- (1) No telecommunications structures greater than 20 feet in height, whether ground or building mounted, shall be permitted.

Sec. 86-201. - NAICS 517 Telecommunications.

The following conditions are assigned in the H-1, H-2, O&I, C-1, C-2, M-1 districts:

- (1) No telecommunications structures greater than 20 feet in height, whether ground or building mounted, shall be permitted.



Sec. 86-202. - Townhouses and condominiums.

The following conditions are assigned in the CCM, R-M, H-1, H-2, and MX districts:

- (1) The standards of the R-A district shall control development of townhouses and condominiums.

Sec. 86-203. - Funeral homes and funeral services.

The following conditions are assigned in the O&I and C-2 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre.
- (3) On-site parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.

Sec. 86-204. – Table of Uses (Revised August 14, 2023)

Sec. 86-205. – Multi-family (Apartments)

The following conditions are assigned in the R-2, R-4, CCM, R-M, H-1, H-2 and M-X districts:

- (1) The standards of the R-M district shall control development of apartments.
- (2) Must be located off a street having a classification of collector or greater.
- (3) A minimum 25-foot wide buffer shall be maintained along all property lines adjacent to any single-family, detached residential property.

HE IS USING R-A STANDARDS

Sec. 86-100. R-A single family attached residential district regulations.

- (a) Purpose. The R-A single family attached residential district is established to provide for single family attached dwellings on individual lots on development tracts having a minimum area of two acres on undeveloped land. The district is intended to foster housing options for households seeking high quality home ownership in park like setting featuring attractive architectural styles and building materials. As such, developments facilitated by establishment of the district are restricted to a maximum number of units to limit scale and encourage manageable homeowner associations. The R-A district is compatible with walkable, neighborhood commercial districts and low intensity office and commercial districts and is suited to locations along collector streets. The R-A single family attached residential district also encourages the thoughtful renovation of existing buildings and infill developments for residential purposes.
- (b) Development standards. Unless otherwise provided in this chapter, uses permitted in the R-A district shall conform to the following development standards:
- ✓ (1) Minimum parent tract size: 87,120 square feet (two acres)
 - ✓ (2) Minimum lot area per unit: 1800 square feet 1 .241
 - ✓ (3) Minimum parent tract width: 150 feet 2
 - (4) Minimum front yard: 20 feet 3
 - (5) Minimum side yard at perimeter of tract: 25 feet
 - ✓ (6) Minimum rear yard: 35 feet
 - ✓ (7) Minimum floor area per dwelling unit: 1,500 square feet
 - (8) Maximum building height: Three stories
 - ✓ (9) Maximum number of units per building: Eight
 - (10) Maximum number of units per development: 64 75 VARIANCE
 - ✓ (11) Maximum density: Eight units per acre
 - ✓ (12) Minimum greenspace: 15 percent of gross acreage 1.80 REQ.
 - (13) Minimum building separation:

Front to Front	40 feet
Front to Rear	40 feet
Front to Side	35 feet
Rear to Rear	40 feet
Rear to Side	35 feet
* Side to Side	25 feet ✓

1 This requirement may be waived for zero lot townhomes, provided the developer includes a provision in the Covenants, Conditions, and Restrictions for the project that clearly describes the maintenance and access of all common areas, streets, alleys, and driveways.

2 Measured at the building line.

3 The required front yard on any street classified as a collector or above shall be 25 feet.

CAN BUFFER BE INSIDE LOT?

(c) Design standards. Unless otherwise provided in this chapter, uses permitted in an R-A district shall conform to the following design standards:

(1) Off-street parking shall be provided as specified in article XIII of this chapter. Each dwelling shall provide for a minimum two-car garage and a minimum 18-foot-wide concrete driveway.

✓(2) Buffers shall be provided as specified in Article XV of this chapter.

(3) A homeowners association accompanied by recorded covenants shall be mandatory for all townhouse or condominium developments, subject to approval by the City Manager.

✓(4) Minimum width of each townhouse unit shall be 24 feet.

(5) A minimum of three different exterior elevations shall be provided for a townhouse development that exceeds two acres.

(6) Townhouse building facades shall visually differentiate individual units through the use of architectural materials; a minimum of 50 percent of the front elevation shall consist of brick or stone. Brick, stone, and/or cementitious siding (which may be board, shingle, or lap siding.) variations may be approved by the Community Development Director and/or Design Review Commission and Historic Preservation Commission. Split faced-concrete block, stucco, or granite block shall only be used in an accent capacity for any building elevation.

VARIANCE (7) All townhouse units shall be designed to have rear entry via rear alleys. If permitted, front-loaded driveways shall be scored or finished with decorative treatment, subject to approval by the Design Review Commission, and, if applicable, the Historic Preservation Commission.

(8) Greenspace shall be improved with walking trails and an amenity area having a minimum area of 400 square feet with equipment and facilities appropriate to the needs of residents. Greenspace shall have a minimum width of 100 feet; trail connections between greenspace areas shall have a minimum width of 50 feet.

(9) An appropriate landscape plan shall be reviewed and approved by the Community Development Director prior to installation of the landscaping.

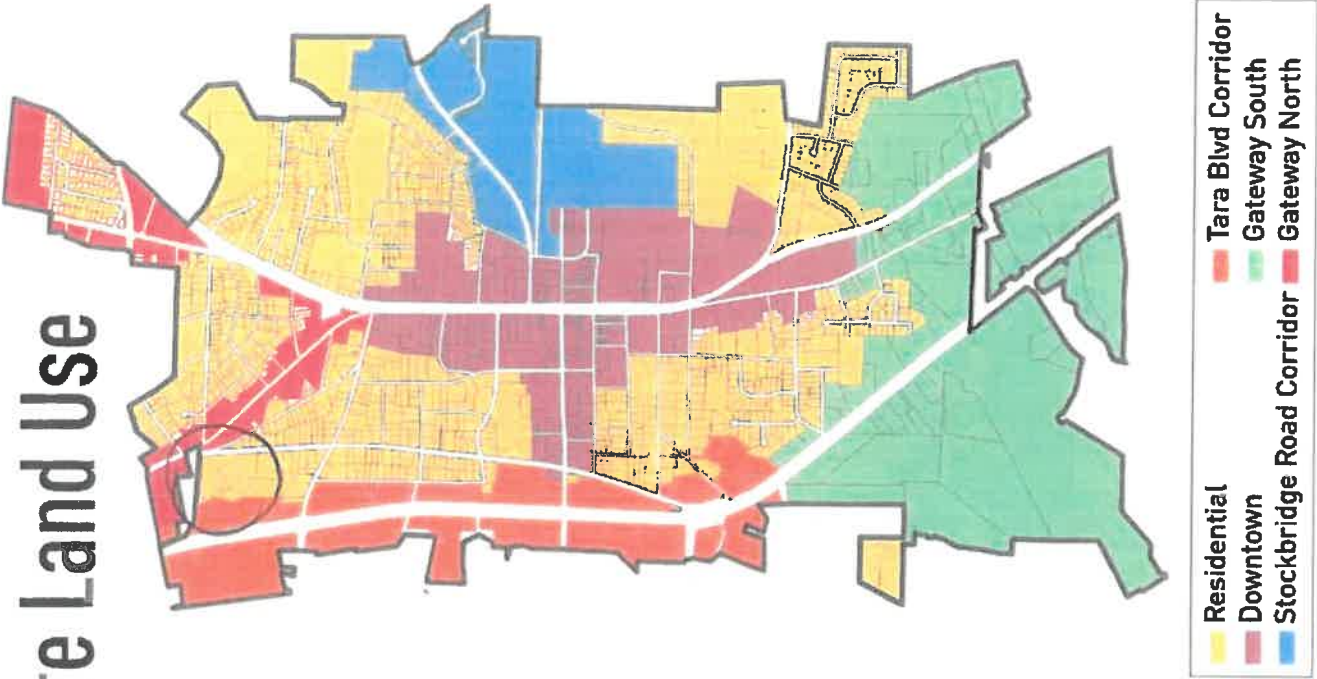
(d) Renovations of existing buildings. For single-family attached residential developments involving the renovation of existing buildings that cannot meet the minimum development standards of this chapter, a variance shall be required.

Future Land Use

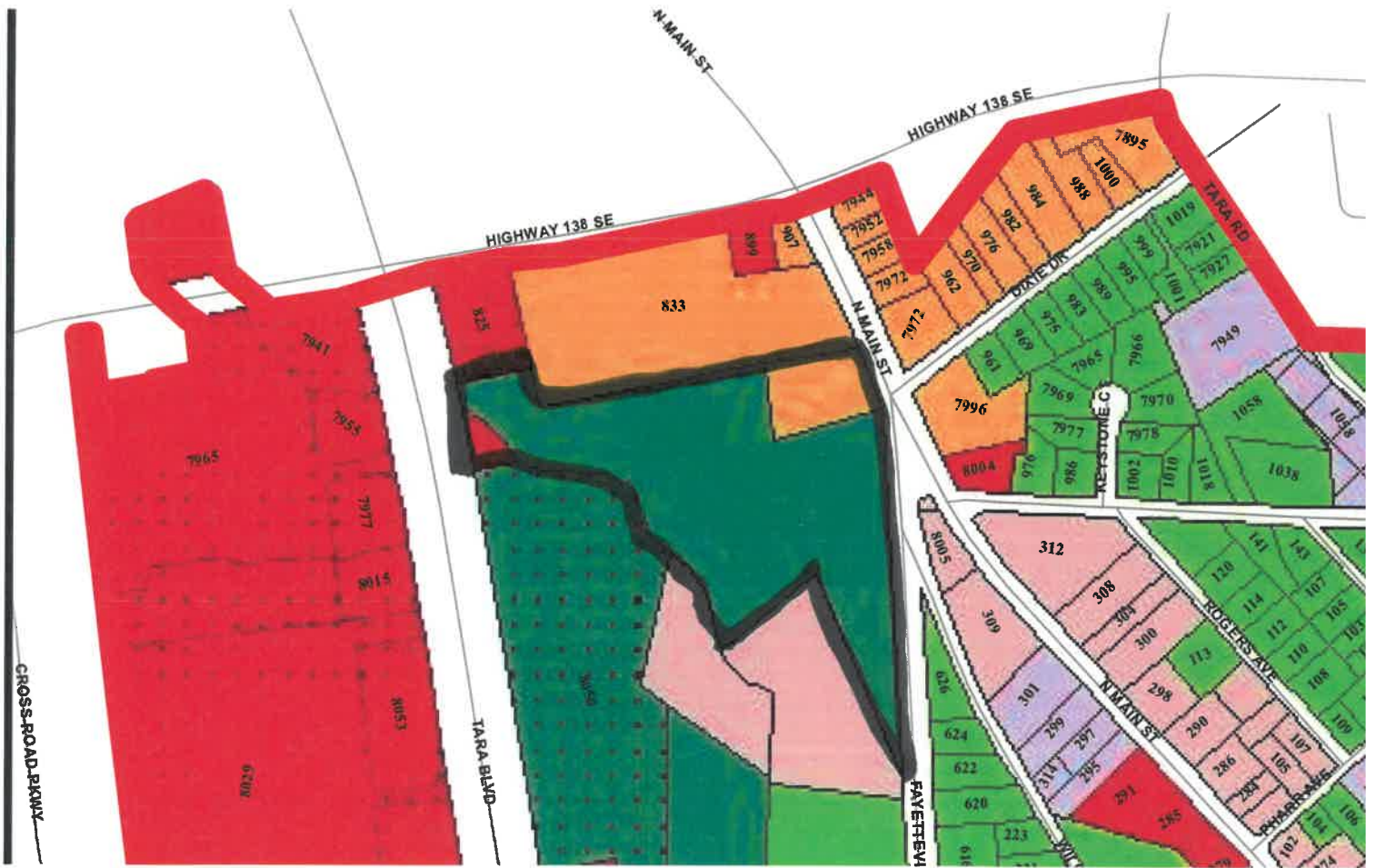
As an important first step in creating an appropriate redevelopment atmosphere, the city has updated its Future Land Use Map, dividing the city into *Character Areas*. These updated Character Areas are intended to ensure compatible and unified development within specified areas of the city, and acknowledge the changing dynamics within the city over the last several years.

As described over the next few pages, these Character Areas guide land use characteristics and development standards. They influence development through guidelines for standards such as density and land use policies. Permissible land uses and compatible implementation measures are outlined in each section.

Future Land Use

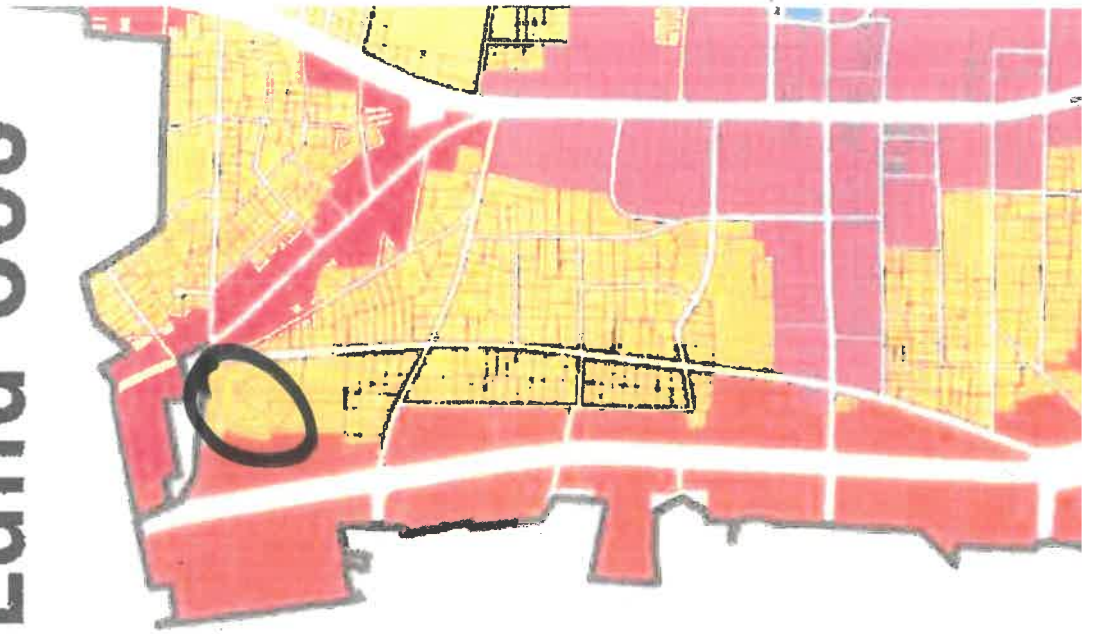


Existing Use to be Buffered	Proposed Use must provide the Buffer			
	Detached Residential	Attached Residential	Commercial	Industrial
Detached Residential	No Buffer	25-foot Buffer	50-foot Buffer	75-foot Buffer
Attached Residential	No Buffer	No Buffer	25-foot Buffer	50-foot Buffer
Office Commercial	No Buffer	No Buffer	No Buffer	25-foot Buffer
Industrial	No Buffer	No Buffer	No Buffer	No Buffer



Attachment: Zoning Info (3718 : Townhomes - North Main Street and Fayetteville Road)

Future Land Use



Attachment: Zoning Info (3718 : Townhomes - North Main Street and Fayetteville Road)

Legal Notice

Public Hearing will be held by the Mayor and Council of the City of Jonesboro at 6:00 P.M. on March 11, 2024, in the court chambers of the Jonesboro City Center, 1859 City Center Way, Jonesboro, GA, to consider a Conditional Use Permit Application for a townhome development by Fayetteville Gingercake Road LLC, property owner, and Templar Development, applicant, for property along Fayetteville Road, North Main Street, and Tara Boulevard (Parcel Nos. 13210D B002, 13209C E003, and 13210D B007), Jonesboro, Georgia 30236. Item will first be discussed at the Work Session on March 4, 2024 at 6:00 P.M., also in the court chambers of the Jonesboro City Center, 1859 City Center Way, Jonesboro, GA 30236.

David Allen
Community Development Director

Publish 2/21/24



Attachment: Zoning Sign (3718 : Townhomes - North Main Street and Fayetteville Road)

CITY OF JONESBORO PUBLIC NOTICE

An application has been filed for a

REZONING / CONDITIONAL USE / VARIANCE

at this location

**REZONING: MX TO RM PARCEL 13209C E003
CONDITIONAL USE / VARIANCE: PARCELS 13210D B002, 13209C**

A PUBLIC HEARING on this application will ^{AND} E003
held on **MARCH 11** 20.24, at **6** p.m. ↓

1859 CITY CENTER WAY 13210D B007

Any questions, call City Hall at 770-478-3800

Date of Posting **FEBRUARY 26** 20.24

ATTENTION

DO NOT REMOVE UNTIL ABOVE MEETING DATE

Anyone caught defacing or removing this sign shall be guilty of a misdemeanor



MEMORANDUM

To: Jay Knight
Templar Development
160 Whitney Street
Fayetteville, Ga. 30214

From: David D. Allen
City of Jonesboro
1859 City Center Way
Jonesboro, GA 30236

Date: February 28, 2024

Re: Notification of Request for Conditional Use Permit – Townhomes; Parcel Nos. 13209D B002, 13209C E003, and 13210D B007

Dear Applicant,

This letter is to serve as notification that the City of Jonesboro has received your request for a conditional use permit for the above referenced properties concerning the following:

- Townhomes

A Public Hearing has been scheduled for Monday, March 11, 2024 at 6:00 pm before the Jonesboro Mayor and City Council to consider the request as described above. A Work Session has been scheduled on the same item for Monday, March 4, 2024 at 6:00 pm. The meetings will be conducted in the court chambers of the Jonesboro City Center, 1859 City Center Way, Jonesboro, Ga.

Should you have any questions regarding the decision, please do not hesitate to contact me at 770-478-3800 or at dallen@jonesboroga.com.

Sincerely,

David D. Allen
Community Development Director / Zoning Administrator



David Allen

From: Josh Mahoney <jsm@battlelawpc.com>
Sent: Friday, March 1, 2024 9:28 AM
To: David Allen; Mark Schwabacher
Subject: RE: Templar Application Submission
Attachments: FoxTrail Render #9 (Luca Front) (Large).png

Building Materials

- Hardiplank Siding - Brick Accents - Vinyl Energy Efficient V
- Architectural Shingles - Sidewalks - Aluminum Garage Doc
- Sodded yards - Driveway length & width to accomodate 2 c

Hello, David:

My client forwarded me the attached elevations and materials description. Also, he let me know they are targeting a sales price up to the mid \$300s.



Joshua S. Mahoney, Esq.

Associate Attorney

Phone: 404-601-7616, Ext. 6

Mobile: 470-757-3622

Email: jsm@battlelawpc.com

3562 Habersham at Northlake

Bldg. J, Suite 100

Tucker, GA 30084

www.battlelawpc.com



Confidentiality Notice

This message is being sent by or on behalf of a lawyer. It is intended exclusively for the individual or entity to which it is addressed. This communication may contain information that is proprietary, privileged or confidential or otherwise legally exempt from disclosure. If you are not the named addressee, you are not authorized to read, print, retain, copy or disseminate this message or any part of it. If you have received this message in error, please notify the sender immediately by e-mail and delete all copies of the message.

From: David Allen <dallen@jonesboroga.com>
Sent: Wednesday, February 28, 2024 2:21 PM
To: Josh Mahoney <jsm@battlelawpc.com>; Mark Schwabacher <MAS@battlelawpc.com>
Subject: RE: Templar Application Submission

What did you find out about preliminary elevations?

Attachment: Townhome Designs (3718 : Townhomes - North Main Street and Fayetteville Road)



CITY OF JONESBORO, GEORGIA COUNCIL
Agenda Item Summary

Agenda Item # **10.7**
PUBLIC HEARING – 7

COUNCIL MEETING DATE
March 11, 2024

Requesting Agency (Initiator)

Office of the City Manager

Sponsor(s)

Community Development Director Allen

Requested Action (Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)

Council to consider Variance Application, 24-VAR-002, for certain townhome development standards by Fayetteville Gingercake Road LLC, property owner, and Templar Development, applicant, for property along Fayetteville Road, North Main Street, and Tara Boulevard (Parcel Nos. 13210D B002, 13209C E003, and 13210D B007), Jonesboro, Georgia 30236.

Requirement for Board Action (Cite specific Council policy, statute or code requirement)

City Code Section 86-101 – RM Zoning Purpose and Standards; 86-100 R-A Development Standards (Revised)

Is this Item Goal Related? (If yes, describe how this action meets the specific Board Focus Area or Goal)

Yes Community Planning, Neighborhood and Business Revitalization

Summary & Background

(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)

Agency recommendation – **Approval (with conditions) of Variance application (also contingent upon approval of Conditional use application)**; Last year, a zoning verification form for North Main Street (Parcel 13209D B002 and adjacent parcels 13209C E003 and 13210D B007) for a new townhome community was received, which requires a conditional use permit. The to-be-combined properties would have 11.98 acres total and only contain significant portions of woods and a stream. Assuming rezoning is approved for parcels 13209C E003 and 13210D B007, the property is zoned RM (Multi-family) and only has access to North Main Street and Fayetteville Road (the two roads blend into each other near the subject property). The property is in the extreme northern end of the City and is not in the Historic District or in any Overlay. There are single-family residences along Fayetteville Road to the south of the subject property, the closest on the same side of the street as the development being about one-fifth of a mile from the development and being shielded by trees. Directly across the street and to the north of the development are commercial businesses. **The proposal is for 77 townhome units with a price range in the xxxxxxxxx. Several new public streets are proposed with 45-foot-wide rights of way. The same property is also under consideration for variances to certain development standards at the same meeting. Denial of one application would necessitate the denial of the other.**

Sec. 86-101. - R-M multifamily residential district.

Purpose. The R-M multifamily residential district is established to provide for multifamily dwellings on properties having a minimum area of two acres. The district accommodates residential development at a maximum density of eight units per acre and is intended to serve a rental market in which attached units are available in a setting with common amenities and greenspace. R-M districts are expected to develop near public transit and along transportation corridors. Such developments may be established at the margin of neighborhood commercial districts, community shopping districts and employment centers, and represent a transition from office and commercial uses to lower density neighborhoods.

The City's townhome standards were also updated recently:

Sec. 86-202. - Townhouses and condominiums.

The following conditions are assigned in the CCM, R-M, H-1, H-2, and MX districts:

(1) The standards of the R-A district shall control development of townhouses and condominiums.

(b) Development standards. Unless otherwise provided in this chapter, uses permitted in the R-A district shall conform to the following development standards:

(1) Minimum parent tract size: 87,120 square feet (two acres) **Complies**

(2) Minimum lot area per unit: 1800 square feet 1 **Complies**

FOLLOW-UP APPROVAL ACTION (City Clerk)

Typed Name and Title

Melissa Brooks, City Clerk

Date

March, 11, 2024

**03/04/24
REQUIRED**

**City Council PUBLIC HEARING
Next: 03/11/24**

Signature

City Clerk's Office

- (3) Minimum parent tract width: 150 feet 2 **Complies**
- (4) Minimum front yard: 20 feet 3 **Complies**
- (5) Minimum side yard at perimeter of tract: 25 feet **Complies**
- (6) Minimum rear yard: 35 feet **Mostly complies (see variance application)**
- (7) Minimum floor area per dwelling unit: 1,500 square feet **Will comply**
- (8) Maximum building height: Three stories **Will comply**
- (9) Maximum number of units per building: Eight **Complies**
- (10) Maximum number of units per development: 64 **77 proposed (see variance application)**
- (11) Maximum density: Eight units per acre **Complies**
- (12) Minimum greenspace: 15 percent of gross acreage **Complies**
- (13) Minimum building separation: **Complies**

Front to Front	40 feet
Front to Rear	40 feet
Front to Side	35 feet
Rear to Rear	40 feet
Rear to Side	35 feet
Side to Side	25 feet

1 This requirement may be waived for zero lot townhomes, provided the developer includes a provision in the Covenants, Conditions, and Restrictions for the project that clearly describes the maintenance and access of all common areas, streets, alleys, and driveways.

2 Measured at the building line.

3 The required front yard on any street classified as a collector or above shall be 25 feet.

(c) Design standards. Unless otherwise provided in this chapter, uses permitted in an R-A district shall conform to the following design standards:

- (1) Off-street parking shall be provided as specified in article XIII of this chapter. Each dwelling shall provide for a minimum two-car garage and a minimum 18-foot-wide concrete driveway. **Complies**
- (2) Buffers shall be provided as specified in Article XV of this chapter. **Complies**
- (3) A homeowners association accompanied by recorded covenants shall be mandatory for all townhouse or condominium developments, subject to approval by the City Manager. **Will comply**
- (4) Minimum width of each townhouse unit shall be 24 feet. **Complies**
- (5) A minimum of three different exterior elevations shall be provided for a townhouse development that exceeds two acres. **Will comply**
- (6) Townhouse building facades shall visually differentiate individual units through the use of architectural materials; a minimum of 50 percent of the front elevation shall consist of brick or stone. Brick, stone, and/or cementitious siding (which may be board, shingle, or lap siding.) variations may be approved by the Community Development Director and/or Design Review Commission and Historic Preservation Commission. Split faced-concrete block, stucco, or granite block shall only be used in an accent capacity for any building elevation. **Will comply**
- (7) All townhouse units shall be designed to have rear entry via rear alleys. If permitted, front-loaded driveways shall be scored or finished with decorative treatment, subject to approval by the Design Review Commission, and, if applicable, the Historic Preservation Commission. **No rear alleys (see variance application)**
- (8) Greenspace shall be improved with walking trails and an amenity area having a minimum area of 400 square feet with equipment and facilities appropriate to the needs of residents. Greenspace shall have a minimum width of 100 feet; trail connections between greenspace areas shall have a minimum width of 50 feet. **Will comply**
- (9) An appropriate landscape plan shall be reviewed and approved by the Community Development Director prior to installation of the landscaping. **Will comply**

In summary, the following minor variances are necessary –

- (6) Minimum rear yard: 35 feet Mostly complies (see variance application)**

The rear yard setback on the 15 homes along North Main Street / Fayetteville Road needs to be 25 feet to allow more rooms for the homes. This will be rear loading homes, so technically the front of the homes will face North Main Street anyway.

