



CITY OF WALNUT GROVE
January 12, 2023 7:00 PM
1021 PARK STREET MUNICIPAL BUILDING
MAYOR AND COUNCIL

Council Meeting Minutes

ELECTED OFFICIALS PRESENT:

Mayor - Mark Moore
Council Members -
Linda Pilgrim
Stephanie Moncrief
Erica Miles

STAFF PRESENT:

City Clerk - Dawn Lummus
City Attorney - Tony Powell
Assistant Attorney - Jay Crowley
Public Works - Brian Pilgrim

OTHERS PRESENT: Dana Seger, Kim Moore, Eric Taylor, David Johnson
Amie & Chris Johnson

- I. CALL TO ORDER** - Mayor Mark Moore
- II. INVOCATION** – Tony Powell
- III. PLEDGE OF ALLEGIANCE** – All Participated
- IV. ROLL CALL** – Mayor Moore stated that everybody is here and announced the resignation of council member Jon Dial for personal reasons.
- V. AGENDA APPROVAL** - Mayor Moore stated that he has some amendments to the agenda. One is an executive session based upon land purchases and personnel. He said, "I'm also going to ask for these two, and we can talk about it and then if we decide not to take action we can so do, but under new business, add item 5. I'd like to add request for proposal of a master plan by planning and zoning that will be item 5. Item 6 will be the potential rezone of Forest Glen subdivision from R1 to R3. That will be item 6 under new business." The Mayor asked for a motion to approve the new agenda. Council member Linda Pilgrim made motion to approve amendments. There was not a second. The Mayor called for discussion. Council member Erica Miles stated that she wanted more discussion on the Forest Glen rezoning and the RFP and council member Stephanie Moncrief agreed. The Mayor removed items 5 & 6 from the amended agenda and only added the executive session. Council member Erica Miles made motion to approve amendment. Council member Linda Pilgrim seconded. Passed unanimously.
Council member Pilgrim made motion to approve the agenda. Council member Miles seconded. Passed unanimously.
- VI. CONSENT AGENDA** - Council member Stephanie Moncrief made motion to approve. Council member Erica Miles seconded. Passed unanimously.

1. Minutes

A. December 8, 2022, Council Meeting Minutes

2. Financials

3. Invoices over \$5000

A. Southern Sanitation

B. GMA – Workers Compensation Insurance

VII. COMMITTEE REPORTS

Community Involvement Committee – Council member Linda Pilgrim reported they had their first meeting of the new year. The park market season will begin in May and run through October. There will be a movie in the park again as well as the tree lighting in November. They are planning in March to do an employee appreciation lunch.

DDA Report – Council member Erica Miles stated that they were excited about the new master plan. The members are talking about continuing education and maybe a land acquisition project soon.

Education Involvement Committee – Council member Stephanie Moncrief had nothing to add.

VIII. PLANNING AND ZONING COMMISSION – Chairman Don Cannon was not in attendance.

IX. LIBRARY REPORT - Librarian Dana Seger commented that the one group missing out on the library is the teen population. So, starting in a couple of weeks the library will be holding Teen Lego Pizza nights and forming a team focus group to help with planning. There are some teen volunteers but there is only so much that they are allowed to do. The summer reading program is already being planned. All the programs at the library are 100% paid for by fundraising and grants. Due to all the growth in the county, there was a significant increase in the book budget. The library is serving some of Newton County and Loganville also. They love our library, so they are willing to travel. Also, there will be cleaning company coming in on Sundays to clean the library.

X. PUBLIC COMMENTS

David Johnson 876 Forrester Cemetery Rd - Mr. Johnson wanted to make the council aware that they were no longer seeking a special use permit to live on the property in their 5th wheel trailer. They are now seeking a hardship variant to the city ordinance. He plans to submit the paperwork next week to the planning and zoning committee.

Amie Johnson 804 Forrester Cemetery Rd – Ms. Johnson reminded the council that she and her husband Chris are neighbors of Mr. David

Johnson, and they were at the last month's meeting and where she was concerned with the dam on David Johnson's property. Ms. Johnson stated that last week the dam failed. She will be asking at the next planning and zoning meeting for no building permits to be issued for lots two and three, that the Highlands owns. Ms. Johnson handed photos to the council showing their lake and the dam. She also showed pictures of a ravine and sinkhole that were created by the dam, and it continues to get worse. The Mayor stated that her three minutes were up and that all she was doing was rehashing what was said last month. He said, "since you officially made this statement about the dam, then we're going to have to get back with our planning and zoning administrator and freeze all building permits until the lake is inspected by the Environmental Protection Agency, the lakes division. So, we're going to have to stop everything until that gets approved. Unfortunately, Mr. Johnson, that affects how fast we can move on your property as well."

Mr. David Johnson just wanted to clarify that they are not seeking a building permit at this point, only a hardship variance concerning the driveway issue.

XI. OLD BUSINESS - None

XII. NEW BUSINESS

- 1. Appointments -** Reappointments for
City Clerk – Dawn Lummus, Deputy Clerk – Sonya Cox,
City Attorney – Tony Powell, and Municipal Court Judge – Samuel M. Barth.
Council member Linda Pilgrim made motion to approve the reappointments.
Council member Erica Miles seconded. Passed unanimously.

- 2. Mayor Pro-Tem –** Council member Linda Pilgrim made a motion to nominate Erica Miles as mayor pro-tem. The Mayor asked for a second and there were none. Council member Stephanie Moncrief made a motion to nominate herself. Ms. Miles asked for a discussion. She stated that she does not feel comfortable taking the position. City Attorney Tony Powell explained the duties. After the discussion, the mayor stated there was a motion to elect Erica Miles as mayor pro-tem. There was no second, so he asked for another motion. Again, Ms. Moncrief nominated herself. Erica Miles seconded. Ms. Moncrief and Ms. Miles voted in favor. Council member Linda Pilgrim opposed.

- 3. Zoning Administrator -** Mayor Moore said, "I have sent out request for bids for zoning administrator and the only company that responded back with price is Bureau Veritas. One of the requirements for zoning administrator is to be at both council meetings and the planning and zoning meetings." He stated starting February 1st he would like Bureau Veritas to take over the duties as zoning administrator. City attorney Tony

