



CITY OF JONESBORO
Work Session
1859 CITY CENTER WAY
February 5, 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 - PASTOR ROBERT TAYLOR, SHILOH BAPTIST CHURCH**
- IV. ADOPTION OF AGENDA**
- V. OTHER BUSINESS**
 - A. Executive Session pertaining to employment matters
 - B. Consider any action(s) if necessary based on decision(s) made in Executive Session.
- VI. PUBLIC COMMENT**
- VII. PRESENTATIONS**
- VIII. PUBLIC HEARING**
- IX. WORK SESSION**
 1. Discussion regarding possible minimum wage increase for hourly City workers.
 2. 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.
 3. Discussion 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.

4. Discussion 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.
5. Discussion 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.
6. Discussion regarding proposal by Economic Development Director to establish a Market Committee to oversee the activities of the organization currently known as the City of Jonesboro Farmers Market.
7. Discussion regarding possible increase in annual vacant commercial building fee.
8. Discussion regarding Historic Preservation Commission Re-Appointments.
9. Discussion regarding Design Review Commission Re-Appointments.
10. Update on Public Works activities in January.

X. ADJOURNMENT

	CITY OF JONESBORO, GEORGIA COUNCIL Agenda Item Summary	Agenda Item # - 1
		COUNCIL MEETING DATE February 5, 2024
Requesting Agency (Initiator) Office of the City Manager	Sponsor(s) Mayor Sartor	
Requested Action <i>(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)</i> Discussion regarding possible minimum wage increase for hourly City workers.		
Requirement for Board Action <i>(Cite specific Council policy, statute or code requirement)</i> Review Proposal		
Is this Item Goal Related? <i>(If yes, describe how this action meets the specific Board Focus Area or Goal)</i> Yes Safety, Health and Wellbeing		
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> The Mayor is proposing a minimum wage increase for hourly City workers. The current lowest hourly rate is \$15.59. The proposal is to raise the minimum rate to \$17.95 an hour to come closer to achieving a living wage for full-time employees in the City. Current number of hourly employees in the City below \$17.40 / hour: 10		
Fiscal Impact <i>(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)</i> To Be Determined		
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 February, 5, 2024	
Signature	City Clerk's Office	

	CITY OF JONESBORO, GEORGIA COUNCIL Agenda Item Summary	Agenda Item # - 2	9.2
	COUNCIL MEETING DATE February 5, 2024		
Requesting Agency (Initiator) Office of the City Manager	Sponsor(s) Community Development Director Allen		
Requested Action <i>(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)</i> 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.			
Requirement for Board Action <i>(Cite specific Council policy, statute or code requirement)</i> O.C.G.A. 36-36-131 to 36-36-134			
Is this Item Goal Related? <i>(If yes, describe how this action meets the specific Board Focus Area or Goal)</i> Yes Community Planning, Neighborhood and Business Revitalization			
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> Agency Recommendation: Approval of de-annexation of subject tract from the City of Jonesboro to Clayton County. <u>Purpose & Description of the Request</u> - 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> - 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 February, 5, 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.

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
- Notice of De-Annexation of Parcels
- Zoning Sign
- Meeting Notice Letter

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 (3683 : 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 (3683 : 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.
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 (3683 : 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) 478-9950
 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 (3683 : 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 (3683 : 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 (3683 : 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 (3683 : 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 (3683 : De-Annexation of Key Street Property to County)

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

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.

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 (3683 : 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.

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

Attachment: Correspondence (3683 : 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

-4 AC. +/- CITY

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

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 (3683 : 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,

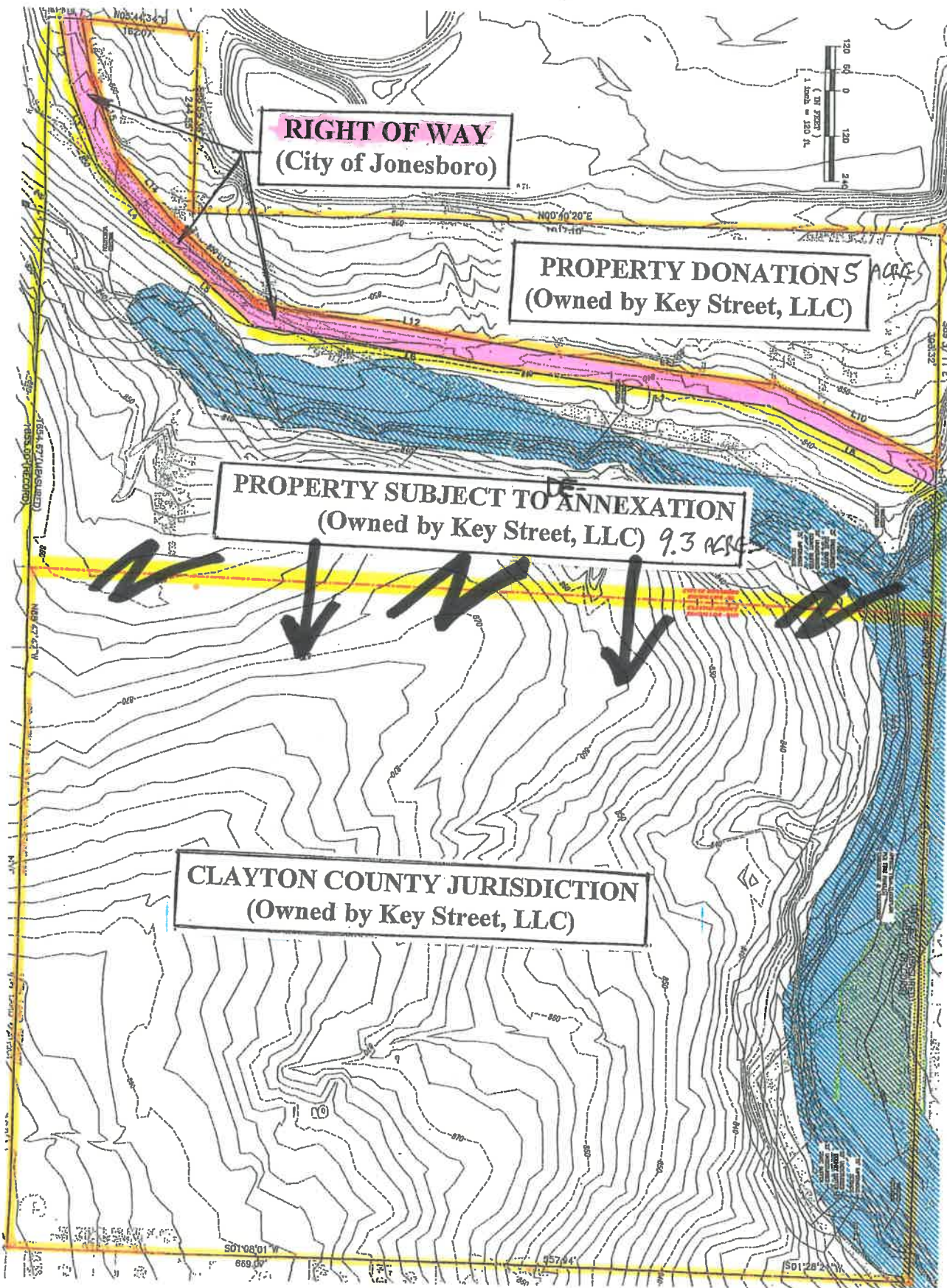
Resolution 2023-192 is attached.

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 (3683 : De-Annexation of Key Street Property to County)





Ex. County

To Be
De Annexed

Attachment: Diagrams (3683 : 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

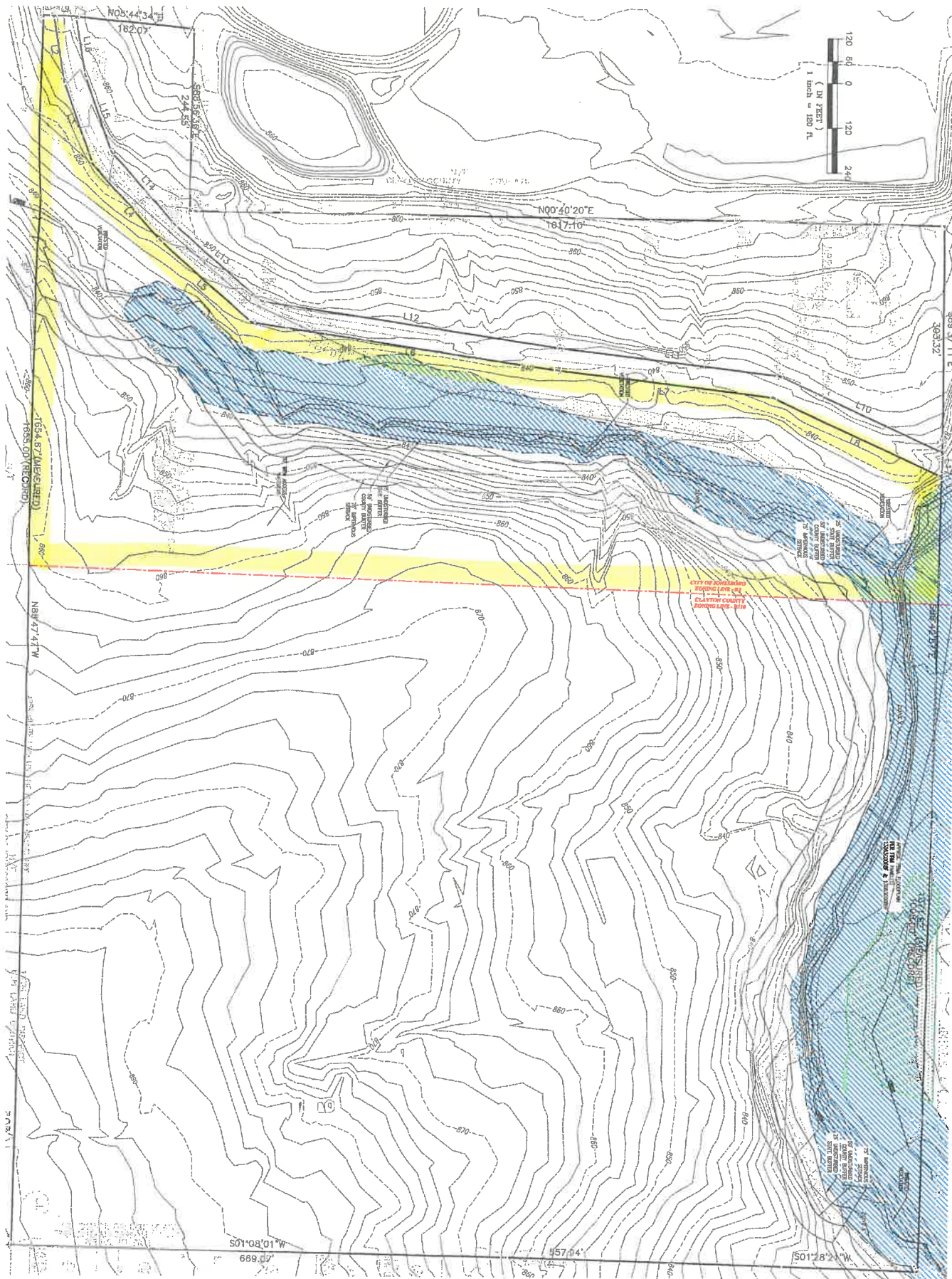


EXHIBIT "A"
Legal Description

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.

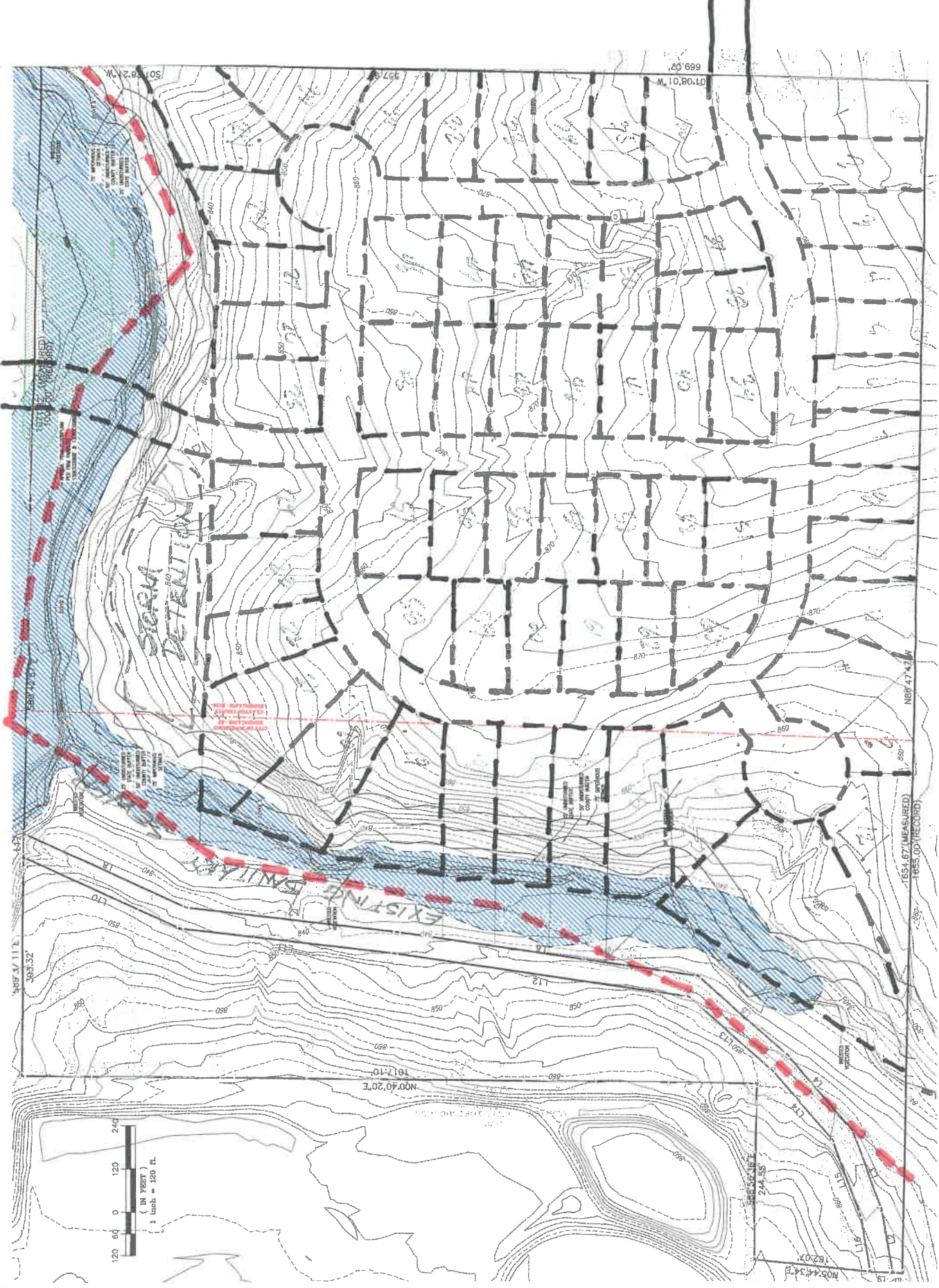
ALSO:

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 (3683 : 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:

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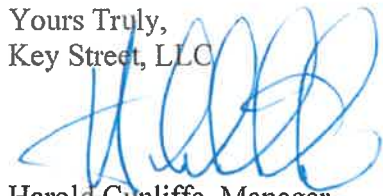
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Please consider this request and inform us of any additional steps that we should take or of any additional information that you require. By copy of this letter, we are advising Mr. David Allen of this request.

Yours Truly,
Key Street, LLC



Harold Cunliffe, Manager

cc: David Allen, Community Development Director, City of Jonesboro
DAllen@JonesboroGA.com

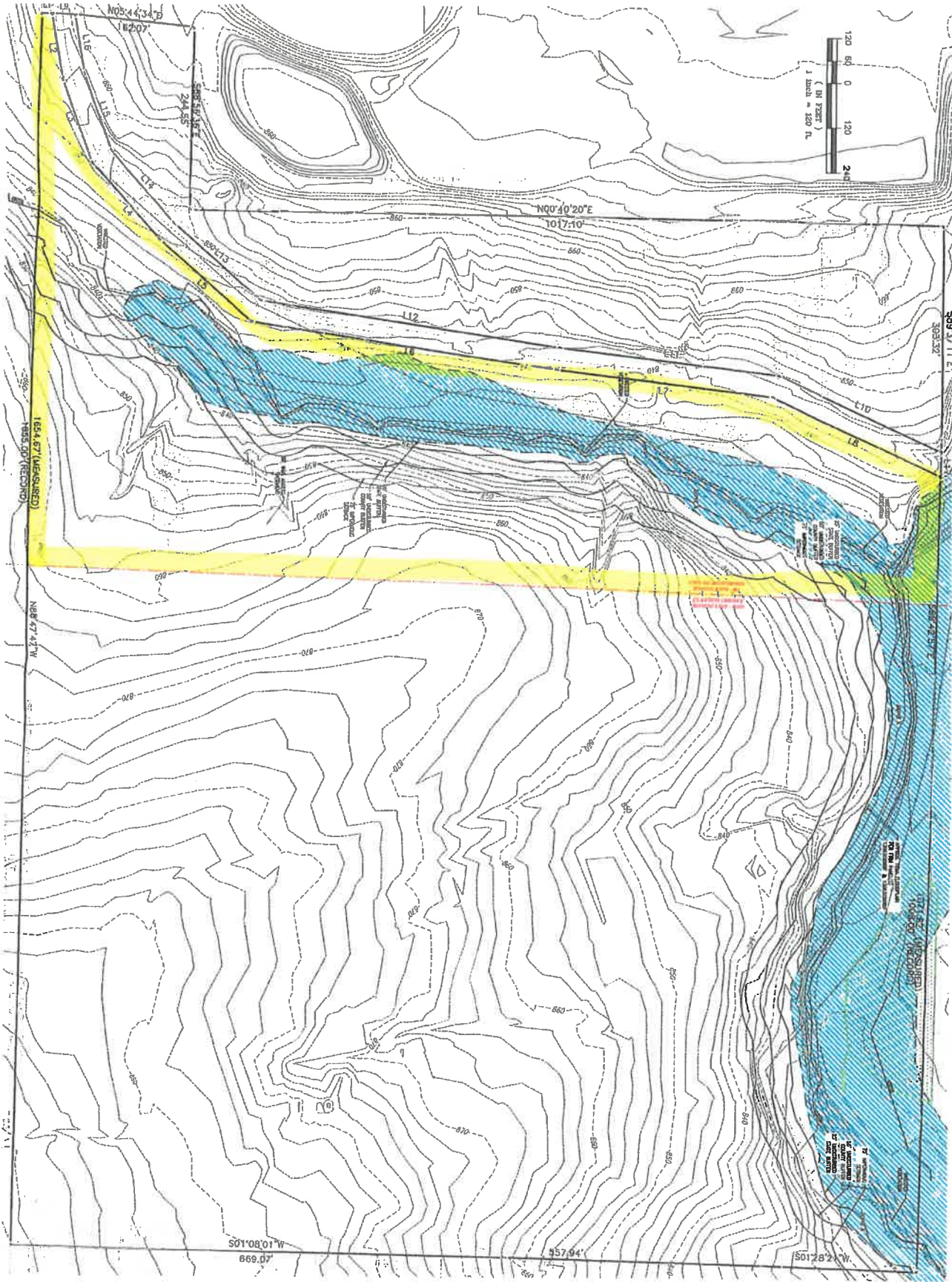


EXHIBIT "A"
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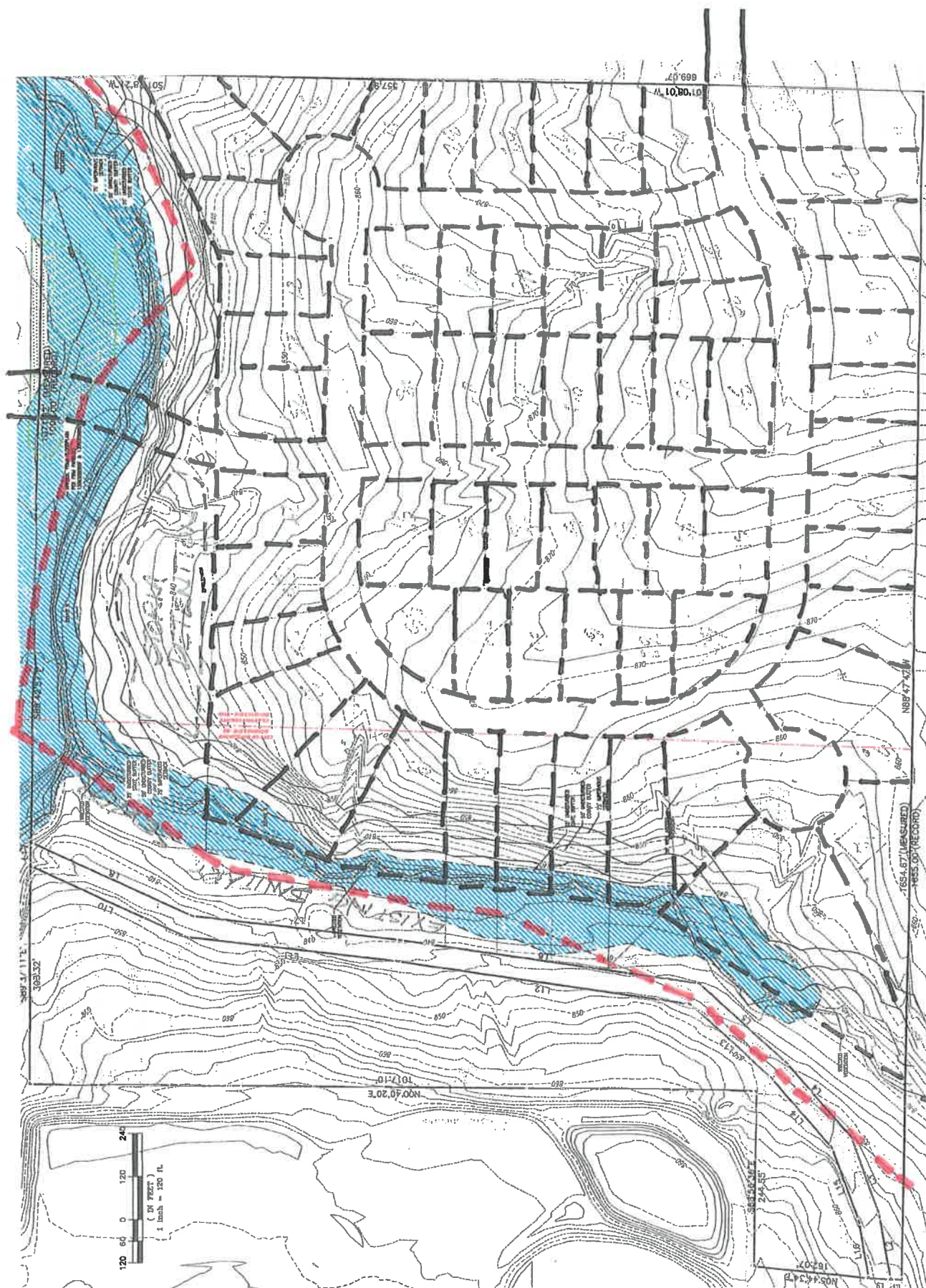
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BK 10846PG352

Attachment: County Request (3683 : 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

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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Attachment: State Code (3683 : 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

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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§ 36-36-134. 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

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

© 2023 Thomson Reuters. No claim to original U.S. Government Works.