- (10) Maximum number of units per development: 64 77 proposed (see variance application)**

Since the interior of the site will not be visible to the main roads, having 13 more units will have no bearing on the adjacent businesses around the subject property.

- (7) All townhouse units shall be designed to have rear entry via rear alleys. If permitted, front-loaded driveways shall be scored or finished with decorative treatment, subject to approval by the Design Review**

Rear alleys are not feasible for this project due to the shape of the property. The development will use its own interior streets. Since the interior of the site will not be visible to the main roads, having no rear alleys will have no bearing on the adjacent businesses around the subject property.

In the summer of 2023, the Mayor and Council approved a larger townhome development on the south end of town, by the same applicant. That approval dealt with issues of a railroad, a grave, Historic District standards, and the presence of many single-family homes in quite neighborhoods in the immediate area. This application has none of those issues. It meets all zoning requirements, save for the few variance items. The two main site issues, the stream and the “awkward” intersection at Dixie Drive / North Main Street will be dealt with – the stream will be heavily buffered with greenspace around it, and the primary entrance to the townhome development will be well south of this intersection, on Fayetteville Road, where it will cost minimal traffic issues. There is not as much congestion on Fayetteville Road as South Main Street. The homes will not be seen at all from Tara Blvd. Only the fronts of 15 homes will be seen from North Main Street / Fayetteville Road, and these will have quality architecture. The homes will not be a detriment to the nearby businesses; rather, they will provide more customers for them. Most importantly, the development will honor the stated goals of the City’s updated Comprehensive Plan, providing more diversified housing stock.

Should the Mayor and Council choose to approve the conditional use permit for the townhomes, the following minimum approval conditions shall apply:

1. Final architectural exteriors shall be subject to review and approval by the Design Review Commission.
2. A developer’s agreement shall be provided to and approved by the Mayor and Council pertaining to architectural and site design elements, including streetlights. Development shall form an HOA.
3. Final landscape plan shall be subject to review and approval by the Community Development Director.
4. Townhomes directly adjacent to North Main Street and / or Fayetteville Road shall face North Main Street and / or Fayetteville Road.
5. Landscape strip along North Main Street / Fayetteville Road shall retain as many existing trees as possible.

Fiscal Impact*(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)*

Private developer

Exhibits Attached *(Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)*

- Statement of Intent
- Site Plan
- Property Pictures
- Zoning Info
- Variance - North Main Street - Townhomes - Legal Notice
- Zoning Sign
- Meeting Notice Letter

Staff Recommendation *(Type Name, Title, Agency and Phone)***Approval, with Conditions**



Battle Law

STATEMENT OF INTENT

and

Other Material Required by
The Jonesboro Zoning Ordinance
For
A Conditional Use Permit, Rezoning, and Variance

of

Templar Development Group, LLC
c/o Battle Law, P.C.

for

+/- 11.98 Acres of Land
Being the intersection of Tara Boulevard & N. Main Street
Jonesboro, Georgia and
Parcel Nos. 13210D B002, 13209C E003

Submitted for Applicant by:

Joshua Mahoney, Esq.
Battle Law, P.C.
Habersham at Northlake, Building J, Suite 100
Tucker, Georgia 300384
(404) 601-7616 Phone
(404) 745-0045 Facsimile
mlb@battlelawpc.com

Attachment: Statement of Intent (3719 : Townhome Variances - North Main Street and Fayetteville Road)



Battle Law

I. LETTER OF INTENT

Templar Development Group, LLC (the “Applicant”) is seeking to develop on +/- 11.98 acres of land being Tax Parcel Nos. 13210D B002 and 13209C E003, having frontage on North Main Street (the “Subject Property”) with a townhome development consisting of 75 housing units.

The Applicant is filing four applications. First, the applicant is proposing a rezoning of the parcels, 13209C E003, from MX to RM, which will bring the entire subject property under RM zoning. Second, the applicant is requesting a rezoning of property with parcel number 13210D B007 from C-2 to RM. Third, the applicant is requesting a conditional use permit to allow for 75 townhomes. Fourth, the applicant is requesting a variance from Sec. 86-101(b)(6) to reduce the minimum rear yard from 35 feet to 25 feet, which shall apply only to five units and will allow for a deceleration lane into the proposed development. The applicant is also requesting a variance from Sec. 86-101(c)(7) to allow for the townhomes to have front-loaded driveways., Lastly, the applicant is requesting a variance from Sec. 86-202 to increase the maximum number of units per development from 64 to 75.

This document serves as a statement of intent, analysis of the criteria under the City of Jonesboro Standards for Map Amendment, and contains notice of constitutional allegations as a reservation of the Applicant’s rights.

II. CITY OF JONESBORO STANDARDS FOR MAP AMENDMENT

What is the relationship between the proposed change to the established land use pattern? Is the proposed change compatible with the City’s comprehensive plan and what is the proposed timing of development?

The Subject Property is in the Residential character area of the comprehensive plan. The proposed change to the Subject Property’s zoning aligns with Residential character, which specifically enumerates townhomes adjacent to residential areas as a form of compatible residential development.

What impacts, if any, would the proposed change have on public facilities, services, neighborhood character, environmental impact, public interest, and public financial resources?

The proposed development would increase Jonesboro’s tax base while adding a residential development that does not unduly burden public facilities or services. The development will comply with all environmental regulations to minimize environmental impact.

What economic opportunities are projected for the property?

The Applicant projects new housing opportunities for the City at this property.



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To what extent would property values be diminished by the particular zoning restrictions?

The Applicant does not expect property values to be diminished by the proposed rezoning, and expects that new, high-quality housing will increase nearby property values.

To what extent would the destruction of property values, if any, promote the health, safety, morals, or general welfare of the public?

The Applicant does not expect that the proposed applications will destroy property values.

What is the relative gain to the public, as compared to the hardship, if any, imposed on the individual property owner?

The City will gain townhome housing in a different part of the city, increasing the housing options available within Jonesboro. In so doing, the City would make home ownership for new residents easier for those looking to move to the City of Jonesboro.

What is the length of time the property, if vacant, has been vacant as zoned? Considered in the context of land development in the areas and the vicinity of the property.

The Subject Property has never been developed under its current zoning. The particular parcel to be rezoned is small and presents challenges to being developed independently.

II. CITY OF JONESBORO STANDARDS FOR VARIANCE

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

The Subject Property has a unique position with its frontage along Fayetteville Road, which limits the locations where the Applicant can safely provide access to the property. Providing general access at the northern end of the frontage risks creating a complicated intersection where North Main Street meets Fayetteville Road. The limited access for general traffic has required the Applicant to create an intersection with a deceleration lane for safe flow of general traffic. To allow for that deceleration lane, the applicant is requesting a variance from Sec. 86-101(b)(6) to reduce the minimum rear yard from 35 feet to 25 feet, which shall apply only to five units.

The Subject Property also has an irregular shape which makes it impossible to make internal front streets and rear alleys. As a result, the applicant is also requesting a variance from Sec. 86-101(c)(7) to allow for the townhomes to have front-loaded driveways.



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List one or more unique characteristics that are generally not applicable to similarly situated properties.

The Subject Property has unique frontage along Fayetteville Road and has an irregular, non-rectangular shape that is unique among RM parcels and has created challenges for laying out lots.

Provide a literal interpretation of the provisions of above referenced chapter and/or section that would deprive the applicant of rights commonly enjoyed by other properties of the district in which the property is located.

A literal interpretation of the above referenced sections would deprive the applicant of the opportunity to fully develop the site. Combining the two parcels that form the Subject Property is important because it allows both properties to be served by a single access point, allowing for a safe traffic pattern that provides access to whole property.

Demonstrate how a variance prevents reasonable use of the property.

Not granting the requested variances would eliminate so many lots on the property that the overall project would not be feasible and the land would remain undeveloped.

Please explain the reasoning for the variance and state whether it is a result of the applicant.

The need for variances is not the result of the applicant.

Demonstrate how the variance is the only result to allow reasonable use of the property.

The variance is the only result to allow a reasonable use of the property because the property's irregular shape and frontage would persist for any intended use.

Will the granting of the requested variance be injurious to the public health, safety or welfare?

Granting the requested variance would not be injurious to the public health, safety or welfare. The proposed variance to allow for a deceleration lane is designed to increase driver safety.

Will the requested variance be in harmony with the purpose and intent of the above referenced chapter and/or section?

As explained in more detail above under the rezoning standards section, the requested variance will allow for a development that is consistent with the character and intent of the Residential character area.



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III. CONCLUSION

For the foregoing reasons, the Applicant hereby requests that the application for a rezoning, conditional use permit, and variance be approved. The Applicant welcomes any questions and feedback from the planning staff.

IV. NOTICE OF CONSTITUTIONAL ALLEGATIONS AND PRESERVATION OF CONSTITUTIONAL RIGHTS

The portions of the Jonesboro Zoning Ordinance, facially and as applied to the Subject Property, which restrict or classify or may restrict or classify the Subject Property so as to prohibit its development as proposed by the Applicant are or would be unconstitutional in that they would destroy the Applicant's property rights without first paying fair, adequate and just compensation for such rights, in violation of the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States and Article I, Section I, Paragraph I of the Constitution of the State of Georgia of 1983, Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and would be in violation of the Commerce Clause, Article I, Section 8, Clause 3 of the Constitution of the United States.

The application of the Jonesboro Zoning Ordinance to the Subject Property which restricts its use to any classification other than that proposed by the Applicant is unconstitutional, illegal, null and void, constituting a taking of Applicant's Property in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States, Article I, Section I, Paragraph I, and Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States denying the Applicant an economically viable use of its land while not substantially advancing legitimate state interests.

A denial of this Application would constitute an arbitrary irrational abuse of discretion and unreasonable use of the zoning power because they bear no substantial relationship to the public health, safety, morality or general welfare of the public and substantially harm the Applicant in violation of the due process and equal protection rights guaranteed by the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph 1 of the Constitution of the State of Georgia.

A refusal by the Jonesboro City Council to amend the land use and/or rezone the Subject Property to the classification as requested by the Applicant would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of similarly



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situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any rezoning of the Property subject to conditions which are different from the conditions requested by the Applicant, to the extent such different conditions would have the effect of further restricting Applicant's utilization of the property, would also constitute an arbitrary, capricious and discriminatory act in zoning the Subject Property to an unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove.

A refusal to allow the land use amendment and conditional land use permit in question would be unjustified from a fact-based standpoint and instead would result only from constituent opposition, which would be an unlawful delegation of authority in violation of Article IX, Section II, Paragraph IV of the Georgia Constitution.

A refusal to allow the land use amendment and conditional land use permit in question would be invalid inasmuch as it would be denied pursuant to an ordinance which is not in compliance with the Zoning Procedures Law, O.C.G.A. Section 36-66/1 et seq., due to the manner in which the Ordinance as a whole and its map(s) have been adopted.

The existing land use designation and/or zoning classification on the Subject Property is unconstitutional as it applies to the Subject Property. This notice is being given to comply with the provisions of O.C.G.A. Section 36-11-1 to afford the County an opportunity to revise the Property to a constitutional classification. If action is not taken by the County to rectify this unconstitutional land use designation and/or zoning classification within a reasonable time, the Applicant is hereby placing the County on notice that it may elect to file a claim in the Superior Court of Clayton County demanding just and adequate compensation under Georgia law for the taking of the Subject Property, diminution of value of the Subject Property, attorney's fees and other damages arising out of the unlawful deprivation of the Applicant's property rights.

Joshua Mahoney, Esq.
Attorney for the Applicant



FRONTING FAYETTEVILLE ROAD

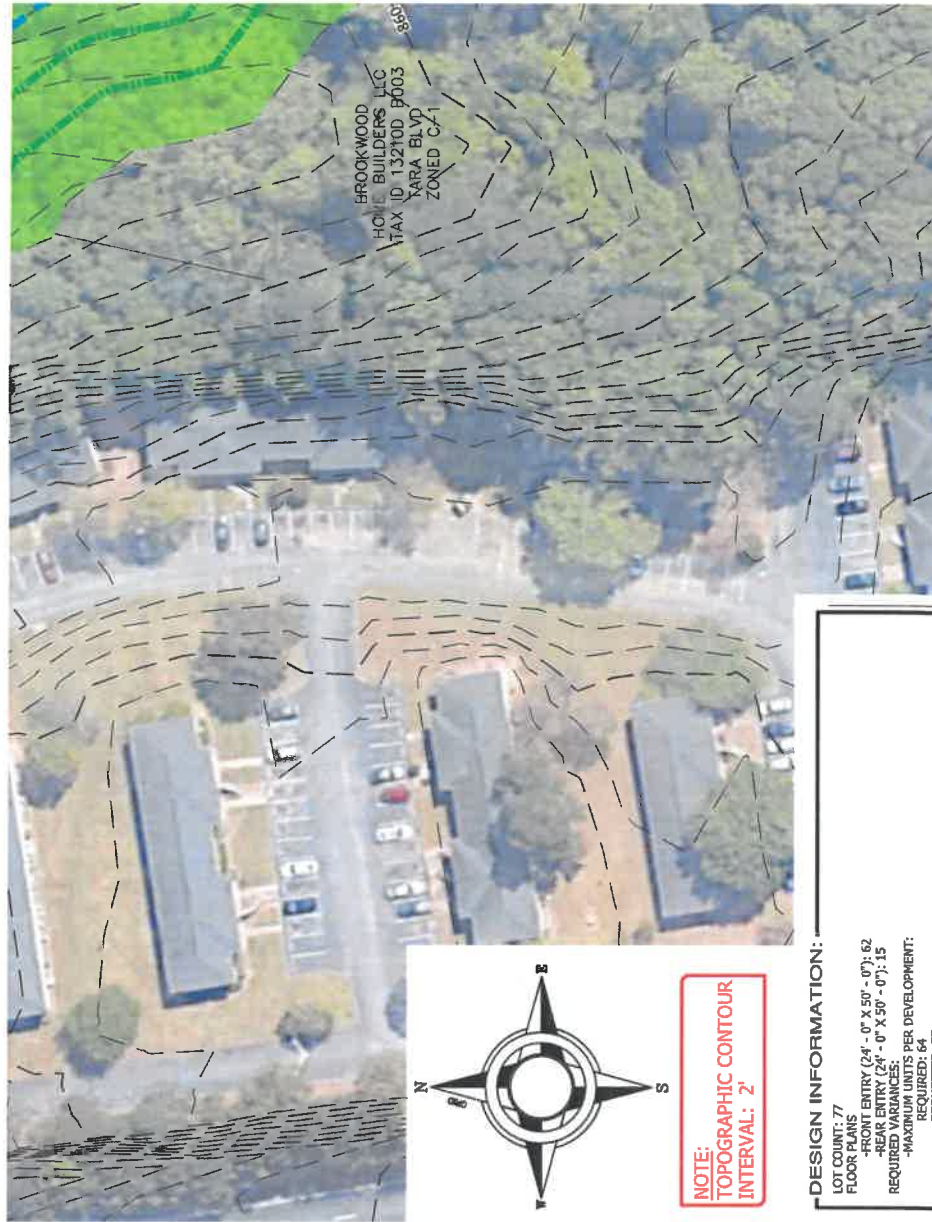
GRAPHIC SCALE



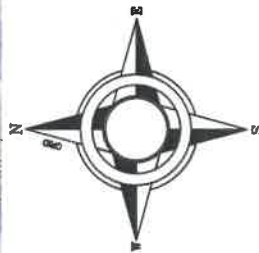
GENERAL NOTES

- CURRENT ZONING: RM & C-2
PROPOSED USE: SINGLE FAMILY ATTACHED TOWNHOUSES
TAX ID #: 1329DC 0003, 13210D 0002 & 13210D 0007
- SETBACKS:
 - FRONT:
 - 20' (LOCAL STREET)
 - 35' (COLLECTOR STREET OR ABOVE)
 - SIDE: 0'; 25' SEPARATION BETWEEN BUILDINGS; 25' ADJACENT TO R/W
 - REAR: 35'
 - BUILDING SEPARATION:
 - FRONT-REAR: 40'
 - FRONT-SIDE: 35'
 - REAR-REAR: 40'
 - REAR-SIDE: 35'
 - SIDE-SIDE: 25'
 - TOTAL NUMBER OF UNITS: 77
 - MINIMUM DWELLING SIZE REQUIRED:
 - 900 S.F. (ONE BEDROOM)
 - 1,200 S.F. (TWO BEDROOM)
 - 1,500 S.F. (THREE BEDROOM)
 - MAXIMUM BUILDING HEIGHT: 5-STORIES (40')
 - TWO CAR GARAGE WITH MIN. 18' WIDE DRIVEWAY REQUIRED FOR EACH TOWNHOUSE
 - MINIMUM TOWNHOUSE WIDTH: 24'
 - INTERNAL STREET RIGHT-OF-WAY WIDTH: 45'
 - INTERNAL STREET WIDTH: 22' FROM BACK OF CURB TO BACK OF CURB
- PROPERTY CONTAINS 11.98 ACRES
DENSITY:
 - NUMBER OF UNITS = 77 / 11.98 ACRES = 6.4 UNITS / ACRE (13 MAX.)
- BOUNDARY AND RIGHT-OF-WAY INFORMATION OBTAINED FROM GIS DATA & PUBLIC RECORDS.
- THIS SITE DOES NOT CONTAIN AREAS WITHIN THE 100-YEAR FLOOD HAZARD AREA PER F.E.M.A. FIRM PANEL 13063C0086F, DATED 6/7/2017.
- TOTAL OPEN SPACE = 4.77 ACRES (20% REQUIRED / 40% PROPOSED)
- WATER TO BE PROVIDED BY CLAYTON COUNTY WATER AUTHORITY. WASTEWATER SERVICE TO BE PROVIDED BY CLAYTON COUNTY WATER AUTHORITY.
- EASEMENTS WILL BE CREATED FOR FUTURE STORMWATER MAINTENANCE FACILITIES AND BIO-RETENTION AREAS. THERE WILL BE 20' EASEMENTS FOR ANY SANITARY SEWER OUTSIDE OF STREET RIGHTS-OF-WAY AND 20' EASEMENTS OR 2 TIMES THE DEPTH OF ANY STORM DRAIN, WHICH EVER IS GREATER.
- PROPOSED DEVELOPMENT SCHEDULE:
 - COMMENCEMENT OF CONSTRUCTION IN EARLY 2024
 - COMPLETE DEVELOPMENT BY EARLY 2027
 - FULL HOME BUILD OUT BY EARLY 2027
- MINIMUM OF THREE DIFFERENT EXTERIOR ELEVATIONS
- MINIMUM OF THIRTEEN DIFFERENT FACADES SHALL VISUALLY DIFFERENTIATE INDIVIDUAL UNITS THROUGH THE USE OF VARIATIONS IN MATERIALS, COLORS, AND FINISHES. THE FRONT ELEVATION SHALL CONSIST OF ONE OR MORE OF THE FOLLOWING: CLADDING, MATERIAL, COLOR, OR FINISH. THE FRONT ELEVATION SHALL BE BACK OR SIDE BRICK, STONE, AND/OR CEMENTITIOUS SIDING (WHICH MAY BE BOARD, SHINGLE, OR LAP SIDING). VARIATIONS MAY BE APPROVED BY THE COMMUNITY DEVELOPMENT DIRECTOR AND/OR DESIGN REVIEW COMMISSION AND HISTORIC PRESERVATION COMMISSION. SPLIT FACED-CONCRETE BLOCK, STUCCO, OR GRANITE BLOCK SHALL ONLY BE USED IN AN ACCENT CAPACITY FOR ANY BUILDING ELEVATION.
- ALL TOWNHOUSE UNITS SHALL BE DESIGNED TO HAVE REAR ENTRY VIA REAR ALLEYS. IF PERMITTED, FRONT-LOADED DRIVEWAYS SHALL BE SCORED OR FINISHED WITH DECORATIVE TREATMENT, SUBJECT TO APPROVAL BY THE DESIGN REVIEW COMMISSION, AND, IF APPLICABLE, THE HISTORIC PRESERVATION COMMISSION.
- GREENSPACE SHALL BE IMPROVED WITH WALKING TRAILS AND AN AMENITY AREA HAVING A MINIMUM AREA OF 400 S.F. FOR EVERY 24 UNITS, WITH EQUIPMENT AND FACILITIES APPROPRIATE TO THE NEEDS OF RESIDENTS.
- GREENSPACE SHALL HAVE A MINIMUM WIDTH OF 75'; TRAIL CONNECTIONS BETWEEN GREENSPACE AREAS SHALL HAVE A MINIMUM WIDTH OF 25'.

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BROOKWOOD
HOME BUILDERS LLC
TAX ID 13210D 0003
YARA BLVD
ZONED C-1



NOTE:
TOPOGRAPHIC CONTOUR
INTERVAL: 2'

DESIGN INFORMATION:

- LOT COUNT: 77
FLOOR PLANS:
 - FRONT ENTRY (24' - 0" X 50' - 0"): 62
 - REAR ENTRY (24' - 0" X 50' - 0"): 15REQUIRED VARIANCES:
 - MAXIMUM UNITS PER DEVELOPMENT: 64
 - REQUESTED: 77ENTRY ACCESS:
 - REQUESTED: REAR ENTRY EXCEPT FOR UNITS ADJACENT TO FAYETTEVILLE HWY.SETBACKS:
 - REQUESTED: FRONT ENTRY (24' - 0" X 50' - 0")
 - FRONT:
 - 20' (LOCAL STREET)
 - 35' (COLLECTOR STREET OR ABOVE)
 - SIDE: 0'; 25' SEPARATION BETWEEN BUILDINGS; 25' ADJACENT TO R/W
 - REAR: 35'
 - REQUESTED: 25' REAR SETBACK ALONG R/W DEDICATION ALONG FAYETTEVILLE HWY. (LOTS 63 - 67)

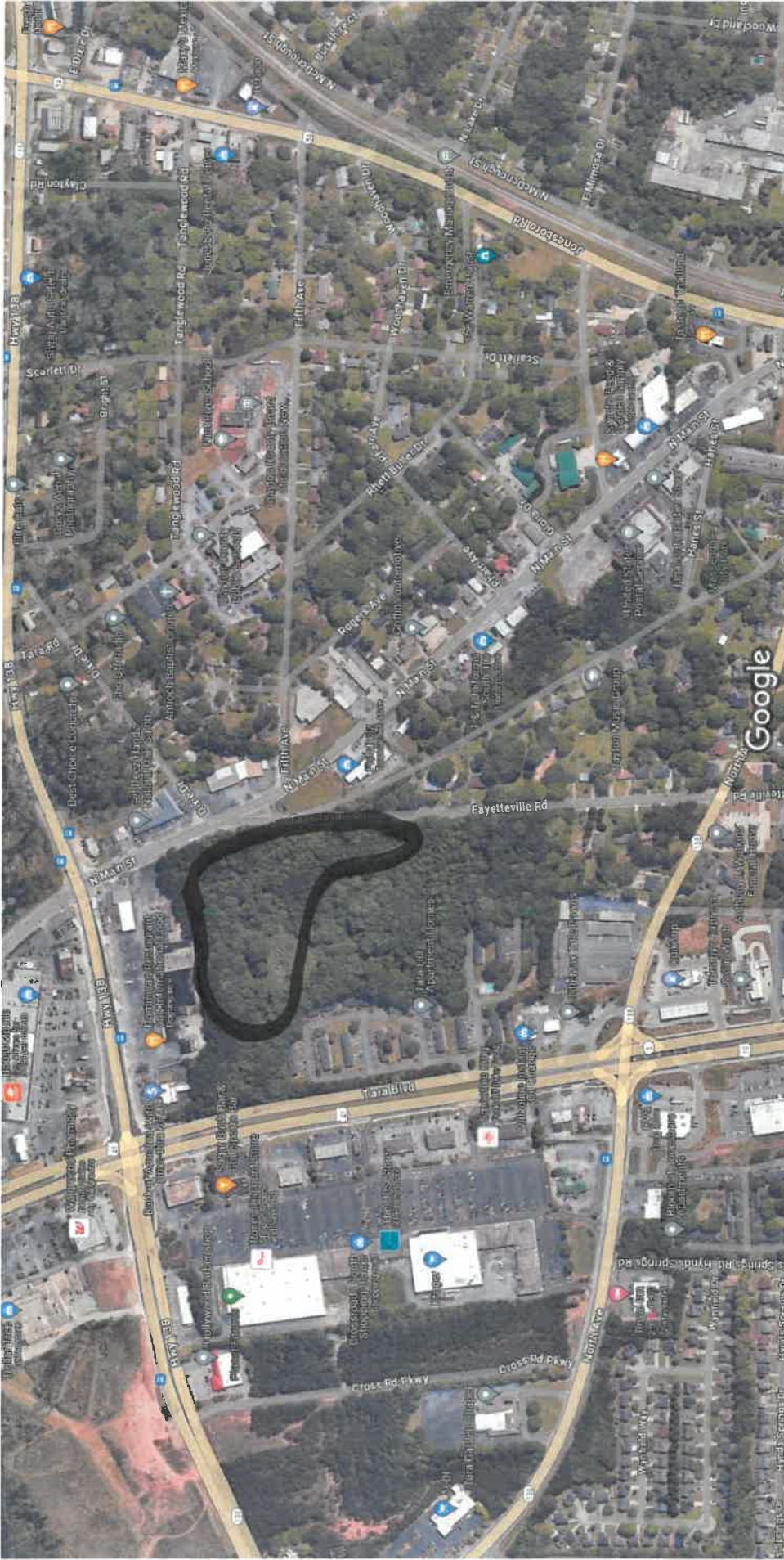
ENGINEER

ASHFORD ENGINEERS SOUTH, LLC
350 VIRGINIA HIGHLANDS
FAYETTEVILLE, GEORGIA 30215
(678) 817 - 6956
CONTACT: DANIEL R. GREENE, P.E.
GSWCC LEVEL II CERTIFICATION#0000015975