Powell pointed out that depending on the dollar amount and because it is an ordinance position, he thinks it would require council approval. The mayor reported that Bureau Veritas is zoning administrator for 3 other cities. The cost per hour is \$125, there is a flat fee of \$450 to attend meetings and the hour rate will be charged if they come to a work session. The Mayor asked for a motion to approve Bureau Veritas as the zoning administrator. Council member Linda Pilgrim made the motion. There was no second. The asked if there was any discussion. Council member Moncrief asked about what the ordinance said about the pay and how many hours per week. The Mayor explained that the ordinance doesn't say anything about the pay and that the hours will just depend on the workload. It was also explained that the current zoning administrator is 2 hours, 4 hours round trip. He tries to do it with telecommunications but the networking he uses doesn't work well. Everything that is in the current zoning administrator hands, would switch the new administrator over the next 30 days. The Mayor has reached out to three or four other companies, and they would be happy to do the plan review but not the zoning administrator duties. Council member Stephanie Moncrief said, "I hesitate to, being presented with this tonight, act on it because one, we don't have a contract with information filled in. We've learned there are other companies who are available, and I know you've reached out and done your due diligence, but if we have new information that there are other companies, perhaps we can contact them, and get comparisons. So that we are truly doing what's in the best interest of the community. I understand the position that we're in as a city and that we need somebody, but I think it's important to make sure we cross our t's and dot our l's and find a couple of other people to see what their pricing is and what they offer." The Mayor replied, "the issue is that we need to do this, let's try them out for a 6-month period until we do due diligence on others. We need to make a change. Planning and zoning needs somebody to weed through this current re-zoning application. This is an amendment to the current agreement that hasn't been renewed. We do need to make a change because right now what we've got is not really working as smoothly as I like." Ms. Moncrief asked, "Do we no longer have the help of Joe? Has he said he is not helping anymore?" Mayor Moore said, "No he has not, but the fact is he can't make the meetings." Ms. Moncrief said, "Even on the phone, he can't do what he's been doing at those meeting. I'm just hesitant to just take action on this when this is first being presented and we have new information, and this is an expense and it may not be as much the engineering firm that we're using now, but I still think we need to do our due diligence and find some other companies who can offer this type of work also." Council member Linda Pilgrim commented that she thinks a change is needed. She said, "the city needs somebody that can be here to help, and not wait another month. I believe that we should go with Bureau Veritas as they are already working for the city, then if it does not work at, look elsewhere. One of the issues is we tend to get into analysis paralysis, and we kick things around. We talk and talk and talk and we never see any movement. We never see anything happen. So, I would just like to have somebody on board that

can be here at our meetings that can explain things to us because we don't know everything, and they are already doing code enforcement for us and our building inspections for us. I don't see a problem with them taking on our zoning administration." Ms. Moncrief stated she's not against bringing on someone who has an engineering degree. She commented this is just the first time it's been presented to us. The Mayor commented that is false as they have been talking about replacing Precision Planning and the duties for six months. He has done his due diligence looking for the best people for this position. Ms. Moncrief replied by stating this is the first time they have heard about Bureau Veritas and she does not agree with analysis paralysis. The Mayor called for a motion to approve Bureau Veritas as the zoning administrator. Linda Pilgrim approved the motion as stated. There was no second, motion died.

4. **Special Election** – The City Clerk Dawn Lummus explained the next special election would be held on June 20 and qualifying runs two months prior to that. Then the same party would have to qualify in August if they chose to run in the November election. She explained that Walton County handles the City's election. The cost for a special election would run about \$10,000. There was discussion about appointing someone or if the City is required to hold a special election. Per the charter, if it is within 6 months of the end of their term, someone can be appointed. If it is more than 6 months a special is held if it is convenient. The City Attorney suggested changing the charter to 18 months. The Mayor asked for a motion to table this item and move it to the February council meeting. Council member Erica Miles made the motion. Council member Linda Pilgrim seconded. Passed unanimously.

XIII. REPORTS

1. **Public Works Report** - Public Works Director Brian Pilgrim reported all the Christmas decorations are down and have been put away. He was able to purchase new decorations for the Christmas tree at 50% off for next year. During bad weather days the guys have built bird houses for the park and city hall to replace the old ones. They also busted up the concrete at the roundabout in order to plant a Japanese maple tree there and the roundabout on Walnut Grove Parkway. Everything else is just maintenance and keeping trash picked up.
2. **Clerk's Report** - City Clerk Dawn Lummus stated that Municipal Court Clerk Sonya Cox reported there were 3 tickets from the Georgia State Patrol and 9 from Walton County. There was no court held in December due to the holidays, so the January calendar is larger than normal. She explained what is needed to become a Tree City and an Ethics City.

3. Mayor's Report - Mayor Mark Moore reported that Falcon Design is doing specifications for the Emerald Cove paving issue. Once that's done it will go out for bid. He hopes to have a spec sheet for what it is going to take to reface the front of the public works building and hope to get the bid out this month. The city has the Town Center final concept from Northeast Georgia Regional and hopes to present it next month to the public. The sewer plant is still in the permit process. With the help of North Georgia Regional Commission, the property annexations have been sent to the Georgia Department of Community Affairs and the Georgia Annexations Department.

XIV. TOWN HALL – Amie Johnson commented that it was news to her that the planning and zoning along with the council signed off on these items. The mayor explained that all permits go to the zoning administrator for approval, If needed it goes to planning and zoning for their review, an ad for public hearing is run if it is needed, then if planning and zoning approves it then it goes to council. City Attorney Tony Powell explained filing a variance request. The Mayor cautioned about approving a variance because once you do one, then everybody gets the same variance. Ms. Johnson goes back to the subdivision of the property again. The Mayor explained that the property was zoned agricultural and the city did not know the intent of what the property owner was going to do with the property. He explained there are ordinances in place if they wanted to build on the lots. There was a discussion with the Highlands, and they said they have a plan for it.

XV. COUNCIL COMMENTS

Council member Erica Miles thanked everyone for coming out tonight.

Council member Linda Pilgrim had no comment.

Council member Stephanie Moncrief had no comment.

XVI. EXECUTIVE SESSION

1. Land Acquisition

2. Personnel/Legal Issues

Council member Linda Pilgrim made motion to go into executive session.

Council member Erica Miles seconded. Passed Unanimously.

XVII. ADJOURN – Council member Stephanie Moncrief made motion to adjourn.
Council member Erica Miles seconded. Passed unanimously.

Respectfully submitted,

Dawn Lummus,
City Clerk

Approved,

Mark Moore,
Mayor



CITY OF WALNUT GROVE
January 26, 2023 10:00 AM
1021 PARK STREET MUNICIPAL BUILDING
MAYOR AND COUNCIL

Council Work Session Minutes

ELECTED OFFICIALS PRESENT:

Mayor - Mark Moore
Mayor Pro Tem - Stephanie Moncrief
Council Members -
Linda Pilgrim
Erica Miles

STAFF PRESENT:

City Clerk - Dawn Lummus
City Attorney - Tony Powell
Assistant Attorney - Jay Crowley
P & Z Chairman - Don Cannon

OTHERS PRESENT: Russ Butcher, Rachel Davis, Terrill Albright,
Cynthia Head, Paul Jones

- I. **CALL TO ORDER** - Mayor Mark Moore
- II. **INVOCATION** - Russ Butcher
- III. **PLEDGE OF ALLEGIANCE** - All Participated
- IV. **ROLL CALL** - Everyone Present
- V. **AGENDA APPROVAL** - Council member Stephanie Moncrief asked about that special election not being on the agenda. It was explained that during the last council meeting the vote was to move it to the next council meeting. Erica Miles asked about adding an executive session concerning land acquisition. There was discussion between Mayor Moore and City Attorney Powell concerning if an executive session can be added to a work session. The Mayor is under the understanding it can only be added to a council meeting and Mr. Powell says it can come off a work session. Mr. Powell has been asked to look into and put it in writing. Erica Miles made a motion to amend the agenda to add an executive session to discuss land acquisition. Council member Moncrief seconded. Passed unanimously. Council member Moncrief made a motion to amend the agenda by adding item C under Old Business, Special Election. Erica Miles seconded. Passed unanimously. Council member Moncrief inquired about the no building permits moratorium. City Attorney Tony Powell suggested it might be something for an executive session. Mayor Moore replied that to discuss a moratorium it needs to be advertised on the agenda for transparency by our city government Mayor Moore asked if the council would in the future, submit all agenda items prior to the meeting by the Friday before. Mayor Moore called for a motion to approve amended agenda, Stephanie Moncrief made the motion, Erica Miles seconded the motion. Passed unanimously.
- VI. **OLD BUSINESS**
 - A. Zoning Administrator - Stephanie Moncrief asked did a RFP got out with the scope of things to be done. Mayor Moore said there was a request for proposal for a zoning administrator duties as it relates to our

ordinance duties of the zoning administrator. Discussion followed regarding Bureau Veritas and Precision Planning. It is a requirement that the zoning administrator attend all planning and zoning meeting and council meeting/work sessions as requested. The Mayor said that this would be moved over to February's agenda for consideration.