Attachment: State Code (3683 : De-Annexation of Key Street Property to County)

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

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.

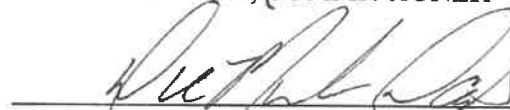
CLAYTON COUNTY BOARD OF COMMISSIONERS


JEFFREY E. TURNER, CHAIRMAN

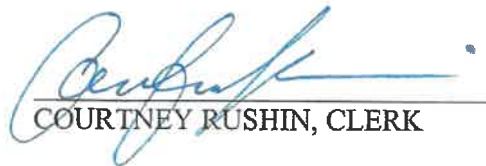

FELICIA FRANKLIN, VICE-CHAIR


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

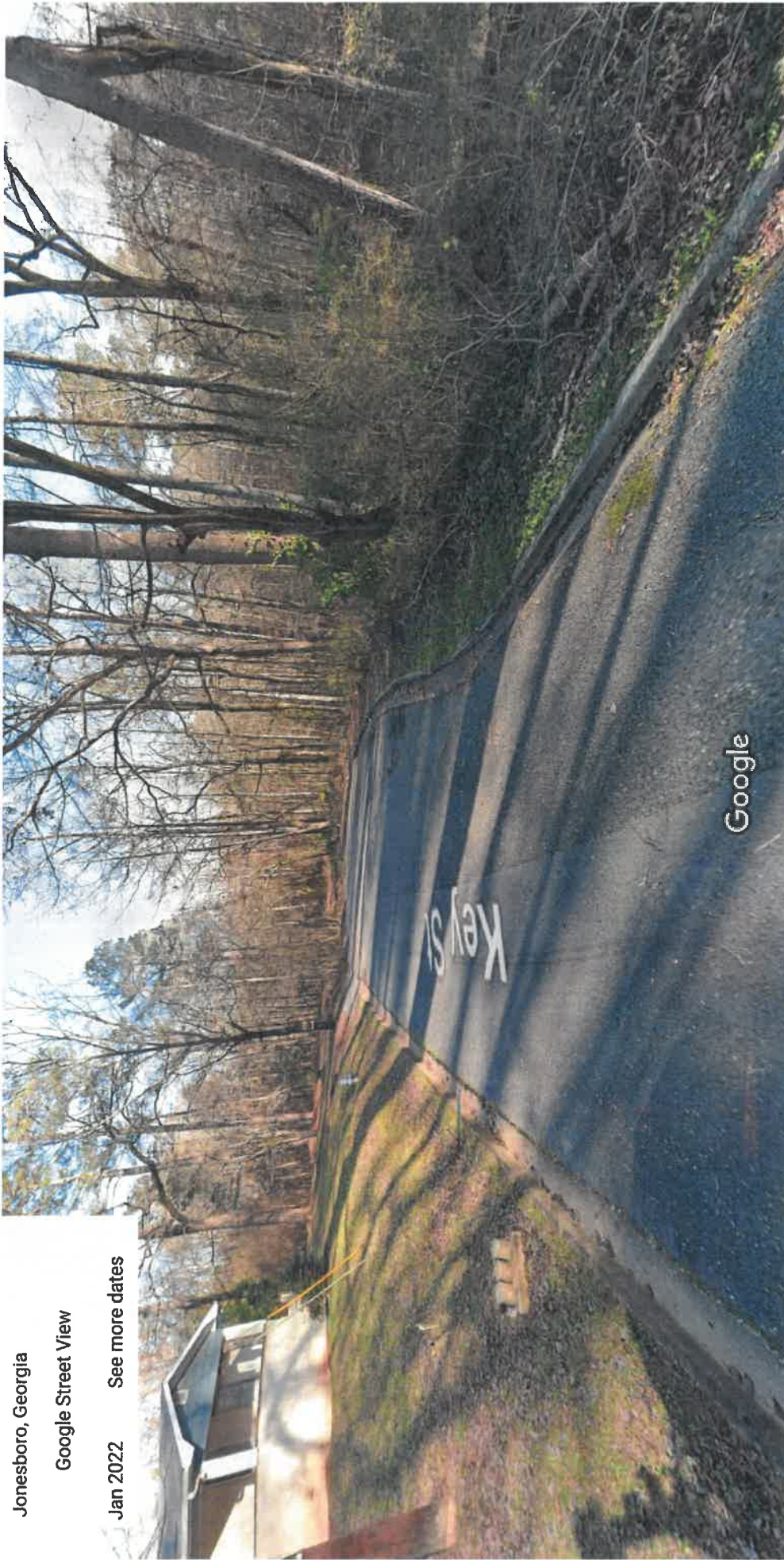


Image capture: Jan 2022 © 2024 Google



Google Maps 141 Key St

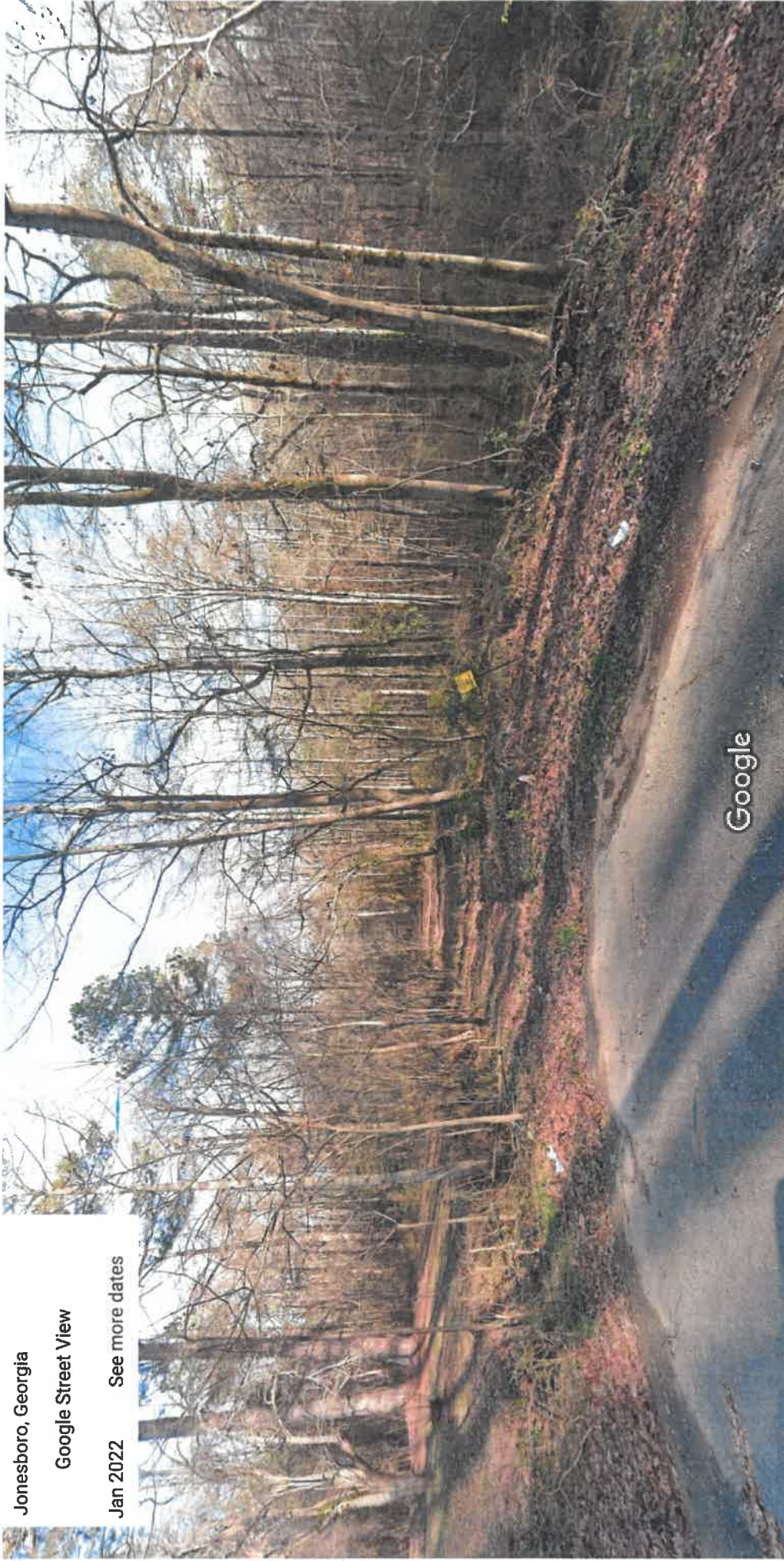


Image capture: Jan 2022 © 2024 Google

Jonesboro, Georgia
Google Street View
Jan 2022 See more dates



Google Maps 141 Key St

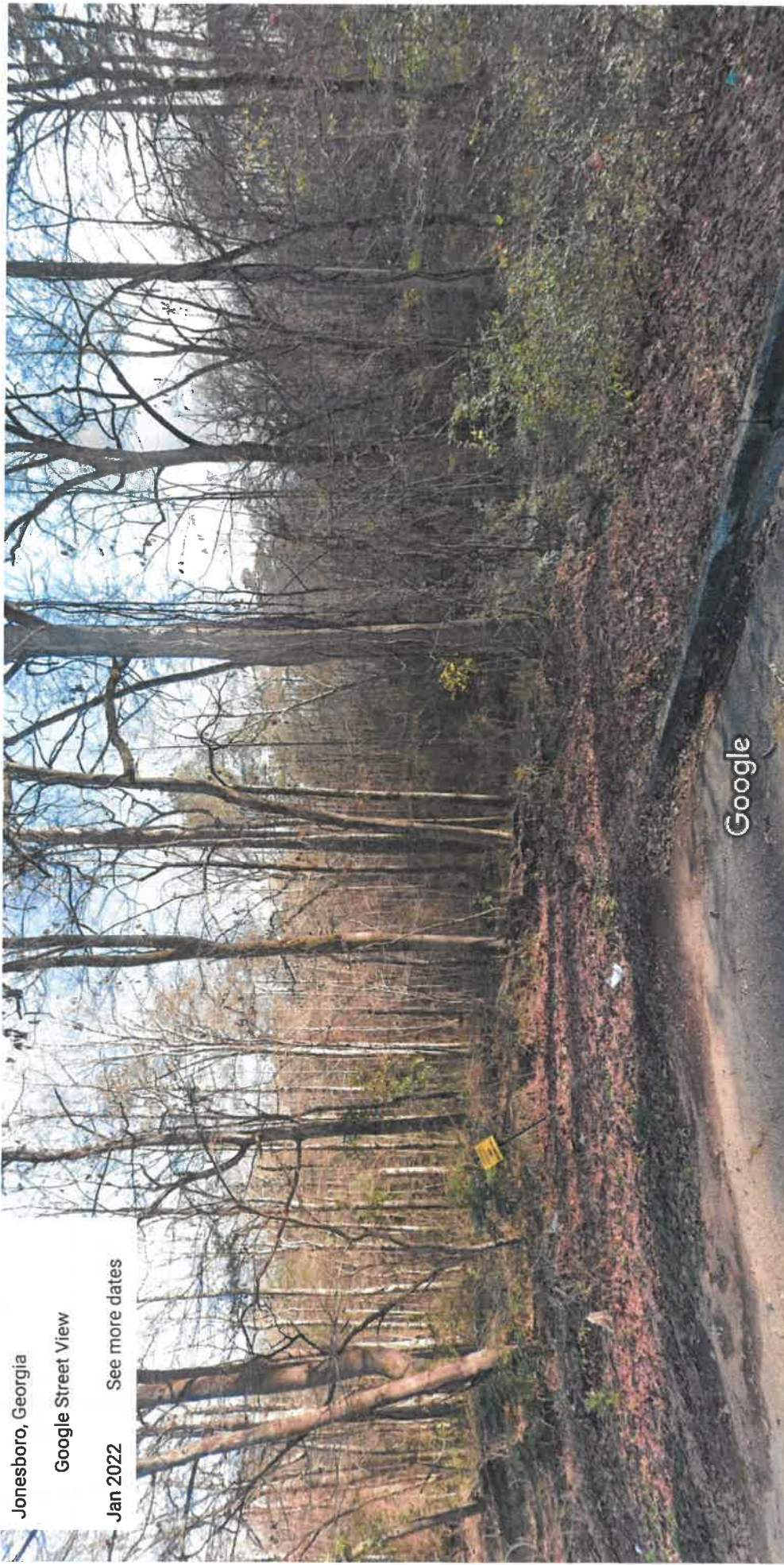
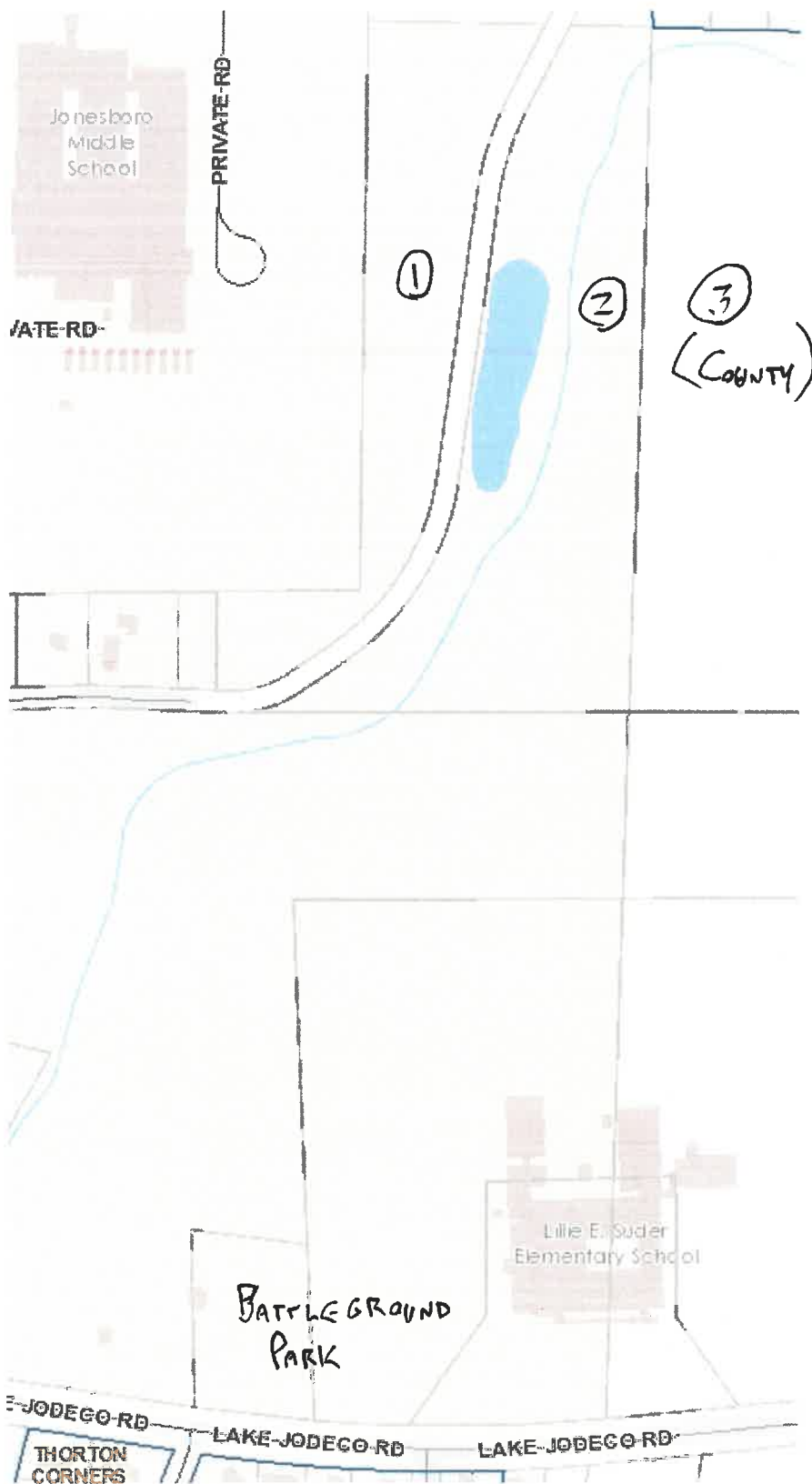


Image capture: Jan 2022 © 2024 Google





①

② 9 ACRES

③

ALL OWNED BY:

KEY STREET LLC

5755 DUPREE DR.

SUITE 130

ATLANTA, GA. 30327

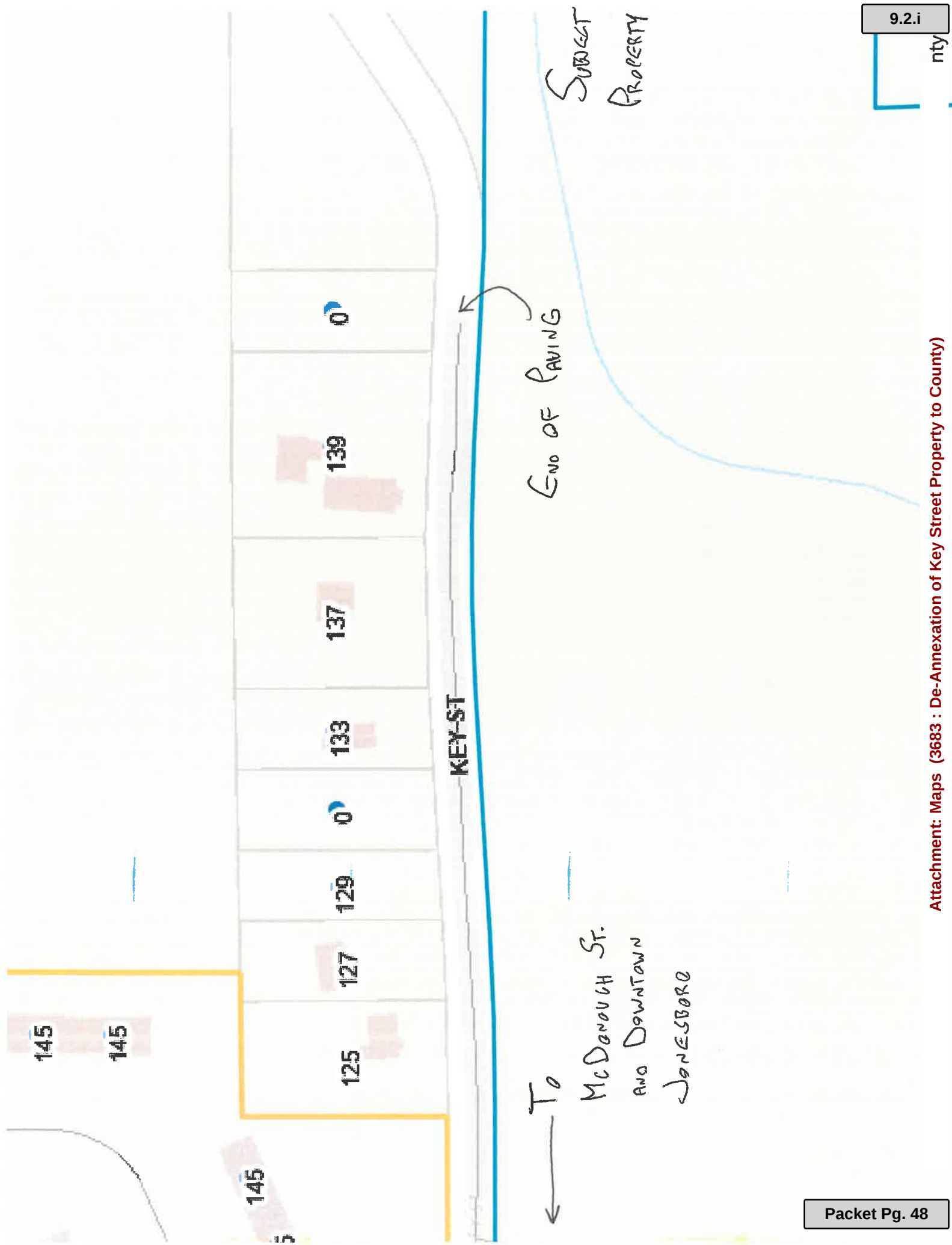
ZONED R-2 (SINGLE-F 4)

IN HISTORIC RESIDENTIAL
OVERLAY

— NO FLOODPLAIN

— KEY STREET IN
BAD SHAPE; NARROW

Attachment: Maps (3683 : De-Annexation of Key Street Property to County)



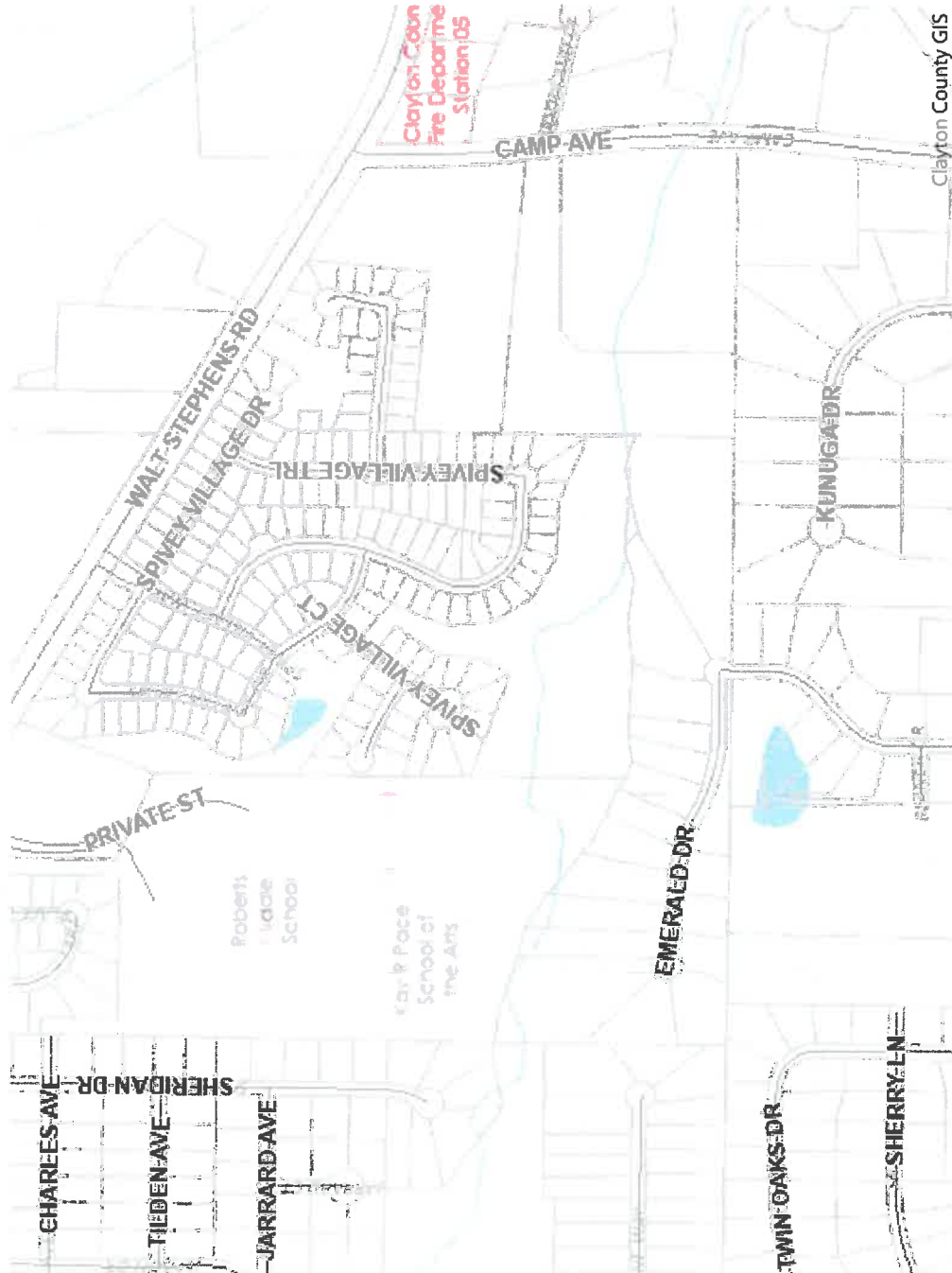


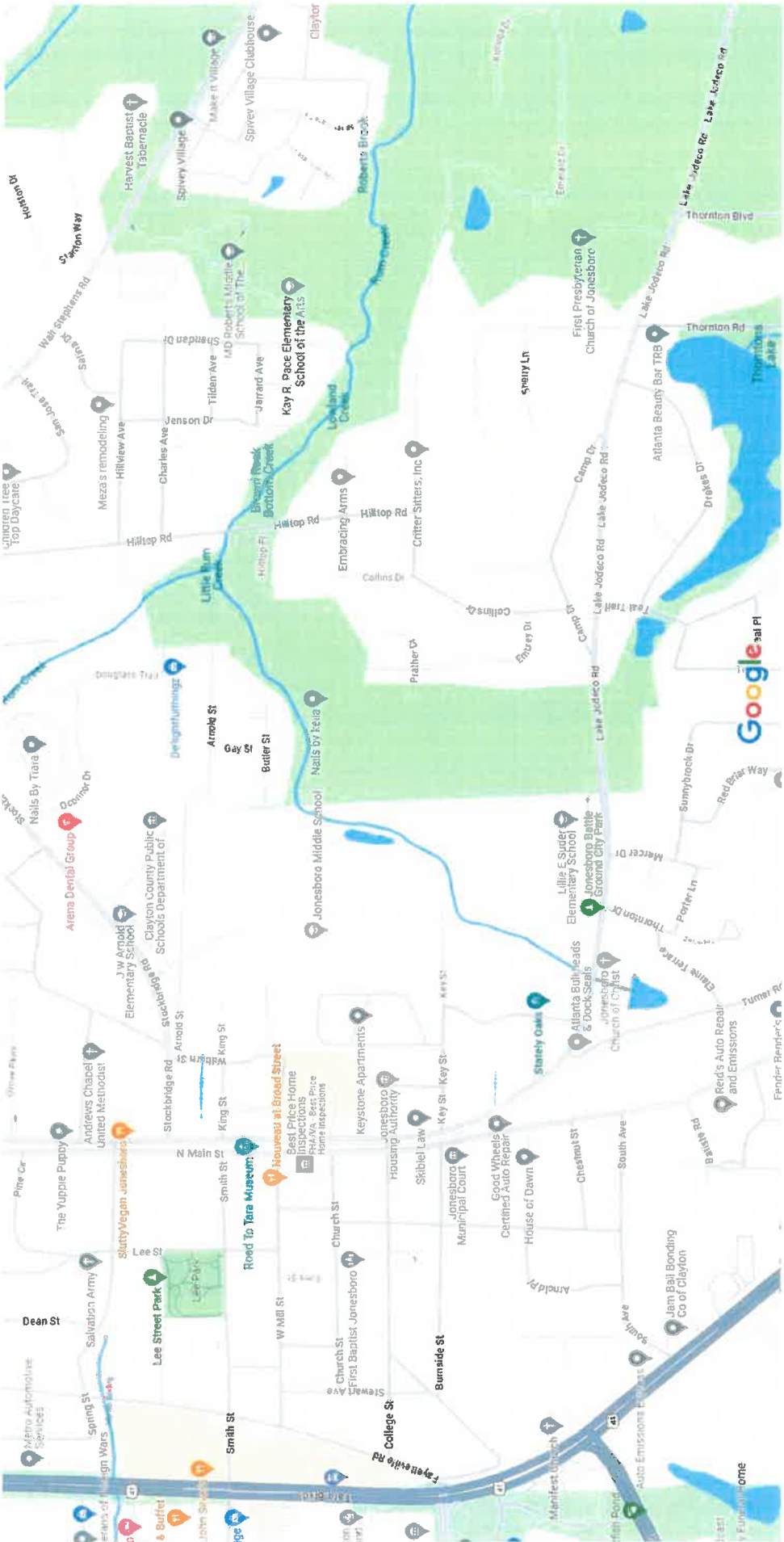
Carron Co.



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







Map data ©2024 500 ft

NOTICE OF REZONING

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 February 12, 2024 at 6:00 PM, in the court chambers of the Jonesboro City Center, 1859 City Center Way, Jonesboro, GA. Same item will first be discussed at the Work Session on February 5, 2024 at 6:00 PM, also in the court chambers of the Jonesboro City Center, 1859 City Center Way, Jonesboro, GA.

David D. Allen
Interim City Manager / Community Development Director

Publish 1/24/24

CITY OF JONESBORO PUBLIC NOTICE

An application has been filed for a

DeANNEXATION - City → County
at this location

○ Key St. - Parcel 12016D B001Z
A PUBLIC HEARING on this application will be
held on **FEBRUARY 12 20 24**, at **6** p.m.

1859 City Center Way
Any questions, call City Hall at 770-478-3800

Date of Posting. **JANUARY 25 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: 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: January 26, 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, February 12, 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, February 5, 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 #

9.3

- 3

COUNCIL MEETING DATE

February 5, 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.)

Discussion 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.

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

Chapter 6 Alcoholic Beverages

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.)

The applicant, Mageedah Wood, is applying for a new consumption on premises of beer, wine, and distilled spirits for the Rendezvous Event Center and Banquet Hall located at 188 North Avenue. The event center has already received zoning approval.

Background:

1. This location currently does not have an Alcohol Beverage License to pour distilled spirits, beer and wine. Applicant has been approved to operate an event center at this location.
2. The subject restaurant is not located within any special district. Surrounding zoning, general plan land use designations and existing uses are primarily C-2 (Highway Commercial).
3. Purpose. The purpose of the C-2 commercial district is to accommodate intense retail and service commercial uses along Jonesboro's arterial highways. A broad range of such uses anticipates traffic from surrounding areas traveling through the city and affords a broad segment of the business community access to the large customer volumes associated with such locations. The automobile is the principal means of transit for shoppers in this district, and convenient on-premises parking is a primary concern. Given the value of arterial locations intended to capture heavy retail traffic, such industrial uses as manufacturing, distribution and processing are prohibited in order to reserve high visibility and enhanced access locations for highway commercial uses.
4. Factual. This property has had several event centers over the years but has not been occupied for over a year.

Facts & Issues:

1. David Allen, Community Development Director, has reviewed the application packet. All requirements, per Chapter 6-Alcoholic Beverages, were met.
2. The Jonesboro Chief of Police has conducted a computerized criminal history records check for the applicant and recommends approval. The most recent records check (January 2024) was approved.
3. As required by Section 6-39, the applicant has submitted the required land survey. Per Section 6-47, for dealers of distilled spirits, regardless of whether malt beverages and/or wine is also sold, the licensee's premises cannot be located within 100 yards of any church building or within 200 yards of any school or education building, school ground, or college campus as defined in O.C.G.A. § 3-3-21.

For dealers of distilled spirits, wine or malt beverages, the licensee's premises cannot be located within 100 yards of any

FOLLOW-UP APPROVAL ACTION (City Clerk)

Typed Name and Title

Melissa Brooks, City Clerk

Date

February, 5, 2024

Signature

City Clerk's Office

alcoholic treatment center as defined in O.C.G.A. § 3-3-21. The survey presented shows that the nearest church (Jonesboro Church of God in Christ) is 1056 yards away, nearest school (Future Leaders Christian Academy) is 362 yards away, and the nearest Alcohol Treatment Center is 1.1 miles away. Nearest alcohol sales location is the QuikTrip across North Avenue from the subject property – 255 yards away.



Fiscal Impact

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

Liquor License Cost - \$4500

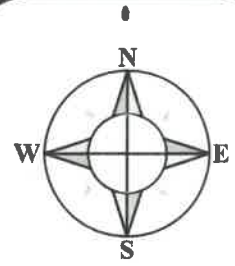
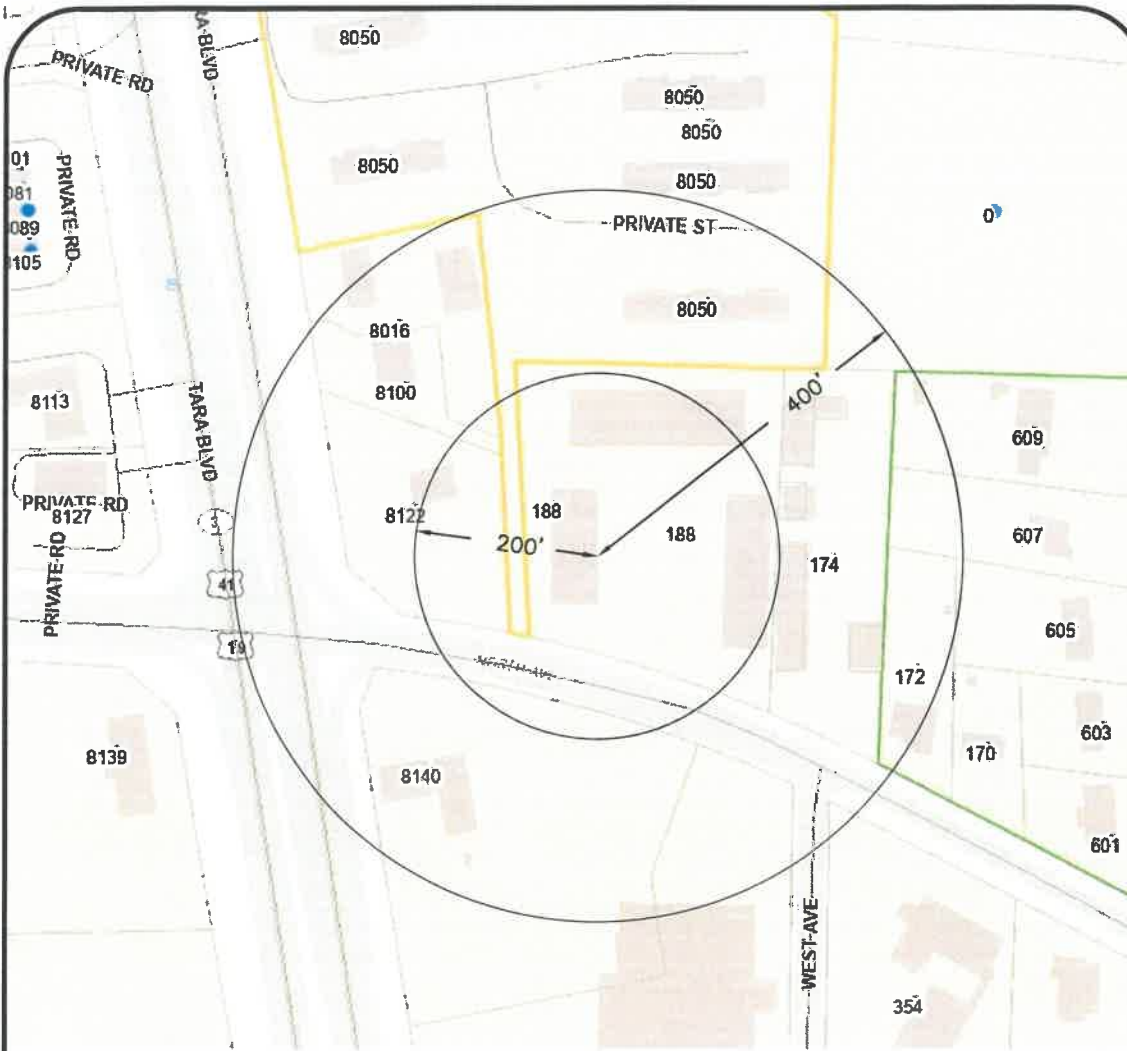
Application Fee - \$500

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

- Survey
- Legal Notice Event Center - 188 North Avenue February 2024
- Sign
- Meeting Notice Letter

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

Approval



MAGNETIC
NORTH

SCALE: 1"=200'

ALCOHOL SURVEY
 PREPARED FOR: MARCUS WOOD
 188 NORTH AVE.
 JONESBORO, GA. 30236
 LAND LOT 210, 13TH DISTRICT
 CITY OF JONESBORO
 CLAYTON COUNTY
 GEORGIA - 12/13/2023

NEAREST SCHOOL: ±1.088'
 FUTURE LEADERS CHRISTIAN ACADEMY
 354 WEST AVENUE
 JONESBORO, GA 30236

NEAREST CHURCH: ±3.168'
 JONESBORO CHURCH OF GOD IN CHRIST
 256 NORTH MAIN STREET
 JONESBORO, GA 30236

NEAREST ALCOHOL SALES: ±766'
 QUIKTRIP
 8140 TARA BLVD
 JONESBORO, GA 30236

NEAREST ALCOHOL TREATMENT CENTER: ±5.808'
 ANGELS RECOVERY
 124 SOUTH MAIN STREET
 JONESBORO, GA 30236

THE DISTANCE MEASURED FROM THE FRONT DOOR, WHERE THE ALCOHOLIC BEVERAGES ARE SOLD, IN A STRAIGHT LINE TO THE NEAREST PUBLIC SIDEWALK, WALKWAY, STREET, ROAD OR HIGHWAY; ALONG SUCH PUBLIC SIDEWALK, WALKWAY, STREET, ROAD OR HIGHWAY BY THE NEAREST ROUTE TO THE MAIN PUBLIC ENTRANCE OF THE BUILDING, OR THE NEAREST PORTION OF THE GROUNDS, OF ANY CHURCH BUILDING OR SCHOOL BUILDING ACCORDING TO THE FOLLOWING STANDARDS: (CITY OF JONESBORO SECT 6-39)

THIS DRAWING WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITY NAMED HEREON FOR ALCOHOL PERMIT OR LICENSE APPLICATION PURPOSES ONLY AND DOES NOT EXTEND TO ANY UNNAMED PERSON WITHOUT A RECERTIFICATION BY THE SURVEYOR NAMING SAID PERSON.



FOR THE FIRM
 BOUNDARY ZONE, INC.
 LSF #839
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 ORIGINAL SIGNATURE

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BOUNDARY
zone, inc. SURVEYORS, ENGINEERS
 AND LAND PLANNING

800 SATELLITE BLVD., SUWANEE, GA 30024
 WWW.BOUNDARYZONE.COM (770) 271-5772

800 SATELLITE BLVD.,
 SUWANEE, GA 30024
 WWW.BOUNDARYZONE.COM
 (770) 271-5772

PROVIDING SERVICES FOR METRO
 ATLANTA, RALEIGH-DURHAM &
 CENTRAL FLORIDA.