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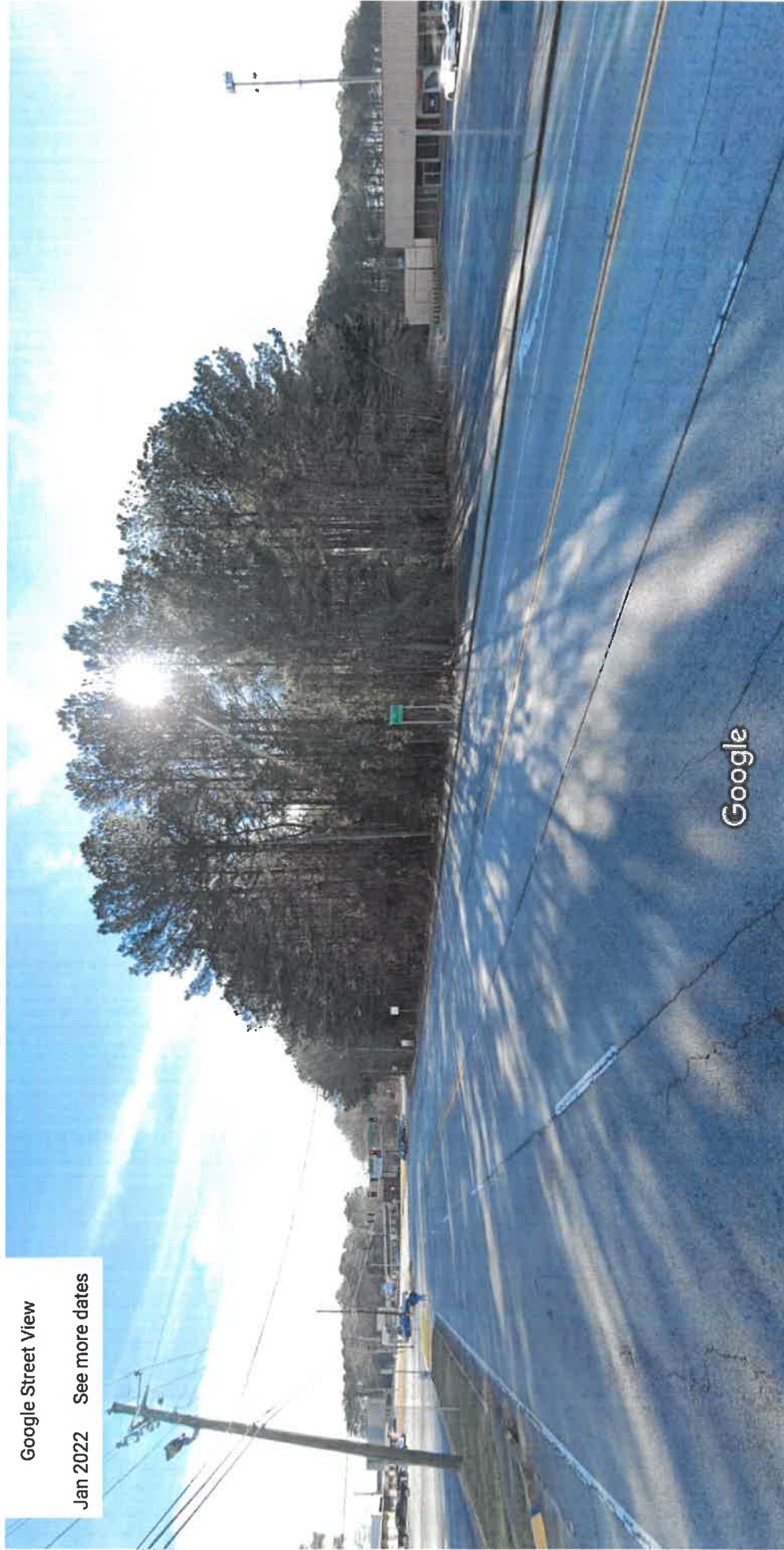


Imagery ©2024 Airbus, CNES / Airbus, Maxar Technologies, U.S. Geological Survey, USDA/FPAC/GEQ, Map data ©2024 200 ft



Imagery ©2024 Airbus, CNES / Airbus, Maxar Technologies, U.S. Geological Survey, Map data ©2024 50 ft

Google Maps Jonesboro, Georgia



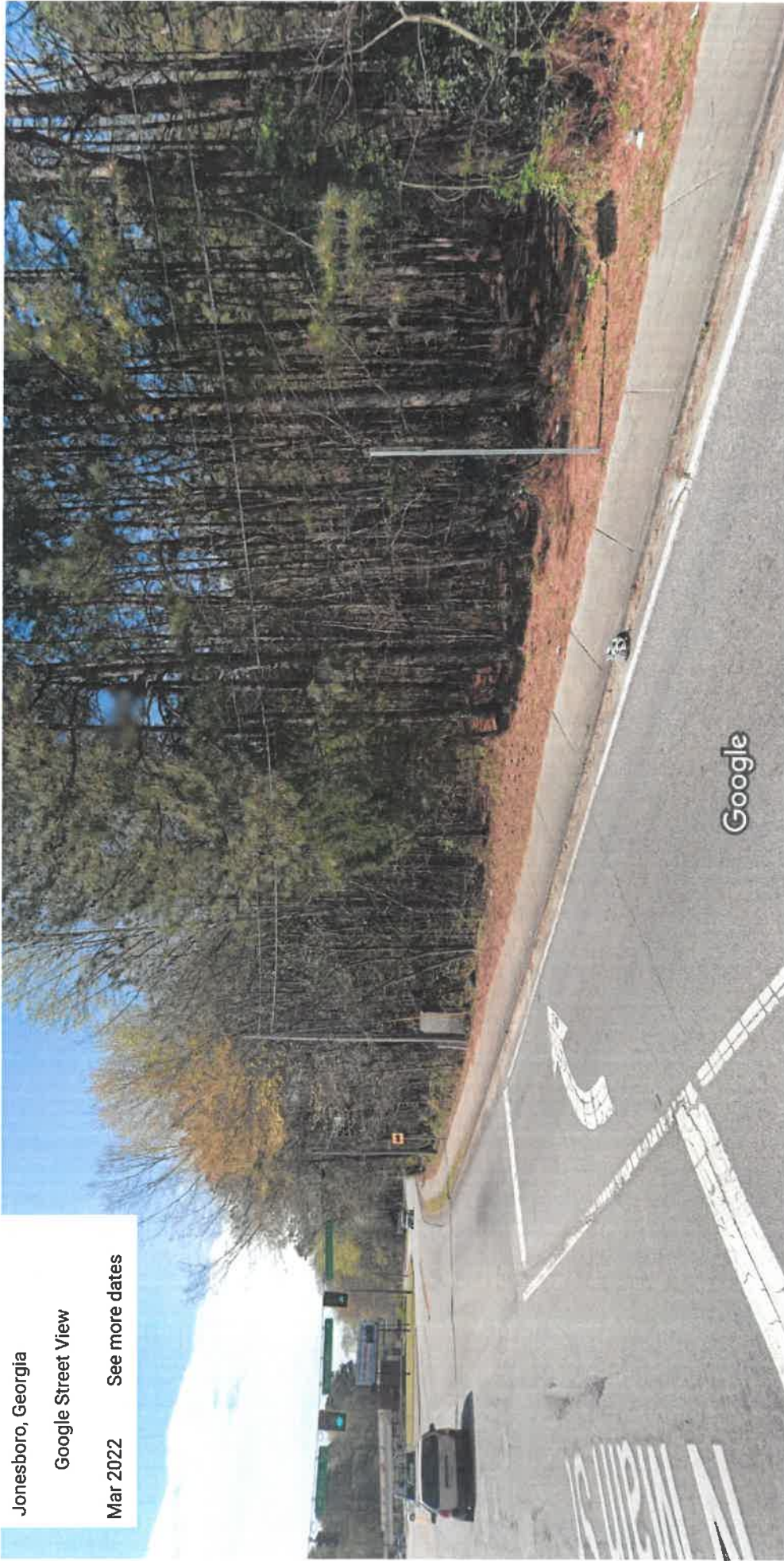
Google Street View

Jan 2022 See more dates

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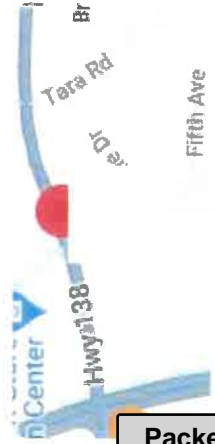


Google Maps 7988 N Main St



Jonesboro, Georgia
Google Street View
Mar 2022 See more dates

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Google Maps 7988 N Main St

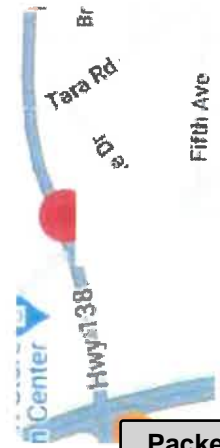
Jonesboro, Georgia

Google Street View

Mar 2022 See more dates



Image capture: Mar 2022 © 2024 Google



Google Maps 7996 Fifth Ave

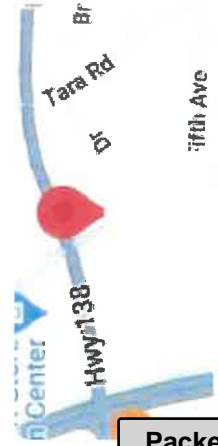
Jonesboro, Georgia

Google Street View

Mar 2022 See more dates



Image capture: Mar 2022 © 2024 Google



Google Maps N Main St

Jonesboro, Georgia

Google Street View

Jan 2022 See more dates

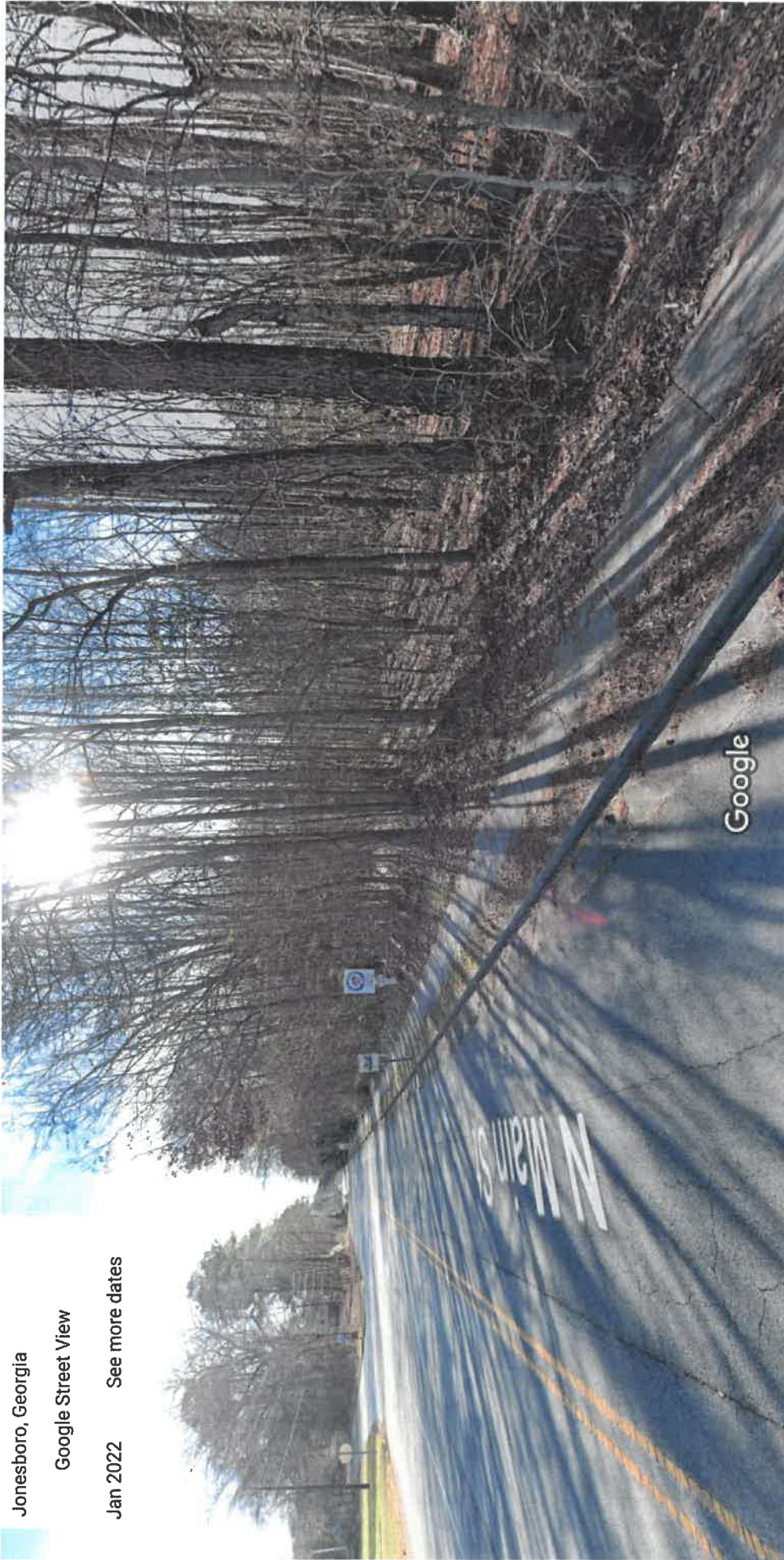
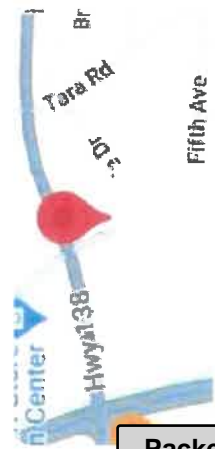


Image capture: Jan 2022 © 2024 Google



Google Maps 783 Fayetteville Rd



Image capture: Dec 2021 © 2024 Google



Google Maps 783 Fayetteville Rd

Jonesboro, Georgia
Google Street View
Dec 2021 See more dates



Google

Image capture: Dec 2021 © 2024 Google



David Allen

From: David Allen
Sent: Thursday, November 16, 2023 9:14 AM
To: ashengrs
Subject: North Main Street Townhome Analysis
Attachments: SKM_C55823111609440.pdf

So, I analyzed what I have so far, without having any specs on the sizes or designs of the townhomes.

You have three different parcels with three different zonings. So, first and foremost, they will all need to be unified under one zoning, RM.

If the rezoning is approved, then you would also be required to have a conditional use permit hearing. This could be concurrent with the rezoning.

Sec. 86-202 says that the standards of RA zoning, not RM zoning, shall be used for townhomes. Looks like your notes may be using RM. There is not a lot of difference between the two.

Please note RA setbacks:

Front: 20 feet

Side: 25 feet

Rear: 35 feet

Based on the RA standards attached, you would need the following variances so far:

1. Max. number of units per development: 64 **Variance required.**
2. Rear entry alleys for townhomes. **Variance required.**

Again, this is not knowing so far if the actual dwelling units meet the size and design requirements or would need variances.

You won't need any buffers since you are not adjacent to any single-family detached housing.

The bottom line is that you would need rezoning, conditional use, and variance hearings.

From: donotreply@relay.tri-copy.com <donotreply@relay.tri-copy.com>
Sent: Thursday, November 16, 2023 8:49 AM
To: David Allen <dallen@jonesboroga.com>
Subject: Message from KM_C558

GENERAL NOTES

1. CURRENT ZONING: RM & ~~C-2~~ *REZONE*
 PROPOSED USE: SINGLE FAMILY ATTACHED TOWNHOUSES
 TAX ID #: 13209C E003, 13210D B002 & 13210D B007
 - SETBACKS:
 FRONT: 25'
 SIDE: 0'; 25' SEPARATION BETWEEN BUILDINGS; 25' ADJACENT TO R/W
 REAR: 35'
 - BUILDING SEPARATION:
 FRONT-FRONT: 40'
 FRONT-REAR: 40'
 FRONT-SIDE: 35'
 REAR-REAR: 40'
 REAR-SIDE: 35'
 SIDE-SIDE: 25'
 - TOTAL NUMBER OF UNITS: 75
 - MINIMUM DWELLING SIZE REQUIRED:
 900 S.F. (ONE BEDROOM)
 1,200 S.F. (TWO BEDROOM)
 1,400 S.F. (THREE BEDROOM)
 - MAXIMUM BUILDING HEIGHT: 3-STORIES (40')
 - TWO CAR GARAGE WITH MIN. 18' WIDE DRIVEWAY REQUIRED FOR EACH TOWNHOUSE
 - MINIMUM TOWNHOUSE WIDTH: 24'
 - INTERNAL STREET RIGHT-OF-WAY WIDTH: 45'
 - INTERNAL STREET WIDTH: 22' FROM BACK OF CURB TO BACK OF CURB
2. PROPERTY CONTAINS 11.98 ACRES
3. DENSITY:
 SITE AREA: 11.98 ACRES
 - NUMBER OF UNITS = 75 / 11.98 ACRES *8 MAX.*
 = 6.3 UNITS / ACRE *(12 MAX.)*
4. BOUNDARY AND RIGHT-OF-WAY INFORMATION OBTAINED FROM GIS DATA & PUBLIC RECORDS. TOPOGRAPHIC INFORMATION TAKEN FROM GIS DATA.
5. THIS SITE DOES NOT CONTAIN AREAS WITHIN THE 100-YEAR FLOOD HAZARD AREA PER F.E.M.A. FIRM PANEL 13063C0086F, DATED 6/7/2017.
6. TOTAL OPEN SPACE = 4.86 ACRES (20% REQUIRED / 41% PROPOSED)
7. WATER TO BE PROVIDED BY CLAYTON COUNTY WATER AUTHORITY. WASTEWATER SERVICE TO BE PROVIDED BY CLAYTON COUNTY WATER AUTHORITY.
8. EASEMENTS WILL BE CREATED FOR FUTURE STORMWATER MAINTENANCE FACILITIES AND BIO-RETENTION AREAS. THERE WILL BE 20' EASEMENTS FOR ANY SANITARY SEWER OUTSIDE OF STREET RIGHTS-OF-WAY AND 20' EASEMENTS OR 2 TIMES THE DEPTH OF ANY STORM DRAIN, WHICHEVER IS GREATER.
9. PROPOSED DEVELOPMENT SCHEDULE:
 - START CONSTRUCTION IN EARLY 2024
 - COMPLETE DEVELOPMENT BY EARLY 2025
 - FULL HOME BUILD OUT BY EARLY 2027
10. MINIMUM OF THREE DIFFERENT EXTERIOR ELEVATIONS
11. TOWNHOUSE BUILDING FACADES SHALL VISUALLY DIFFERENTIATE INDIVIDUAL UNITS THROUGH THE USE OF ARCHITECTURAL MATERIALS; A MINIMUM OF 50% OF THE FRONT ELEVATION SHALL CONSIST OF BRICK OR STONE. BRICK, STONE, AND/OR CEMENTITIOUS SIDING (WHICH MAY BE BOARD, SHINGLE, OR LAP SIDING). VARIATIONS MAY BE APPROVED BY THE COMMUNITY DEVELOPMENT DIRECTOR AND/OR DESIGN REVIEW COMMISSION AND HISTORIC PRESERVATION COMMISSION. SPLIT FACED-CONCRETE BLOCK, STUCCO, OR GRANITE BLOCK SHALL ONLY BE USED IN AN ACCENT CAPACITY FOR ANY BUILDING ELEVATION.
12. ALL TOWNHOUSE UNITS SHALL BE DESIGNED TO HAVE REAR ENTRY VIA REAR ALLEYS. IF PERMITTED, FRONT- LOADED DRIVEWAYS SHALL BE SCORED OR FINISHED WITH DECORATIVE TREATMENT, SUBJECT TO APPROVAL BY THE DESIGN REVIEW COMMISSION, AND, IF APPLICABLE, THE HISTORIC PRESERVATION COMMISSION.
13. GREENSPACE SHALL BE IMPROVED WITH WALKING TRAILS AND AN AMENITY AREA HAVING A MINIMUM AREA OF 400 S.F. FOR EVERY 24 UNITS, WITH EQUIPMENT AND FACILITIES APPROPRIATE TO THE NEEDS OF RESIDENTS. GREENSPACE SHALL HAVE A MINIMUM WIDTH OF 75'; TRAIL CONNECTIONS BETWEEN GREENSPACE AREAS SHALL HAVE A MINIMUM WIDTH OF 25'.

*CONDITION
USE*

*USE
R-A
STANDARDS
INSTEAD*





Sec. 86-204. - Table of Uses Allowed by Zoning Districts.

P = Use is permitted "by right" in the Zoning District indicated

C = Use is permitted only as an approved conditional use permit (code section indicated)

N = Use is not permitted in the Zoning District indicated

2017 NAICS Code	USES	R- 2	R- 4	R- C	C C M	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
	RESIDENTIAL USES													
n/a	Single Family Detached Dwelling, Site-Built	P	P	P	N	N	P	P	N	P	N	N	N	Sec. 86- 111; Article VII; Sec. 86- 117
n/a	Single Family Detached Dwelling, Manufactured, Mobile, or Modular with Permanent Foundation	N	N	N	N	N	N	N	N	N	N	N	N	Article VII
n/a	Two-Family Dwelling (Duplex)	N	N	N	N	C	N	N	N	C	N	N	N	Article VII; Sec. 86- 117; Sec. 86-118
n/a	Triplexes and Quadruplexes, not part of Apartment Communities	N	N	N	N	N	N	N	N	N	N	N	N	
n/a	Single Family Attached (Townhouses and Condominiums)	N	N	N	C	C	C	C	N	C	N	N	N	Sec. 86- 202; Sec. 86-117; Sec. 86-118
n/a	Multifamily (Apartments)	C	C	N	C	C	C	C	N	C	N	N	N	Sec. 86-205; Sec. 86-117; Sec. 86-118
n/a	Mixed Use Dwelling, including Lofts	N	N	N	C	P	C	C	C	P	C	N	N	Sec. 86-182; Sec. 86-117; Sec. 86-118

Attachment: Zoning Info (3719 : Townhome Variances - North Main Street and Fayetteville Road)

Sec. 86-200. - NAICS 51913, 519130 Internet publishing, broadcasting, and web search portals.

The following conditions are assigned in the H-1, H-2, O&I MX, and C-2 districts:

- (1) No telecommunications structures greater than 20 feet in height, whether ground or building mounted, shall be permitted.

Sec. 86-201. - NAICS 517 Telecommunications.

The following conditions are assigned in the H-1, H-2, O&I, C-1, C-2, M-1 districts:

- (1) No telecommunications structures greater than 20 feet in height, whether ground or building mounted, shall be permitted.

 Sec. 86-202. - Townhouses and condominiums.

The following conditions are assigned in the CCM, R-M, H-1, H-2, and MX districts:

- (1) The standards of the R-A district shall control development of townhouses and condominiums.

Sec. 86-203. - Funeral homes and funeral services.

The following conditions are assigned in the O&I and C-2 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre.
- (3) On-site parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.

Sec. 86-204. – Table of Uses (Revised August 14, 2023)

Sec. 86-205. – Multi-family (Apartments)

The following conditions are assigned in the R-2, R-4, CCM, R-M, H-1, H-2 and M-X districts:

- (1) The standards of the R-M district shall control development of apartments.
- (2) Must be located off a street having a classification of collector or greater.
- (3) A minimum 25-foot wide buffer shall be maintained along all property lines adjacent to any single-family, detached residential property.

HE IS USING R-H STANDARDS

Sec. 86-100. R-A single family attached residential district regulations.