- B. Sign Ordinance - Jay Crowley said there are fatal flaws in your sign ordinance and other legal issues. You can not regulate content it is a freedom of speech, you can regulate type and size of signs and where they are located but, you cannot regulate content. Your current ordinance had some language that is regulating content. It is in your planning and zoning ordinance so it will have to advertised and go through the process.
- C. Special Election - Attorney Tony Powell explained the process of holding a special election and the cost involved. He believes we could have a called election in March. He did state that there are two other cities who are calling for a special election but not holding it until November. He explained about changing the charter by home rule to give 18 months to appoint someone if a council member resigns time instead of 6 months. Mr. Powell recommends advertising for a special called meeting and holding it in November.

VII. NEW BUSINESS

- A. Animal Control Ordinance- Jay Crowley explained that Walton county wanted the ordinance to be the same all across the county for service they are providing. They just want them to all be the same so when they send their people out there they are doing the same thing. The change has to do with tethering of animals in front yards and stuff. This does not have to go before planning and zoning. Mayor Moore said that we would put this on the next agenda.
- B. RFP for Master Plan- Don Cannon started out by answering some questions that came to him last week. The first one was that the budget was not included in the document. It is not as they did not consider it they just didn't feel that it was not necessary. They feel that the planners and consultants would determine their own cost and recommendations and it would be on the bids that come back to them. The next one dealt with collaborative effort. They have not yet addressed that particular aspect of it. They do plan to introduce a framework or a steering/vision committee that would consist of the planning commission, a member of city council appointed by the mayor, a member of the DDA appointed by the DDA, and those seven members select two property owners who are not affiliated with the city council, DDA or the planning commission. The next item deals with the timing or the mail out and the 14 days was a bit on the ambitious side but was in keeping with the desire to get this matter underway as soon as possible. Mr. Cannon would not find any objection if you decided to change that to 28 days. The next question was is there a time period for asking questions, clarifying expectations and etc. Mr. Cannon answered by expressing that he did not feel the need since these are professionals. There was discussion about where the money was coming from and the Mayor wanted to make it clear that he would not build this into the city's yearly budget.
- C. Rezoning for Forest Glen Subdivision - Mayor Moore recommended

possibly changing the required square footage to 800 and to accommodate tiny homes. Council member Erica Miles discussed with the council the process of mobile homes being retired (retiring the title) and being considered real property by the homeowner filing a T234 or a certificate of permanent location so they will pay property taxes on the actual dwelling.

- D. DDA Appointment of Applicants - Terrill Albright and Rachel Davis expressed their interest in becoming a DDA member. Both were questioned and seem very well qualified, Don Cannon expressed that Bobby Moncrief had shown an interest for the planning and zoning commission. Mayor Moore expressed that he though with her experience Ms. Davis would be an excellent addition to the Planning and Zoning committee.

- E. OPEN RECORDS-Mayor Moore explained that since he took his training seven years ago the laws have changed. Specifically whether or not council members can communicate by email and not be in violation of the opening meeting/Sunshine Laws. In the past this is how we where trained and I am going to discuss this with Tony, was that it was a no no to talk about or discuss anything in an open public format as we are right now. We cannot meet as a quorum, it always has to be open to the public. In the years passed emails were considered a meeting. Regardless or not you where holding it in person or digitally it was considered a meeting. After discussing this with Tony he seems to think that the law has changed and he gave me a few ordinances which I don't agree with. I think it is going to come back to bite us and cause us some challenges. He also wanted to make clear that if there is back and forth discussion, the email will be added to the agenda packet. Items that need to be placed on the agenda need to be submitted by the Friday before the meetings. He just wants to be in compliance with the law.

VII. Executive Session - Council member Stephanie Moncrief made a motion to go into executive session. Erica Miles seconded. Passed unanimously. Council member Linda Pilgrim made a motion to adjourn, Erica Miles seconded. Passed unanimously.

VII. ADJOURN - Council member Stephanie Moncreif made a motion to adjourn, Erica Miles seconded. Passed unanimously.

Respectfully submitted,

City Clerk

Approved

Mark Moore,
Mayor



CITY OF WALNUT GROVE
February 9, 2023 7:00 PM
1021 PARK STREET MUNICIPAL BUILDING
MAYOR AND COUNCIL

Council Meeting Minutes

ELECTED OFFICIALS PRESENT:

Mayor - Mark Moore
Council Members -
Linda Pilgrim
Stephanie Moncrief
Erica Miles

STAFF PRESENT:

City Clerk - Dawn Lummus
City Attorney - Tony Powell
P & Z Chairman – Don Cannon
Public Works - Brian Pilgrim

OTHERS PRESENT: W. McMullen, K. McMullen, Pam Hobbs, Tina Norrell,
Ellen & Layman Brannon, David Johnson, Leo & Tlozeria Patterson,
Paul Jones, Jon Dial & Christy

I. CALL TO ORDER - Mayor Mark Moore

II. INVOCATION – Tony Powell

III. PLEDGE OF ALLEGIANCE – All Participated

IV. ROLL CALL – All council members, mayor, city clerk, and city attorney were in attendance.

V. AGENDA APPROVAL - Mayor Moore asked that under the consent agenda the animal control ordinance be moved to new business as item #3. Council member Erica Miles made a motion to move the animal control ordinance to new business. Council member Linda Pilgrim seconded. Passed unanimously.
Council member Stephanie Moncrief made a motion to approve the amended agenda. Council member Linda Pilgrim seconded. Passed unanimously.

VI. CONSENT AGENDA - Council member Moncrief stated she wanted to make a motion to move the minutes to the next session, until she has time to look over them, as there are some things missing out of the minutes and she want to make sure they are included. The Mayor asked which one and she stated both of them. Council member Moncrief made the motion to move the January 12th and January 26 minutes to the next council meeting. Council member Miles seconded. Passed unanimously.

Council member Moncrief made a motion to approve the agenda as amended. Council member Linda Pilgrim seconded. Passed unanimously.

1. Financials

2. Invoices over \$5000

- A. Azalea Regional Library Systems \$60,000
- B. Southern Sanitation \$6912

VII. COMMITTEE REPORTS

Community Involvement Committee – Council member Linda Pilgrim stated that the Park Market will start in May. She has already been in contact with some of the sponsors that are interested in helping this year.

DDA Report – Council member Erica Miles stated that the DDA has a recommendation for a new member and that would come up later in the meeting.

Education Involvement Committee – Council member Stephanie Moncrief reported that the principal from the high school will be at next months council meeting and that she is reaching out to the elementary and middle school principals and offering them same opportunity.