GRAPHIC SCALE - IN FEET



PROJECT
 2627101

SHEET
 1 OF 1

Attachment: Survey (3686 : 188 North Avenue Alcohol License)

Legal Notice

An application has been submitted to the City of Jonesboro Mayor and City Council for an Alcohol Beverage Pouring license 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. The application will be granted or denied by Mayor and City Council at 6:00 p.m. on February 12, 2024. The required Public Hearing will also be held at that time. Mayor & Council will first discuss the item at their Work Session to be held on February 5, 2024. Both meetings will be held in the court chambers of the Jonesboro City Center, 1859 City Center Way, Jonesboro, Ga. 30236.

David Allen
Interim City Manager / Community Development Director

Publish 1/24/2024



Attachment: Sign (3686 : 188 North Avenue Alcohol License)

CITY OF JONESBORO

PUBLIC NOTICE

An application has been filed for a

ALCOHOL POURING LICENSE

at this location

188 NORTH AVENUE

A PUBLIC HEARING on this application will be held on **FEBRUARY 12 20 24** at **6 p.m.**

1859 CITY CENTER WAY

Any questions, call City Hall at 770-478-3800
Date of Posting -

JANUARY 25 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: Mageedah Wood
1423 Swiftwater Circle
McDonough, Ga. 30252

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

Date: January 30, 2024

Re: Notification of Request for Alcohol Pouring License, 188 North Avenue; Tax Map Parcel No. 13239B B005

Dear Applicant,

This letter is to serve as notification that the City of Jonesboro has received your request for the following requested alcohol pouring license for the above referenced property.

A Public Hearing has been scheduled for Monday, February 12, 2024 at 6:00 p.m. before the Jonesboro Mayor and City Council to consider the request as described above. The meeting will be conducted in the court chambers of the Jonesboro City Center, 1859 City Center Way, Jonesboro, Ga. A Work Session for this item will be held on Monday, February 5, 2024 at 6:00 p.m., also in the court chambers of the Jonesboro City Center. If you have any questions, please do not hesitate to contact me at 770-570-2977 or at dallen@jonesboroga.com.

Sincerely,

A handwritten signature in blue ink, appearing to be "D. Allen", with a long horizontal stroke extending to the right.

David D. Allen
Community Development Director / Zoning Administrator



CITY OF JONESBORO, GEORGIA COUNCIL

Agenda Item Summary

Agenda Item #

9.4

- 4

COUNCIL MEETING DATE

February 5, 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.)

Discussion 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.

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

Section 86-105 O&I District Purpose and Standards; Additional Conditional Uses, Sec. 86-528

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 of Conditional Use application**; In late 2022 / early 2023, the decision was made by the Clayton County Board of Commissioners to move their government offices currently on Smith Street to undeveloped properties within the City of Jonesboro at the corner of Tara Boulevard and Old Poston Road, across the highway from Low Temp Industries. The two County owned parcels here are Parcel 05239 240001 and 05239 033002, both zoned City M-X (Mixed-Use) and will remain in the City. The combined parcels will consist of a new County administrative building, combining multiple facets of County government under one roof. There is also room for several future government buildings, including a new fire station. The buildings and parking areas will be interspersed throughout the site, along with lawn areas and a pavilion to make a more parklike setting.

“Executive, Legislative, and other General Government Support” requires a conditional use permit in M-X zoning. They must comply with the following standards:

Sec. 86-528. NAICS 9211 – Executive, Legislative, and Other General Government Support

The following conditions are assigned in the M-X district:

(1) Must be located on a street having a classification of collector or greater. **Tara Blvd is an arterial street, and Old Poston Road is a County collector road for many of the residential subdivisions to the west of Tara Blvd.**

(2) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided. **Complies. See site plan.**

(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). **Complies.**

(4) Height regulations. The maximum height for buildings abutting a residential district or use shall be three stories or 35 feet as measured at any point 30 feet from any common property line. Building height may be increased one foot for every additional foot beyond a distance of 30 feet from any common property line.; however, no building shall ever exceed a total height of 75 feet. **Top of parapet is 50 feet. The Gateway South Overlay, with which the subject parcels are also located in, is the governing factor for building design in the area and allows for a maximum of 4 stories and 60 feet in height.**

The use meets all of these standards. While being a County government building (which essentially can be approved in its own right), officials agree that it is most proper to go through the same process as a private

FOLLOW-UP APPROVAL ACTION (City Clerk)

Typed Name and Title

Melissa Brooks, City Clerk

Date

February, 5, 2024

Signature

City Clerk's Office

development would, for record's sake, much like the Clayton County IT building did several years ago, just north of the subject property.

9.4

The facility will help with many of the County government's space challenges. It will benefit the City in terms of the quality architecture being the "second pillar" of the southern gateway into the City limits, alongside Low Temp Industries on the east side of Tara Boulevard.

Fiscal Impact

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

County SPLOST funds

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

- Zoning Info
- Site Context
- Property Pictures
- Letter
- Site Plan
- Building Design
- Conditional Use - Old Poston Road - Clayton County Government Complex - Legal Notice
- Zoning Sign
- Meeting Notice Letter

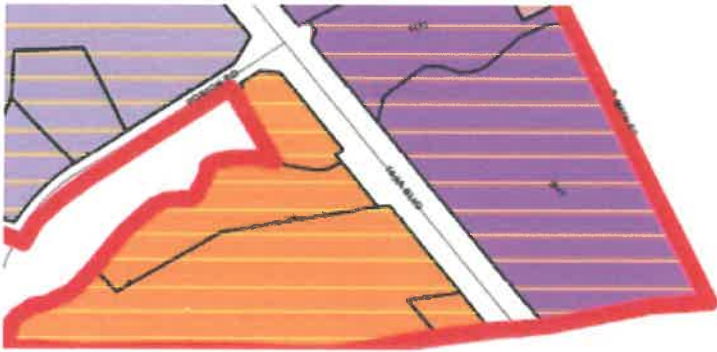
Staff Recommendation *(Type Name, Title, Agency and Phone)*

Approval

David Allen

From: David Allen
Sent: Tuesday, March 28, 2023 4:54 PM
To: Claudia Haines; Ricky , L. Clark, Jr.; Donya Sartor
Cc: Zach Handac; Todd Smiley
Subject: RE: Clayton County Administrative Building project - New Site

So, the Clayton Co. property is zoned M-X, Mixed Use (orange parcels below).



2017 NAICS Code	USES	R- 2	R- 4	R- C	CCM	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
9211	Executive, Legislative, and Other General Government Support	N	N	N	P	N	P	P	P	C	N	N	N	Sec. 86-528

This use requires a conditional use permit in M-X zoning. (Can be heard the same night as any necessary design variances.

Tara Blvd. Overlay, Sec. 86-109:

(k) Architectural standards. The following architectural standards shall apply:

(1) Minimum facade height. A minimum facade height of 18 feet shall be maintained on arterial and collector roadways.
(2) Street orientation. Principal building entrances shall be oriented to public streets wherever possible. When approved by the zoning administrator, a principal building entrance may be oriented to a side yard provided said entrance is not more than 100 feet from the right-of-way of an adjacent street and directly connected to the adjacent street frontage by a continuous sidewalk not less than five feet in width.

(l) Parking standards. Off-street parking shall be required as in article XIII, Parking, loading and interior circulation of the zoning ordinance, except as provided below.

(1) Location. No more than 50 percent of the required number of parking spaces for a non-residential zoning district and/or use shall be located in the front yard

Parking location not mentioned in Gateway South Overlay, which is mostly architectural standards.

From: Claudia Haines <chains@nelsonww.com>
Sent: Thursday, March 23, 2023 11:54 AM
To: David Allen <dallen@jonesboroga.com>; Ricky , L. Clark, Jr. <rclark@jonesboroga.com>
Cc: Zach Handac <zhandac@accura.com>; Todd Smiley <Todd.Smiley@claytoncountyga.gov>
Subject: RE: Clayton County Administrative Building project - New Site

Thank you Mr. Allen, I will review prior to our meeting next week.

Claudia Haines
 Senior Project Manager
 Director

Office 770 209 9393
 Direct 678 262 0009
chains@nelsonww.com
WWW.NELSONWORLDWIDE.COM

NELSON

5200 Avalon Blvd.
 Alpharetta, GA 30009

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The new Clayton County Administrative Center site will be in the City's Gateway South Overlay District, with its own architectural guidelines.

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Cc: Zach Handac <zhandac@accura.com>
Subject: RE: Clayton County Administrative Building project - New Site
Importance: High

Good Morning Mr. Clark,
 Is there a way we can get on your schedule in the next couple of weeks to review the attached master plan in person for the new Clayton County Administrative Center?

Any early afternoon will work for us if you have availability.

Please let us know and thank you for your help,
 Claudia

Attachment: Zoning Info (3684 : Clayton County Government Complex)

Claudia Haines
Senior Project Manager
Director

Office 770 209 9393
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Cc: Zach Handac <zhandac@accura.com>; Todd Smiley <Todd.Smiley@claytoncountyga.gov>; Henry Cantwell <hcantwell@nelsonww.com>
Subject: Clayton County Administrative Building project - New Site

Good Morning Mr. Allen and Mr. Clark,
We have been working with Clayton County on locating their new Administrative Building on a new site off of Old Poston Road & Tara Boulevard. The property has already been purchased by the County and we're working on updating our Site Plan and Civil construction documents. The exterior & interior design of the building has not changed, only the location. We would not be proposing a parking deck structure and would instead have plenty of space for surface parking on the property.

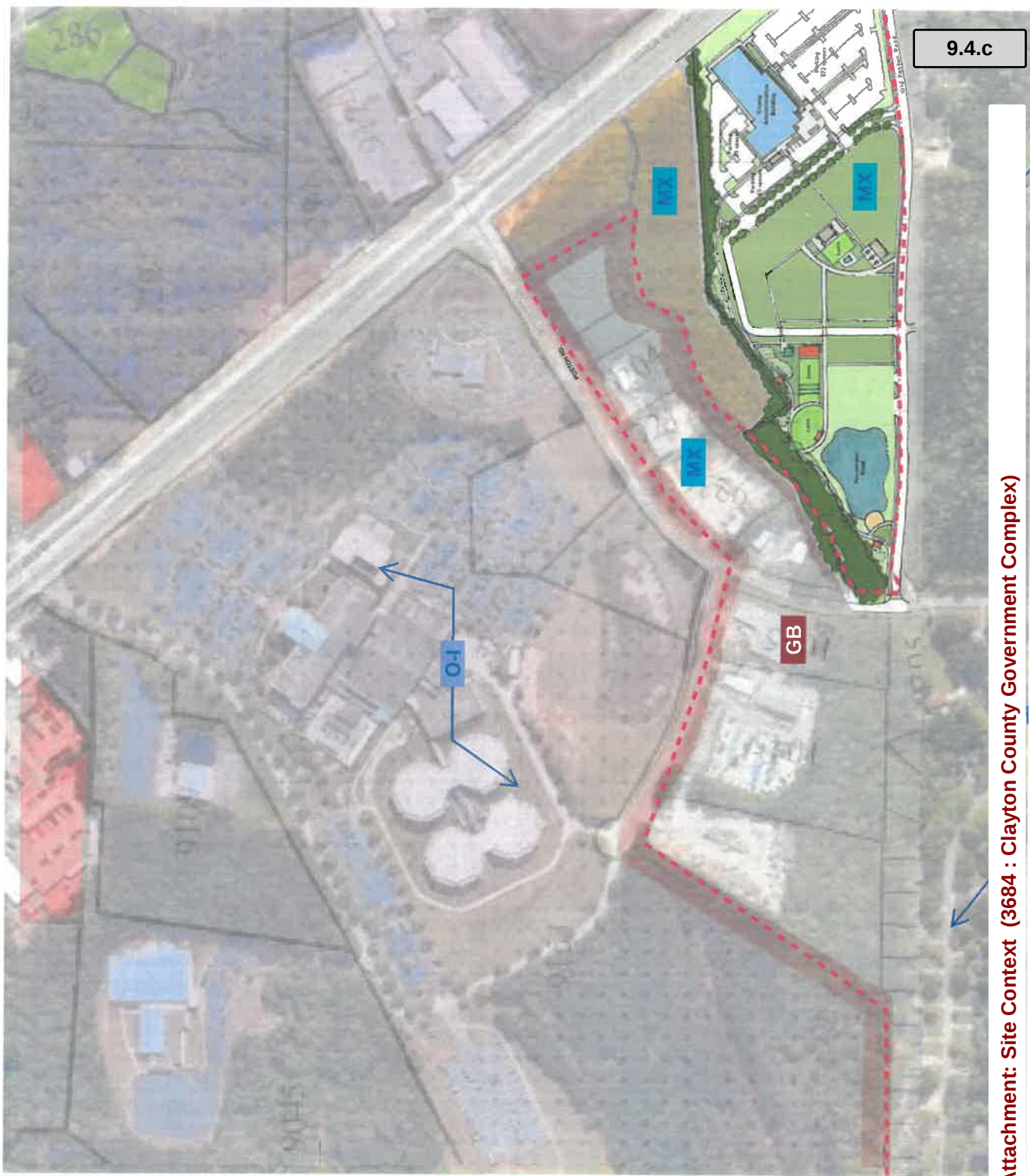
Attached you will find the final Master Plan concept with building location and what could be expected on the rest of the site in the future.

We would like to request a meeting with you to go through the plan and zoning requirements for the site to make sure we can move forward with the rest of the updates. Do you have time this week or next so we can go down and take a look at this together?

Thank you for your time and hopefully we can meet with you soon.

Regards,
Claudia

Attachment: Zoning Info (3684 : Clayton County Government Complex)