- (a) Purpose. The R-A single family attached residential district is established to provide for single family attached dwellings on individual lots on development tracts having a minimum area of two acres on undeveloped land. The district is intended to foster housing options for households seeking high quality home ownership in park like setting featuring attractive architectural styles and building materials. As such, developments facilitated by establishment of the district are restricted to a maximum number of units to limit scale and encourage manageable homeowner associations. The R-A district is compatible with walkable, neighborhood commercial districts and low intensity office and commercial districts and is suited to locations along collector streets. The R-A single family attached residential district also encourages the thoughtful renovation of existing buildings and infill developments for residential purposes.
- (b) Development standards. Unless otherwise provided in this chapter, uses permitted in the R-A district shall conform to the following development standards:
- ✓ (1) Minimum parent tract size: 87,120 square feet (two acres)
 - ✓ (2) Minimum lot area per unit: 1800 square feet 1 .241
 - ✓ (3) Minimum parent tract width: 150 feet 2
 - (4) Minimum front yard: 20 feet 3
 - (5) Minimum side yard at perimeter of tract: 25 feet
 - ✓ (6) Minimum rear yard: 35 feet
 - ✓ (7) Minimum floor area per dwelling unit: 1,500 square feet
 - (8) Maximum building height: Three stories
 - ✓ (9) Maximum number of units per building: Eight
 - (10) Maximum number of units per development: 64 75 VARIANCE
 - ✓ (11) Maximum density: Eight units per acre
 - ✓ (12) Minimum greenspace: 15 percent of gross acreage 1.80 REQ.
 - (13) Minimum building separation:

Front to Front	40 feet
Front to Rear	40 feet
Front to Side	35 feet
Rear to Rear	40 feet
Rear to Side	35 feet
* Side to Side	25 feet ✓

1 This requirement may be waived for zero lot townhomes, provided the developer includes a provision in the Covenants, Conditions, and Restrictions for the project that clearly describes the maintenance and access of all common areas, streets, alleys, and driveways.

2 Measured at the building line.

3 The required front yard on any street classified as a collector or above shall be 25 feet.

CAN BUFFER BE INSIDE LOT?

(c) Design standards. Unless otherwise provided in this chapter, uses permitted in an R-A district shall conform to the following design standards:

(1) Off-street parking shall be provided as specified in article XIII of this chapter. Each dwelling shall provide for a minimum two-car garage and a minimum 18-foot-wide concrete driveway.

✓(2) Buffers shall be provided as specified in Article XV of this chapter.

(3) A homeowners association accompanied by recorded covenants shall be mandatory for all townhouse or condominium developments, subject to approval by the City Manager.

✓(4) Minimum width of each townhouse unit shall be 24 feet.

(5) A minimum of three different exterior elevations shall be provided for a townhouse development that exceeds two acres.

(6) Townhouse building facades shall visually differentiate individual units through the use of architectural materials; a minimum of 50 percent of the front elevation shall consist of brick or stone. Brick, stone, and/or cementitious siding (which may be board, shingle, or lap siding.) variations may be approved by the Community Development Director and/or Design Review Commission and Historic Preservation Commission. Split faced-concrete block, stucco, or granite block shall only be used in an accent capacity for any building elevation.

VARIANCE (7) All townhouse units shall be designed to have rear entry via rear alleys. If permitted, front-loaded driveways shall be scored or finished with decorative treatment, subject to approval by the Design Review Commission, and, if applicable, the Historic Preservation Commission.

(8) Greenspace shall be improved with walking trails and an amenity area having a minimum area of 400 square feet with equipment and facilities appropriate to the needs of residents. Greenspace shall have a minimum width of 100 feet; trail connections between greenspace areas shall have a minimum width of 50 feet.

(9) An appropriate landscape plan shall be reviewed and approved by the Community Development Director prior to installation of the landscaping.

(d) Renovations of existing buildings. For single-family attached residential developments involving the renovation of existing buildings that cannot meet the minimum development standards of this chapter, a variance shall be required.

Legal Notice

Public Hearing will be held by the Mayor and Council of the City of Jonesboro at 6:00 P.M. on March 11, 2024, in the court chambers of the Jonesboro City Center, 1859 City Center Way, Jonesboro, GA, to consider a Variance Application for certain townhome development standards by Fayetteville Gingercake Road LLC, property owner, and Templar Development, applicant, for property along Fayetteville Road, North Main Street, and Tara Boulevard (Parcel Nos. 13210D B002, 13209C E003, and 13210D B007), Jonesboro, Georgia 30236. Item will first be discussed at the Work Session on March 4, 2024 at 6:00 P.M., also in the court chambers of the Jonesboro City Center, 1859 City Center Way, Jonesboro, GA 30236.

David Allen
Community Development Director

Publish 2/21/24



CITY OF JONESBORO PUBLIC NOTICE

An application has been filed for a

REZONING / CONDITIONAL USE / VARIANCE

at this location

REZONING: MX TO RM PARCEL 13209C E003
CONDITIONAL USE / VARIANCE: PARCELS 13210D B007 13209C

A PUBLIC HEARING on this application will ^{AND} E003
held on. **MARCH 11** 20.24, at **6** p.m.

1859 CITY CENTER WAY 13210D B007

Any questions, call City Hall at 770-478-3800

Date of Posting - **FEBRUARY 26** 20.24

ATTENTION

DO NOT REMOVE UNTIL ABOVE MEETING DATE

Anyone caught defacing or removing this sign shall be guilty of a misdemeanor



MEMORANDUM

To: Jay Knight
Templar Development
160 Whitney Street
Fayetteville, Ga. 30214

From: David D. Allen
City of Jonesboro
1859 City Center Way
Jonesboro, GA 30236

Date: February 28, 2024

Re: Notification of Request for Variance – Townhome standards; Parcel Nos. 13209D B002, 13209C E003, and 13210D B007

Dear Applicant,

This letter is to serve as notification that the City of Jonesboro has received your request for a variance for the above referenced properties concerning the following:


- Certain townhome development standards

A Public Hearing has been scheduled for Monday, March 11, 2024 at 6:00 pm before the Jonesboro Mayor and City Council to consider the request as described above. A Work Session has been scheduled on the same item for Monday, March 4, 2024 at 6:00 pm. The meetings will be conducted in the court chambers of the Jonesboro City Center, 1859 City Center Way, Jonesboro, Ga.

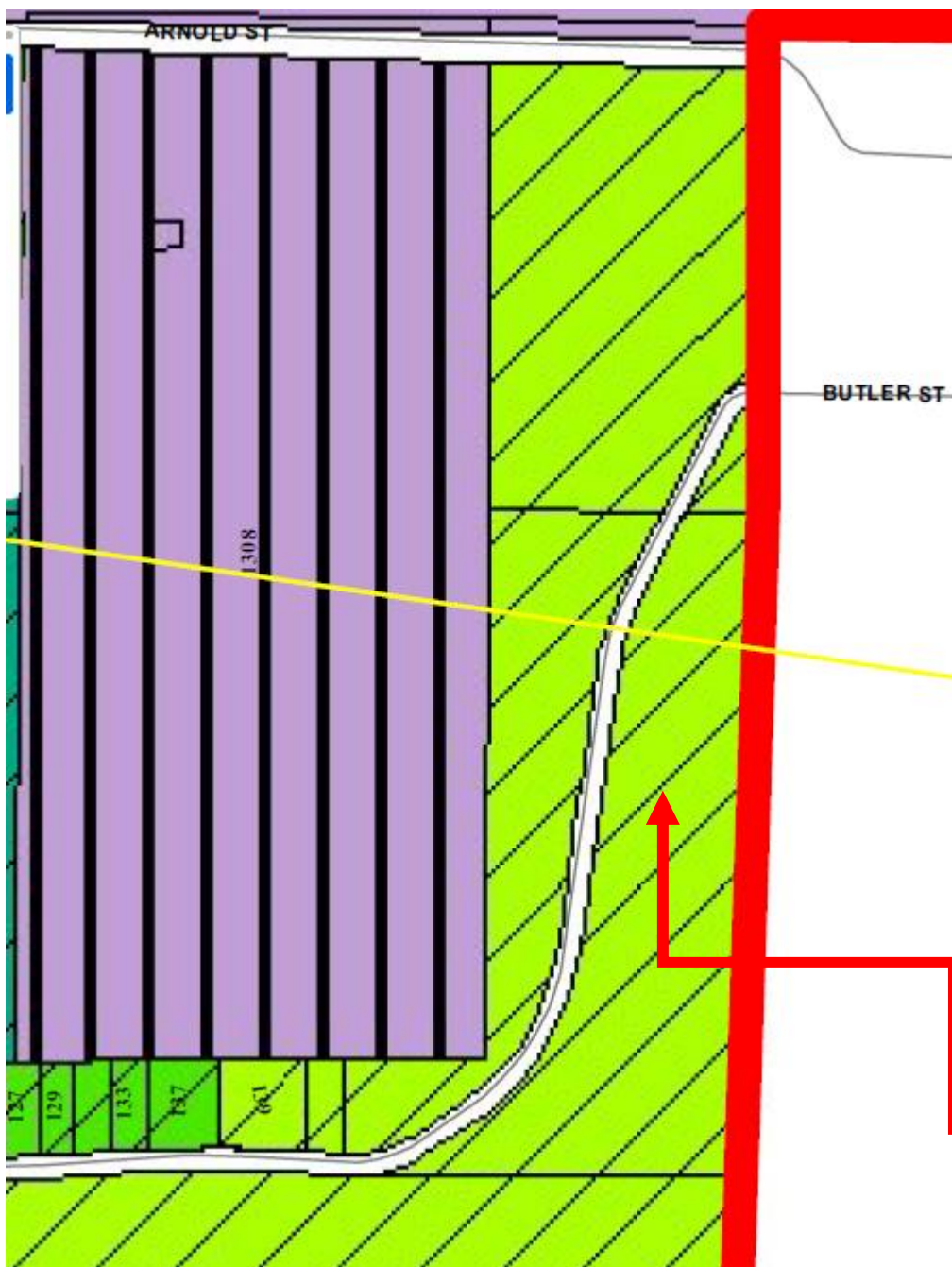
Should you have any questions regarding the decision, please do not hesitate to contact me at 770-478-3800 or at dallen@jonesboroga.com.

Sincerely,

David D. Allen
Community Development Director / Zoning Administrator

	CITY OF JONESBORO, GEORGIA COUNCIL Agenda Item Summary	Agenda Item # 10.8 - 8
		COUNCIL MEETING DATE March 11, 2024
Requesting Agency (Initiator) Office of the City Manager	Sponsor(s) Community Development Director Allen	
Requested Action <small>(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)</small> Council to consider a certain tract of land to be de-annexed, 24-MA-002, Ord. 2024-002, from the City into unincorporated Clayton County pursuant to a signed petition. Tract of land lying and being in the City of Jonesboro, Georgia, as described in Deed Book 10846, Pages 350 to 352 (Parcel No. 12016D B001Z). Said aforementioned property which is currently zoned as City R-2 (Single-Family Residential) will be rezoned to a County zoning per County Ordinances. Applicant is Key Street, LLC.		
Requirement for Board Action <small>(Cite specific Council policy, statute or code requirement)</small> O.C.G.A. 36-36-131 to 36-36-134		
Is this Item Goal Related? <small>(If yes, describe how this action meets the specific Board Focus Area or Goal)</small> Yes Community Planning, Neighborhood and Business Revitalization		
Summary & Background <small>(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)</small> <div style="color: red; margin-top: 10px;"> Agency Recommendation: Approval of de-annexation of subject tract from the City of Jonesboro to Clayton County. </div>		
<u>Purpose & Description of the Request</u> <ul style="list-style-type: none"> - The City of Jonesboro received an application for <u>de-annexation</u> in January 2024 from Harold Cunliffe / Key Street, LLC. The applicant had first communicated his desire to have the City tract brought into the County in the summer of 2023. - The applicant seeks to de-annex a 9.3-acre parcel abutting land he already owns in Clayton County from the City into the County. - The intent is to unite the subject parcel with existing Clayton County residential subdivision parcels under one jurisdiction (Clayton County) and to finish the residential subdivision on the de-annexed parcel. None of the residential lots will be allowed to have driveways onto Key Street in the City. 		
<u>Background Information</u> <ul style="list-style-type: none"> - The 9.3 acres is currently wooded and undeveloped. The tract, as well as the tract directly across the Key Street right-of-way (City) and the tract to the directly to the east of the subject tract, are all currently owned by Key Street LLC. Several years ago, another owner talked with city staff about <u>annexing</u> a portion of the County subdivision into the city and developing the subject parcel as part of a <u>city</u> subdivision. However, due to the unsuitability of Key Street for high frequency access and the quality of the homes being proposed, the proposal never advanced. There was also confusion with the proposal over which municipality would citizen services. - Application for annexation/rezoning has been officially accepted and assigned a case number, 24-MA-002, Ord. 2024-002. - As per O.C.G.A., Clayton County has already approved a resolution for de-annexation of the parcel. - The ad in the Clayton News Daily announcing the public hearing was run on Wednesday, January 24, 2024. 		

FOLLOW-UP APPROVAL ACTION (City Clerk)		
Typed Name and Title Melissa Brooks, City Clerk	Date March, 11, 2024	
Signature	City Clerk's Office	



Current Site Conditions

- The 9.3-acre tract is currently wooded and undeveloped. There is an active stream and lake bed running through the middle of the property. The property also contains slopes.
- The southern portion of the property starts at the end of the paved portion of Key Street. The Key Street frontage along the subject tract is very narrow, not paved, and barely graded. On the paved portion of Key Street between this point and South McDonough Street, Key Street serves as access for about 5 residences to its north. In a heavy rain, between Butler Street in the County and the paved portion of Key Street, the road would not really be passable, especially for large vehicles.
- None of the adjacent County residential lots receive City services such as sanitation, etc.
- Nearby properties of interest in the City include Jonesboro Middle School, Keystone Apartments, Stately Oaks, and Battleground Park.

De-annexation Requirements (State)

- De-annexation is governed by Official Code of Georgia Annotated (O.C.G.A.) Title 36, Chapter 36, sections 36-36-131 through 36-36-134.
- Per the City Attorney's office,

Georgia law does permit de-annexation under certain circumstances. These are the basic procedural requirements for de-annexation:

- 1) Written and signed applications of all the owners of all of the land. The owners of public lands are not included in this definition. This requirement is effectively the same as in the 100% method of annexation.*
- 2) A complete description of the lands to be de-annexed must be attached to the de-annexation application.*
- 3) The governing authority of the county in which the property proposed for de-annexation is located must adopt a resolution consenting to the de-annexation.*
- 4) Lands to be de-annexed at any one time will be considered one body, regardless of the number of owners. All parcels will be considered as adjoining the limits of the municipal corporation when any one parcel of the entire area being annexed abuts the municipality's limits. This subsection is the same definition of contiguous area found in O.C.G.A. § 36-36-20.*
- 5) After the de-annexation ordinance is passed by the municipality, an identification of the property de-annexed must be filed with the Department of Community Affairs, AND with the governing authority of the county in which the property is located (see O.C.G.A. § 36-36-3).*

The applicant has provided the information required in #1 and #2 above and is the sole owner (100% method).

Clayton County must adopt a resolution consenting to the de-annexation prior to the City Council's consideration of the de-annexation application.

Per the applicant, Clayton County and its attorney's office have reviewed the request and have approved the annexation and inclusion into the County by Resolution 2023-192 as set forth in the Annexation Request letter. The resolution was adopted in September 2023; however, it erroneously authorizes subject Parcel 12016D B001Z and Parcel 12016D A002 to be de-annexed into Clayton County. The application only calls for Parcel 12016D B001Z (east side of Key Street right-of-way) to be de-annexed. That's what was agreed upon. Also, the letter to the County and the City requesting de-annexation specifies the subject property as just Parcel 12016D B001Z.

The resolution needs to be revised.

Also, per the State code:

*.....the governing authority of the municipal corporation shall approve such de-annexation unless it finds that the de-annexation would be detrimental to the health, safety, and welfare of the residents and property owners of the area to be de-annexed or to the area remaining within the municipality. **De-annexing this wooded lot would not be detrimental to city or county citizens.***

*There shall be no de-annexation under this article that results in the formation of one or more unincorporated islands or in part of the area remaining in the municipal corporation no longer being a contiguous area of such municipal corporation. **No islands would be created with the de-annexation of this parcel.***

*In the event that a municipality has outstanding general obligation bond or revenue bond indebtedness, property in such municipality is ineligible for de-annexation pursuant to this article. **There is no known bond or indebtedness pertaining to this parcel.***

*In the event of a de-annexation pursuant to this article, a municipality may, but is not required to, continue to provide any services to the property which it was providing immediately prior to the de-annexation, provided that the county and municipality have agreed to terms and conditions for the municipality continuing to provide such services. **Being an undeveloped parcel, there are no city services being provided to the subject property.***

Rezoning:

- The subject parcel, if de-annexed from the City, will no longer have a City zoning. It will be rezoned to an equivalent single-family rezoning.

Regarding Parcel 12016D A002 (5 acres on the west side of Key Street, between Key Street right-of-way and Jonesboro Middle School property), the applicant has said he would be willing to donate this parcel to the City via a quitclaim deed. Staff could foresee this piece, as well as the unpaved portion of the Key Street right-of-way being a component of a walking / cart trail system linking County trails to downtown Jonesboro. The applicant would like for this donation to not be made a condition of the City's consent to the annexation, as this would foreclose his opportunity to write off the donation.

In summary, the City will be losing 9.3 acres of undeveloped land, which due to its shape and the location of a stream cutting through the property and the presence of slopes is largely unbuildable. The total appraised value of this parcel is \$87,800 and the assessed Value is \$35,120. With the parcel then being in the County and being part of the final piece to an unfinished subdivision, this will effectively end any future dialogue of a residential subdivision off of the end of Key Street in the city, which Key Street is ill equipped to handle. This area could be used as more a natural recreational area for the City in the future.

With the donation of the 5-acre parcel to the City, the City's net decrease in land after the de-annexation would only be 4.3 acres. The City could also have more control over land uses in the area at the end of Key Street and start to have a dialogue in the future about creating a walking / cart trail system linking County trails to downtown Jonesboro in this area, especially if it was combined with the unused portion of the Key Street right-of-way. (There is an annual grant for nature trails that can be applied for.) The total appraised value of this parcel is \$67,800 and the assessed value is \$27,120.

Should the Mayor and Council approve the de-annexation, the following minimum approval conditions should apply:

1. Approval for only Parcel 12016D B001Z to be de-annexed from the City of Jonesboro to Clayton County and the revised County Resolution shall reflect this.

The Mayor and Council may also want to consider a condition blocking off access along Key Street from Butler Street in the County to the end of the paved portion of Key Street and vice versa.

Update for March Council meeting:

- The revised County Resolution was adopted on February 20, 2024. This correctly reflected the only parcel (Parcel 12016D B001Z) proposed to be deannexed.
- Staff has provided a clarifying diagram (color coded) to show what is proposed to be deannexed into the County and what is to remain in the City.
- The change in property tax revenue from losing the 9.3 acre piece but gaining the 5-acre piece would be negligible for these two undeveloped tracts.
- It would be very hard to develop either tract if in they stayed in the city, and it would also be hard to develop Key Street further due to site conditions and the narrow right-of-way. Even if Key Street was paved and connected to the nearest Clayton County street (Butler Street), the outlet to this street would not be beneficial to the City, nor would the narrow Key Street be able to handle the additional cut-through traffic that the Key Street-Butler Street paved connection would generate. This de-annexation of one parcel and donation of another parcel benefits both the City and the County in a non-developable area. The County gains land to fully develop a subdivision extension on its side and the City gains a piece of land for possible passive recreational use in the future.

Update for March 11th Council meeting:

- Revised County Resolution 2024-043 (for just the one parcel) was approved by the Clayton Co. Board of Commissioners on February 20, 2024.
- Regardless of whether the parcel proposed to be de-annexed is privately-owned or City-owned, there is no advantage to having it remain in the City, due to its shape and the presence of a stream and steep slopes. Actually, having it in the County and having the other piece donated to the City removes the temptation for a developer to come to the City with a proposal to develop a city subdivision along Key Street, which Key Street is not equipped to handle. Key Street will never be developed further than the current dirt driveway in our lifetime.

Fiscal Impact*(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)*

Small decrease in property tax

Exhibits Attached *(Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)*

- Correspondence
- Diagrams
- City Request
- County Request
- State Code
- County Resolution - Original
- Road Pictures
- Maps
- Color Coded Diagram
- Resolution Correspondence
- Notice of De-Annexation of Parcels - March
- Meeting Notice Letter March 2024
- County Resolution - Revised 2024-043

Staff Recommendation *(Type Name, Title, Agency and Phone)***Approval**

David Allen

From: Harold Cunliffe <hcunliffe@pacificgroupinc.com>
Sent: Monday, July 10, 2023 1:28 PM
To: David Allen
Subject: RE: Key Street development
Attachments: HC Layout 7.5.2023.pdf

Mr. Allen:

May I suggest Thursday at 1 PM at your office?

This is a residential development and / or institutional use should we donate land to the Clayton Board of Education. I have attached a conceptual plan for our discussion. I will bring a scaled version.

Thanks you:

Harold

From: David Allen <dallen@jonesboroga.com>
Sent: Monday, July 10, 2023 9:39 AM
To: Harold Cunliffe <hcunliffe@pacificgroupinc.com>
Cc: Donya Sartor <dsartor@jonesboroga.com>
Subject: RE: Key Street development

Good morning.

Thursday or Friday afternoon this week would be best for me.

Is this for residential development?

From: Harold Cunliffe <hcunliffe@pacificgroupinc.com>
Sent: Friday, July 7, 2023 6:20 PM
To: David Allen <dallen@jonesboroga.com>
Subject: Key Street development

Dear Mr. Allen:

I would appreciate meeting with you at your convenience. Please advise me of a time ... preferably in the early afternoon.

I am the Manager of Key Street, LLC. We own 40 acres due east of the Jonesboro Middle School. The address is "Key Street" and the tax ID numbers are 12016D A002, B001 and B001Z. This parcel has split jurisdiction between the City and County.

Please call me at the number below or respond by email.

Thank you:

Harold

Harold Cunliffe
 5755 Dupree Drive, Suite 130
 Atlanta GA 30327
HCunliffe@PacificGroupInc.com
 Cell: 404-409-3086

Attachment: Correspondence (3724 : De-Annexation of Key Street Property to County)

David Allen

From: Harold Cunliffe <hcunliffe@pacificgroupinc.com>
Sent: Friday, July 14, 2023 3:07 PM
To: David Allen
Subject: Key Street Property
Attachments: HC Layout 7.5.2023.pdf

Dear Mr. Allen:

Thank you for meeting with me last Wednesday. I have attached the conceptual subdivision layout that we discussed.

1. Please ask the City Attorney about the de-annexation of Lots 53 – 59 from The City of Jonesboro to Clayton County for the reasons that we discussed. These lots lie within the City. Lots 1 – 52 lie within Clayton County.
2. Would a de-annexation require the simultaneous rezoning to a similar category in Clayton County. Lots 1 – 52 are currently zoned RS 110. Lots 53 – 59 are currently zoned R2 in Jonesboro but are shown as RS 110 on the attached plan.
3. Would a de-annexation automatically extinguish the Historic Overlay or would that require a separate action of Council?
4. We could de-annex to the center of the creek, to the edge of the Key Street ROW or the entire parcel. Do you have a preference?
5. We understand that the current H overlay provides a buffer to R – C downtown district. We would be willing to dedicate or encumber the remainder of our Jonesboro property to preserve that buffer.

Thanks:

Harold

Harold Cunliffe
 5755 Dupree Drive, Suite 130
 Atlanta GA 30327
HCunliffe@PacificGroupInc.com
 Cell: 404-409-3086

Attachment: Correspondence (3724 : De-Annexation of Key Street Property to County)

David Allen

From: Harold Cunliffe <hcunliffe@pacificgroupinc.com>
Sent: Thursday, July 27, 2023 1:58 PM
To: David Allen
Subject: RE: Key Street Property

Dear Mr. Allen:

I have recently had my pre-application meeting with Clayton County resulting in the following:

1. I will have to revise the plat that I showed you but the changes will not affect the Jonesboro layout.
2. Clayton has suggested that our de-annexation petition should extend to the western side of the Key Street ROW (unimproved). This is because that is where the tax parcels are delineated.
3. The Key Street ROW was dedicated to the City in 1952 so we don't own it as I previously thought.
4. Clayton advised me to talk to the County attorney, Charles Reed, about de-annexation.

Did you get an opinion from the City attorney concerning how to proceed?

From: Harold Cunliffe
Sent: Friday, July 14, 2023 3:07 PM
To: 'David Allen' <dallen@jonesboroga.com>
Subject: Key Street Property

Dear Mr. Allen:

Thank you for meeting with me last Wednesday. I have attached the conceptual subdivision layout that we discussed.

1. Please ask the City Attorney about the de-annexation of Lots 53 – 59 from The City of Jonesboro to Clayton County for the reasons that we discussed. These lots lie within the City. Lots 1 – 52 lie within Clayton County.
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5. We understand that the current H overlay provides a buffer to R – C downtown district. We would be willing to dedicate or encumber the remainder of our Jonesboro property to preserve that buffer.