VIII. PLANNING AND ZONING COMMISSION – Chairman Don Cannon handed out a copy of his report to the mayor and council. He read the report, from the planning and zoning commission, which follows: We are looking with great anticipation to council's actions later in the meeting that relate to our efforts to development a City Master Plan, the potential rezoning of Forest Glen subdivision to R-3, as well as the appointments to fill the vacant position on the Planning Commission.

At our meeting last week, I expect the Commission to address revisions to the proposed RFP that you might suggest, as well as adopt a new timeline, and framework for the steering committee which will work with the consultant through the Master Plan process.

Our agenda for next week's meeting will include 2 public hearings. One will be to take up the rezone of the "Rutledge property" to C-2 zoning class, and the second hearing will be to address the Application for Variance from David Johnson relating to the property located at 876 Forrester Cemetery Rd. In addition, we expect to take up the potential rezone of Forest Glen, and a new sign ordinance, should these patters be referred to the Planning Commission by your actions later in this meeting.

IX. LIBRARY REPORT - Librarian Dana Seger commented she spent time at the capital for Library Day to secure funding. Crafting with Friends is every Tuesday from 1-3 pm. Every month there is a teen program, last month was Pizza Night and this month is Desert and Date Night. Wednesday February 15 the library will be closed for staff development. They are hiring a part time library associate and a substitute library associate. Don Cannon thanked the City for supporting the library with funding. Mayor Moore replied by saying that the city is looking to see if they can do better this next year.

X. PUBLIC COMMENTS

David Johnson 876 Forrester Cemetery Rd - Mr. Johnson stated that he had a call from the EPD requesting they straw and seed the dam, which

has been completed. He asked if the city received a copy of that report, he would like a copy of it. He also was concerned about the delayed response after they submitted the variance request. He also wanted to know how the house across from him has a driveway into the water treatment road as well a driveway with a concrete apron onto Forrester Cemetery Road. The Mayor explained that the house he was referring to has a driveway off Forrester Cemetery Road which complies with the city ordinance, and because of an easement they can access the water treatment road. As far as the dam, it is an EPD issue. The Mayor apologized for the delayed response.

Bill McMullen 2130 Emerald Drive – Mr. McMullen was inquiring about if there was a date for the repaving of Emerald Cove subdivision. The Mayor explained what was taking place and that the city was waiting to hear back from the engineers for the specs for the RFP. The council has decided to pave the gutters. When the Mayor gets the RFP he will let the representative from the HOA know and they can spread the word.

XI. OLD BUSINESS

- 1. Zoning Administrator** – The Mayor stated that there were two companies that actually responded to the RPF. They were Precision Planning and Bureau Veritas. Council member Moncrief made a motion to accept Precision Planning along with the clarification of duties as the zoning administrator. Council member Miles seconded. The Mayor asked, “if there was any discussion”. Council member Moncrief asked, “if there was something in the wording”. City Attorney Powell stated that there was a suggestion to attach the Professional Service Contract to the RPF. The Mayor asked if he had that form. Attorney Powell stated that it was ready other, but they would edit it once it was passed. Council member Moncrief amended her motion to approve Precision Planning along with the amended/clarifying duties between the city and the engineering company. Council member Miles Seconded. Passed unanimously.
- 2. RFP Master Plan** – Council member Moncrief made a motion to approve the RFP Master Plan with changes the timeline. She rescinded that motion to ask a question. She asked zoning chairman Don Cannon, “are you waiting to hear from us to adjust the schedule. Mr. Cannon indicated yes. Mr. Cannon clarified that the time schedule will go from 14 days to 28 days. Council member Moncrief stated that she would like the council, not the mayor, to appoint the council member that will serve on the steering committee. Council member Moncrief made a motion to send back to P & Z the RFP that was reviewed in the work session with the following changes that was suggested at the work session. A change in the time schedule, the timeline

for the RFP as well as the way the steering committee is set up, with that council member being appointed by council, and making sure it's 28 days for the schedule. Council member Miles seconded. Passed unanimously.

- 3. Special Called Election** – Council member Moncrief made a motion for the called election to be set for November 2023. Council member Pilgrim seconded. Passed unanimously.
- 4. Rezoning Application for Forest Glen** – Council member Moncrief said, "I would like to make a motion that due to the fact we didn't actually discuss the rezoning, but were enlightened with information from Ms. Miles at the last meeting, I would like to table it and send it back to the work session to discuss the rezoning application and the purpose of it." The Mayor explained that the rezoning starts the process with a public hearing to P & Z. Once they hear the public, they make a recommendation to council. The council hears it a work session. Then it goes to council for approval or goes back to P & Z. Attorney Powell explained that the action they are being asked to take tonight is to initiate the application process, then there will be a work session to fill in the blanks, then review by planning and a recommendation, then it comes back to council to decide. Council member Miles asked, "if we go ahead and start this process tonight, where does it go next? Do we have to start paying someone to look at this application or anything like that?" The city attorney remarked that Mr. Walter with PPI has already looked at it. The Mayor reminded that there is an advertising process with a minimum of 30 days, so it will not go to P & Z in March for public hearing. Also, before the council holds a public hearing on it, P & Z has to complete their recommendations. Council member Moncrief said, "I understand all that, and I guess what my question and why I asked to table it was, if the council is initiating it, and I have no idea why we are initiating it, why would I ask for it to be initiated? I know that we were given this document saying this is what would have to happen to rezone, but there has not been a discussion, that I remember, as to why we are doing this."
- 5. Sign Ordinance** – There was discussion by the Mayor that the city code requires 3 readings of an ordinance before it can be considered by council. The sign ordinance has to be advertised because it is a zoning ordinance, but the animal control ordinance does not per the city attorney. Tony Powell, city attorney, explained that most cities do not read the ordinances, so the reading part is just put the citizens on notice that they do exist. He suggested to read the title of the ordinance and that be the first reading, but not on the sign ordinance as it need to

be advertised. He did suggest the reading of the title of the animal control ordinance, and that be the first reading of it. Mr. Powell read the title of the animal control ordinance. Council member Moncrief made a motion to accept the first reading of the animal control ordinance. Seconded by council member Miles. Passed unanimously. The sign ordinance is to be advertised and a public hearing through planning and zoning.

XII. NEW BUSINESS

1. Audit Presentation – CPA Samuel Latimer & Auditor Ken Neil - Mr. Neil presented the audit for the year ending June 30, 2022. All council members and the Mayor received a copy of the audit. He reported that they were able to issue an unmodified report on the financial statement. An unmodified opinion is as good as you can get. Samuel Latimer reported that he and the Mayor will start working on the new budget soon. Council member Moncrief wanted to know if there could be a work session so the council and others could be included in the budget process. The Mayor stated that they could submit to him a wish list of things they would like to have included and things they would like to accomplish.

2. Appointments

A. Planning & Zoning – Mayor more said it was his understanding that Rachel Davis was being considered for P & Z and was also being considered for the DDA. Council member Moncrief expressed that she did not believe Ms. Davis was being presented as a recommendation for the P & Z and she had not appeared in front of the P & Z board. She was under the understanding that she was going to be recommended by the DDA for the DDA. The Mayor stated that after hearing her qualifications, she would be qualified for either position. Planning chairman, Don Cannon spoke up that he had not hear mention the name Bobby Moncrief as a candidate for P & Z. The Mayor raised the question if Mr. Moncrief's appointment would violate the nepotism laws for the state of Georgia. The Mayor said, "it's kind of a gray area but the council can choose whatever they want to do. It's just a concern for me." City Attorney Powell said, "I did not know the issue was going to come up, so I don't know the full answer. I've looked at the state nepotism rules before and didn't see any, however there is some case law, but I am not familiar with them." Council member Moncrief asked if they could hear from Mr. Moncrief regarding his qualifications. Mr. Moncrief discussed his qualifications. Council member Miles asked, "Mr. Powell is there a reason we should be concerned if we appoint Mr. Moncrief to Planning and Zoning." He said, "if Mr. Moncrief is your recommendation and choice I would like to look at that. I would like to just clear those issues that were raised, just so we don't have an issue at all in the process and get the process right.