200 ft



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

Google Maps 9989 US-19

Jonesboro, Georgia

Google Street View

Feb 2023 See more dates



Image capture: Feb 2023 © 2024 Google



Google Maps 9987 Tara Blvd

Jonesboro, Georgia

Google Street View

Feb 2023 See more dates

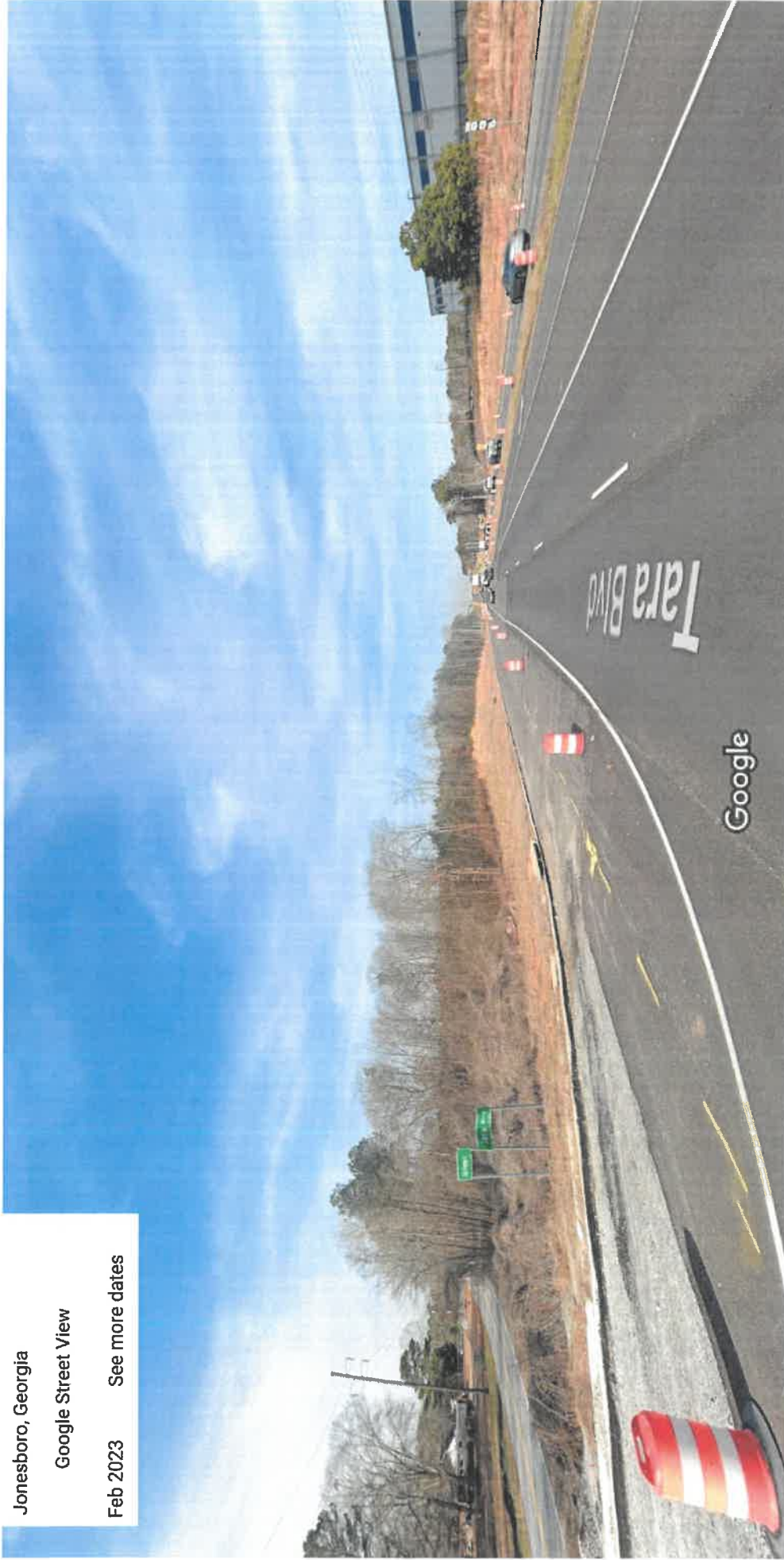


Image capture: Feb 2023 © 2024 Google



Google Maps 9987 Tara Blvd

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Feb 2023 See more dates

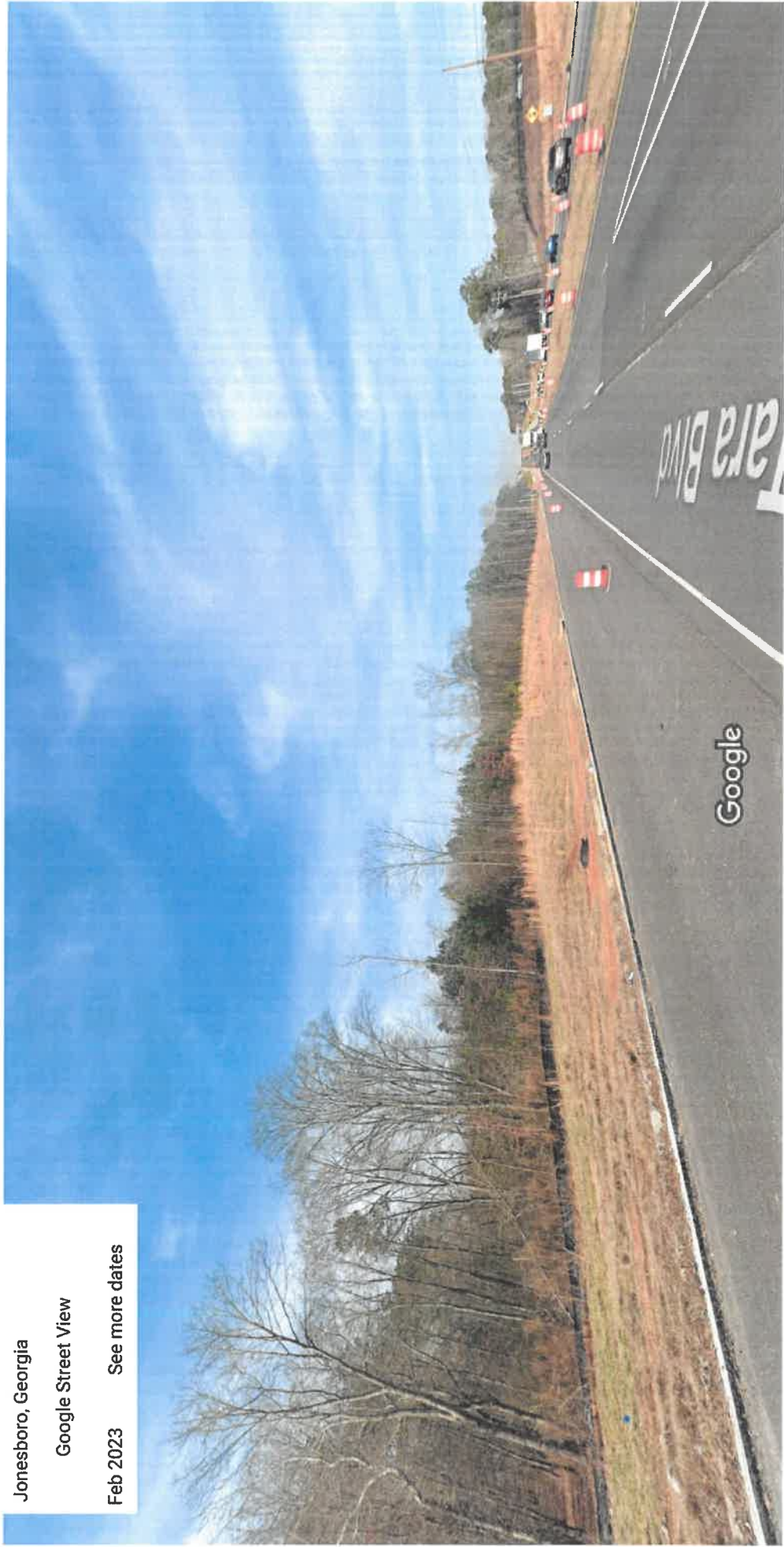


Image capture: Feb 2023 © 2024 Google



Google Maps 9163 Old Poston Rd

Jonesboro, Georgia

Google Street View

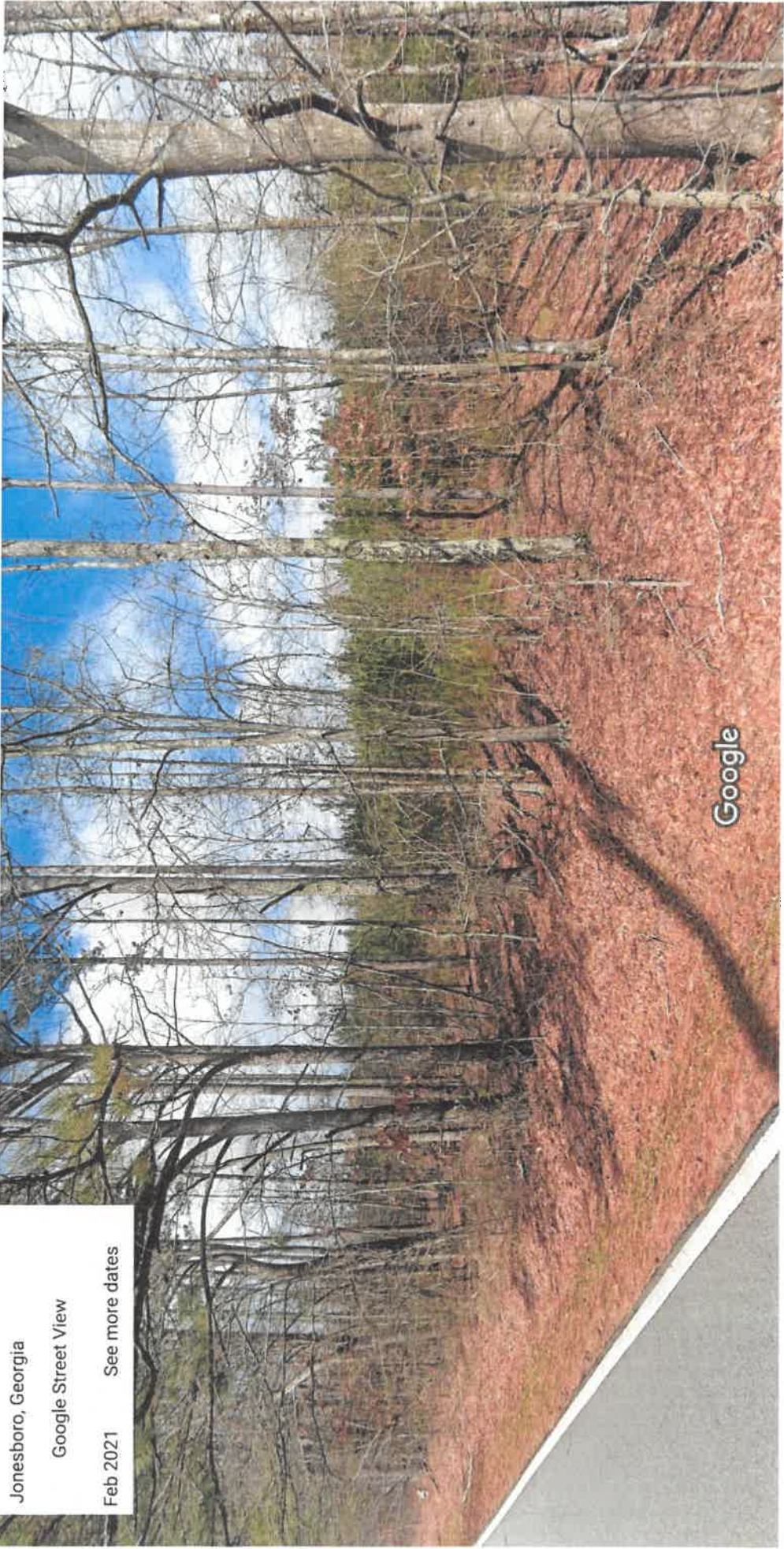
Feb 2021 See more dates



Image capture: Feb 2021 © 2024 Google



Google Maps 9170 Old Poston Rd

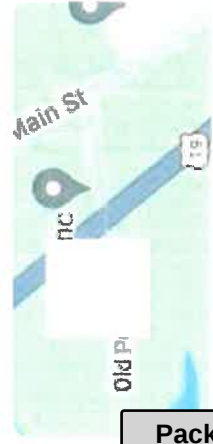


Jonesboro, Georgia

Google Street View

Feb 2021 See more dates

Image capture: Feb 2021 © 2024 Google



JONESBORO CITY COUNCIL

DR. DONYA SARTOR, MAYOR
 TRACEY MESSICK, MAYOR PRO TEM
 BOBBY LESTER, COUNCIL MEMBER
 BILLY POWELL, COUNCIL MEMBER
 ED WISE, COUNCIL MEMBER
 ALFRED DIXON, COUNCIL MEMBER
 DON DIXON, COUNCIL MEMBER



July 24, 2023

**Ben Hopkins
 Clayton Co. Building and Maintenance
 1376 Government Circle
 Jonesboro, Ga. 30236**

Re: Proposed Clayton County Administration Building; Tara Blvd. / Old Poston Road

Dear Mr. Hopkins:

Per the meeting today with you, Chief Merkison, Mr. Fox, and Mayor Sartor today, the City is confirming that the present location and orientation of proposed County administrative buildings off of as shown on the conceptual plan today is fine with myself and the Mayor. Per a future MOU between the City and the County, the County will handle all structural review and inspections for the development, and the City will review and approve all design and zoning related aspects for the development.

As a reminder, per an email to Claudia Haines on March 28, 2023, the property is zoned M-X, Mixed Use, and all government buildings require a conditional use hearing for that zoning. This can be heard, at the earliest, on the September 11th Council meeting. There may be design variances required as well, depending on conformity with the architectural standards of the Gateway South Overlay District and the City's parking standards. These could be heard at the same meeting as the conditional use.

Sincerely,

David D. Allen,
 Interim City Manager
 Community Development Director

Attachment: Letter (3684 : Clayton County Government Complex)

DEVELOPMENT SUMMARY

County Admin Building	105,000 sf	417 sp
Future Buildings	100,000 sf	300 sp
Fire Station, 3 bay	7,800 sf	22 sp

Exercise station throughout site

Future county building 30,000 sf, 200 sp

8' and 12' foot trails and nature paths

Restroom and maintenance

Gathering and picnic pavilion

Covered seating areas

Terrace levels across lawn following topography

Lawn areas for a variety of community event programming

Stormwater park with plaza overlooking pond, connected to trails and located for connection to residential community and trail network on the south side of Old Poston Road

Proposed new fire station (3 bay) with

OLD POSTON ROAD (60' ROW)

9.4.f

Attachment: Site Plan (3684 : Clayton County Government Complex)

DEVELOPMENT SUMMARY

County Admin Building	105,000 sf	417 sp
Future Buildings	100,000 sf	300 sp
Fire Station, 3 bay	7,800 sf	22 sp

8' and 12' foot trails and nature paths

Restroom and maintenance

Gathering and picnic pavillion

Covered seating areas

Terrace levels across lawn following topography

Lawn areas for a variety of community event programming

Stormwater park with plaza overlooking pond, connected to trails and located for connection to residential community and trail network on the south side of Old Poston Road



9.4.f

Primary materials consists of cast stone masonry units in earth tone colors, full height glass, and metal panels

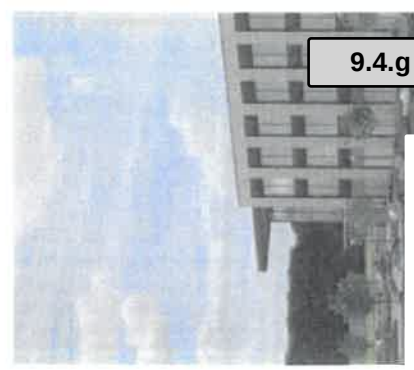


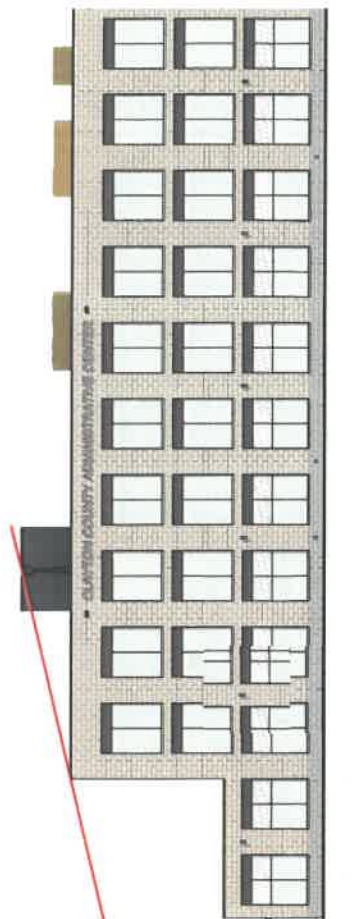
NORTHWEST CORNER

Entrance features a combination of canopies, overhangs, and display windows



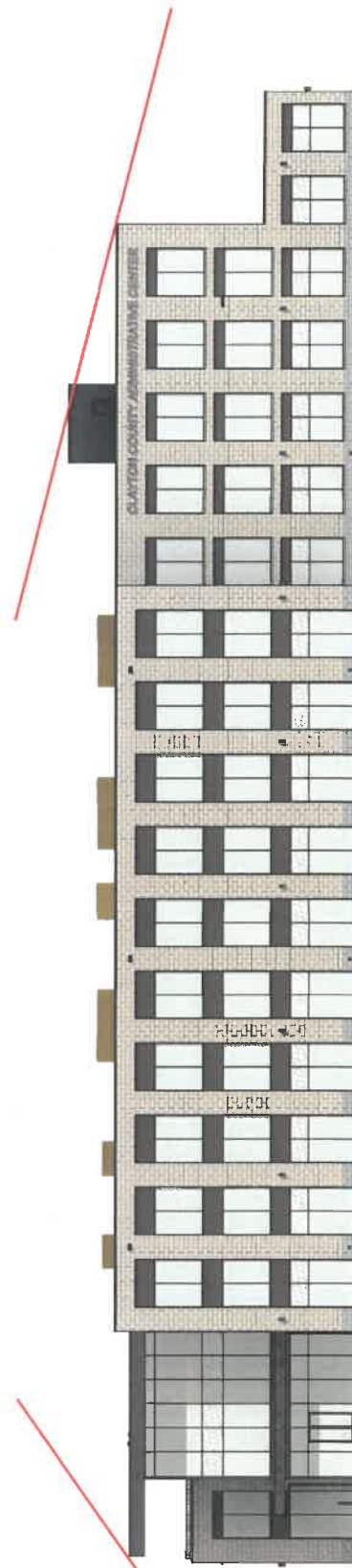
Attachment: Building Design (3684 : Clayton County Government Complex)





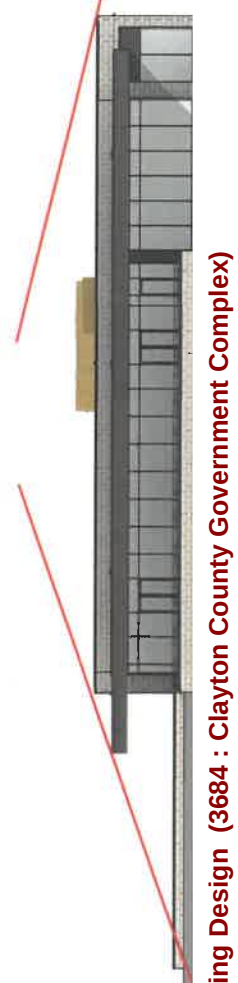
NORTH ELEVATION

Tara Blvd.



SOUTH ELEVATION

Main entry drive



9.4.g

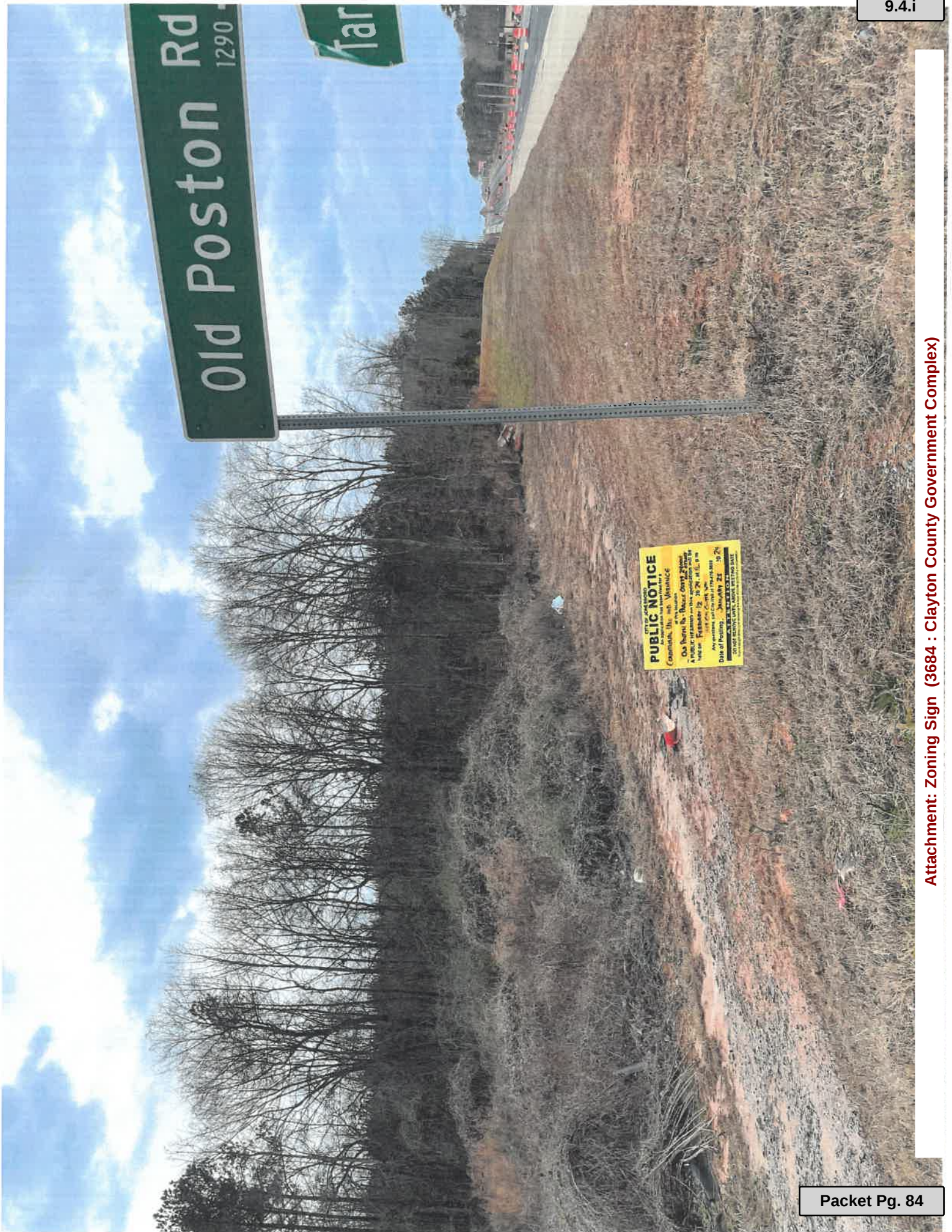
Attachment: Building Design (3684 : Clayton County Government Complex)

Legal Notice

Public Hearing will be held by the Mayor and Council of the City of Jonesboro at 6:00 P.M. on February 12, 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 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. Mayor & Council will first discuss the item at their Work Session, to be held on February 5, 2024 at 6 pm, also in the court chambers of the Jonesboro City Center, 1859 City Center Way, Jonesboro, GA

David Allen
Community Development Director

Publish 1/24/24



Attachment: Zoning Sign (3684 : Clayton County Government Complex)

CITY OF JONESBORO PUBLIC NOTICE

An application has been filed for a

CONDITIONAL Use AND VARIANCE

at this location

Old Poston Rd - PARCELS 05239 240001
AND 033002

A PUBLIC HEARING on this application will be
held on **FEBRUARY 12** 20**24**, at **6** p.m.

1859 CITY CENTER WAY

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

Date of Posting - **JANUARY 25** 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: Claudia Haines
Nelson Worldwide
5200 Avalon Boulevard
Alpharetta, Ga. 30009

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

Date: January 29, 2024

Re: Notification of Request for Conditional Use Permit – Old Poston Road / Tara Boulevard, Parcel Nos. 05239 240001 and 05239 033002

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:

- County government complex

A Public Hearing has been scheduled for Monday, February 12, 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, February 5, 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 #

9.5

- 5

COUNCIL MEETING DATE
February 5, 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.)

Discussion 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.

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

Sec. 86-118, Gateway South Overlay Standards; Sec. 86-109, Tara Blvd. Overlay Standards

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

Yes

Beautification, 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 of Variance applications**; In late 2022 / early 2023, the decision was made by the Clayton County Board of Commissioners to move their government offices currently on Smith Street to undeveloped properties within the City of Jonesboro at the corner of Tara Boulevard and Old Poston Road, across the highway from Low Temp Industries. The two County owned parcels here are Parcel 05239 240001 and 05239 033002, both zoned City M-X (Mixed-Use) and will remain in the City. The combined parcels will consist of a new County administrative building, combining multiple facets of County government under one roof. There is also room for several future government buildings, including a new fire station. The buildings and parking areas will be interspersed throughout the site, along with lawn areas and a pavilion to make a more parklike setting.

“Executive, Legislative, and other General Government Support” requires a conditional use permit in M-X zoning. The site plan and building design presented also require a few development variances.

While being a County government building (which essentially can be approved in its own right), officials agree that it is most proper to go through the same process as a private development would, for record's sake, much like the Clayton County IT building did several years ago, just north of the subject property. Thus, the conditional use and variance applications for a county government use are routine, perfunctory measures, they are proper measures.

The facility will help with many of the County government's space challenges. It will benefit the City in terms of the quality architecture being seen as the “second pillar” of the southern gateway into the City limits, alongside Low Temp Industries on the east side of Tara Boulevard.

The development lies within both the Gateway South Overlay and the Tara Blvd. Overlay. However, the architectural standards of the Gateway South Overlay trumps the Tara Blvd. Overlay. **Potential variance items are in red below.**

(j) *Maximum building height. 4 stories and 60 feet. No building shall be erected that would exceed the elevation of the Clayton County Courthouse. Buildings having a height greater than that of the courthouse may be approved, provided that the site elevation will permit such construction to remain below the highest point of the courthouse. **Building will be 50 feet tall maximum. The old Clayton County courthouse is not within view of this property.***

(2) *Permitted primary materials. Primary building materials for the exterior wall facade most directly facing Tara*

FOLLOW-UP APPROVAL ACTION (City Clerk)

Typed Name and Title

Melissa Brooks, City Clerk

Date

February, 5, 2024

Signature

City Clerk's Office

Boulevard or South Main Street shall be constructed, at a minimum, of 70% full-depth brick (not veneers) plus the following options for the remainder of the wall facade: cast stone, cementitious siding (Hardiboard), high-quality stucco or glass. Primary building materials for exterior wall facades not directly facing, but still viewable from Tara Boulevard or South Main Street shall be constructed, at a minimum, of 50% full-depth brick (not veneers) plus the following options for the remainder of the wall facades: cast stone, cementitious siding (Hardiboard), high-quality stucco or glass. (Note: With the priority being majority brick façades, the 40% window coverage requirement for the Tara Boulevard Overlay District will not be considered.) **Building will be primarily cast stone masonry units, with an abundance of glass and some metal panel accents. While not exactly brick, the cast stone masonry units are a high-quality material. An abundance of glass will be very attractive, but with the glass percentage being well above 40%, it will cause the "70% full-depth brick" requirement to not be met.**

(3) *Permitted accent materials.* Accent building materials for all exterior wall facades may include brick, textured concrete masonry units, wood panels (including wood shake), metal panels, and metal canopies. **The metal panel accents will mostly be near the roofline.**

(5) *Color.* All materials shall be earth-tone in color, as approved by the Design Review Commission and the Mayor and City Council. **Complies.**

(8) *Minimum facade height.* A minimum facade height of 18 feet shall be maintained on arterial and collector roadways. **Complies.**

There are two variance items in regards to Tara Blvd. Overlay standards (non-architectural), Sec. 86-109:

(2) *Street orientation.* Principal building entrances shall be oriented to public streets wherever possible. When approved by the zoning administrator, a principal building entrance may be oriented to a side yard provided said entrance is not more than 100 feet from the right-of-way of an adjacent street and directly connected to the adjacent street frontage by a continuous sidewalk not less than five feet in width.