Thanks:
 Harold

Harold Cunliffe
 5755 Dupree Drive, Suite 130
 Atlanta GA 30327
HCunliffe@PacificGroupInc.com
 Cell: 404-409-3086

Attachment: Correspondence (3724 : De-Annexation of Key Street Property to County)

David Allen

From: Danielle Matricardi <dmatricardi@fincherdenmark.com>
Sent: Friday, July 28, 2023 11:48 AM
To: David Allen
Cc: Donya Sartor
Subject: RE: Key Street Property

Yes—Georgia law does permit deannexation under certain circumstances. These are the basic procedural requirements for deannexation:

- 1) Written and signed applications of all the owners of all of the land. The owners of public lands are not included in this definition. This requirement is effectively the same as in the 100% method of annexation.
- 2) A complete description of the lands to be deannexed must be attached to the deannexation application.
- 3) The governing authority of the county in which the property proposed for deannexation is located must adopt a resolution consenting to the deannexation.
- 4) Lands to be deannexed at any one time will be considered one body, regardless of the number of owners. All parcels will be considered as adjoining the limits of the municipal corporation when any one parcel of the entire area being annexed abuts the municipality's limits. This subsection is the same definition of contiguous area found in O.C.G.A. § 36-36-20.
- 5) After the deannexation ordinance is passed by the municipality, an identification of the property deannexed must be filed with the Department of Community Affairs, AND with the governing authority of the county in which the property is located (see O.C.G.A. § 36-36-3).

Can you send me the attachments he references?

Danielle Matricardi, Esq.

Senior Associate



FINCHER DENMARK LLC
ATTORNEYS

100 Hartsfield Centre Parkway
 Suite 400
 Atlanta, GA 30354
 Office: (770) 478-8950
 Fax: (770) 471-9948

Direct Dial: 770-692-2039

From: David Allen <dallen@jonesboroga.com>
Sent: Thursday, July 27, 2023 2:16 PM
To: Danielle Matricardi <dmatricardi@fincherdenmark.com>
Cc: Donya Sartor <dsartor@jonesboroga.com>
Subject: FW: Key Street Property

Is there such a thing as deannexation from the city?

Attachment: Correspondence (3724 : De-Annexation of Key Street Property to County)

David Allen

From: Harold Cunliffe <hcunliffe@pacificgroupinc.com>
Sent: Tuesday, August 1, 2023 7:08 AM
To: David Allen
Subject: RE: Key Street Property
Attachments: Jurisdiction Alteration Allen 7.31.2023.pdf; Jurisdiction Alteration Ejike 7.31.2023.pdf

Dear Mr. Allen:

On Friday, I spoke with Mr. Patrick Ejike, the Director of Community Development at Clayton County. Mr. Ejike suggested that I write him a letter making a request for de-annexation. He also provided me with various items of information that I should include. Upon his review, he will respond to me and then pass the request along to County attorney.

I have written that letter to him and produced an almost identical letter to you that is attached. I have also copied you on the Clayton letter that is also attached. The originals were mailed yesterday. I trust that this provides you with more details.

Thanks:
 Harold Cunliffe

From: David Allen <dallen@jonesboroga.com>
Sent: Thursday, July 27, 2023 2:15 PM
To: Harold Cunliffe <hcunliffe@pacificgroupinc.com>
Subject: RE: Key Street Property

I will check again.

From: Harold Cunliffe <hcunliffe@pacificgroupinc.com>
Sent: Thursday, July 27, 2023 1:58 PM
To: David Allen <dallen@jonesboroga.com>
Subject: RE: Key Street Property

Dear Mr. Allen:

I have recently had my pre-application meeting with Clayton County resulting in the following:

1. I will have to revise the plat that I showed you but the changes will not affect the Jonesboro layout.
2. Clayton has suggested that our de-annexation petition should extend to the western side of the Key Street ROW (unimproved). This is because that is where the tax parcels are delineated.
3. The Key Street ROW was dedicated to the City in 1952 so we don't own it as I previously thought.
4. Clayton advised me to talk to the County attorney, Charles Reed, about de-annexation.

Did you get an opinion from the City attorney concerning how to proceed?

From: Harold Cunliffe
Sent: Friday, July 14, 2023 3:07 PM
To: 'David Allen' <dallen@jonesboroga.com>
Subject: Key Street Property

Dear Mr. Allen:

Thank you for meeting with me last Wednesday. I have attached the conceptual subdivision layout that we discussed.

Attachment: Correspondence (3724 : De-Annexation of Key Street Property to County)

David Allen

From: Danielle Matricardi <dmatricardi@fincherdenmark.com>
Sent: Wednesday, August 30, 2023 4:39 PM
To: David Allen; 'Harold Cunliffe'
Cc: Patrick.Ejike@claytoncountyga.gov; Donya Sartor
Subject: RE: Key Street Property
Attachments: OCGA 36-36-131.pdf

Clayton County must adopt a resolution consenting to the deannexation prior to the City Council's consideration of the deannexation application. See subsection (a) of the attached statute.

Danielle Matricardi, Esq.

Senior Associate



FINCHER DENMARK LLC
ATTORNEYS

100 Hartsfield Centre Parkway
 Suite 400
 Atlanta, GA 30354
 Office: (770) 478-9950
 Fax: (770) 471-9948

Direct Dial: 770-692-2039

From: David Allen <dallen@jonesboroga.com>
Sent: Wednesday, August 30, 2023 4:29 PM
To: 'Harold Cunliffe' <hcunliffe@pacificgroupinc.com>
Cc: Patrick.Ejike@claytoncountyga.gov; Donya Sartor <dsartor@jonesboroga.com>; Danielle Matricardi <dmatricardi@fincherdenmark.com>
Subject: RE: Key Street Property

I believe the City would need to approve first, since it is being taken out of the City. We don't have it scheduled for September. It may in all honesty have to be November.

From: Harold Cunliffe <hcunliffe@pacificgroupinc.com>
Sent: Wednesday, August 30, 2023 4:28 PM
To: David Allen <dallen@jonesboroga.com>
Cc: Patrick.Ejike@claytoncountyga.gov; Donya Sartor <dsartor@jonesboroga.com>; Danielle Matricardi <dmatricardi@fincherdenmark.com>
Subject: Re: Key Street Property

Thank you David:

I believe that I am scheduled to appear before the Clayton County Commission on October 3, 2023.

Harold

Sent from my iPhone

Attachment: Correspondence (3724 : De-Annexation of Key Street Property to County)

David Allen

From: Harold Cunliffe <hcunliffe@pacificgroupinc.com>
Sent: Wednesday, October 18, 2023 10:48 AM
To: David Allen
Subject: Key Street Property
Attachments: Jurisdiction Alteration Allen 7.31.2023.pdf; Jurisdiction Alteration Ejike 7.31.2023.pdf

Dear Mr. Allen:

As a result of our conversation a few days ago, I thought that it may be helpful to you to include my previous correspondence so that you may easily pass it onto the City Attorney.

I will also add two items of additional information.

1. The Clayton County Commission passed Resolution 2023-192 as Item 12 at their regular meeting held on September 19, 2023. This Resolution authorizes the County's acceptance of the aforementioned de-annexation.
2. I have initiated discussions with the Clayton County Board of Education concerning our donation of Tax Parcel A002 to them. This is the 5 acre property immediately adjacent to the Jonesboro Middle School.

At this point in time, I wish to determine the path that I should take in the development of our 40 acre parcel. I can either 1) pursue the de-annexation and subdivide under Clayton's jurisdiction or I can 2) subdivide the Clayton property and pursue a rezoning and / or subdivision of our Jonesboro property under Jonesboro's jurisdiction. I believe that the first alternative makes the most sense for all parties but if the City of Jonesboro has objections, I can easily resort to the second alternative.

Please provide me with your preference and direction.

Thanks:

Harold Cunliffe
 404-409-3086

From: Harold Cunliffe
Sent: Tuesday, August 1, 2023 7:08 AM
To: 'David Allen' <dallen@jonesboroga.com>
Subject: RE: Key Street Property

Dear Mr. Allen:

On Friday, I spoke with Mr. Patrick Ejike, the Director of Community Development at Clayton County. Mr. Ejike suggested that I write him a letter making a request for de-annexation. He also provided me with various items of information that I should include. Upon his review, he will respond to me and then pass the request along to County attorney.

I have written that letter to him and produced an almost identical letter to you that is attached. I have also copied you on the Clayton letter that is also attached. The originals were mailed yesterday. I trust that this provides you with more details.

Thanks:

Harold Cunliffe

From: David Allen <dallen@jonesboroga.com>
Sent: Thursday, July 27, 2023 2:15 PM

Attachment: Correspondence (3724 : De-Annexation of Key Street Property to County)

David Allen

From: Harold Cunliffe <hcunliffe@pacificgroupinc.com>
Sent: Wednesday, October 18, 2023 11:56 AM
To: David Allen
Cc: 'India.Mitchell@ClaytonCountyGA.gov'
Subject: RE: Key Street Property
Attachments: CTIC Owner's Policy No. 7230610-95511070_Key Street.pdf

Thank you David:

I have spoken with Ms. India Mitchell of the Clayton County law department who is dealing with this issue. She is copied on this email.

In my earlier correspondence, I did not specify which property we wish to have annexed into Clayton County. Ms. Mitchell will require that information. I now propose that the entirety of Key Street, LLC's holdings be annexed. I have attached the title insurance policy that we purchased upon acquisition of this property. This demonstrates our ownership and title of the property and provides the legal description.

As I mentioned, we intend to donate approximately 5 acres to the Clayton County Board of Education. That property is identified as A002 on the tax records and is immediately adjacent to the Jonesboro Middle School. It is also included in the legal description that I have provided.

Should the City prefer a different annexation boundary, please advise me and I will have an appropriate legal description prepared.

Thank You:

Harold Cunliffe

Cc: India Mitchell

From: David Allen <dallen@jonesboroga.com>
Sent: Wednesday, October 18, 2023 10:59 AM
To: Harold Cunliffe <hcunliffe@pacificgroupinc.com>
Cc: Winston Denmark <wdenmark@denmarkashby.com>; Donya Sartor <dsartor@jonesboroga.com>
Subject: RE: Key Street Property

I confirm with the City attorney, but any de-annexation by a municipality is an annexation by another municipality. Therefore, to me, the municipality seeking to acquire or annex more property (County) needs to initiate the process with their own application. The City would then receive the request / application and have the mandatory review time to consider it.

From: Harold Cunliffe <hcunliffe@pacificgroupinc.com>
Sent: Wednesday, October 18, 2023 10:48 AM
To: David Allen <dallen@jonesboroga.com>
Subject: Key Street Property

Dear Mr. Allen:

As a result of our conversation a few days ago, I thought that it may be helpful to you to include my previous correspondence so that you may easily pass it onto the City Attorney.

I will also add two items of additional information.

Attachment: Correspondence (3724 : De-Annexation of Key Street Property to County)

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Please provide me with your preference and direction.

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404-409-3086

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Subject: RE: Key Street Property

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Thanks:

Harold Cunliffe

From: David Allen <dallen@jonesboroga.com>

Sent: Thursday, July 27, 2023 2:15 PM

To: Harold Cunliffe <hcunliffe@pacificgroupinc.com>

Subject: RE: Key Street Property

I will check again.

From: Harold Cunliffe <hcunliffe@pacificgroupinc.com>

Sent: Thursday, July 27, 2023 1:58 PM

To: David Allen <dallen@jonesboroga.com>

Subject: RE: Key Street Property

Dear Mr. Allen:

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3. The Key Street ROW was dedicated to the City in 1952 so we don't own it as I previously thought.
4. Clayton advised me to talk to the County attorney, Charles Reed, about de-annexation.

Did you get an opinion from the City attorney concerning how to proceed?

From: Harold Cunliffe

Sent: Friday, July 14, 2023 3:07 PM

To: 'David Allen' <dallen@jonesboroga.com>

Subject: Key Street Property

Dear Mr. Allen:

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4. We could de-annex to the center of the creek, to the edge of the Key Street ROW or the entire parcel. Do you have a preference?
5. We understand that the current H overlay provides a buffer to R – C downtown district. We would be willing to dedicate or encumber the remainder of our Jonesboro property to preserve that buffer.

Thanks:

Harold

Harold Cunliffe

5755 Dupree Drive, Suite 130

Atlanta GA 30327

HCunliffe@PacificGroupInc.com

Cell: 404-409-3086

Attachment: Correspondence (3724 : De-Annexation of Key Street Property to County)

David Allen

From: Harold Cunliffe <hcunliffe@pacificgroupinc.com>
Sent: Wednesday, October 18, 2023 2:41 PM
To: David Allen
Cc: 'India.Mitchell@ClaytonCountyGA.gov'; Winston Denmark; Donya Sartor
Subject: RE: Key Street Property

David:

That's easy to accomplish. Just tell me what you want and I'll prepare a quitclaim deed for the City's acceptance. I'll have to get my engineers to prepare a legal description first and I'll have to know the City's style of signature. I would appreciate that this not be made a condition of the City's consent to the annexation. That would foreclose my opportunity to write off the donation.

Please also consider a likely connection point to the City's trail system. I'll make sure that our Clayton County subdivision is designed so that it is compatible.

Thanks
 Harold

From: David Allen <dallen@jonesboroga.com>
Sent: Wednesday, October 18, 2023 12:03 PM
To: Harold Cunliffe <hcunliffe@pacificgroupinc.com>
Cc: 'India.Mitchell@ClaytonCountyGA.gov' <India.Mitchell@ClaytonCountyGA.gov>; Winston Denmark <wdenmark@denmarkashby.com>; Donya Sartor <dsartor@jonesboroga.com>
Subject: RE: Key Street Property

The City may be interested in having the 5 acres donated to us as well, as part of a potential trailhead in the future.

From: Harold Cunliffe <hcunliffe@pacificgroupinc.com>
Sent: Wednesday, October 18, 2023 11:56 AM
To: David Allen <dallen@jonesboroga.com>
Cc: 'India.Mitchell@ClaytonCountyGA.gov' <India.Mitchell@ClaytonCountyGA.gov>
Subject: RE: Key Street Property

Thank you David:

I have spoken with Ms. India Mitchell of the Clayton County law department who is dealing with this issue. She is copied on this email.

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As I mentioned, we intend to donate approximately 5 acres to the Clayton County Board of Education. That property is identified as A002 on the tax records and is immediately adjacent to the Jonesboro Middle School. It is also included in the legal description that I have provided.

Should the City prefer a different annexation boundary, please advise me and I will have an appropriate legal description prepared.

Thank You:
 Harold Cunliffe
 Cc: India Mitchell

Attachment: Correspondence (3724 : De-Annexation of Key Street Property to County)

David Allen

From: Harold Cunliffe <hcunliffe@pacificgroupinc.com>
Sent: Thursday, December 14, 2023 2:58 PM
To: David Allen
Subject: RE: Key Street Annexation

David

The Annexation parcel is B001Z. It's acreage from our survey is 9.30 acres. From the tax records, it is 9.00 acres.
 The Donation parcel is A002. We have not done a survey of it yet. But from the tax records, its acreage is 5.00.
 Harold

-4 AC. +/- CITY

From: David Allen <dallen@jonesboroga.com>
Sent: Thursday, December 14, 2023 2:24 PM
To: Harold Cunliffe <hcunliffe@pacificgroupinc.com>
Subject: RE: Key Street Annexation

Thanks.

Do you know the acreage of the Property Donation piece and the Property Subject to Annexation piece?

From: Harold Cunliffe <hcunliffe@pacificgroupinc.com>
Sent: Thursday, December 14, 2023 1:16 PM
To: David Allen <dallen@jonesboroga.com>
Subject: RE: Key Street Annexation

David:
 Will the attached serve your purposes?
 Harold

From: David Allen <dallen@jonesboroga.com>
Sent: Tuesday, December 12, 2023 9:24 PM
To: Harold Cunliffe <hcunliffe@pacificgroupinc.com>
Subject: Re: Key Street Annexation

That would be fine for now. Thanks

From: Harold Cunliffe <hcunliffe@pacificgroupinc.com>
Sent: Tuesday, December 12, 2023 8:21 PM
To: David Allen <dallen@jonesboroga.com>
Subject: Re: Key Street Annexation

I have a boundary survey with topo and flood zones that I could mark up. I could highlight "Land Donation", "Jonesboro existing ROW", "Proposed Annexation" and "Property owned by Key Street, LLC".
 Would this be used for a Council package? I would want to present something professional looking, if so.
 Harold

Attachment: Correspondence (3724 : De-Annexation of Key Street Property to County)

David Allen

From: David Allen
Sent: Friday, January 26, 2024 11:47 AM
To: 'Ray Cunliffe'
Cc: Harold Cunliffe; Patrick.Ejike@claytoncountyga.gov; Donya Sartor; Winston Denmark; 'India.Mitchell@ClaytonCountyGA.gov'
Subject: RE: Key Street Annexation

Thank you, but we have a problem.

The resolution authorizes parcel 12016D B001Z and parcel 12016D A002 to be de-annexed into Clayton County.

The application only calls for parcel 12016D B001Z (east side of Key Street right-of-way) to be de-annexed. That's what we agreed upon. Also, the letter to the county and the city requesting de-annexation specifies the subject property as just parcel 12016D B001Z.

The other parcel 12016D A002 was discussed to be donated to the city.

The resolution needs to be revised.

From: Ray Cunliffe <raycunliffe@pacificgroupinc.com>
Sent: Friday, January 26, 2024 11:35 AM
To: David Allen <dallen@jonesboroga.com>
Cc: Harold Cunliffe <hcunliffe@pacificgroupinc.com>; Patrick.Ejike@claytoncountyga.gov
Subject: Re: Key Street Annexation

David,

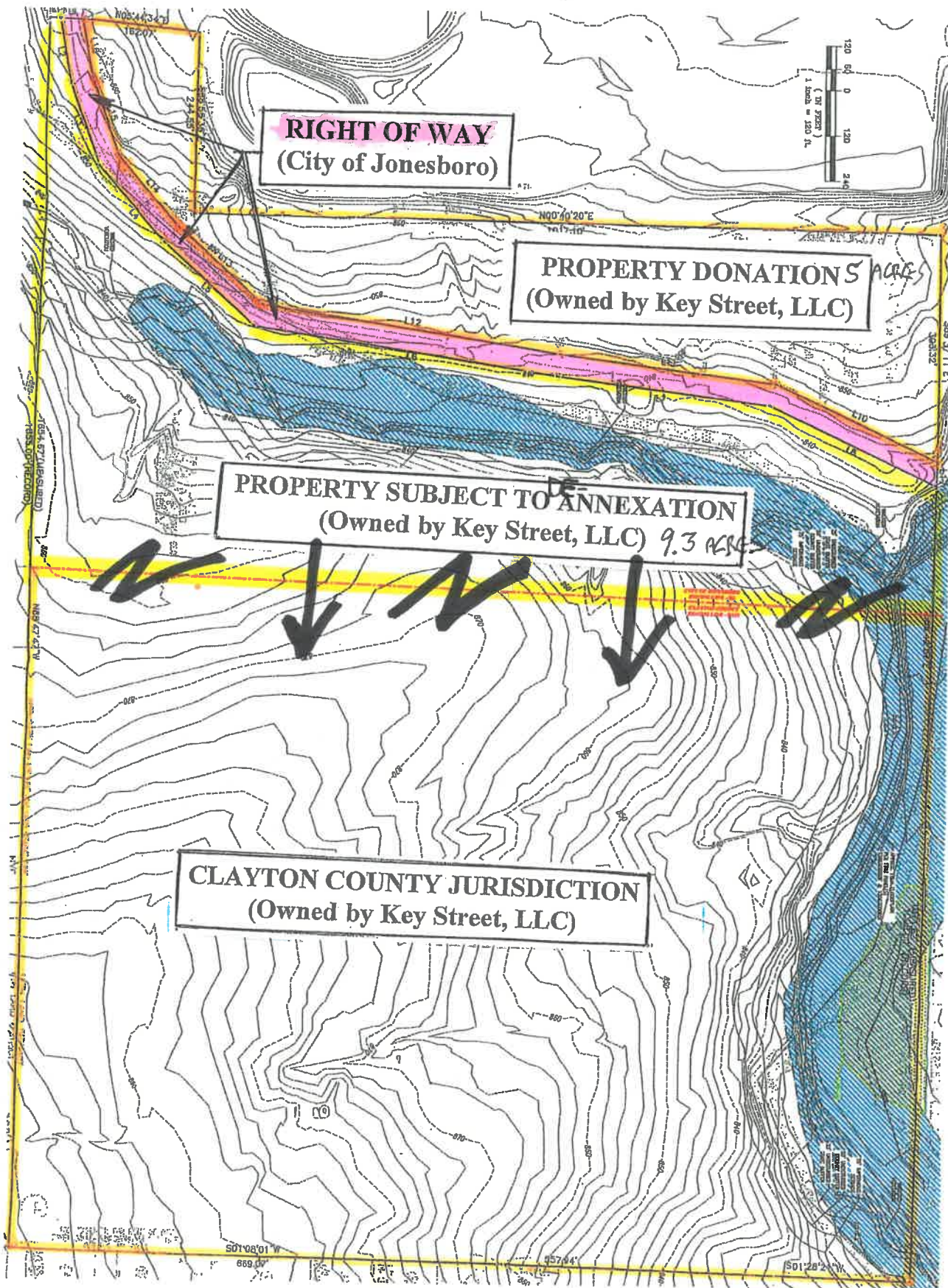
Resolution 2023-192 is attached.

Ray Cunliffe
 The Pacific Group, Inc.
 404-384-7374
www.pacificgroupinc.com
raycunliffe@pacificgroupinc.com

From: David Allen <dallen@jonesboroga.com>
Date: Friday, January 26, 2024 at 11:27 AM
To: Ray Cunliffe <raycunliffe@pacificgroupinc.com>
Subject: FW: Key Street Annexation

From: David Allen
Sent: Friday, January 26, 2024 11:26 AM

Attachment: Correspondence (3724 : De-Annexation of Key Street Property to County)





Ex. County

To Be
De Annexed

Attachment: Diagrams (3724 : De-Annexation of Key Street Property to County)

*KEY STREET, LLC
5755 DUPREE DRIVE, SUITE 130
ATLANTA, GA 30327
(404) 409-3086*

July 31, 2023

Mr. David Allen, Director
City of Jonesboro, Community Development
124 North Avenue
Jonesboro, GA 30236
DAllen@JonesboroGA.com

RE: Request for the removal of certain property ("Subject Property") from the jurisdiction of the City of Jonesboro ("City") to the jurisdiction of unincorporated Clayton County ("County")

Dear Mr. Allen:

Please consider this letter as a request from Key Street, LLC ("Key") to remove the Subject Property from the jurisdiction of the City to the jurisdiction of the County.

Background

Key is the owner of approximately forty (40) acres of property shown on the attached boundary survey and as described in the attached legal description. It is further identified as County Tax Parcels 12016D A 002; B 001Z and B 001. A red line on the boundary survey delineates the boundary between the City and the County. Tax Parcels A 002 and B 001Z lie within the City and B 001 lies within the County. The Subject Property is outlined in yellow on the boundary survey. The Subject Property is further described as Tax Parcel B 001Z.

Key acquired this property on February 12, 2016 by General Warranty Deed as recorded in Deed Book 10846 Page 350 *et. seq.* The property is free of financial encumbrances. The boundary survey shows a longitudinal strip running through the western side of the property. This is a 30 foot wide right-of-way dedicated on September 10, 1952 and recorded in Plat Book 3 Page 211. This plat also created nineteen (19) "paper lots" that were never developed to City or County standards and were never improved with structures.

Current Zoning and Land Use Restrictions

That portion of the property lying within the County is zoned RS 110. That portion of the property lying within the City (that includes the Subject Property) is zoned R-2 with an overlay of H – Historic Residential.

The portion of the property within City jurisdiction is subject to flood plain as denoted by the area shown with striped blue lines. The flood plain is exclusively within the bounds of the Subject Property. The associated stream buffers are shown on the easterly side of the flood plain but are not shown on the westerly side where they certainly also exist. This flood plain is present along the entire northerly boundary of the portion of the property that lies within the jurisdiction of the County.

The property lying to the north of the portion of the property within City jurisdiction is owned by Lurine and Felix Newton and is zoned O-I Office Institutional. The property lying to the west of the portion of the property within City jurisdiction is owned by the Clayton County Board of Education and is the site of the Jonesboro Middle School. The property lying to the south of the portion of the property within City jurisdiction is jointly owned by the City and the County. The property lying to the east of the portion of the property within City jurisdiction is part of the overall property owned by Key.

Access the property within City jurisdiction is limited to Key Street via Lake Jodeco Road. From Lake Jodeco Road to within 100 feet of the property, Key Street is not improved to City or County standards. The remaining 100 feet to the property is unimproved. The Key Street ROW that runs through the property is unimproved and appears to have been abandoned for some considerable time.

Access to the property from the east is available via Prather Drive. Prather Drive is fully improved to the easterly side of the property line. Access to the property from the north is available via Gay Street. Gay Street is fully improved to the northerly side of the property line. Both Prather Drive and Gay Street lie within the jurisdictional boundaries of the County.

Justification for Alteration of Jurisdictions

The following items justify the transfer of jurisdictions from the City to the County:

1. Road access from the City via Key Street is impractical. The current section of improved roadway is too narrow to accommodate buses, trash trucks and emergency vehicles. It currently exists as a lane.
2. Assuming that Key Street is not improved, access to the Subject Property for City services would be exclusively from County streets.
3. Assuming that Key Street from Lake Jodeco Road is widened and improved, the portion of the property lying within the City is economically unfeasible to develop to current R – 2 standards (or to R – 4 standards should the property be approved for rezoning) due to flood plain and stream buffer considerations. A further detriment to the economic unfeasibility is the slope of the property from the

Jonesboro Middle School to the Key Street unimproved ROW, namely 30 feet over 160 feet or 20%.