That would be my request, if he is the one you want to choose, just let me look at that procedure, so it's done correctly and cleanly, since there is some sensitivity as you can see. I just don't want us to one thing that is not exactly. Council member Miles made a motion to table the appointment till the next meeting. Council member Moncrief seconded. Passed unanimously.

B. DDA – Council member Miles made a motion to appoint Rachael Davis to the DDA. Council member Moncrief seconded. Council member Pilgrim opposed.

C. Animal Control Ordinance – This was discussed during the sign ordinance. Council member Moncrief made a motion to accept the first read of the animal control ordinance. Seconded by council member Miles. Passed unanimously.

XIII. REPORTS

- 1. Public Works Report** – Public works director Brian Pilgrim reported that a few spray heads were replaced at the sewer plant it is running like it should. Two Japanese Maples have been planted in the roundabouts. They have been doing general maintenance on the equipment and are in the process of painting the front and back porches at City Hall.
- 2. Clerk's Report** - City Clerk Dawn Lummus stated that Municipal Court Clerk Sonya Cox reported there were 3 tickets from the Georgia State Patrol and 6 from Walton County. There are 3 signed up for the Park Market which starts in May. LMIG application has been submitted and approved. She reported she has been to the clerk's training and was learning more about records retention and needed to start going through all the old records at city hall.
- 3. Mayor's Report** - Mayor Mark Moore reported that with the clerk's attendance at the training she is now a GMA Certified City Clerk. Due to a council member not being able to attend the February work session it will need to be moved. Also, a council member asked to move the work session from the morning to the evening. So, the work session for February 23, 2023 at 10:00 am has been moved to March 2, 2023 at 7:00 pm. The sewer plant expansion is still in process with Chris Thomas and Jimmy Parker working on that. The RFP was advertised in the Walton Tribune and on the city's website to renovate the 1121 Park Street public works building. As of now, there are only two proposals that came in before the ad. There was some vandalism at the city park. A young

man was cutting doughnuts in the grass. He was caught and will appear in the Municipal Court. The city is working on getting the curb fixed. There are 2 engineers looking at it and getting an RFP ready for that.

XIV. TOWN HALL – There was discussion from citizens.

XV. COUNCIL COMMENTS –

Council member Erica Miles had no comment.

Council member Linda Pilgrim had no comment.

Council member Stephanie Moncrief had no comment.

XVI. EXECUTIVE SESSION - None

XVII. ADJOURN – Council member Stephanie Moncrief made motion to adjourn.

Council member Erica Miles seconded. Passed unanimously.

Respectfully submitted,

Dawn Lummus,
City Clerk

Approved,

Mark Moore,
Mayor

SOUTHERN SANITATION
P.O. BOX 815
GRAYSON, GA. 30017
770-554-6450

City of Walnut Grove
2581 Leone Avenue
Loganville, Ga. 30052

RECEIVED
MAR - 3

3-1-2023

Residential Monthly Waste Service

March	2023	582 (\$12.00)	\$6984.00
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Total Amount Due

\$6912.00

Account due by 2-15-2023
Thank you for your business.



400 Pike Blvd
 Lawrenceville, GA 30046
 (770) 338-8000

RECEIVED
 FEB 15

City of Walnut Grove
 Mayor Mark Moore
 2581 Leone Ave
 Walnut Grove, GA 30052

Invoice number 68862
 Date 01/31/2023

Project E04299F Walnut Grove - General Services

Bill thru January 31, 2023

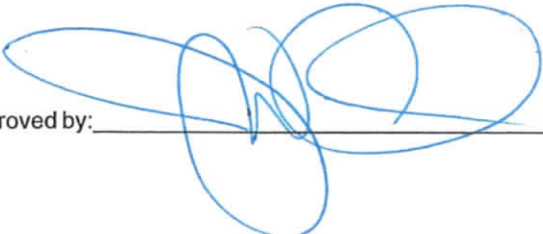
Professional Services

Description	Current Billed
BID PHASE MANAGEMENT	0.00
GENERAL CONSULTING	6,843.75
DRAINAGE & SIDEWALK IMPROVEMENTS	0.00
INSPECTIONS	0.00
ADDITIONAL SERVICES	0.00
DIRECT EXPENSE	0.00
Total	6,843.75

General Consulting

	Hours	Rate	Billed Amount
Principal Planner	54.75	125.00	6,843.75
General Consulting subtotal			6,843.75

Invoice total 6,843.75

Approved by: 



E04299F Walnut Grove General Services – 2022/2023

City of Walnut Grove, Georgia

Detailed Breakdown for December 2022 and January 2023 Invoicing Periods

TASK	Title	HOURS	COST
Answering general permitting questions	Principal Planner	6.50	\$812.50
Coordination with GDOT on 81/138 Roundabout parcels	Principal Planner	2.00	\$250.00
Building permit application review	Principal Planner	6.75	\$843.75
876 Forrester Cemetery Road - review of permit/variance application items	Principal Planner	6.50	\$812.50
Attendance at January, 2023 Planning Commission meeting, including preparation time	Principal Planner	6.00	\$750.00
Diamond Creek S/D sewer discussions with developer and Mayor	Principal Planner	3.50	\$437.50
Matt Rutledge C-2 rezoning application review for completeness; coordination of advertising with City Clerk	Principal Planner	10.50	\$1,312.50
Downtown Overlay District and DDA boundary research and preparation of opinion on overlap	Principal Planner	3.00	\$375.00
1121 Park Street building - preparation of advertisement for bidding	Principal Planner	1.50	\$187.50
E&S Cabinet Chop Plan Review and Answering questions	Principal Planner	3.50	\$437.50
Driveway permit research regarding commercial driveway improvement on Industrial Drive	Principal Planner	1.00	\$125.00
General planning discussions and coordination with Mayor	Principal Planner	2.50	\$312.50
Billboard Denial Letter - coordination with City Attorney	Principal Planner	1.50	\$187.50
Total Labor Cost		54.75	\$6,843.75

City Clerk

From: Don Cannon
Sent: Thursday, February 23, 2023 5:43 PM
To: City Clerk; Megan Ragan
Cc: Joe.Walter; City Mayor
Subject: RE: Matt Rutledge rezoning

Dawn, please see below:

“On a motion by Megan Regan, 2nd by ___ (Megan will you advise who provided the second?) _____, at its meeting of February 16, 2023 the Planning Commission voted to recommend to the Walnut Grove City Council that an Application for Zoning Changed filed by Matt Rutledge requesting that 11.929 acres (Parcel Nos. WG010026 and WG010027) located on Walnut Grove Parkway, Walnut Grove, Georgia which is now zoned AG, be rezoned to C-2 with Conditional Use for Outdoor Storage and Concurrent Variances for buffer reductions be approved with conditions contained in the Rezoning Report by Joe Walter and dated 2/9/2023.”