The main building is proposed to face the intersection corner of Tara Blvd and Old Poston Road, identical to the Clayton County IT building a little further north. This gives a better sense of entrance into the City, rather than the main entrance facing directly onto Tara Blvd and a less attractive building side facing the the intersection corner of Tara Blvd and Old Poston Road. Per the attached letter, the Mayor and Interim City Manager already gave unofficial approval of this building orientation in July 2023, in order for the conceptual drawings to progress.

(l) *Parking standards.* Off-street parking shall be required as in article XIII, Parking, loading and interior circulation of the zoning ordinance, except as provided below.

(1) *Location.* No more than 50 percent of the required number of parking spaces for a non-residential zoning district and/or use shall be located in the front yard.

Due to the desired orientation of the building already mentioned, and due to security reasons to provide protected, separated parking for government officials at the back of the building, 80% of the required parking for the main building will be located in the front yard. However, a robust landscape plan with street trees and landscape islands will be required.

The intent of the Overlay districts can still be achieved by approving these variances. This will be a quality development by the County and will prove to be a catalyst for more quality growth in the southern portion of the City.

Fiscal Impact

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

County SPLOST funds

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

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- Property Pictures
- Site Plan
- Letter
- Building Design
- Gateway South Overlay
- Tara Blvd Overlay
- Variance - Old Poston Road - Clayton County Government Complex - Legal Notice
- Zoning Sign
- Meeting Notice Letter

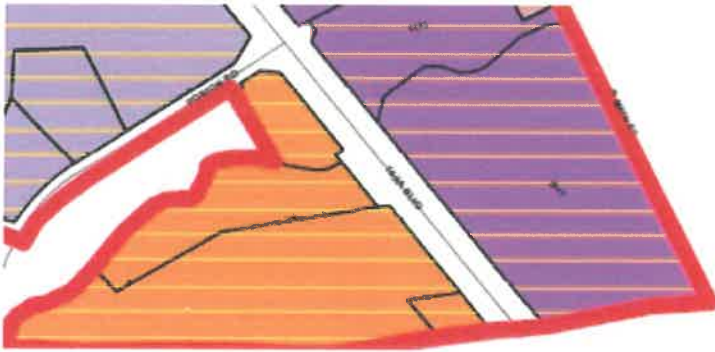
Staff Recommendation *(Type Name, Title, Agency and Phone)*

Approval

David Allen

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To: Claudia Haines; Ricky , L. Clark, Jr.; Donya Sartor
Cc: Zach Handac; Todd Smiley
Subject: RE: Clayton County Administrative Building project - New Site

So, the Clayton Co. property is zoned M-X, Mixed Use (orange parcels below).



2017 NAICS Code	USES	R- 2	R- 4	R- C	CCM	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
9211	Executive, Legislative, and Other General Government Support	N	N	N	P	N	P	P	P	C	N	N	N	Sec. 86-528

This use requires a conditional use permit in M-X zoning. (Can be heard the same night as any necessary design variances.

Tara Blvd. Overlay, Sec. 86-109:

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Thank you Mr. Allen, I will review prior to our meeting next week.

Claudia Haines
 Senior Project Manager
 Director

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 Direct 678 262 0009
chains@nelsonww.com
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Cc: Zach Handac <zhandac@accura.com>
Subject: RE: Clayton County Administrative Building project - New Site
Importance: High

Good Morning Mr. Clark,
 Is there a way we can get on your schedule in the next couple of weeks to review the attached master plan in person for the new Clayton County Administrative Center?

Any early afternoon will work for us if you have availability.

Please let us know and thank you for your help,
 Claudia

Attachment: Zoning Info (3685 : Clayton County Government Complex Variances)

Claudia Haines
Senior Project Manager
Director

Office 770 209 9393
Direct 678 262 0009
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Sent: Monday, February 27, 2023 11:57 AM
To: David Allen <dallen@jonesboroga.com>; Ricky , L. Clark, Jr. <rclark@jonesboroga.com>
Cc: Zach Handac <zhandac@accura.com>; Todd Smiley <Todd.Smiley@claytoncountyga.gov>; Henry Cantwell <hcantwell@nelsonww.com>
Subject: Clayton County Administrative Building project - New Site

Good Morning Mr. Allen and Mr. Clark,
We have been working with Clayton County on locating their new Administrative Building on a new site off of Old Poston Road & Tara Boulevard. The property has already been purchased by the County and we're working on updating our Site Plan and Civil construction documents. The exterior & interior design of the building has not changed, only the location. We would not be proposing a parking deck structure and would instead have plenty of space for surface parking on the property.

Attached you will find the final Master Plan concept with building location and what could be expected on the rest of the site in the future.

We would like to request a meeting with you to go through the plan and zoning requirements for the site to make sure we can move forward with the rest of the updates. Do you have time this week or next so we can go down and take a look at this together?

Thank you for your time and hopefully we can meet with you soon.

Regards,
Claudia

Attachment: Zoning Info (3685 : Clayton County Government Complex Variances)

Google Maps 9989 US-19



Image capture: Feb 2023 © 2024 Google



Google Maps 9987 Tara Blvd

Jonesboro, Georgia

Google Street View

Feb 2023 See more dates

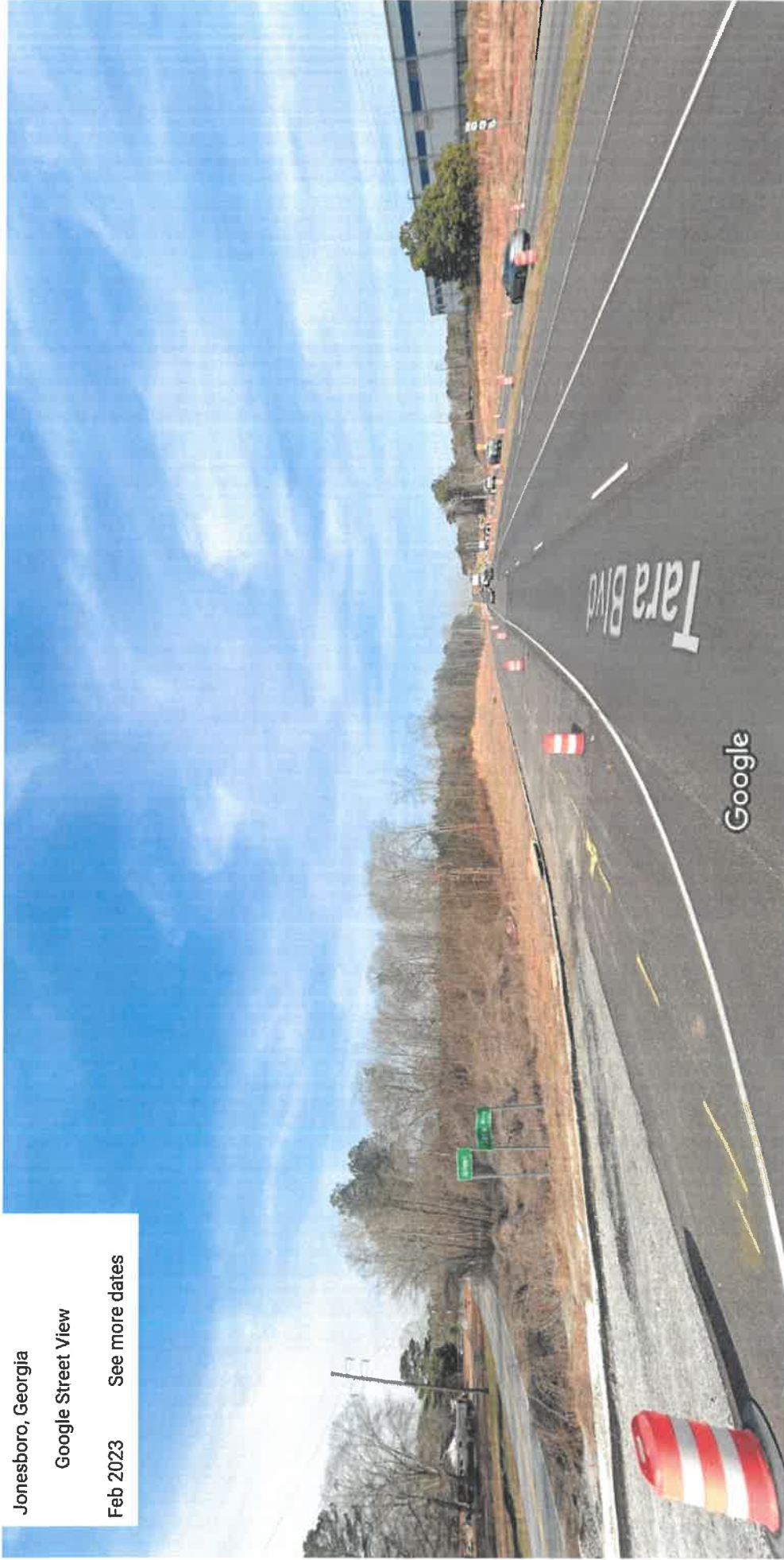


Image capture: Feb 2023 © 2024 Google



Google Maps 9987 Tara Blvd

Jonesboro, Georgia

Google Street View

Feb 2023 See more dates

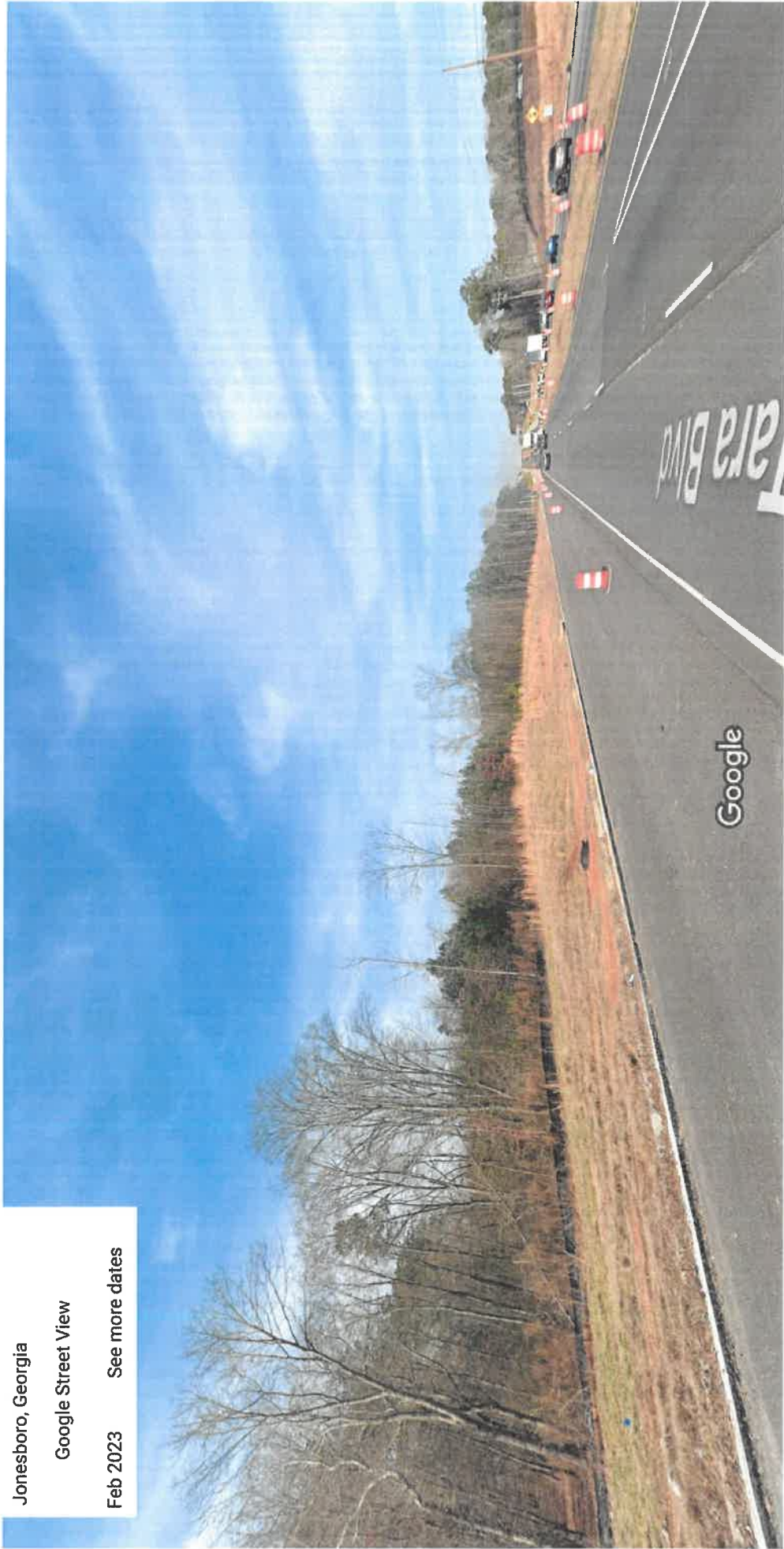


Image capture: Feb 2023 © 2024 Google



Google Maps 9163 Old Poston Rd



Jonesboro, Georgia

Google Street View

Feb 2021 See more dates

Image capture: Feb 2021 © 2024 Google



Google Maps 9170 Old Poston Rd

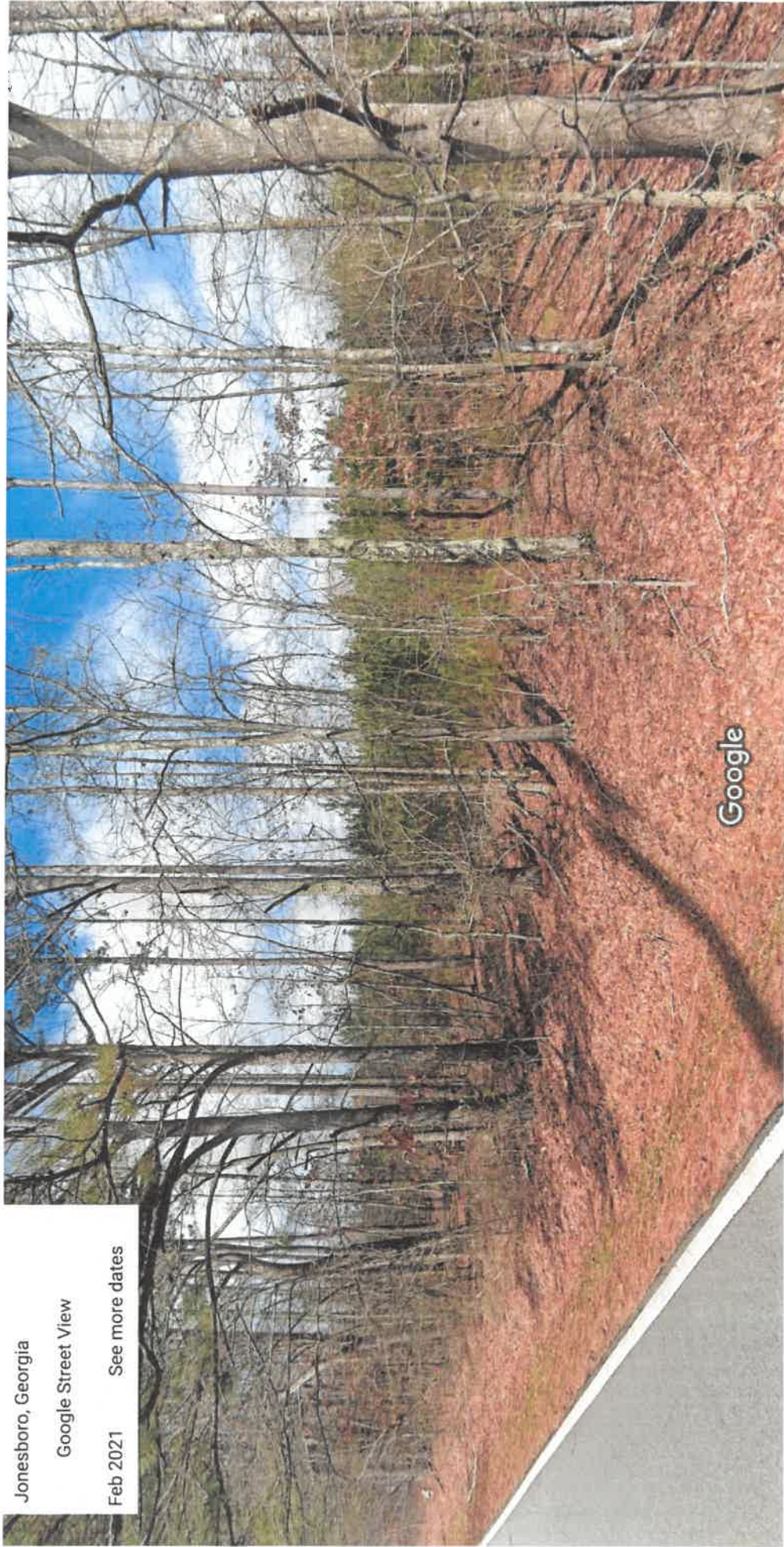
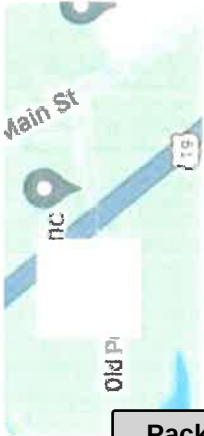


Image capture: Feb 2021 © 2024 Google



DEVELOPMENT SUMMARY

County Admin Building	105,000 sf	417 sp
Future Buildings	100,000 sf	300 sp
Fire Station, 3 bay	7,800 sf	22 sp

Exercise station throughout site

Future county building 30,000 sf, 200 sp

8' and 12' foot trails and nature paths

Restroom and maintenance

Gathering and picnic pavilion

Covered seating areas

Terrace levels across lawn following topography

Lawn areas for a variety of community event programming

Stormwater park with plaza overlooking pond, connected to trails and located for connection to residential community and trail network on the south side of Old Poston Road

Proposed new fire station (3 bay) with

OLD POSTON ROAD (60' ROW)

9.5.d

Attachment: Site Plan (3685 : Clayton County Government Complex Variances)

DEVELOPMENT SUMMARY

County Admin Building	105,000 sf	417 sp
Future Buildings	100,000 sf	300 sp
Fire Station, 3 bay	7,800 sf	22 sp

8' and 12' foot trails and nature paths

Restroom and maintenance

Gathering and picnic pavillion

Covered seating areas

Terrace levels across lawn following topography

Lawn areas for a variety of community event programming

Stormwater park with plaza overlooking pond, connected to trails and located for connection to residential community and trail network on the south side of Old Poston Road



Proposed new fire station (3 bay) with 22 spaces

JONESBORO CITY COUNCIL

DR. DONYA SARTOR, MAYOR
 TRACEY MESSICK, MAYOR PRO TEM
 BOBBY LESTER, COUNCIL MEMBER
 BILLY POWELL, COUNCIL MEMBER
 ED WISE, COUNCIL MEMBER
 ALFRED DIXON, COUNCIL MEMBER
 DON DIXON, COUNCIL MEMBER



July 24, 2023

**Ben Hopkins
 Clayton Co. Building and Maintenance
 1376 Government Circle
 Jonesboro, Ga. 30236**

Re: Proposed Clayton County Administration Building; Tara Blvd. / Old Poston Road

Dear Mr. Hopkins:

Per the meeting today with you, Chief Merkison, Mr. Fox, and Mayor Sartor today, the City is confirming that the present location and orientation of proposed County administrative buildings off of as shown on the conceptual plan today is fine with myself and the Mayor. Per a future MOU between the City and the County, the County will handle all structural review and inspections for the development, and the City will review and approve all design and zoning related aspects for the development.

As a reminder, per an email to Claudia Haines on March 28, 2023, the property is zoned M-X, Mixed Use, and all government buildings require a conditional use hearing for that zoning. This can be heard, at the earliest, on the September 11th Council meeting. There may be design variances required as well, depending on conformity with the architectural standards of the Gateway South Overlay District and the City's parking standards. These could be heard at the same meeting as the conditional use.