4. The property is not wide enough to accommodate a newly constructed street within a 50 foot ROW leaving enough distance for front yard setbacks, a house pad and rear yard setbacks. Development of a street providing lots on both sides would be geometrically impossible.

Proposed development of the Subject Property with an Alteration of Jurisdictions

Please refer to the attached proposed site plan that has been superimposed on the boundary survey. Key understands that an alteration of jurisdictions does not carry with it any subsequent approvals that may be required.

The sketch plan shows a subdivision plan that contemplates transferring the Subject Property from the City to the County. All lots are shown conforming to the County designation of RS 110. All access is derived from the County.

The remainder of the Property currently within the City boundaries and after the Subject Property has been removed would retain its R – 2 H designation. Key would deed, upon request, this remainder to the Clayton County Board of Education, the City or to a foundation that would ensure its conservation.

Key Street would, upon request, extinguish any reversionary rights that it may have should the City (or County) decide to abandon the 30 foot Key Street ROW.

Please consider this request and inform us of any additional steps that we should take or of any additional information that you require. By copy of this letter, we are advising Mr. Patrick Ejike of this request.

Yours Truly,
Key Street, LLC



Harold Cunliffe, Manager

cc: Patrick Ejike, Community Development Director, Clayton County
Patrick.Ejike@ClaytonCountyGA.gov

Attachment: City Request (3724 : De-Annexation of Key Street Property to County)

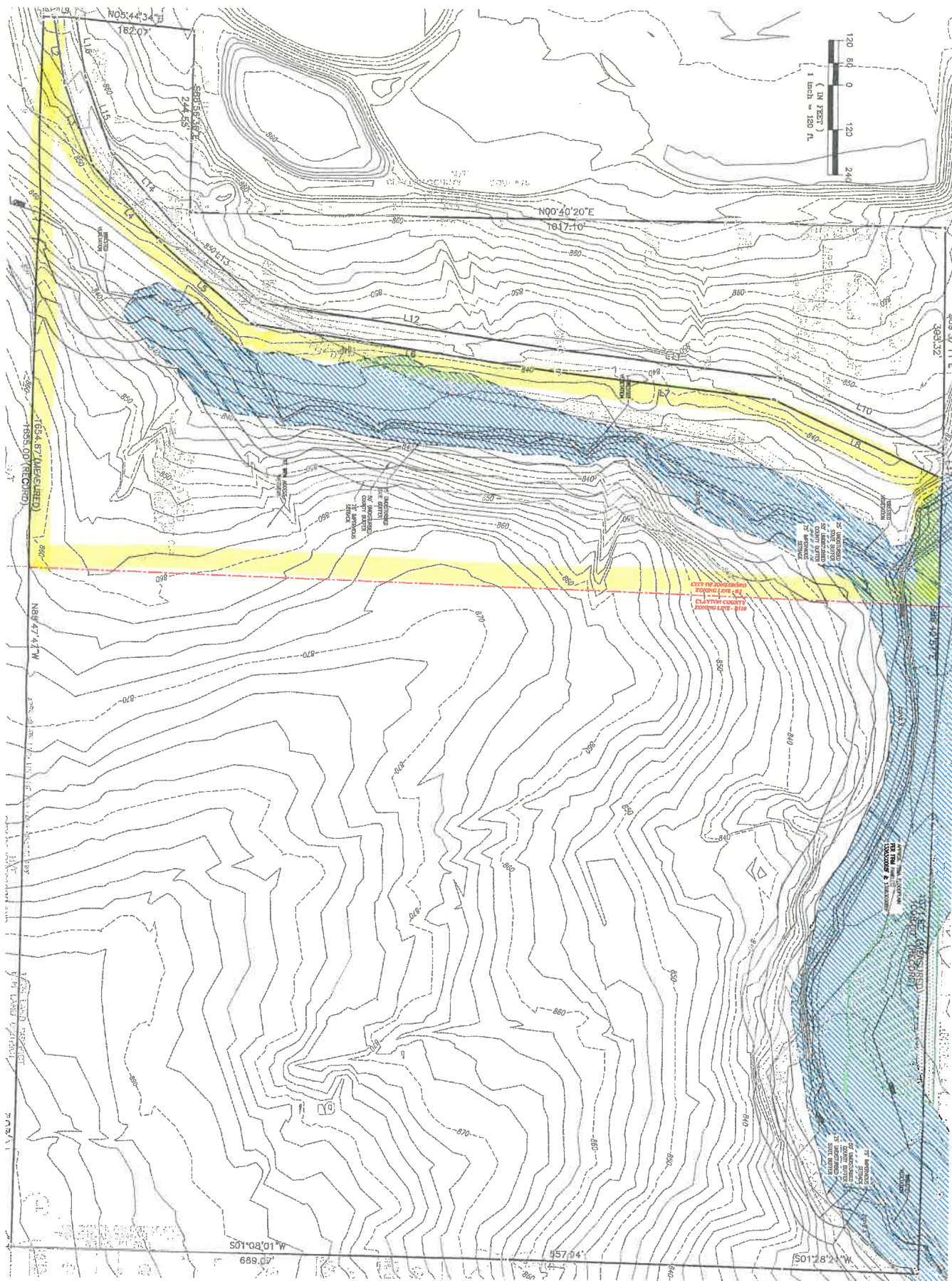


EXHIBIT "A"
Legal Description

All that tract or parcel of land lying and being in Land Lot 16 of the 12th District of Clayton County, Georgia, being Lots 12, 13, 14 and 15 of Block A and Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15 of Block B of Adamson's Key Street Colored Subdivision as per plat of same by J. O. Lee Surveyor dated September 3, 1952, recorded in Plat Book 3, Page 211, Clayton County, Georgia Records, and more particularly described as follows:

BEGINNING at an iron pin on the southwest corner of said Lot 12, said point being 1,422 feet east of the northeast intersection of Key Street and McDonough Street, running thence north 170 feet to an iron pin; thence east 245 feet along the north side of Lots 12, 13, 14 and 15 of Block A; thence north 1,070 feet to the northwest corner of Lot 15 of Block B; thence east 299 feet to an iron pin on the west side of Key Street (a/k/a Key Road); thence south and southwest following the curvature of Key Street, 1,418 feet to said **POINT OF BEGINNING**. This property is now known as Key Street, Jonesboro, Georgia, being the same property conveyed by Deed recorded in Deed Book 10544, Page 385, Clayton County, Georgia Records.

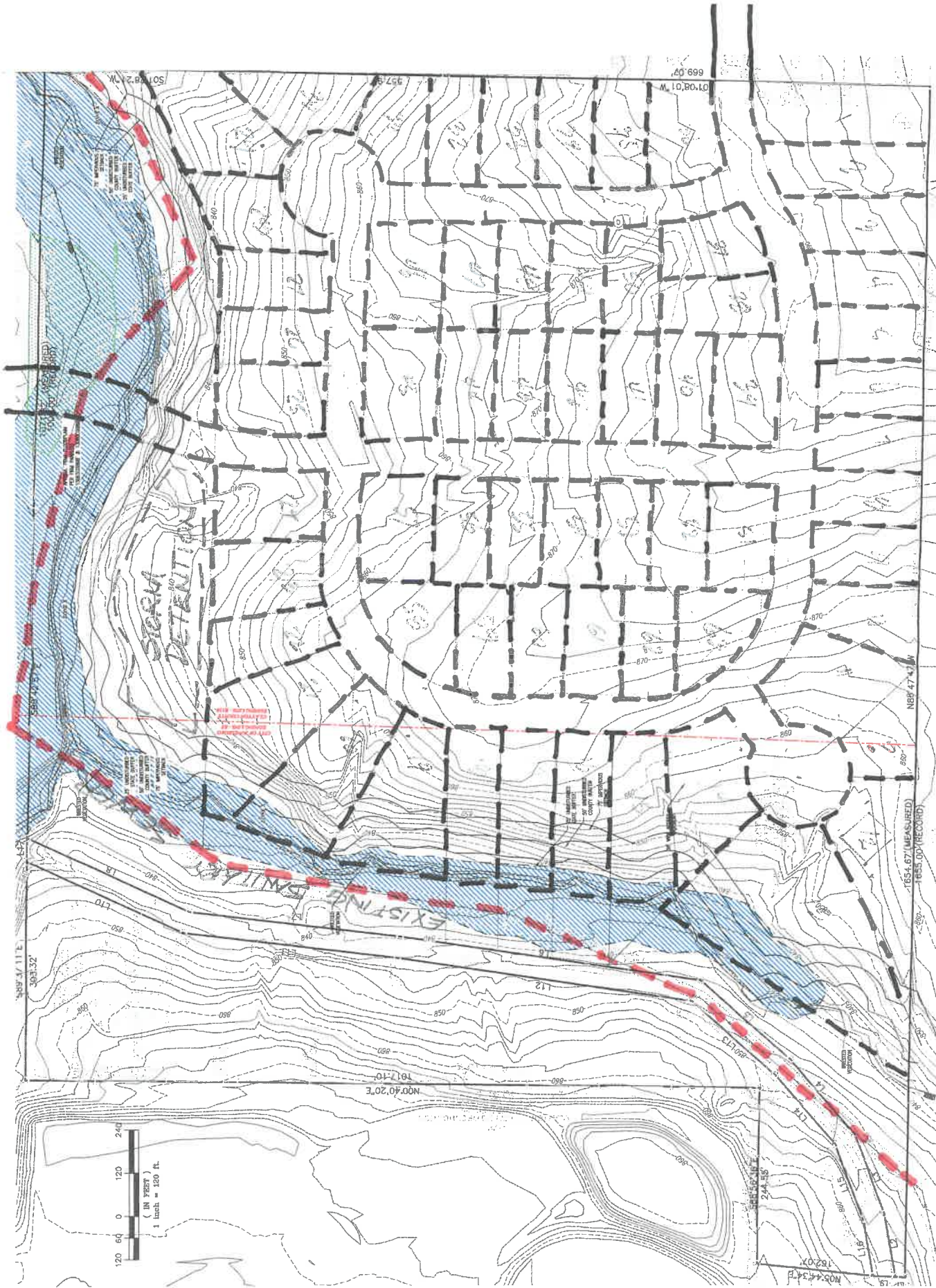
ALSO:

All that tract or parcel of land lying and being in Land Lot 16 of the 12th District of Clayton County, Georgia, being 40 acres, more or less, as per plat of same by R. S. Mandy, C.S., dated July 25, 1946, and recorded in Plat Book 3, Page 211, Clayton County, Georgia Records, and being more particularly described as follows:

BEGINNING at the southeast corner of said tract at a two inch iron pin which point is the corner between the property of Blalock, Barnett and this tract; running thence north 1227 feet to an iron pin; thence west 1008 feet to an iron pin in the center of Key Road; thence along Key Road following the curvature of said road south 1419 feet to an iron pin; thence southeast 20 feet to a made corner; thence east 1655 feet to said point of beginning. Said tract being bounded on the north by W. G. Arnold and Will Arnold and on the West by Key Road and lands of H. L. Adamson. Being property conveyed by H. L. Adamson to Grace W. Arnold by Warranty Deed dated November 1, 1952, recorded in Deed Book 157, Page 522, Fulton County, Georgia Records, and the same property referenced in Affidavit of Descent recorded in Deed Book 2855, Page 101, aforesaid records.

BK 10846 PG 352

Attachment: City Request (3724 : De-Annexation of Key Street Property to County)



*KEY STREET, LLC
5755 DUPREE DRIVE, SUITE 130
ATLANTA, GA 30327
(404) 409-3086*

July 31, 2023

Mr. Patrick Ejike, Director
Clayton County Community Development
121 South McDonough Street
Jonesboro, GA 30236
Patrick.Ejike@ClaytonCountyGA.gov

RE: Request for the removal of certain property ("Subject Property") from the jurisdiction of the City of Jonesboro ("City") to the jurisdiction of unincorporated Clayton County ("County")

Dear Mr. Ejike:

Please consider this letter as a request from Key Street, LLC ("Key") to remove the Subject Property from the jurisdiction of the City to the jurisdiction of the County.

Background

Key is the owner of approximately forty (40) acres of property shown on the attached boundary survey and as described in the attached legal description. It is further identified as County Tax Parcels 12016D A 002; B 001Z and B 001. A red line on the boundary survey delineates the boundary between the City and the County. Tax Parcels A 002 and B 001Z lie within the City and B 001 lies within the County. The Subject Property is outlined in yellow on the boundary survey. The Subject Property is further described as Tax Parcel B 001Z.

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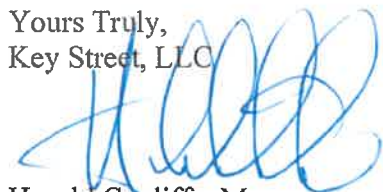
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Please consider this request and inform us of any additional steps that we should take or of any additional information that you require. By copy of this letter, we are advising Mr. David Allen of this request.

Yours Truly,
Key Street, LLC



Harold Cunliffe, Manager

cc: David Allen, Community Development Director, City of Jonesboro
DAllen@JonesboroGA.com

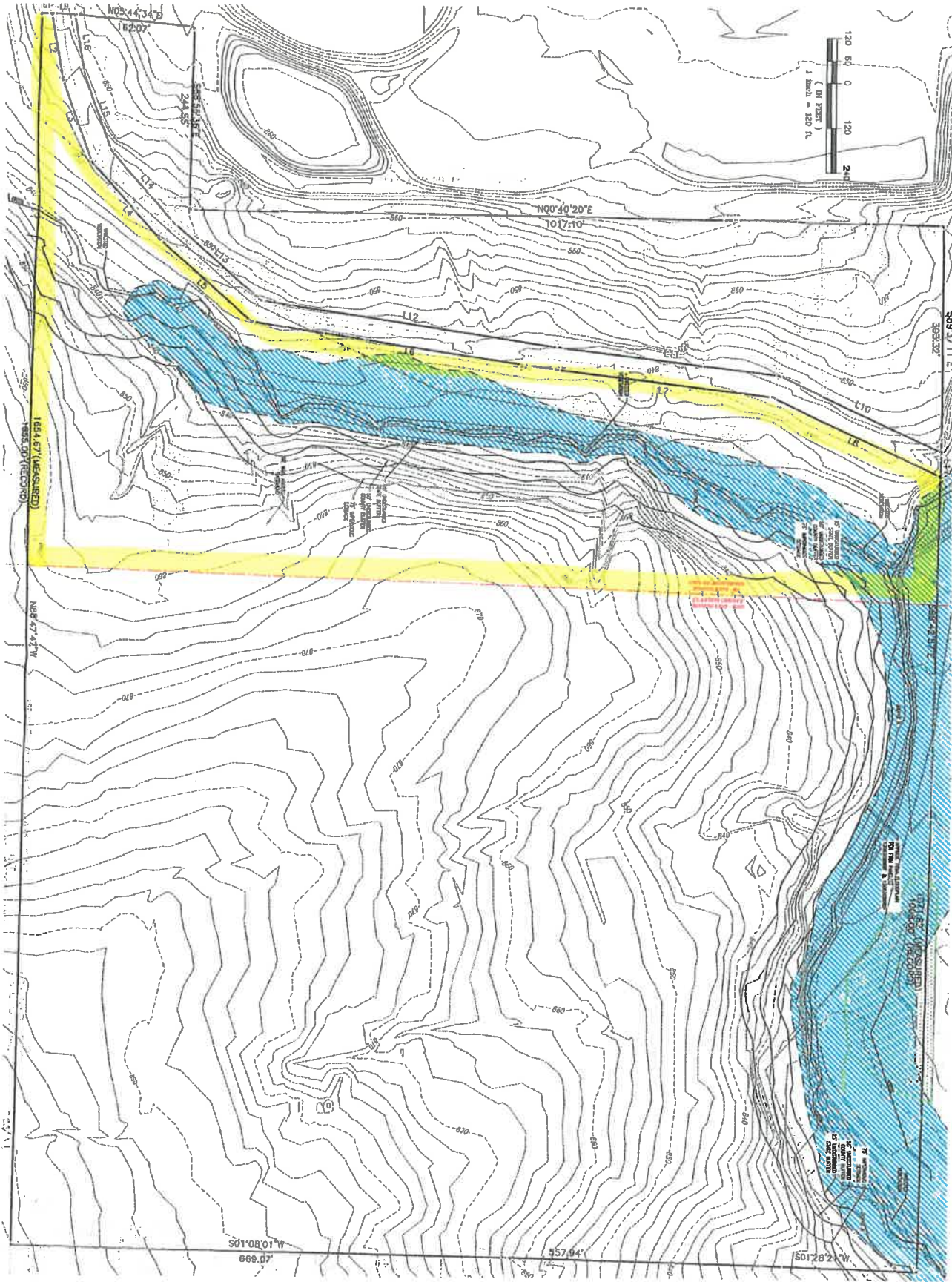


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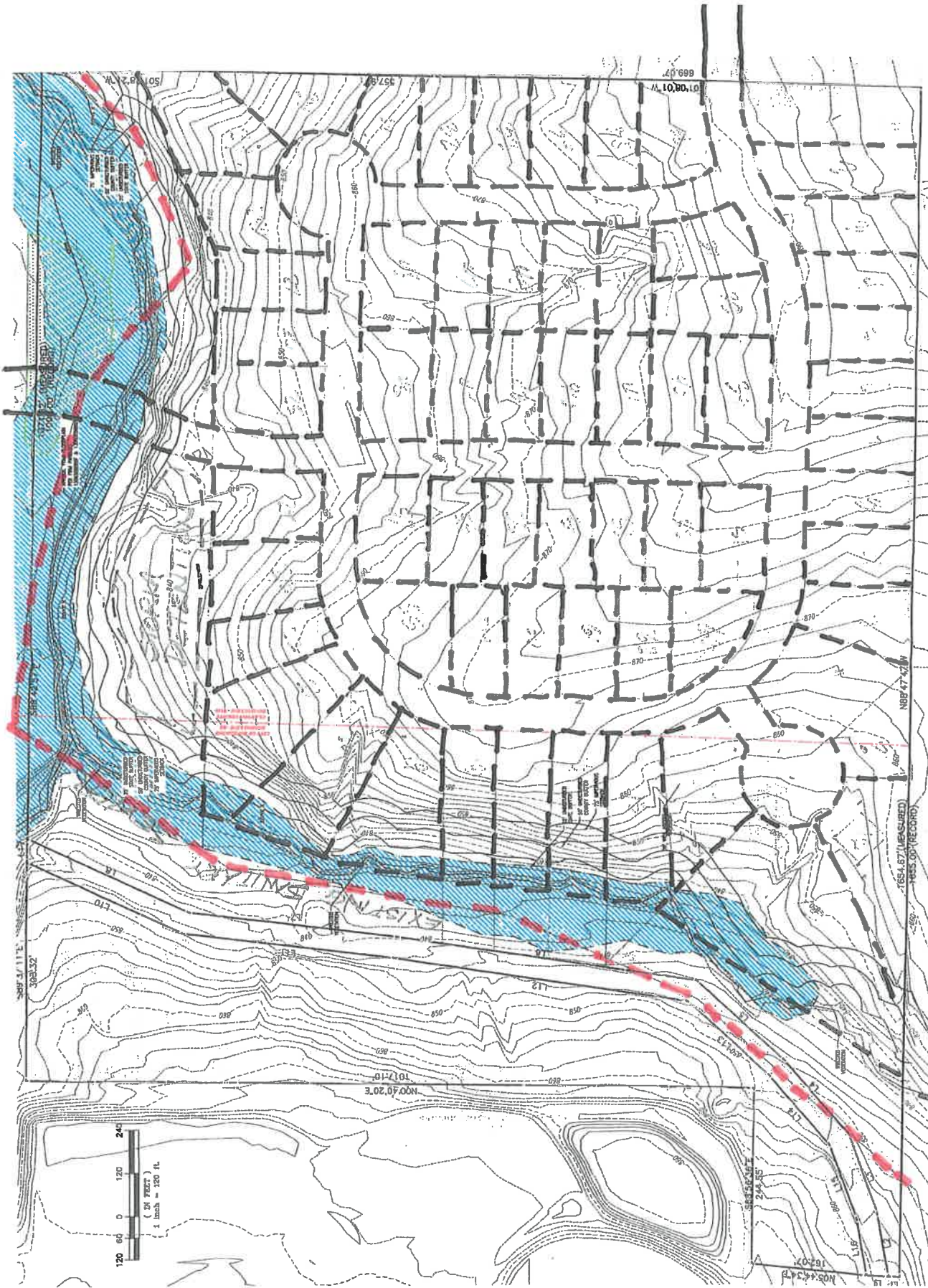
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BK 10846PG352

Attachment: County Request (3724 : De-Annexation of Key Street Property to County)



§ 36-36-131. Authority to deannex, GA ST § 36-36-131

West's Code of Georgia Annotated

Title 36. Local Government (Refs & Annos)

Provisions Applicable to Municipal Corporations Only

Chapter 36. Annexation of Territory (Refs & Annos)

Article 8. Municipal Deannexation

Ga. Code Ann., § 36-36-131

§ 36-36-131. Authority to deannex

Effective: May 2, 2023

Currentness

(a) Authority is granted to the governing authority of any municipality to deannex an area or areas of the existing corporate limits thereof, in accordance with the procedures provided in this article and in Article 1 of this chapter, upon the written and signed applications of all of the owners of all of the land, except the owners of any public street, road, highway, or right of way, proposed to be deannexed, containing a complete description of the lands to be deannexed; provided, however, that no more than ten parcels of property may be deannexed in one action and only upon the adoption of a resolution by the governing authority of the county in which such property is located consenting to such deannexation. If the governing authority of the county consents to the deannexation and the deannexation conforms with the requirements of this article, the governing authority of the municipal corporation shall approve such deannexation unless it finds that the deannexation would be detrimental to the health, safety, and welfare of the residents and property owners of the area to be deannexed or to the area remaining within the municipality.

(b) Lands to be deannexed at any one time under this article shall be treated as one body, regardless of the number of owners, and all parts shall be considered as adjoining the limits of the municipality when any one part of the entire body abuts such limits; provided, however, that at least one-eighth of the aggregate external boundary or 50 feet of the area to be deannexed, whichever is less, either abuts directly on the municipal boundary or would directly abut on the municipal boundary if it were not otherwise separated from the municipal boundary by lands owned by the municipal corporation or some other political subdivision, by lands owned by this state, or by the definite width of:

(1) Any street or street right of way;

(2) Any creek or river; or

(3) Any right of way of a railroad or other public service corporation which divides the municipal boundary and any area proposed to be deannexed.

(c) When such application is acted upon by the municipal governing authority and the land is, by ordinance, deannexed from the municipality, an identification of the property so deannexed shall be filed with the Department of Community Affairs and

§ 36-36-131. Authority to deannex, GA ST § 36-36-131

with the governing authority of the county in which the property is located in accordance with Code Section 36-36-3.

(d) When so deannexed, such lands shall cease to constitute a part of the lands within the corporate limits of the municipality as completely and fully as if the limits had been marked and defined by local Act of the General Assembly.

(e)(1) Except as provided in paragraph (2) of this subsection and Code Section 36-36-133, when so deannexed, the land shall be deannexed from the municipality effective for ad valorem tax purposes on December 31 of the year during which such application is submitted and for all other purposes on the first day of the next calendar quarter that begins at least one month after the month during which the requirements of this article have been met.

(2) Unless otherwise agreed in writing by the governing authority of the county and a municipal governing authority, where property zoned and used for commercial purposes is deannexed from a municipality with an independent school system, the effective date for the purposes of ad valorem taxes levied for educational purposes shall be December 31 of the year after the year in which the requirements of this article have been met.

(f) Property that has been deannexed from a municipality under this article shall not be annexed again until at least two calendar years after the effective date of such deannexation unless such annexation is accomplished by local Act of the General Assembly.

Credits

Laws 2023, Act 257, § 3, eff. May 2, 2023.

Ga. Code Ann., § 36-36-131, GA ST § 36-36-131

The statutes and Constitution are current through legislation passed at the 2023 Regular Session of the Georgia General Assembly. Some sections may be more current, see credits for details. The statutes are subject to changes by the Georgia Code Commission.

End of Document

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§ 36-36-132. Formation of unincorporated islands, GA ST § 36-36-132

West's Code of Georgia Annotated

Title 36. Local Government (Refs & Annos)

Provisions Applicable to Municipal Corporations Only

Chapter 36. Annexation of Territory (Refs & Annos)

Article 8. Municipal Deannexation

Ga. Code Ann., § 36-36-132

§ 36-36-132. Formation of unincorporated islands

Effective: May 2, 2023

Currentness

There shall be no deannexation under this article that results in the formation of one or more unincorporated islands or in part of the area remaining in the municipal corporation no longer being a contiguous area of such municipal corporation.

Credits

Laws 2023, Act 257, § 3, eff. May 2, 2023.

Ga. Code Ann., § 36-36-132, GA ST § 36-36-132

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Attachment: State Code (3724 : De-Annexation of Key Street Property to County)

§ 36-36-133. Outstanding obligation or revenue bonds, GA ST § 36-36-133

West's Code of Georgia Annotated

Title 36. Local Government (Refs & Annos)

Provisions Applicable to Municipal Corporations Only

Chapter 36. Annexation of Territory (Refs & Annos)

Article 8. Municipal Deannexation

Ga. Code Ann., § 36-36-133

§ 36-36-133. Outstanding obligation or revenue bonds

Effective: May 2, 2023

Currentness

In the event that a municipality has outstanding general obligation bond or revenue bond indebtedness, property in such municipality is ineligible for deannexation pursuant to this article.