Let me know should you have any questions.

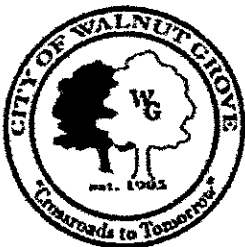
Don

From: City Clerk <cityclerk@cityofwalnutgrove.com>
Sent: Thursday, February 23, 2023 2:11 PM
To: Don Cannon <dcannon@cityofwalnutgrove.com>
Cc: Joe Walter <jwalter@ppi.us>; City Mayor <mayor@cityofwalnutgrove.com>
Subject: Matt Rutledge rezoning

Good afternoon,
The council has a work session on March 2nd, and on the agenda is the rezoning of Matt Rutledge. I was checking to see if you had planning and zoning's recommendation in writing that you could forward to me?
Thank you so much.

Dawn Lummas

City Clerk



City of Walnut Grove
770-787-0046

City Clerk

From: Megan Ragan
Sent: Tuesday, February 28, 2023 7:24 AM
To: Don Cannon; City Clerk
Cc: Joe Walter; City Mayor
Subject: RE: Matt Rutledge rezoning

Correct. 2nd by Donnie Tudor.

Megan Ragan

City of Walnut Grove Planning and Zoning Committee Secretary
Walnut Grove, GA
mragan@cityofwalnutgrove.com
770.658.6326

From: Don Cannon <dcannon@cityofwalnutgrove.com>
Sent: Thursday, February 23, 2023 5:43 PM
To: City Clerk <cityclerk@cityofwalnutgrove.com>; Megan Ragan <mragan@cityofwalnutgrove.com>
Cc: Joe Walter <jwalter@ppi.us>; City Mayor <mayer@cityofwalnutgrove.com>
Subject: RE: Matt Rutledge rezoning

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Let me know should you have any questions.

Don

From: City Clerk <cityclerk@cityofwalnutgrove.com>
Sent: Thursday, February 23, 2023 2:11 PM
To: Don Cannon <dcannon@cityofwalnutgrove.com>
Cc: Joe Walter <jwalter@ppi.us>; City Mayor <mayer@cityofwalnutgrove.com>
Subject: Matt Rutledge rezoning

Good afternoon,
The council has a work session on March 2nd, and on the agenda is the rezoning of Matt Rutledge. I was checking to see if you had planning and zoning's recommendation in writing that you could forward to me?
Thank you so much.



Rezoning Report

Report by: Joe Walter
Date: February 9, 2023

Date
February 16, 2023
TBD

Hearing
Walnut Grove Planning Commission:
Walnut Grove City Council:

General Information

Applicant: Matt Rutledge
Owner: Matt Rutledge
Size: 11.92 acres
Location: Hwy. 81
Tax Parcels WG010026 &WG0010027
Existing Zoning: AG
Proposed Zoning: C-2 with a Conditional Use for outdoor storage
Proposed Use: Commercial Office; Office/warehouse uses

Surrounding Land Uses & Zoning Districts

To the East: Undeveloped (AG zoning)
To the West: Single family residential (R1 zoning)
To the North: Undeveloped property (AG zoning)
To the South: Single family residential (AG zoning)

Applicant's Intent

The applicant desires to develop the 11.192 acre property into an commercial office/warehouse development off of Hwy. 81. The submitted site plan indicates five (5) buildings with a mix of commercial office and office/warehouse uses. The Letter of Intent states that the layout of the buildings is designed to cater to local service-oriented businesses. The property has frontage on Hwy. 81 but the proposed development would be accessed through a driveway extending from Walnut Grove Parkway. No driveways are proposed for Hwy. 81.

Analysis of Rezoning Request

Existing Use/Future Use - The subject property is undeveloped. The property is currently zoned AG and is shown in the most recent Comprehensive Plan Future Land Use Map as Mixed Use.

Utilities/Stormwater – Walton County water runs along Hwy. 81. Walnut Grove sewer is available offsite to the east of the property. The submitted site plan indicates a master detention area, which encroaches into neighboring property, also owned by the same entity but not a part of the rezoning application.

Buffers – The site plan submitted indicates a number of buffers proposed on the overall development to provide a visual and noise barrier between the uses. Two specific deviations from the requirements of Section 1204 of the Zoning Ordinance are proposed.

- 1. A 40-foot wide buffer with decorative fencing is proposed between the proposed

development and the R1 zoned-zoned properties adjacent to Hwy 81. *Note – a 50 foot-wide buffer is required by the Zoning Ordinance between C-2 and AG districts. The buffer may be reduced by 50 percent or ten feet (whichever is less) by the addition of a solid fence or wall at least six feet in height.*

2. The 50 foot wide buffer between C2 and the AG property to the southeast (other property owned by the applicant) is requested to be reduced to zero feet. *Note - There are no current provisions in the Zoning Ordinance to reduce a required buffer to zero (0) feet.*

Overlay Districts - The property is located in the WP-1 Cornish Creek Watershed Protection District, Section 911.C of the Zoning Ordinance, which imposes increased stream buffers and building setbacks (100' stream greenway, 150' stream setback from the banks of all perineal streams). The stream setbacks shown on the submitted plan comply with the requirements of the WP-1 Cornish Creek Watershed Protection District based on information provided by the applicant regarding the intermittent stream on the northern edge of the property.

Impact Analysis

According to Section 1608 of the *Zoning Ordinance*, the Mayor and Council are to consider sixteen standards governing the exercise of the City's zoning power in balancing the interest of the public health, safety, morality or general welfare against the unrestricted use of property. We have reviewed the Section 1608 standards and the application and have presented our findings on the sixteen standards:

1. *The existing land use pattern;*

The existing land use pattern is a mixture of residential and commercial uses along Hwy. 81. There are several residential subdivisions along Hwy 81. There are commercial uses in the center of Walnut Grove and north of the subject property in the Youth area of the county.

2. *The possible creation of an isolated district unrelated to adjacent and nearby districts;*

This development, if approved, would be adjacent to a proposed public park and a Fire Station. There are no established office or warehousing uses in the area, other than the industrial park off of Park Street/Guthrie Cemetery Road. There are plans to develop the properties along Walnut Grove Parkway to the south for mixed use developments.

3. *The population density pattern and possible increase or over-taxing of the load on public facilities including, but not limited to, school, utilities, and streets;*

Public water is available along Hwy. 81. Public sewer is available off site to the east. The applicant did not provide any traffic generation numbers. The ITE Trip Generation Manual, 10th edition, indicates that there would be 53 PM peak hour trips entering and exiting this site. Since there is no proposed access to Hwy. 81, all traffic would enter and exit the development from Walnut Grove Parkway.

4. *The costs to the City and other governmental entities in providing, improving, increasing or maintaining public utilities, schools, streets, law enforcement, fire protection and other public services;*

An outfall sewer line serves the adjacent property and the County Fire Station. It is understood that there is available sewer capacity for commercial uses. The City would have to provide public works

services and sanitation to the development. Walton County provides schools, fire protection and water service.