Sincerely,

David D. Allen,
 Interim City Manager
 Community Development Director

Attachment: Letter (3685 : Clayton County Government Complex Variances)

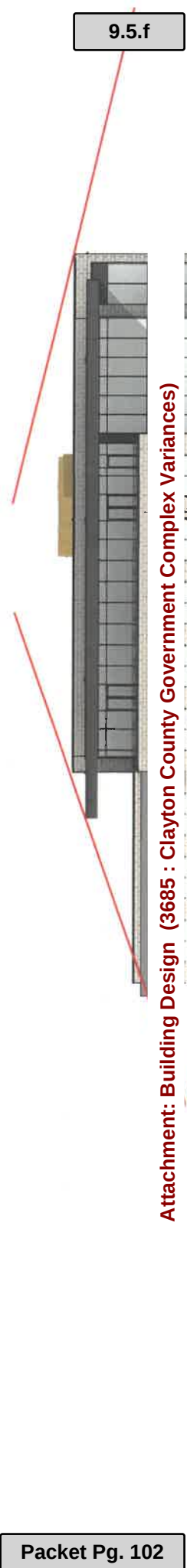
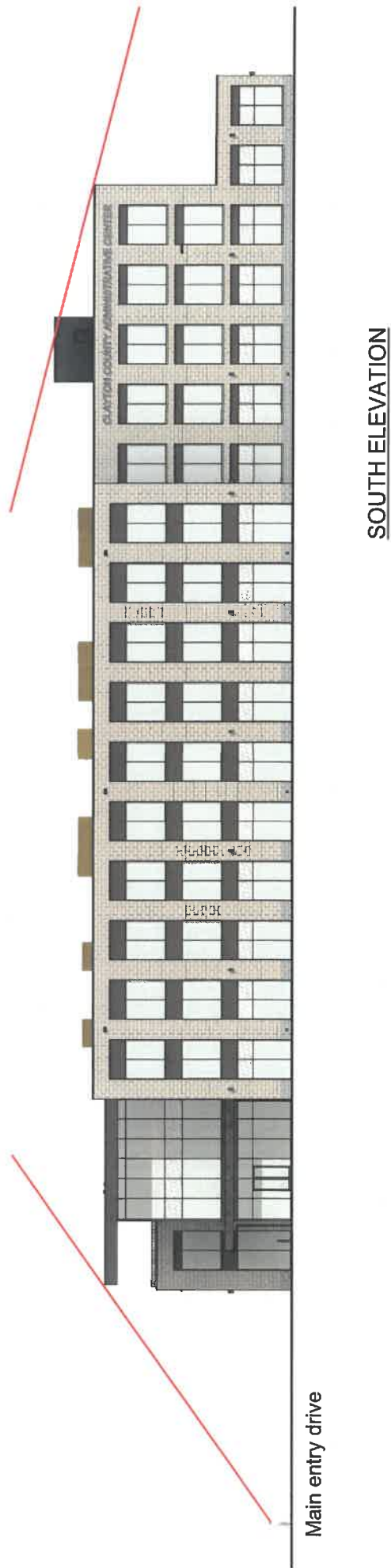
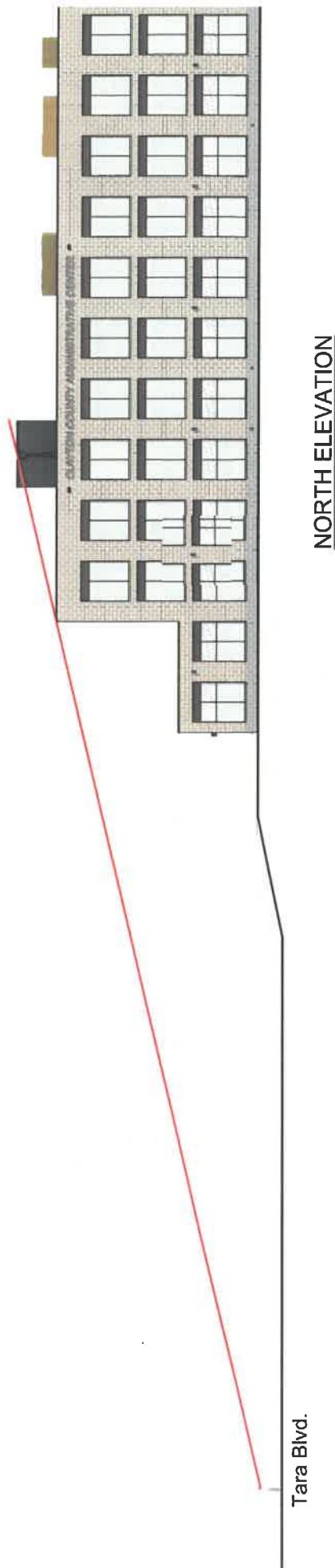
Primary materials consists of cast stone masonry units in earth tone colors, full height glass, and metal panels



NORTHWEST CORNER

Entrance features a combination of canopies, overhangs, and display windows





GATEWAY SOUTH OVERLAY

- 319 c. Three-bedroom units: 1325 square feet per unit.
- 320 5. *Mixed-use dwelling, including lofts (no street level units allowed).* 1000 heated
- 321 square feet per unit.
- 322 (i) *Density and maximum number of residential units.*
- 323 1. *Single-family attached dwellings (townhouses and condominiums).*
- 324 a. Maximum number of units per building: 8
- 325 b. Maximum number of units per development: 96
- 326 c. Maximum density: 12 units per acre
- 327 2. *Multi-family (apartments).*
- 328 a. Maximum number of units per building: None
- 329 b. Maximum density: 40 units per acre
- 330 (j) *Maximum building height. 4 stories and 60 feet.* No building shall be erected that would
- 331 exceed the elevation of the Clayton County Courthouse. Buildings having a height greater than
- 332 that of the courthouse may be approved, provided that the site elevation will permit such
- 333 construction to remain below the highest point of the courthouse.
- 334 (k) *Exterior architectural design and material standards.* The following minimum
- 335 architectural standards shall apply to exterior façade materials. The Design Review
- 336 Commission and the Mayor and City Council may impose additional standards in the required
- 337 developer's agreement.
- 338 1) *Multifamily and townhomes / condominiums.*
- 339 (a) *Prohibited materials.* Metal siding, vinyl siding, and smooth-faced concrete
- 340 masonry units, as primary building materials, are prohibited.
- 341 (b) *Permitted primary materials.* Primary building materials for all exterior wall
- 342 facades shall be constructed, at a minimum, of full-depth brick (not veneers) for the
- 343 bottom two-thirds of each building, on all sides, plus a combination of at least two
- 344 of the following options for the remaining one-third of the building: cast stone,
- 345 cementitious siding (Hardiboard), or glass. (Note: Exterior façade delineations to
- 346 not include windows or trim.)
- 347 (c) *Permitted accent materials.* Accent building materials for all exterior wall
- 348 facades may include brick, textured concrete masonry units, wood panels
- 349 (including wood shake), metal panels, and metal canopies.
- 350 (d) *Exceptions.* Vinyl products shall only be used for soffits, eaves, and fascia.
- 351 Any window trim shall be cementitious siding (Hardiboard) only.
- 352 (e) *Color.* All materials shall be earth-tone in color, as approved by the Design
- 353 Review Commission and the Mayor and City Council.

4. The roof pitch of sloped roofs shall be a minimum of 4:12 (vertical to horizontal).

(p) *Rooftop equipment.* All rooftop equipment shall be screened from public view by parapets, dormers or other screens.

5) *Other commercial and office buildings.*

(a) *For lots directly fronting Tara Boulevard or South Main Street.*

(1) *Prohibited materials.* Metal siding, vinyl siding, and smooth-faced concrete masonry units, as primary building materials, are prohibited.

(2) *Permitted primary materials.* Primary building materials for the exterior wall facade most directly facing Tara Boulevard or South Main Street shall be constructed, at a minimum, of 70% full-depth brick (not veneers) plus the following options for the remainder of the wall facade: cast stone, cementitious siding (Hardiboard), high-quality stucco or glass. Primary building materials for exterior wall facades not directly facing, but still viewable from Tara Boulevard or South Main Street shall be constructed, at a minimum, of 50% full-depth brick (not veneers) plus the following options for the remainder of the wall facades: cast stone, cementitious siding (Hardiboard), high-quality stucco or glass. (Note: With the priority being majority brick façades, the 40% window coverage requirement for the Tara Boulevard Overlay District will not be considered.)

(3) *Permitted accent materials.* Accent building materials for all exterior wall facades may include brick, textured concrete masonry units, wood panels (including wood shake), metal panels, and metal canopies.

(4) *Exceptions.* Vinyl products shall only be used for soffits, eaves, and fascia.

(5) *Color.* All materials shall be earth-tone in color, as approved by the Design Review Commission and the Mayor and City Council.

(6) *Roofing materials.* All asphalt-shingle roofing shall consist of high-quality, architectural shingles, with a minimum 30-year warranty. Metal roofing is also permitted.

(7) *Entrance features.* All customer entrances located along the front façade, shall feature a combination of three or more of the following features: canopies and porticos, overhangs, recesses or projections, arcades, raised / corniced parapets, peaked roof forms, arches, display windows, and architectural details, such as tile work and moldings which are incorporated into the building structure and design.

(8) *Minimum facade height.* A minimum facade height of 18 feet shall be maintained on arterial and collector roadways.

(9) *Roof features.* Rooflines shall incorporate roof features (extensions, and/or projections such as a gable, parapet, dormers or others) that achieve visual interest through variation of the roofline. These features shall conform to the following specifications:

1. Roof features shall not exceed the average height of the supporting walls.

2. The average height of parapets shall not exceed 15 percent of the height of the supporting wall. Parapets shall feature three-dimensional cornice treatments.

3. Cornices shall have perceptible projection or overhanging eaves that extend past the supporting walls.

4. The roof pitch of sloped roofs shall be a minimum of 4:12 (vertical to horizontal).

(10) *Rooftop equipment.* All rooftop equipment shall be screened from public view by parapets, dormers or other screens.

(11) *Massing and modulation.* The massing of building facades oriented to public streets shall incorporate either modulation, defined here as a wave in the exterior wall, with horizontal breaks at least every 100 feet. Front facade design shall provide varying wall offsets and other architectural features to create horizontal (wall) and vertical building articulation.

6) *Franchise restaurants and other national and regional chain businesses.* The City recognizes that certain branding (logos and color schemes) must be preserved for these types of businesses and seeks a balance between brand recognition and quality exterior building materials. The City requires initial discussion and coordination with franchise businesses in order to avoid an exterior building that is an automatic, “cookie-cutter” template exhibited in other locations outside of the City of Jonesboro.

(a) *For lots directly fronting Tara Boulevard or South Main Street.*

(1) *Prohibited materials.* Metal siding, vinyl siding, and smooth-faced concrete masonry units, as primary building materials, are prohibited.

(2) *Permitted primary materials.* Primary building materials for the exterior wall facade most directly facing Tara Boulevard or South Main Street shall be constructed, at a minimum, of 50% full-depth brick (not veneers) plus the following options for the remainder of the wall facade: 25% ornamental stone and 25% glass. Primary building materials for exterior wall facades not directly facing, but still viewable from Tara Boulevard or South Main Street shall be constructed, at a minimum, of one-third full-depth brick (not veneers) plus the following options for the remainder of the wall facades: one-third ornamental stone and one-third glass. (Note: With the priority

648 a) Provide clear, unobstructed sightlines from entries to the street or parking
649 lot.

650 b) Provide clear sightlines to outdoor open areas from doorways and
651 windows.

652 c) Light exterior spaces and internal common spaces with energy-efficient,
653 vandal proof lamps and fixtures.

654 d) Create privacy for the ground-level units by using landscaping or fencing
655 to buffer them from the street or parking.

656 e) Pedestrian pathways to the entry, the parking, and the trash deposit area
657 should be well-defined, well-lighted, and free from dense shrubs.

658 f) Design common spaces to encourage a sense of belonging and that relate
659 to a discrete number of units so that these spaces encourage a sense of
660 ownership.

661 g) Property shall have an ornamental access gate with residents provided
662 fobs or cards for entry. If the gate operates by way of a telephone system, a
663 ring-through feature shall be provided so that cars waiting at the gate
664 entrance will not cause waiting or queuing problems should a telephone line
665 be in use, or a pull-out area outside of traffic lanes shall be provided to allow
666 telephoning without blocking access.

667 *(m) Signage.* Signs shall conform to the standards of the City Sign Ordinance, Article XVI.
668 Sign design features shall be subject to review and approval by the Design Review
669 Commission.

670 *(n) Lighting.* All outdoor lighting shall be night-sky friendly.

671 *(o) Sidewalks.* Sidewalks shall be required within residential, commercial and/or office
672 developments/subdivisions within the Gateway South Overlay District, on both sides of all
673 interior streets. Sidewalks shall also be required along the entire perimeter of a development
674 where such perimeters/parcel boundaries run or front along a public street, or along the entire
675 extent of the parcel boundaries where access to adjacent lots may or are possible as a part of
676 existing or future developments. Required sidewalks shall be located within the dedicated non-
677 pavement right-of-way of roads and shall parallel the street pavement as much as possible;
678 provided, however, the City Manager may permit sidewalks to be designed and constructed so
679 that they meander around permanent obstructions or deviate from a linear pattern for design
680 purposes. Required sidewalks shall be a minimum of five feet wide. A median strip of grassed
681 or landscaped areas at least two feet wide shall separate all sidewalks from adjacent curbs.
682 Sidewalks shall be constructed in accordance with current Americans with Disabilities Act
683 (ADA) specifications.

684 *(p) Buffering.* Perimeter buffers for residential developments shall conform to the minimum
685 requirements of Article XV, unless additional requirements are imposed by Mayor and City

Council. Buffers shall preserve existing vegetation to the maximum extent possible. Supplemental buffer plantings in certain areas may be necessary per the City Zoning Administrator. Stream and wetland buffering shall conform to Article XIII.

(q) *Greenspace*. Minimum 25 percent of gross site acreage for each lot. May include pervious amenity areas, stream buffers / setbacks, natural areas, but shall not include required perimeter buffers.

(r) *Landscaping*. Landscaping of building foundations, parking lots, amenities, etc. shall conform to the minimum requirements of Article XV, unless additional requirements are imposed by Mayor and City Council.

(s) *Street trees*. For new developments within the Gateway South Overlay District, street trees shall be provided in medians and required landscaped strips adjacent to the rights-of-way of Tara Boulevard, South Main Street, and all new interior streets.

1. Landscape strips shall be a minimum of ten feet wide.
2. Street trees shall have a minimum two and one-half-inch caliper and 12 feet in height at the time of planting and be warranted by the developer for a period of two years from the date of acceptance by the City of Jonesboro.
3. Street trees shall be spaced a minimum of 30 feet on center.
4. Spacing of street trees and streetlight standards may be adjusted to account for driveways, utility poles, fire hydrants and other obstructions and to provide adequate visual clearance for intersections, driveways and traffic control devices.
5. No street tree or streetlight standard shall be placed within ten feet of another tree, streetlight standard, utility pole or within five feet of a fire hydrant.
6. Appropriate street tree species include:
 - (a) Red maple.
 - (b) Sugar maple.
 - (c) Willow oak.
 - (d) Savannah holly.
 - (e) Golden raintree.
 - (f) Southern magnolia.
 - (g) Sawtooth oak.
 - (h) Littleleaf linden.
 - (i) American elm (Dutch elm resistant cultivars).
 - (j) Chinese elm.
 - (k) Japanese zelkova.
 - (l) Other trees having similar characteristics to the above species and suitable for urban pedestrian environments, upon approval of the city arborist or his/her designee.

7. No more than 25 percent of the total number of the trees installed may be of any one genus.

(t) All stormwater detention facilities in view of public streets or the fronts of primary buildings within the Gateway South Overlay District shall be completely enclosed by

black, wrought iron fencing with a perimeter evergreen shrub hedge. Stormwater fencing shall be 4 feet tall, and the shrub hedge shall be a minimum 3 feet tall. Stormwater detention facilities not in view of public streets may use black, vinyl-coated chain link fence as fencing material, with a minimum 3-foot tall, evergreen shrub hedge.

Section 2.

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

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

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

(k) *Architectural standards.* The following architectural standards shall apply:

- (1) *Minimum facade height.* A minimum facade height of 18 feet shall be maintained on arterial and collector roadways.
- (2) *Street orientation.* Principal building entrances shall be oriented to public streets wherever possible. When approved by the zoning administrator, a principal building entrance may be oriented to a side yard provided said entrance is not more than 100 feet from the right-of-way of an adjacent street and directly connected to the adjacent street frontage by a continuous sidewalk not less than five feet in width.
- (3) *Building materials.* Buildings materials for all exterior wall facades shall be constructed of brick, stone, textured concrete masonry units, stucco, or glass. Single-family dwelling facades shall be constructed with brick, stone, stucco, cement fiber board, wood siding or similar material approved by the zoning administrator.
- (4) *Color.* All materials shall be earth-tone in color, as approved by the zoning administrator.
- (5) *Prohibited materials.* Metal siding, vinyl siding, metal canopies and smooth faced concrete masonry units are prohibited.
- (6) *Exceptions.* Vinyl products shall only be used for soffits, eaves, and fascia of residential structures.
- (7) *Customer entrances for non-residential uses.* All customer entrances located along the front façade, shall feature a combination of three or more of the following features:
 - a. Canopies and porticos.
 - b. Overhangs.
 - c. Recesses or projections.
 - d. Arcades.
 - e. Raised, corniced parapets.
 - f. Peaked roof forms.
 - g. Arches.
 - h. Display windows.
 - i. Architectural details, such as tile work and moldings which are incorporated into the building structure and design.

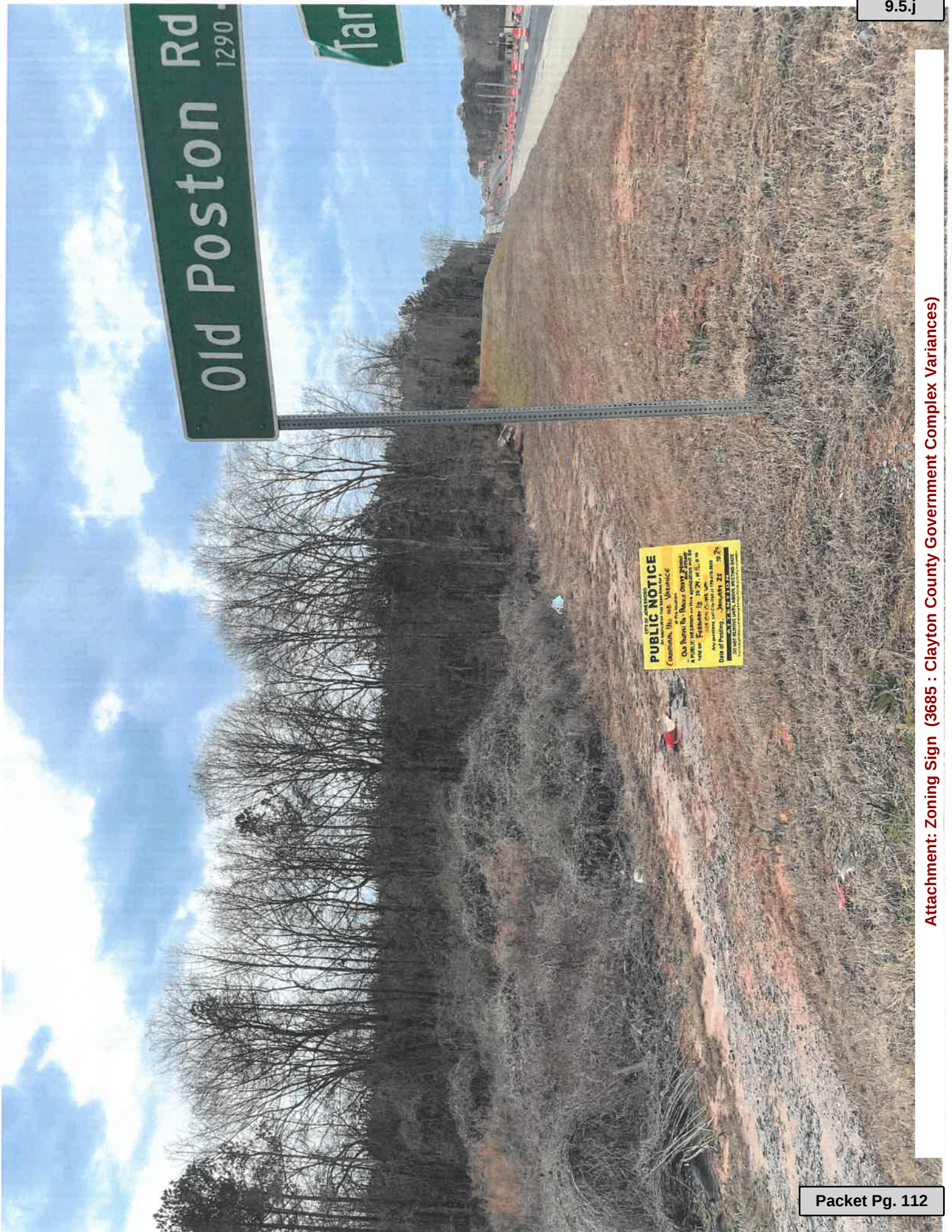
- (9) *Accessory structures.* Building materials, architectural features and colors of exterior finishes of accessory structures shall be consistent with the principal structure.
- (10) *Massing and modulation.* The massing of building facades oriented to public streets shall incorporate either modulation, defined here as a wave in the exterior wall, with horizontal breaks at least every 100 feet. Front facade design shall provide varying wall offsets and other architectural features to create horizontal (wall) and vertical building articulation.
- (11) *Fenestration.* At least 40 percent of non-residential facades facing arterial and collector roadways must be clear glass.
- (12) *Roof features.* Rooflines shall incorporate roof features (extensions, and/or projections such as a gable, parapet, dormers or others) that achieve visual interest through variation of the roofline. These features shall conform to the following specifications:
 - a. Roof features shall not exceed the average height of the supporting walls.
 - b. The average height of parapets shall not exceed 15 percent of the height of the supporting wall. Parapets shall feature three dimensional cornice treatments.
 - c. Cornices shall have perceptible projection or overhanging eaves that extend past the supporting walls.
 - d. The roof pitch of sloped roofs shall be a minimum of 4:12 (vertical to horizontal).
- (13) *Rooftop equipment.* All rooftop equipment shall be screened from public view by parapets, dormers or other screens.
- (14) *Fencing.* Chain link fencing shall not be visible from any public street.
- (l) *Parking standards.* Off-street parking shall be required as in article XIII, Parking, loading and interior circulation of the zoning ordinance, except as provided below.
 - (1) *Location.* No more than 50 percent of the required number of parking spaces for a non-residential zoning district and/or use shall be located in the front yard.