Credits

Laws 2023, Act 257, § 3, eff. May 2, 2023.

Ga. Code Ann., § 36-36-133, GA ST § 36-36-133

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Attachment: State Code (3724 : De-Annexation of Key Street Property to County)

§ 36-36-134. Provision of services, GA ST § 36-36-134

West's Code of Georgia Annotated

Title 36. Local Government (Refs & Annos)

Provisions Applicable to Municipal Corporations Only

Chapter 36. Annexation of Territory (Refs & Annos)

Article 8. Municipal Deannexation

Ga. Code Ann., § 36-36-134

§ 36-36-134. Provision of services

Effective: May 2, 2023

Currentness

In the event of a deannexation pursuant to this article, a municipality may, but is not required to, continue to provide any services to the property which it was providing immediately prior to the deannexation, provided that the county and municipality have agreed to terms and conditions for the municipality continuing to provide such services.

Credits

Laws 2023, Act 257, § 3, eff. May 2, 2023.

Ga. Code Ann., § 36-36-134, GA ST § 36-36-134

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STATE OF GEORGIA

COUNTY OF CLAYTON

RESOLUTION NO. 2023-192

A RESOLUTION AUTHORIZING CLAYTON COUNTY TO ACCEPT DEANNEXED PROPERTIES LOCATED WITHIN THE CITY OF JONESBORO INTO UNINCORPORATED CLAYTON COUNTY PER REQUEST FROM KEY STREET LLC; TO AUTHORIZE THE CHAIRMAN TO EXECUTE ANY DOCUMENTS RELATING THERETO AND TO OTHERWISE PERFORM ALL ACTS NECESSARY TO ACCOMPLISH THE INTENT OF THIS RESOLUTION; TO PROVIDE AN EFFECTIVE DATE OF THIS RESOLUTION; AND FOR OTHER PURPOSES.

WHEREAS, Key Street, LLC (the “Company”) submitted a request to deannex two properties which include fourteen (14) acres from the City of Jonesboro (“City”), said properties being more specifically identified by their respective Parcel Number as 12016D A002 and 12016D B001Z (“Subject Properties”) (see attached request “Exhibit A”); and

WHEREAS, the Subject Properties are adjacent to a larger twenty-six (26) acre property in unincorporated Clayton County (“County”) which is currently zoned RS 110 - Single Family Residential (“RS 110”), and are adjacent to a school within the City in the west, and vacant properties in the north, east and south; and

WHEREAS, the Company wishes to develop a subdivision on the Subject Property, which would require subsequent Board of Commissioner approvals; and

WHEREAS, if the proposed request is approved by the City, the Subject Property shall cease to constitute a part of the lands within the corporate limits of the municipality of the City of Jonesboro, Georgia and would be deannexed and otherwise transfer to the County as a function of law once the deannexation request is approved by the City pursuant to OCGA 36-36-131; and

Attachment: County Resolution - Original (3724 : De-Annexation of Key Street Property to County)

WHEREAS, the County consents to the deannexation of the Subject Properties pending the City Council's forthcoming consideration of the Company's deannexation application; and

WHEREAS, upon approval of this resolution and deannexation of the Subject Property by the City, the County shall accept Subject Property back into unincorporated Clayton County, and all lots would proceed as envisioned in their development plan and otherwise would conform to the County designation of RS 110, as well as all access be derived from the County; and

WHEREAS, the Board deems it in the best interest of the County and the County will best be served by consenting and otherwise accepting the deannexed Subject Properties and confirm the appropriate zoning designation upon the Subject Property for the foregoing reasons.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF
CLAYTON COUNTY, GEORGIA AND IT IS HEREBY RESOLVED

Section 1. The Board of Commissioners hereby authorizes Clayton County to consent to the proposed deannexation of certain properties located within the City of Jonesboro, identified as Parcel Numbers 12016D A002 and 12016D B001Z, and for said properties to be accepted back into to unincorporated Clayton County per request from Key Street LLC with the zoning designation of RS 110 – Single Family Residential, pursuant to the Zoning Code of Clayton County. The Board also authorizes the Chairman to perform all acts necessary to accomplish the intent of this Resolution.

Section 2. This Resolution shall be effective on the date of its approval by the Board of Commissioners.

[SIGNATURES LOCATED ON THE FOLLOWING PAGE]

SO RESOLVED, this the 19th day of September, 2023.


CLAYTON COUNTY BOARD OF COMMISSIONERS


JEFFREY E. TURNER, CHAIRMAN

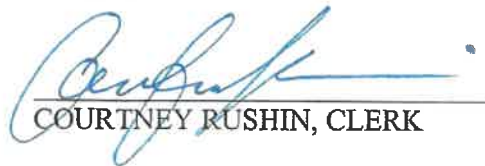

FELICIA FRANKLIN, VICE-CHAIR


ALIEKA ANDERSON, COMMISSIONER


GAIL HAMBRICK, COMMISSIONER


DEMONT DAVIS, COMMISSIONER

ATTEST:


COURTNEY RUSHIN, CLERK

Google Maps 137 Key St

Jonesboro, Georgia

Google Street View

Jan 2022

See more dates

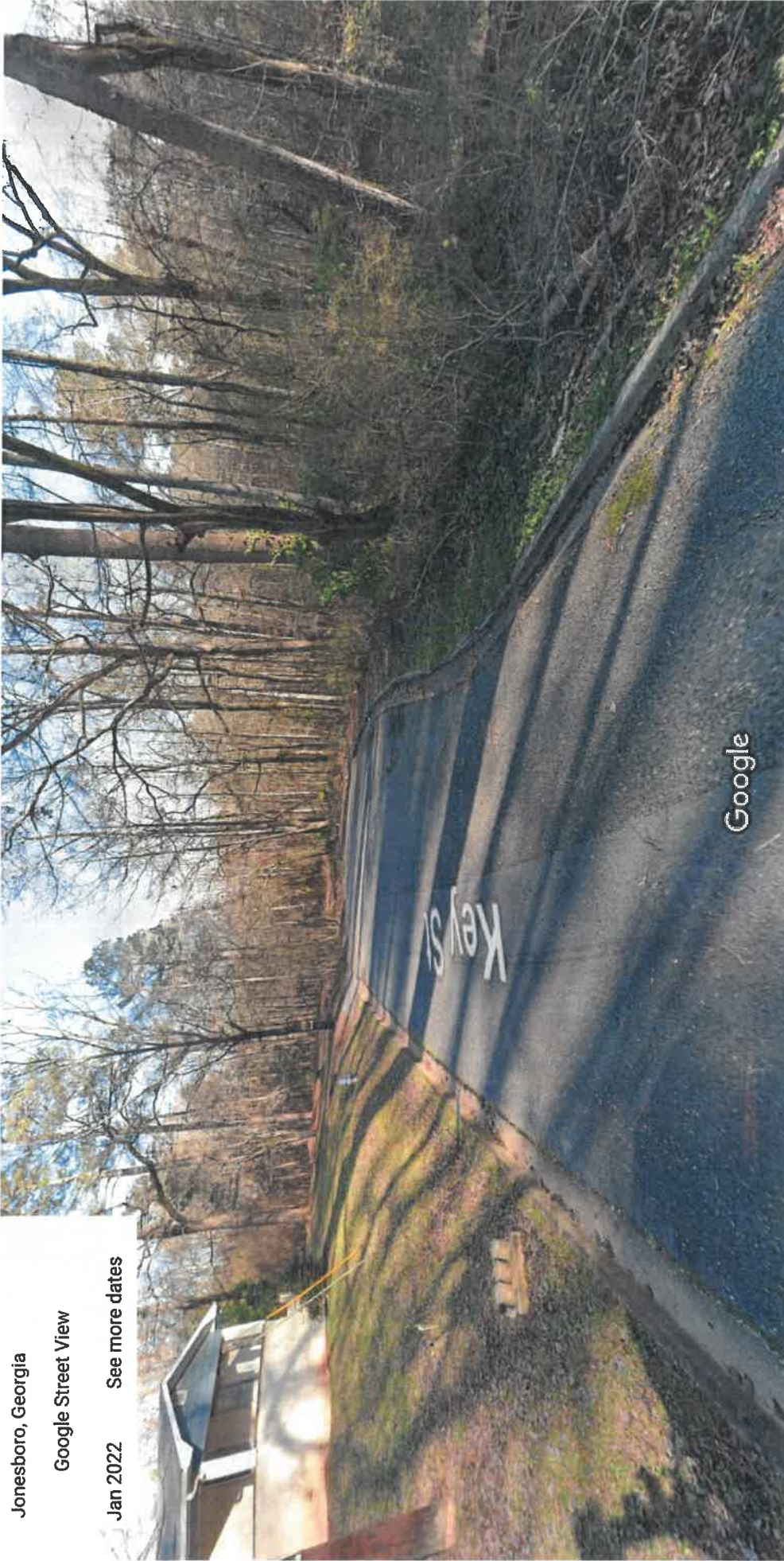
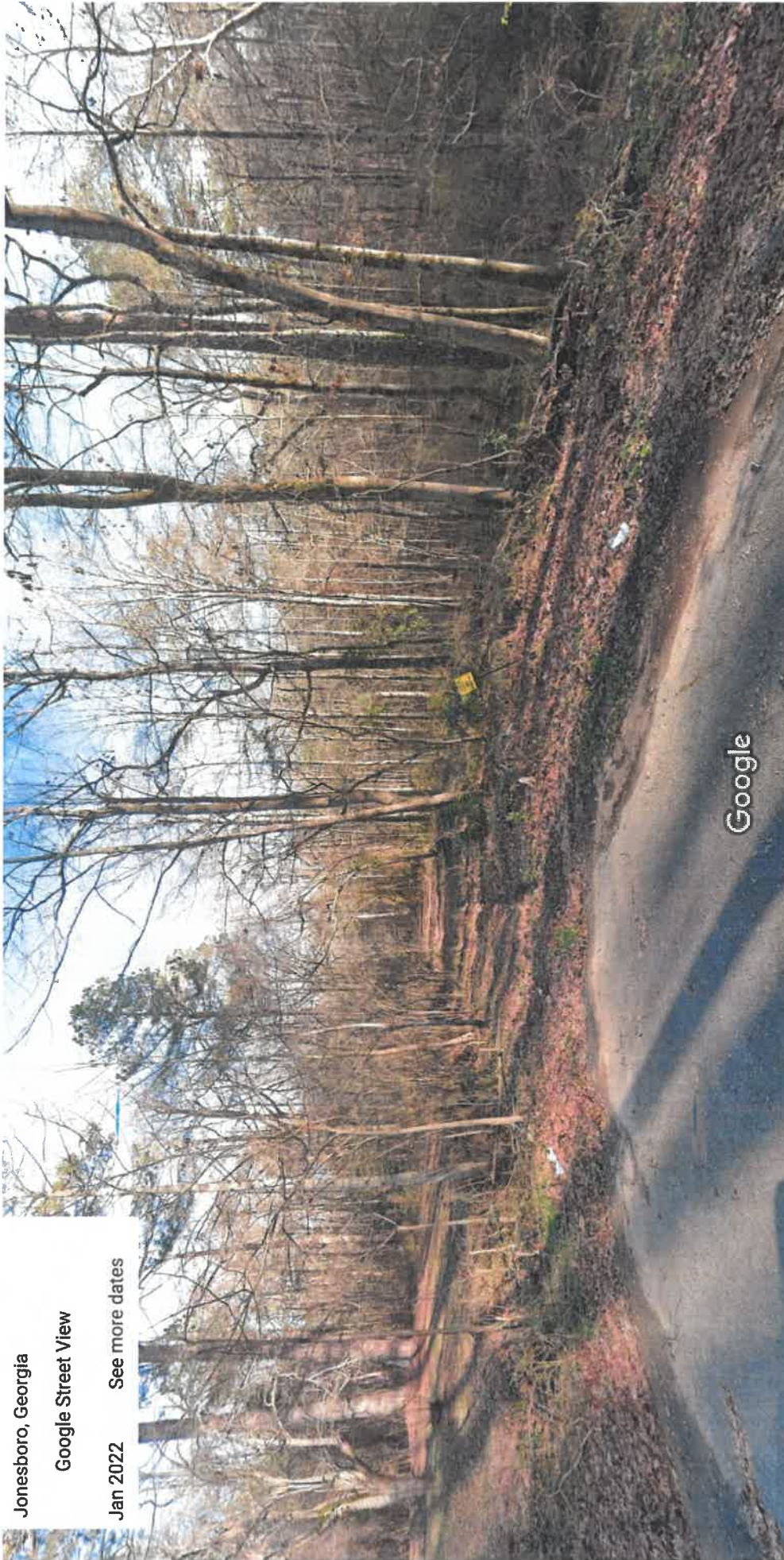


Image capture: Jan 2022 © 2024 Google



Google Maps 141 Key St



Jonesboro, Georgia

Google Street View

Jan 2022 See more dates

Image capture: Jan 2022 © 2024 Google



Google Maps 141 Key St

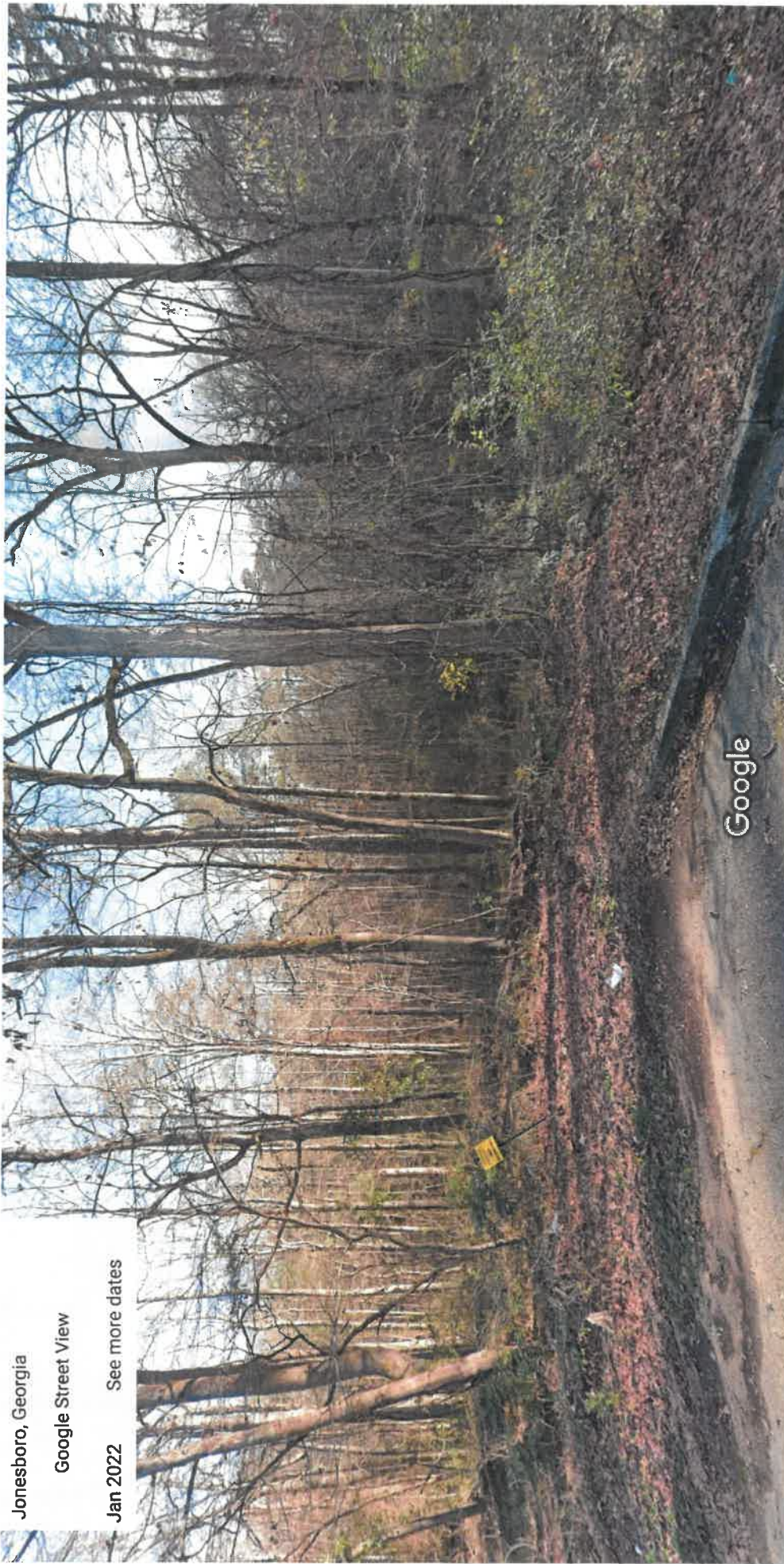
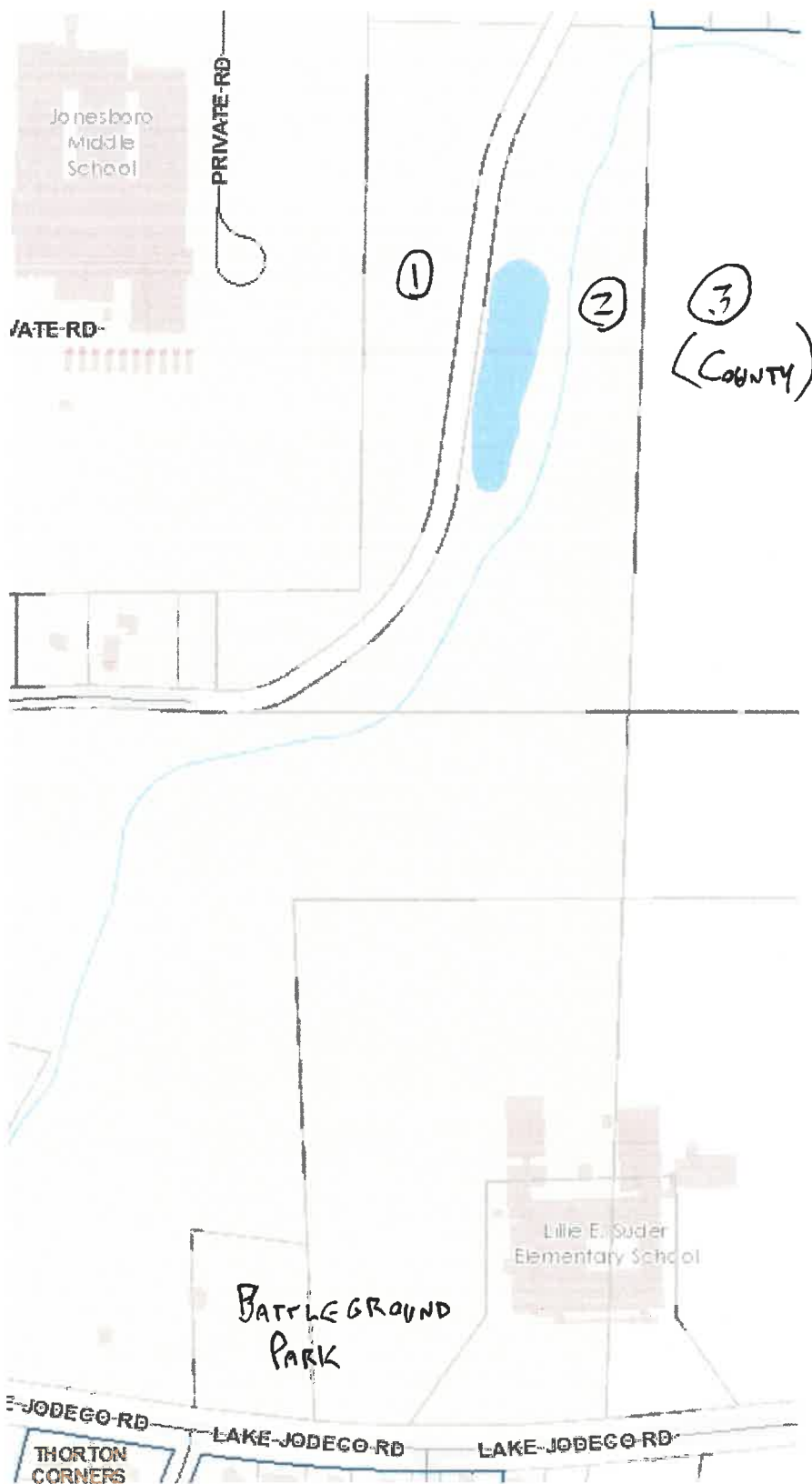


Image capture: Jan 2022 © 2024 Google

Jonesboro, Georgia
Google Street View
Jan 2022 See more dates





①

② 9 ACRES

③

ALL OWNED BY:

KEY STREET LLC

5755 DUPREE DR.

SUITE 130

ATLANTA, GA. 30327

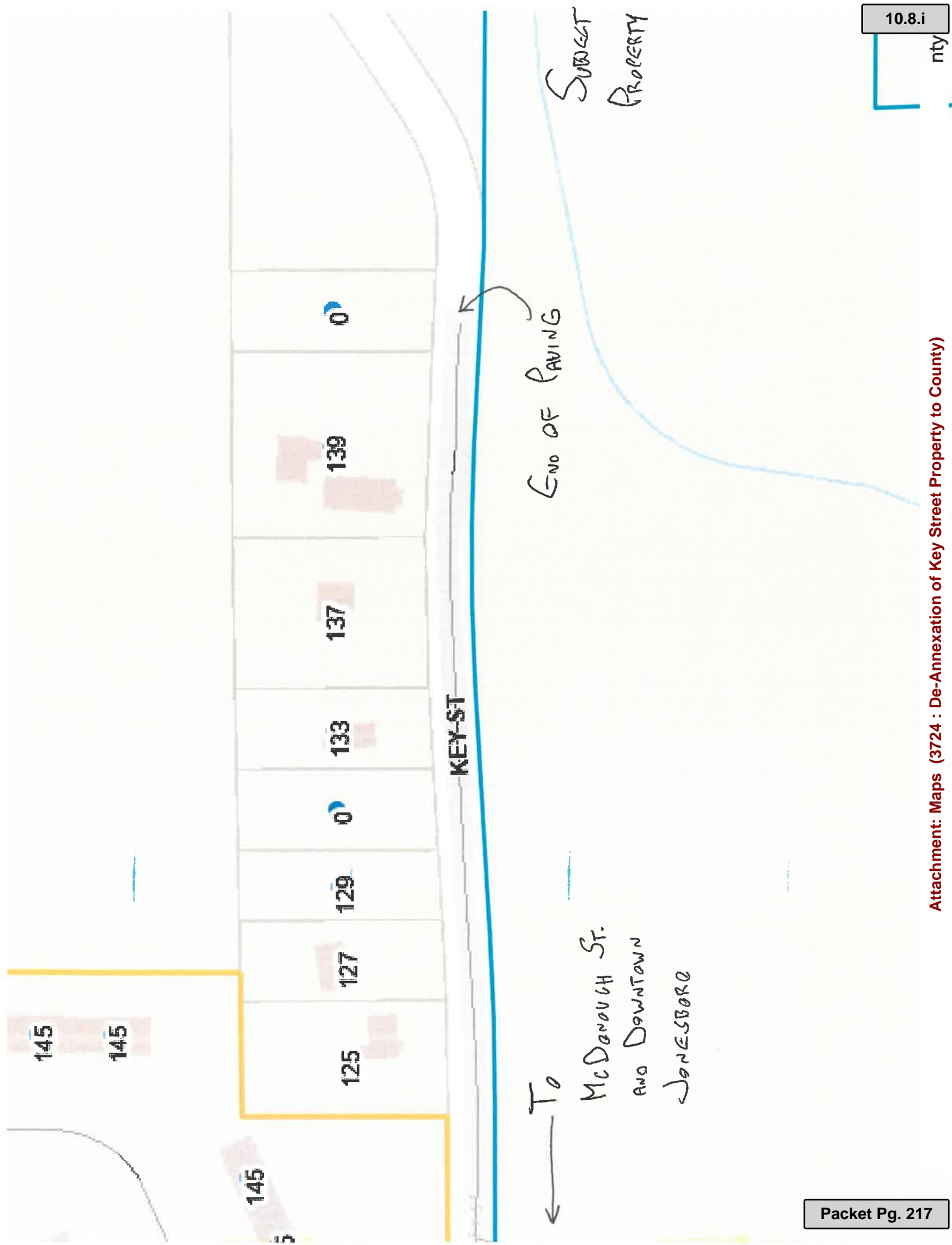
ZONED R-2 (SINGLE-F 4)