- 5. The possible impact on the environment, including, but not limited to drainage, soil erosion and sedimentation, flooding, air quality and water quality;**

Impacts on drainage, soil erosion and sedimentation would be mitigated by the construction practices required by the City's *Land Development Ordinance*. Note that the property lies within the Cornish Creek Watershed Protection Overlay District WP-1, which requires more extensive greenways and setbacks from streams. Based on information provided by the applicant, the watercourse to the northeast, adjacent to the park property, is an intermittent stream so the additional setbacks and buffers required by the WP-1 district would not apply to the property.

- 6. Whether the proposed zoning amendment will allow uses which will be a detriment to the value of adjacent property in accordance with existing regulations;**

Adjacent properties are currently single-family residences. The proposed mix of tenants could introduce noise and other impacts. However, with the development of the adjacent Walton County park, the same residences may be just as impacted by the lights and sounds from that facility as would the proposed development.

- 7. Whether there are substantial reasons why the property cannot be used and developed in accordance with the existing regulations;**

The property could continue to be used or developed for another use allowed in the AG district.

- 8. The aesthetic effect of the existing and proposed use of the property as it relates to the surrounding area;**

The proposed C-2 use would need to be conditioned with regard to landscaping, lighting restrictions, hours of service, etc. to mitigate potential impact on adjacent properties.

- 9. The extent to which the proposed zoning amendment is consistent with the comprehensive land use plan;**

The proposed development is consistent with the uses proposed for the subject property in the current Walnut Grove Comprehensive Plan, which indicates a "Mixed Use" character area for the property. According to the plan, the "Mixed Use" character area envisions a blend of residential, office, commercial and institutional uses in the same area, whether blended vertically (in the same building) or horizontally (multiple uses in neighboring buildings).

- 10. The possible effects of the proposed zoning amendment on the character of the zoning district, a particular piece of property, neighborhood, a particular area or the community as a whole;**

There is C2-zoned property southward along Hwy 81 closer to the Hwy. 138 intersection. Any C-2 uses would need to include conditions regarding landscaping, lighting restrictions, hours of service, etc. to mitigate potential impact on adjacent properties.

- 11. The relationship that the proposed zoning amendment bears to the purpose of the overall zoning scheme, with due consideration given to whether the proposed zoning will carry out the purposes of these regulations;**

Within the Walnut Grove area, there is no comparable land use. The proposed zoning would

introduce a new element to the local economic base.

- 12. Any application for a zoning map amendment which does not contain a specific site plan carries a rebuttable presumption that such rezoning shall adversely affect the zoning scheme;**

The applicant has submitted site plans with proposed uses and setbacks, lighting, buffers, parking, access and other information to assist in understanding the proposed development.

- 13. The consideration of the preservation of the integrity of residential neighborhoods shall be considered to carry great weight;**

The proposed development abuts public uses to the north and agricultural uses to the south. Residential uses exist along Hwy. 81 adjacent to the subject property. There are several single-family residences between the subject property and Hwy. 81. The development, without direct access to Hwy. 81, would reduce the impacts on the adjacent properties.

- 14. In instances when property fronts on a major thoroughfare and also adjoins an established residential neighborhood, the factor of preservation of the neighborhood shall be considered to carry great weight;**

There is a small, established residential neighborhood between the proposed development and Hwy. 81. The proposed uses would need to have conditions placed upon them for lighting, landscaping and other mitigating factors to reduce the impact of their development.

- 15. Whether the property affected by the decision has a reasonable economic use as currently zoned; and**

The property could be used for any uses allowed under by the AG district; however, given the changing nature of Hwy 81 and the development of a large County park near the subject property would indicate that AG uses on this property would not be feasible in the future.

- 16. Whether other conditions exist that affect use and development of the property in question and support approval or denial.**

The applicant has indicated that the C-2 property, if approved, would become a business incubator for the area.

Conclusion

This area of the City is undergoing a transformation with the development of the County Park to the north and the planned Town Center to the south. The proposed rezoning will introduce a mix of uses and density of development that is different from the adjacent residential uses along Hwy 81. The Future Land Use designation for the property is Mixed Use, so the proposed development would be in keeping with the Comprehensive Plan. With no direct access proposed onto Hwy 81, the traffic concerns that were raised in the previous rezoning application would be drastically lessened by this development and staff would support the rezoning of the property to C-2 with a Conditional Use for Outdoor Storage if the following conditions were imposed on the property

Proposed Conditions - C-2 with a Conditional Use for Outdoor Storage:

1. Development:
 - a. The site shall be developed in general conformance to the site plan submitted with the rezoning request.

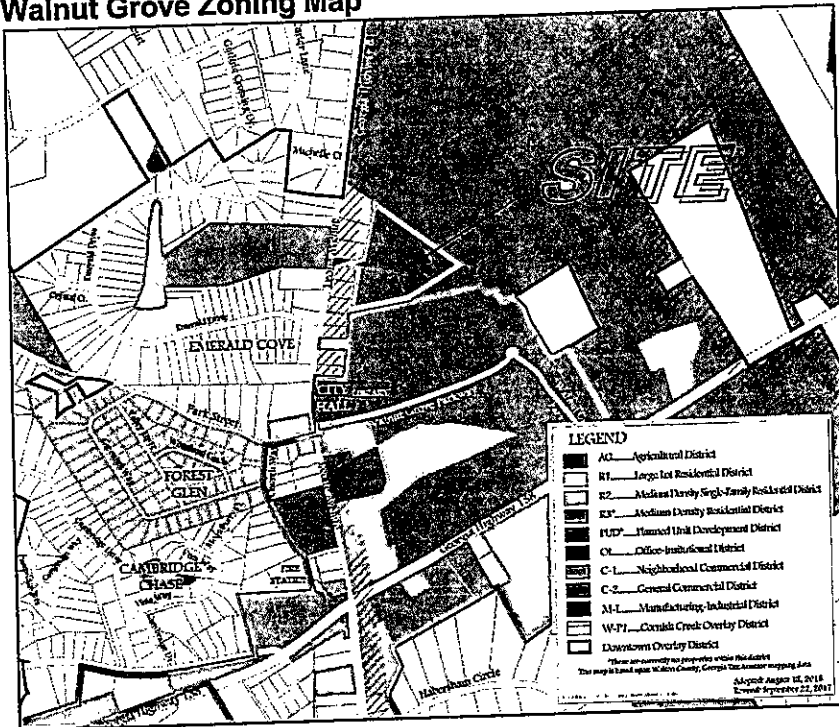
- b. No development activities will be permitted until all approvals from the City of Walnut Grove have been obtained.
2. Permitted uses:
 - a. Service-oriented commercial and office/warehouse uses will be permitted. No retail commercial businesses OR uses listed in the *Industrial or Manufacturing Uses* portion of the "Table of Permitted and Condition Uses" (Section 900 of the Zoning Ordinance) will be permitted.
 - b. Any outdoor storage will be limited to the areas not visible from Hwy. 81 (i.e., at the rear of the office/warehouse buildings).
3. Hours of Operation:
 - a. Hours of Operation for the proposed development shall be limited to 8:00am to 8:00pm.
4. Buffers/Landscaping:
 - a. Provide a 50 foot undisturbed buffer adjacent to the R-1 properties to the west. Supplement the buffer with plantings where sparsely vegetated. Buffer may be reduced to 40 feet with the construction of a decorative fence or wall adjacent to the R-1 properties. Fence/wall details to be approved prior to the issuance of any permits.
 - b. Provide a 50 foot wide buffer adjacent to the AG property along the southern and southeastern property lines. Buffer may be reduced to 40 feet with the construction of a decorative fence or wall adjacent to the AG property. Fence/wall details to be approved prior to the issuance of any permits.
 - c. Developer to comply with the Cornish Creek WP-1 Overlay requirements (Section 911.C.) for buffers and setbacks along the creek along the northern property line.
 - d. Tree replacement and plantings shall follow the guidelines in the Land Development Ordinance.
5. Access:
 - a. Provide a 20' wide no access easement along the property frontage along Hwy. 81. No driveway access will be permitted on Hwy. 81.
 - b. Prior to issuance of any site development or building permits for the subject property, the owner shall provide to the City evidence of a permanent access easement to the property from Walnut Grove Parkway.
6. Utilities/Stormwater:
 - a. The City Engineer will approve all water and sewer designs prior issuance of any development permits.
 - b. All Stormwater management ponds and improvements to follow the guidelines of the *Land Development Ordinance*, including any documentation needed for offsite/regional detention.
7. Architectural/Lighting/Decorative Elements:
 - a. Mayor and Council to approve the proposed exterior architectural designs for all proposed uses prior to any building permits being issued. Proposed architectural designs should incorporate the Downtown Overlay District guidelines where possible.