Legal Notice

Public Hearing will be held by the Mayor and Council of the City of Jonesboro at 6:00 P.M. on February 12, 2024, in the court chambers of the Jonesboro City Center, 1859 City Center Way, Jonesboro, GA, to consider a Variance application 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. Mayor & Council will first discuss the item at their Work Session, to be held on February 5, 2024 at 6 pm, also in the court chambers of the Jonesboro City Center, 1859 City Center Way, Jonesboro, GA

David Allen
Community Development Director

Publish 1/24/24



Attachment: Zoning Sign (3685 : Clayton County Government Complex Variances)

CITY OF JONESBORO PUBLIC NOTICE

An application has been filed for a

CONDITIONAL Use AND VARIANCE

at this location

Old Poston Rd - PARCELS 05239 240001
AND 033002

A PUBLIC HEARING on this application will be
held on **FEBRUARY 12** 20**24**, at **6** p.m.

1859 CITY CENTER WAY

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

Date of Posting - **JANUARY 25** 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: Claudia Haines
Nelson Worldwide
5200 Avalon Boulevard
Alpharetta, Ga. 30009

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

Date: January 29, 2024

Re: Notification of Request for Variances – Old Poston Road / Tara Boulevard, Parcel Nos. 05239 240001 and 05239 033002

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 property concerning the following:

- Certain development standards for a new county government complex

A Public Hearing has been scheduled for Monday, February 12, 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, February 5, 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 # - 6
		COUNCIL MEETING DATE February 5, 2024
Requesting Agency (Initiator) Office of the City Manager	Sponsor(s) Mr. Simpson	
Requested Action <i>(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)</i> Discussion regarding proposal by Economic Development Director to establish a Market Committee to oversee the activities of the organization currently known as the City of Jonesboro Farmers Market.		
Requirement for Board Action <i>(Cite specific Council policy, statute or code requirement)</i> Review of Initial Proposal		
Is this Item Goal Related? <i>(If yes, describe how this action meets the specific Board Focus Area or Goal)</i> Yes Economic Development, Innovative Leadership		
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> Attached is a proposal by the Economic Development Director Andrew Simpson to establish a Market Committee to oversee the activities of the organization currently known as the City of Jonesboro Farmers Market, in order to better benefit the vendors and the citizens from 2024 onward.		
Fiscal Impact <i>(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)</i> n/a		
Exhibits Attached <i>(Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)</i> City of Jonesboro Market 2024		
Staff Recommendation <i>(Type Name, Title, Agency and Phone)</i> Tbd		

FOLLOW-UP APPROVAL ACTION (City Clerk)		
Typed Name and Title Melissa Brooks, City Clerk	Date February, 5, 2024	
Signature	City Clerk's Office	

City of Jonesboro Market 2024 Committee Proposal

Name

Until there are majority of Farm vendors with produce at the market, it would be better to provide a true picture of the market and call it “The Market”. If this situation changes, and there are a majority of Farmers attending, then it should again be called the Farmers and Makers Market.

Committee Proposal

The committee 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, Main Street DDA, Historic Preservation, Beautification or Design Review. Each member of the committee 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.

Budget

The Board of Directors of the Market governs the financial status of the organization and where money is to be spent. Expenditures can only be based and spent on fees already received.

Fees

My recommendation is that all fees be received by April 1 so the board has an idea of what they can afford to spend on advertising. Fees will remain paid to the City of Jonesboro and the board will inform the city of how they would like the fees to be expended.

Market Members

Market members will sign up online and will complete an application. Once the application has been reviewed, then the applicant will be informed whether their application has been successful. All applications are to be reviewed by staff at the City of Jonesboro.

Length of The Market

The board will confirm the dates for the season of the market and the times that the market will operate.

Inclement Weather

The board will decide whether the market will be cancelled either due to inclement weather or excessive heat. If the market is to be cancelled, then The Market Manager will contact each vendor by phone to inform them of the cancellation.

The Market Manager

A Market Manager appointed by the board usually oversees day-to-day operations and short-term planning. The Market manager could be a volunteer in the rotation of others or a permanent appointment for the duration of the season.

Some of their duties would include:

- Recruit farmers
- Go to necessary public meetings and hearings.
- Promote the market.
- Attract feature stories in the local press.
- Carry out the directives of the Board of Directors.
- Make sure restrooms are accessible.
- Market Manager settles disputes and conflicts.
- Contacting organizations for advertising opportunities.
- Placing advertising at downtown locations for the market or liaising with public works to do so.
- City Liaison

The Market Manager and board of directors must work together to provide cohesive leadership of the market as a whole.

	CITY OF JONESBORO, GEORGIA COUNCIL Agenda Item Summary		Agenda Item # 9.7 - 7
			COUNCIL MEETING DATE February 5, 2024
Requesting Agency (Initiator) Office of the City Manager		Sponsor(s) Mr. Simpson	
Requested Action <i>(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)</i> Discussion regarding possible increase in annual vacant commercial building fee.			
Requirement for Board Action <i>(Cite specific Council policy, statute or code requirement)</i> Vacant Building Fee Revision			
Is this Item Goal Related? <i>(If yes, describe how this action meets the specific Board Focus Area or Goal)</i> Yes Economic Development, Community Planning, Neighborhood and Business Revitalization			
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> The Economic Development Director is proposing an increase in the annual vacant commercial building fee. <u>Per Mr. Simpson:</u> <i>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. The fee amount shall double for each year the property remains vacant. Commercial, office, and industrial buildings which have an active building permit or are already undergoing the plan review / permitting process 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 penalties. Re-application of expired zoning approvals, as well as denials of unpermitted uses, shall not be considered part of the permitting process.</i> The Vacant Building Registry Ordinance for <u>commercial</u> buildings was approved by the Mayor and Council in July 2023. The original fee structure was as follows: <i>(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 \$200 penalty fee, in addition to the registration fee established in Sec. 34-3 (c). The fee amount shall double for each year the property remains vacant.</i> The Economic Development Director’s proposal would increase the fee tenfold, which may be too much for the present. 2024 is the first full year that the fee will be implemented anyway; therefore, the city has no data on the current fee amount’s effects on incentivizing or de-incentivizing investment.			
Fiscal Impact <i>(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)</i> Increase in annual fee revenue			

FOLLOW-UP APPROVAL ACTION (City Clerk)		
Typed Name and Title Melissa Brooks, City Clerk	Date February, 5, 2024	
Signature	City Clerk’s Office	

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

- Jonesboro Ord. 2023-____-Text Amendment- Registration of Vacant Principal Bldgs v2
- Sec. 34-3 REV

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

Denial

1 **STATE OF GEORGIA**

2 **CITY OF JONESBORO**

3 **ORDINANCE NO. 2023-**

4 AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF JONESBORO,
5 GEORGIA, BY AMENDING SECTION 34-3 (REGISTRATION OF VACANT PRINCIPAL
6 BUILDINGS), IN DIVISION 1 (VACANT BUILDING REGISTRY), IN ARTICLE I (IN
7 GENERAL) OF CHAPTER 34 (ENVIRONMENT); TO PROVIDE FOR CODIFICATION;
8 TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO
9 PROVIDE AN ADOPTION DATE; TO PROVIDE AN EFFECTIVE DATE; AND FOR
10 OTHER PURPOSES ALLOWED BY LAW.

11 **WHEREAS**, the governing authority of the City of Jonesboro, Georgia (the “City”) are
12 the Mayor and Council thereof; and

13 **WHEREAS**, the City is authorized by its Charter and state law to regulate zoning within
14 the limits of the City; and

15 **WHEREAS**, the City desires to amend the zoning regulations for the registration of vacant
16 principal buildings in the City; and

17 **WHEREAS**, the City has complied with the notice and hearing requirements pursuant to
18 O.C.G.A. § 36-66-1 *et seq.*; and

19 **WHEREAS**, the health, safety and welfare of the citizens of the City will be positively
20 impacted by the adoption of this Ordinance.

21 **NOW THEREFORE**, be it and it is hereby ordained by the Mayor and Council of the
22 City of Jonesboro:

Section 1. The Code of Ordinances of the City of Jonesboro, Georgia, is hereby amended by revising Section 34-3 (Registration of Vacant Principal Buildings), in Division 1 (Vacant Building Registry), in Article I (In General) of Chapter 34 (Environment); to be read and codified as set forth in Exhibit A, attached hereto and made a part by reference, with added text in bold font.

Section 2. (a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

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

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

Section 3. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed to the extent of such conflict.

Section 4. The effective date of this Ordinance shall be the date of its adoption by the Mayor and Council unless otherwise stated herein.

Section 5. The Ordinance shall be codified in a manner consistent with the laws of the State of Georgia and the City of Jonesboro.

Section 6. It is the intention of the governing body, and it is hereby ordained that the provisions of this Ordinance shall become and be made part of the Code of Ordinances, City of Jonesboro, Georgia, and the sections of this Ordinance may be renumbered to accomplish such intention.

Section 7. The City Clerk, with the concurrence of the City Attorney, is authorized to correct any scrivener's errors found in this Ordinance, including its exhibits, as enacted.

SO ORDAINED, this ____ day of _____, 2023.

CITY OF JONESBORO, GEORGIA

Dr. Donya Sartor, Mayor

ATTEST:

Melissa Brooks, City Clerk

APPROVED AS TO FORM:

City Attorney

EXHIBIT A

Sec. 34-3. - Registration of vacant principal buildings.

(a) Whenever any principal building is lawfully vacant for more than 60 days and is in violation of this article, the owner, shall within ten days of a building becoming vacant, register, or cause to be registered, such building, as a vacant building with the city. The storage of various items within a building and/or the maintaining of functioning utilities for a building/property is not sufficient in itself to deem a building to be "occupied." The registration shall not apply to any accessory buildings on the same property.

(b) Any building shall be exempt from registration under this section provided that the building is currently and continuously being marketed for sale and is not otherwise in violation of this article. At any time such building ceases to be marketed for sale or at such time as the building becomes vacant for a period greater than 60 days, then the owner of such building, dwelling or structure, shall within ten days of such event, register, or cause to be registered such building as a vacant building with the city. The building/property owner must provide valid documentation to the code enforcement officer that the building/property is actually being marketed for sale. The posting of a private "for sale" sign on a property is not sufficient in itself to deem a property and/or building to be marketed for sale.

(c) The vacant building registration application shall be completed by the current property/building owner accompanied with a one-time, \$50.00 administrative fee. Registration of a vacant building shall be valid for a period of 12 months, provided that a significant change in status for the property, such as a change in ownership, does not occur. The city shall be notified of any post-registration ownership changes, which shall prompt a new registration and administrative fee for the new owner of the vacant building/property.

(d) Registrations and the associated fees shall be based on the date a building/property becomes vacant or changes ownership. Registration fees are non-refundable and not pro-rated, should the vacant property become lawfully occupied/used in less time than the 12-month registration period. Registration fees shall be per each parcel that each property owner owns within the city.

(e) The owner(s) registering a vacant building shall supply the following information on an authorized form provided by the city:

(1) Name, address (mailing and street), facsimile number, e-mail address and telephone number of the owner(s);

(2) Name, address (mailing and street), facsimile number, e-mail address and telephone number of any local agent or representative of the owner(s);

(3) Whether a property is a nuisance under the terms of this [chapter 34](#), article III;

(4) Street address and tax parcel identification number of the premises on which the vacant building(s) is situated;

(5) Transfer date of the instrument conveying the real property to the owner(s);

(6) At such time as it becomes available, recording information, including deed book and page numbers, of the instrument conveying the real property to the owner(s);

(7) Recorded plat of property, if available;

(8) Date on which the building became vacant;

(9) A detailed plan-of-action for the vacant building/property, stating the future intent for the premises, such as the sale or use of a vacant occupiable building, the rehabilitation and future use of a vacant substandard building, or the demolition of a vacant, unsafe building. The plan-of-action is subject to approval by the city, and the city reserves the right to place additional requirements within the plan-of-action.

(f) If a **residential** building remains vacant at the expiration of the 12-month registration period and the owner's plan-of-action has not been completed, the current owner shall re-register such **residential** building for another 12 months at no additional charge. If the current owner's plan-of-action has been deemed to be complete by the code enforcement officer, and the property is no longer vacant, then the **residential** building/property may come off the vacant property registry. It is the responsibility of the owner(s) to notify the city of any changes to the status of vacant properties and of any changes to the information on their registration form.

(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 \$200 penalty fee, in addition to the registration fee 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 or are already undergoing the plan review / permitting process 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.

(h) A conviction of any person of failure or refusal to comply with an order of the code enforcement officer issued pursuant to this section shall be punishable by a fine of not less than \$100.00 and not to exceed \$500.00.

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(h) A conviction of any person of failure or refusal to comply with an order of the code enforcement officer issued pursuant to this section shall be punishable by a fine of not less than \$100.00 and not to exceed \$500.00.

(Ord. No. [2019-008](#), § 1, 3-11-2019)(**Ord. Am. Xx-xx-xx**)



CITY OF JONESBORO, GEORGIA COUNCIL
Agenda Item Summary

Agenda Item #

9.8

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COUNCIL MEETING DATE
February 5, 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.)

Discussion regarding Historic Preservation Commission Re-Appointments.

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

Historic Preservation Commission Re-Appointments

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

Yes Historic Preservation, Innovative Leadership

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 needs to bring the Historic Preservation Board re-appointments up to date. Currently, the 5-person Board has four serving members: Betsy Wester, Jule Segner, Alison Murphy, and Laura Dupuis, who all do a great job. The City is searching for a quality fifth board member. Mayor and Council Staff has looked back at meeting minutes and found the following re-appointments from January 2020:

Betsy Wester – 3 year term expires 1/1/23

Jule Segner – 2 year term expires 1/1/22

Alison Murphy – 3 year term expires 1/1/23

Since these have all expired, staff is recommending the same board members for more terms:

Betsy Wester – 3 year term expires 2/1/27

Jule Segner – 2 year term expires 2/1/26

Alison Murphy – 3 year term expires 2/1/27

(Laura Dupuis' term is still good through August 2025 (2 year).)

(Note: Section 42-28 of the Code restricts members from serving more than two consecutive terms. However, we currently have an experienced, quality Board that staff would like to keep. In addition, new volunteers for Board service are hard to come by in a small city.)

Fiscal Impact

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

n/a

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)

FOLLOW-UP APPROVAL ACTION (City Clerk)

Typed Name and Title

Melissa Brooks, City Clerk

Date

February, 5, 2024

Signature

City Clerk's Office



CITY OF JONESBORO, GEORGIA COUNCIL
Agenda Item Summary

Agenda Item #

9.9

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COUNCIL MEETING DATE
February 5, 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.)

Discussion regarding Design Review Commission Re-Appointments.

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

Design Review Commission Re-Appointments

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, Innovative Leadership

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 needs to address re-appointments to the Design Review Commission at the next Council meeting. The re-appointments and expirations got lost in the shuffle through the years.

From code:

(3) Members shall serve three-year terms. Members may not serve more than two consecutive terms unless otherwise approved by majority vote of the Mayor and City Council. In order to achieve staggered terms, initial appointments shall be: one member for one year; two members for two years; and two members for three years.

Bonnie Shekarabi – appointed at start of Board in 2018; no record of re-appointment

Kimberly Lightford - appointed at start of Board in 2018; no record of re-appointment

Barbara Casey Lane - appointed in August 2018; no record of re-appointment

Tammary Dowdell – appointed in January 2020 to replace Sam Fleet; term supposedly expired August 2020; no record of re-appointment

Ricky McKenzie – started service February 2021; no term specified; assuming 3 year term, it would expire February 2024

Code says initial appointments were staggered - one member for one year; two members for two years; and two members for three years.

Going to assume Bonnie and Kim as three-year terms. Barbara and Tammary as two-year terms. Ricky's from this point forward would be a one-year, to keep it consistent with code.

Therefore,

Proposals for re-appointments for February 2024 Council:

Bonnie Shekarabi – three-year term to expire 2/1/27

Kimberly Lightford – three-year term to expire 2/1/27

Barbara Casey Lane – two-year term to expire 2/1/26

FOLLOW-UP APPROVAL ACTION (City Clerk)

Typed Name and Title

Melissa Brooks, City Clerk

Date

February, 5, 2024

Signature

City Clerk's Office

Tammary Dowdell - two-year term to expire 2/1/26

Ricky McKenzie - one-year term to expire 2/1/25

Fiscal Impact

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

n/a

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

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

Approval



CITY OF JONESBORO, GEORGIA COUNCIL
Agenda Item Summary

Agenda Item #

9.10

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COUNCIL MEETING DATE
February 5, 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.)

Update on Public Works activities in January.

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

Report

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

Yes **Transportation Infrastructure**

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.)

Public Works Director John Burdin is updating the Mayor and Council on his department's activities in January 2024.

Some of January's highlights

January 2nd-24th

1. Break-down of Christmas decorations.
2. Cleaned/reorganized top shop (right side), staged all safety equipment, cones, signs, etc. to this area.
3. Removed 30 yards of trash (pallets, broken boards, buckets, trashcans etc.) from top shop (right side).
4. Hauled 3 trailers loads of scrap metal to recycling center from top right shop. Checks were turned in to City Hall.
5. Began the process of moving "Jonesboro" trash bins to top shop (right side), to create a more uniform storage area. Should be completed in February.
6. Crews have completed leaf removal from streets/curbs on west side of "city" - 114,840 linear ft (21.75 miles) of curb line.
7. Ran sanitation each week. However, on the week of January 15th we delayed route 1 hour and cycled out crews to warm up. Route was still completed each day despite the extreme temperatures.
8. Filled up three 30-yard dumpsters of limbs, leaves, etc.
9. Began thinning out of trees and debris on bank behind police department at JCC.
10. Assisted with set up break down for inauguration.
11. Changed oil in 3 vehicles in-house.
12. Replaced 1 truck tire.
13. Replaced 1 damaged backhoe tire (front).
14. Tree emergency on Carriage Lane early morning hours of 1/10/24. Was forced to close road due to low

FOLLOW-UP APPROVAL ACTION (City Clerk)

Typed Name and Title

Melissa Brooks, City Clerk

Date

February, 5, 2024

Signature

City Clerk's Office

hanging lines.

15. Began thinning and rejuvenation pruning at 162 and 170 S. Main St.

16. Two hydraulic hoses replaced on sanitation truck were completed in-house.

17. Set-up, break-down, and worked MLK Parade.

18. Continued to work with Whitley engineering for final plans/specifications for 100 Gloria Dr. renovations.

19. We have placed order for 3 parklets from Archatrak for Main Street.

20. Purchased 48" Gravelly Pro-Stance. This will assist Jonesboro Public Works employees in performing the maintenance of the JCC landscape.

Fiscal Impact

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

n/a

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

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

None