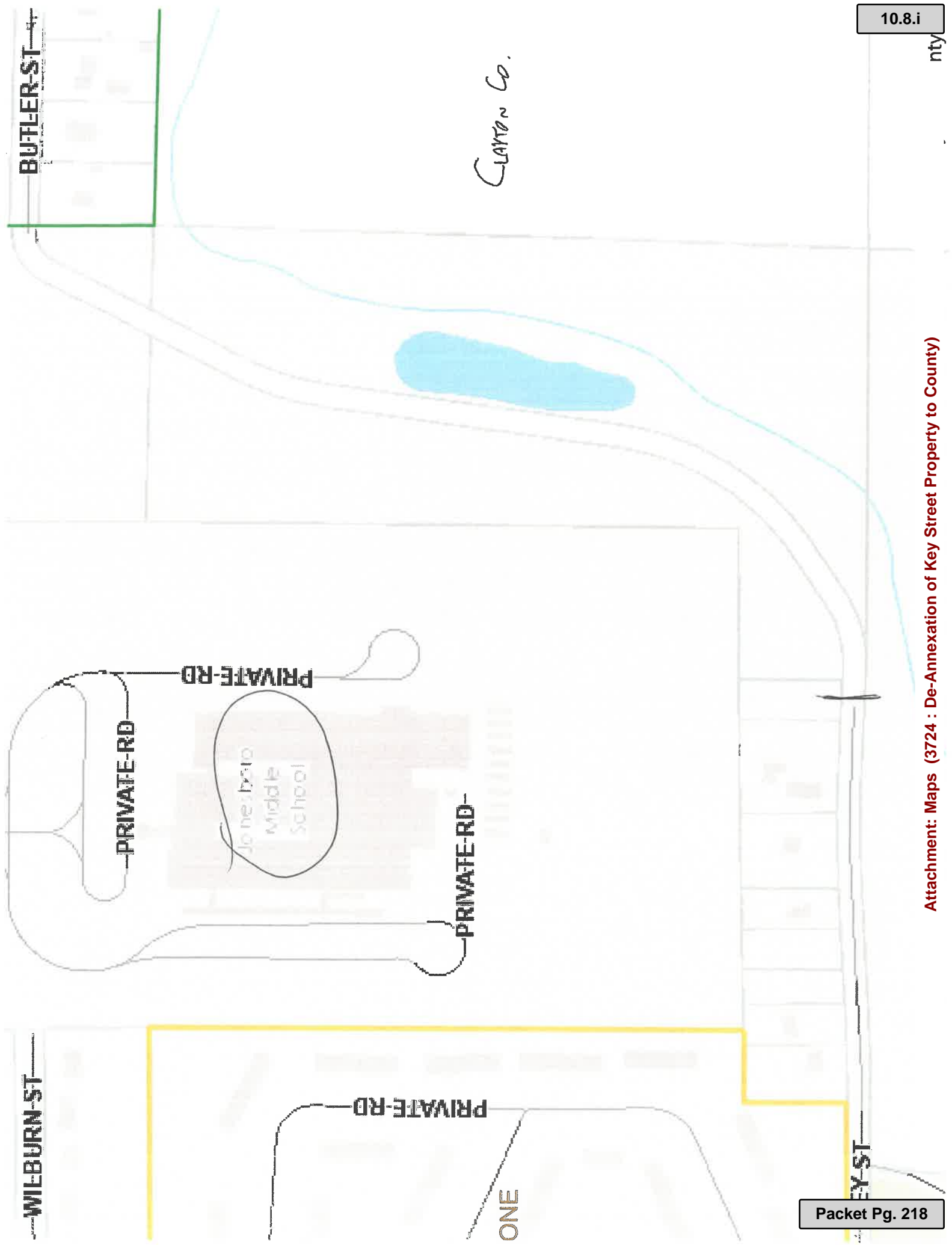
IN HISTORIC RESIDENTIAL
OVERLAY

— NO FLOODPLAIN

— KEY STREET IN
BAD SHAPE; NARROW

Attachment: Maps (3724 : De-Annexation of Key Street Property to County)





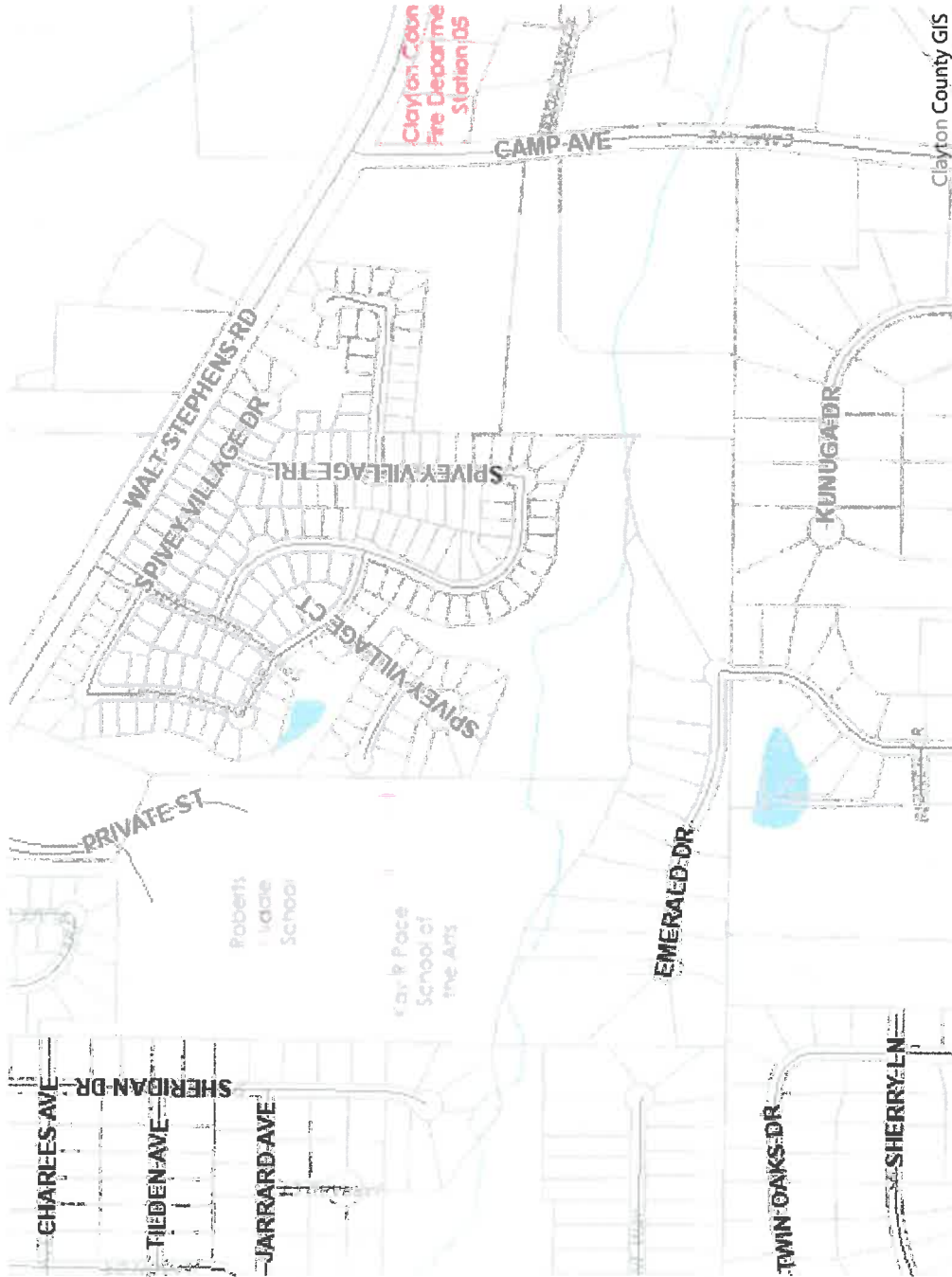
Carron Co.

Attachment: Maps (3724 : De-Annexation of Key Street Property to County)



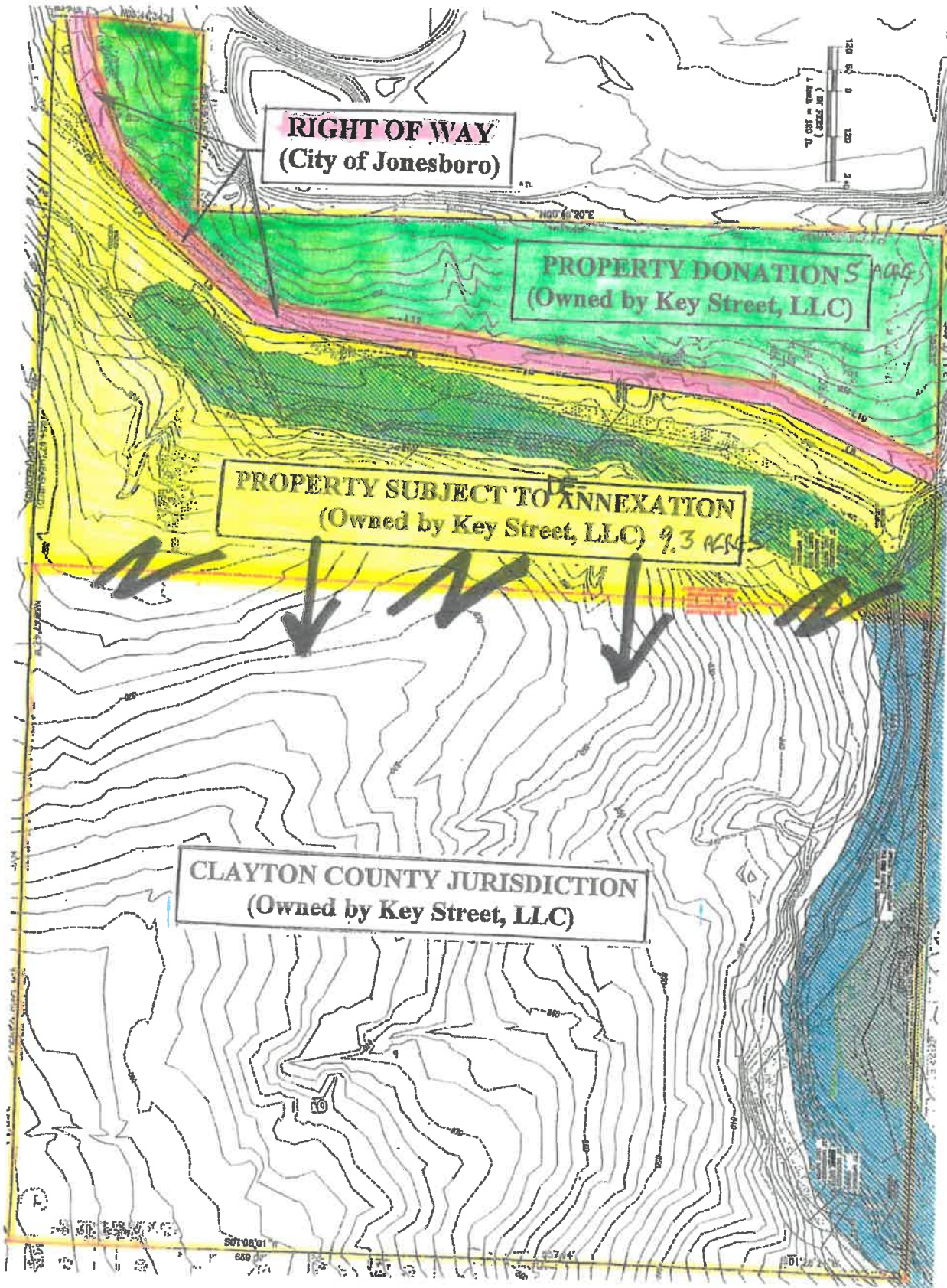
Imagery ©2024 Airbus, CNES / Airbus, Maxar Technologies, U.S. Geological Survey, USDA/FPAC/GE0, Map data ©2024 200 ft







Map data ©2024 500 ft



Attachment: Color Coded Diagram (3724 : De-Annexation of Key Street Property to County)



①
② 9 ACRES
③
ALL OWNED BY:
KEY STREET LLC
5755 DUVERGE DR.
SUITE 130
ATLANTA, GA. 30327

Zoneo R-2 (Single-Family)
IN HISTORIC RESIDENTIAL
OVERLAY

- No Floodplain

- Key Street in
Bao Shae - narrow

Battle Ground Park

Attachment: Color Coded Diagram (3724 : De-Annexation of Key Street Property to County)

Google Maps 141 Key St

Jonesboro, Georgia

Google Street View

Jan 2022 See more dates

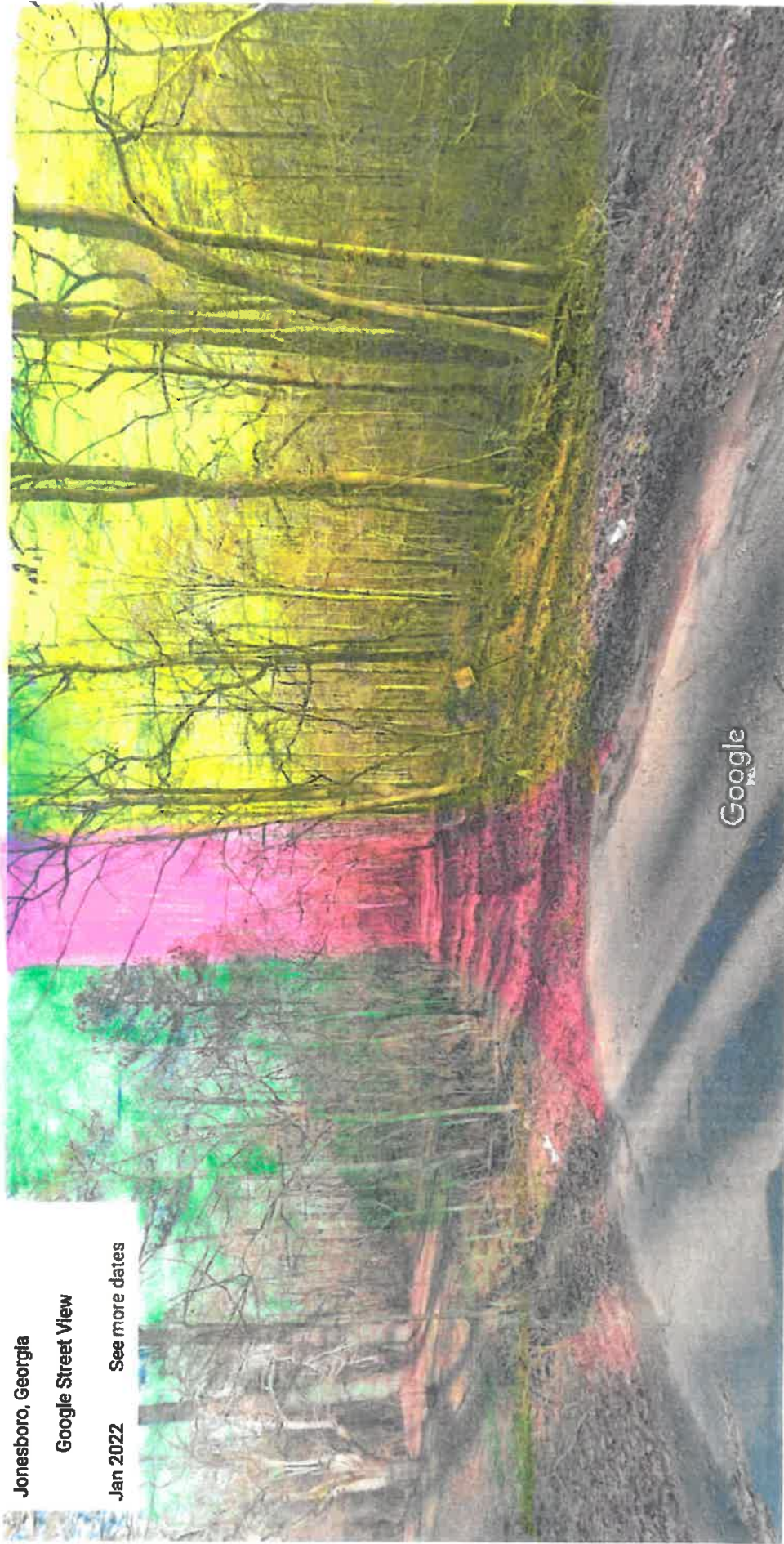


Image capture: Jan 2022 © 2024 Google

First Baptist Jonesboro

S Main St

Key St

141

David Allen

From: Harold Cunliffe <hcunliffe@pacificgroupinc.com>
Sent: Wednesday, February 21, 2024 5:03 PM
To: David Allen
Subject: Re: Key Street Annexation

I'm in SC now with lousy internet so I can't check. But I can report that Resolution 2024-043 was on the consent agenda.

I suspect that it will take a few days for the minutes to be published and then a few more for the signed version to become available. I'll keep checking and will send you the signed version asap.

Harold

Sent from my iPhone

On Feb 21, 2024, at 4:49 PM, David Allen <dallen@jonesboroga.com> wrote:

How did meeting go?

From: Harold Cunliffe <hcunliffe@pacificgroupinc.com>
Sent: Friday, February 2, 2024 8:30 AM
Cc: David Allen <dallen@jonesboroga.com>
Subject: RE: Key Street Annexation

David:

Further to the email chain below, I talked with India Mitchell of the Clayton Attorney's office on Tuesday. She is preparing a revised Resolution for the Commission's consideration. This Resolution will indicate Clayton's consent to accept only B001Z. She believes that this will go before the Commission on February 20, 2024.

I am sending you this for your information.

Harold

From: Harold Cunliffe
Sent: Monday, January 29, 2024 9:33 AM
To: 'Patrick.Ejike@ClaytonCountyGA.gov' <Patrick.Ejike@ClaytonCountyGA.gov>;
 'India.Mitchell@ClaytonCountyGA.gov' <India.Mitchell@ClaytonCountyGA.gov>
Cc: 'David Allen' <dallen@jonesboroga.com>
Subject: FW: Key Street Annexation

Dear Patrick and India:

Further to the email chain below, may I suggest that the Clayton Commission amends Resolution 2023-192 to eliminate Tax Parcel 12016D A002 from de-annexation? That will leave 12016D B001Z to be de-annexed.

I have attached three files for easy reference.

Attachment: Resolution Correspondence (3724 : De-Annexation of Key Street Property to County)

NOTICE OF DE-ANNEXATION

This is a notice of hearing of the City of Jonesboro Mayor & Council for the purpose of considering a certain tract of land to be de-annexed from the City into unincorporated Clayton County pursuant to a signed petition. At such hearing, the Mayor & Council shall consider that tract or parcel of land lying and being in the City of Jonesboro, Georgia, as described in the deed recorded in the real property records of the Clerk of the Superior Court of Clayton County as follows: Book/Page: 10846/350-352 (Parcel No. 12016D B001Z). Said aforementioned property which is currently zoned as City R-2 (Single-Family Residential) will be rezoned to a County zoning per County Ordinances. Said City hearing shall take place on March 11, 2024 at 6:00 PM, in the court chambers of the Jonesboro City Center, 1859 City Center Way, Jonesboro, GA. Same item will be further discussed at the Work Session on March 4, 2024 at 6:00 PM, also in the court chambers of the Jonesboro City Center, 1859 City Center Way, Jonesboro, GA.

David D. Allen
Community Development Director

Publish 2/21/24



MEMORANDUM

To: Harold Cunliffe
Key Street LLC
5755 Dupree Drive
Atlanta, Ga. 30327

From: David D. Allen
City of Jonesboro
1859 City Center Way
Jonesboro, GA 30236

Date: February 23, 2024

Re: Notification of Request for De-Annexation – 0 Key Street, Parcel No. 12016D
B001Z

Dear Applicant,

This letter is to serve as notification that the City of Jonesboro has received your request for de-annexation of the above referenced property from the City to Clayton County.

A Public Hearing has been scheduled for Monday, March 11, 2024 at 6:00 pm before the Jonesboro Mayor and City Council to consider the request as described above. A Work Session has been scheduled on the same item for Monday, March 4, 2024 at 6:00 pm. The meetings will be conducted in the court chambers of the Jonesboro City Center, 1859 City Center Way, Jonesboro, Ga.

Should you have any questions regarding the decision, please do not hesitate to contact me at 770-478-3800 or at dallen@jonesboroga.com.

Sincerely,

David D. Allen
Community Development Director / Zoning Administrator

SECONDER: Gail Hambrick, Commissioner
AYES: Jeff Turner, Alieka Anderson, Gail Hambrick, DeMont Davis
EXCUSED: Felicia Franklin

14. **Resolution 2024-43:** A resolution amending the acceptance of de-annexed properties located within the City of Jonesboro to unincorporated Clayton County; to authorize the Chairman to execute any documents relating thereto and to otherwise perform all acts necessary to accomplish the intent of this resolution; to provide an effective date of this resolution; and for other purposes.

Synopsis: This resolution amends the de-annexation request for property located in the City of Jonesboro, identified as Parcel Number 12016D B001Z, back into unincorporated Clayton County per request from Key Street LLC with the zoning designation of RS 110 – Single Family Residential.

Presented by Chuck Reed- Staff Attorney.

Purpose is to amend the acceptance of de-annex properties in Jonesboro.

RESULT: **APPROVED [UNANIMOUS]**
MOVER: Alieka Anderson, Commissioner
SECONDER: Gail Hambrick, Commissioner
AYES: Turner, Anderson, Hambrick, Franklin, Davis

15. **Resolution 2024-44:** A resolution authorizing Clayton County, through its Office of Resiliency and Sustainability, to apply for and accept grant funds from the Federal Emergency Management Agency's Building Resilient Infrastructure and Communities Grant program; to authorize the Chairman to execute any documents relating thereto and to otherwise perform all acts necessary to accomplish the intent of this resolution; to authorize the Chief Financial Officer to amend the budget where necessary to reflect an appropriate revenue source and expense; to provide an effective date of this resolution; and for other purposes.

Synopsis: This resolution authorizes Clayton County, through the Office of Resilience and Sustainability, to apply for a grant in the amount of up to \$50,000.00 from the Federal Emergency Management Agency's (FEMA) Building Resilient Infrastructure and Communities Program for the purpose of revising, updating, and maintaining the County's Hazard Mitigation Plan for 2027; such grant will not require a County cost share.

RESULT: **APPROVED [3 TO 1]**
MOVER: Gail Hambrick, Commissioner
SECONDER: Alieka Anderson, Commissioner
AYES: Jeff Turner, Alieka Anderson, Gail Hambrick
NAYS: DeMont Davis
EXCUSED: Felicia Franklin

STATE OF GEORGIA

COUNTY OF CLAYTON

RESOLUTION NO. 2024-43

A RESOLUTION AMENDING THE ACCEPTANCE OF DE-ANNEXED PROPERTIES LOCATED WITHIN THE CITY OF JONESBORO TO UNINCORPORATED CLAYTON COUNTY; TO AUTHORIZE THE CHAIRMAN TO EXECUTE ANY DOCUMENTS RELATING THERETO AND TO OTHERWISE PERFORM ALL ACTS NECESSARY TO ACCOMPLISH THE INTENT OF THIS RESOLUTION; TO PROVIDE AN EFFECTIVE DATE OF THIS RESOLUTION; AND FOR OTHER PURPOSES.

WHEREAS, on September 19, 2023 the Clayton County (“County”) Board of Commissioners (“Board”) passed Resolution Number 2023-192, accepting a request from Key Street, LLC (“Company”) to de-annex two properties which included fourteen (14) acres from the City of Jonesboro (“City”) with the zoning designation of RS 110 – Single Family Residential, pursuant to the Zoning Code of Clayton County, said properties being more specifically identified by their respective Parcel Number as 12016D A002 and 12016D B001Z; and

WHEREAS, the Company submitted to the County incorrect information, in so far as the Company only intended to request that Parcel Number 12016D B001Z (“the Property”) be de-annexed from the City to the County; and

WHEREAS, the Company does not wish to de-annex Parcel Number 12016D A002; and

WHEREAS, de-annexation of the Property only will reduce the amount of de-annexed property from 14 acres to 9.3 acres; and

WHEREAS, the Board hereby amends its acceptance of the de-annexation request described in Resolution Number 2023-192 and hereby agrees to de-annex certain property

located within the City of Jonesboro, identified as Parcel Number 12016D B001Z, back into unincorporated Clayton County per request from Key Street LLC with the zoning designation of RS 110 – Single Family Residential, pursuant to the Zoning Code of Clayton County; and

WHEREAS, upon approval of this Resolution and de-annexation of the Property by the City, the County shall accept the Property back into unincorporated Clayton County, and the lot would proceed as envisioned in its development plan and otherwise would conform to the County designation of RS 110, as well as all access be derived from the County; and

WHEREAS, the Board deems it in the best interest of the County and the County will best be served by amending the acceptance of the request for the foregoing reasons.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF
CLAYTON COUNTY, GEORGIA AND IT IS HEREBY RESOLVED

Section 1. The Board of Commissioners hereby authorizes Clayton County to amend the acceptance of the proposed de-annexation of certain property located within the City of Jonesboro, identified as Parcel Number 12016D B001Z, by accepting Parcel Number 12016D B001Z back into unincorporated Clayton County per request from Key Street LLC with the zoning designation of RS 110 – Single Family Residential, pursuant to the Zoning Code of Clayton County. Said property contains approximately 9.3 acres. The Board also authorizes the Chairman to perform all acts necessary to accomplish the intent of this Resolution.

Section 2. This Resolution shall be effective on the date of its approval by the Board of Commissioners.

[SIGNATURES LOCATED ON THE FOLLOWING PAGE]

SO RESOLVED, this the 20th day of February, 2024.

CLAYTON COUNTY BOARD OF COMMISSIONERS

JEFFREY E. TURNER, CHAIRMAN

DEMONT DAVIS, VICE-CHAIR

ALIEKA ANDERSON, COMMISSIONER

GAIL HAMBRICK, COMMISSIONER

FELICIA FRANKLIN, COMMISSIONER

ATTEST:

COURTNEY RUSHIN, CLERK