- b. All lighting shall be cut off type luminaries and designed to not shine on adjacent residential properties.

Aerial View of the Site

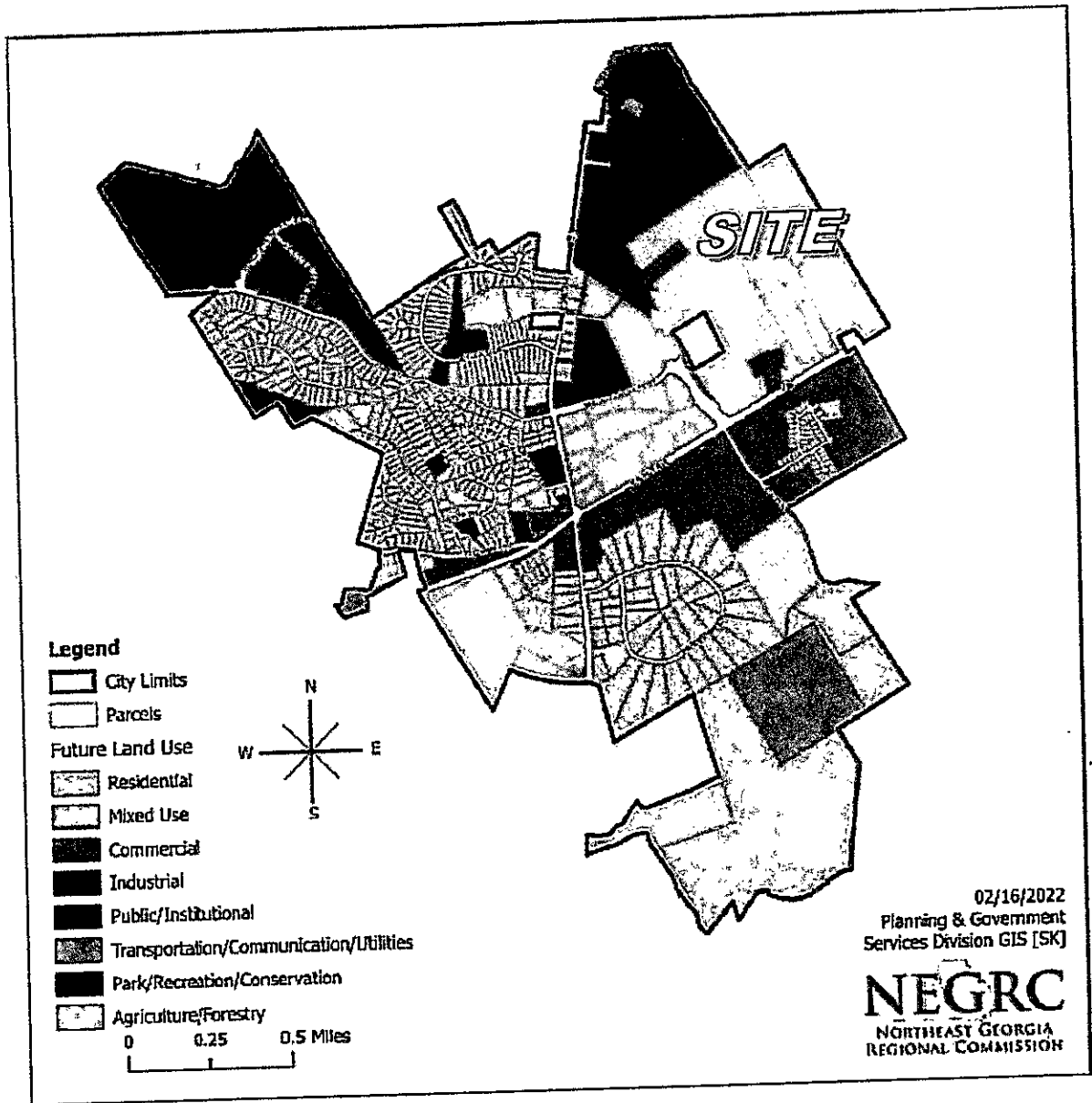


Walnut Grove Zoning Map



Excerpt from the Walton County Comprehensive Plan

Future Land Use Map



City Clerk

From: Chris McCrary <cmccrary@bowman.com>
Sent: Tuesday, February 28, 2023 12:07 PM
To: Joe Walter; City Clerk
Cc: City Mayor; Stephanie Moncrief; Linda Pilgrim; Erica Miles; Matt Rutledge (matt@benchmarkga.net)
Subject: Document requesting changes to the proposed conditions
Attachments: Zoning Letter of Conition Revision Request 3-2-2023.pdf

Joe,

At the Planning and Commission meeting presentation I mentioned verbally that my client would like to revise a three of the proposed conditions. I explained the changes. None of the requested changes eliminates the condition on alters the wording or adds clarification. I would respectfully request that the attached memo be placed in the public record as the request from the client to revise 3 of the conditions proposed in the staff report. We don't believe these revisions cause detriment to any of the nearby and adjacent property owners and allows the ability for the owner to market the development to a wider business pool and allow flexibility to connect to the next phase at Walnut Grove Parkway.

Thank you for your consideration.

CHRIS MCCRARY

Branch Manager | **BOWMAN**

4174 Silver Peak Pkwy, Suwanee, GA 30024

O: (770) 932-6550 | D: (470) 326.4224 | M: (470) 334-1455

cmccrary@bowman.com | bowman.com

Bowman

4174 Silver Peak Parkway, Suwanee, GA 30024

Office 770-932-6550 • Fax 770-932-6551 • bowman.com

March 3rd, 2023

City of Walnut Grove
Mayor and City Council
2581 Leone Avenue
Walnut Grove, GA 30052

RE: Rezoning Report Proposed Conditions Request for Revision.

This letter is provided on behalf of Matt Rutledge (the Owner & Applicant) concerning the staff Rezoning Report and the proposed conditions. Although the majority of the proposed Rezoning conditions are agreed to by the applicant, he requests 3 minor revisions to be considered:

Condition requesting revision:

2. Permitted uses:

a. Service-oriented commercial and office/warehouse uses will be permitted. No retail commercial businesses OR uses listed in the Industrial or Manufacturing Uses portion of the "Table of Permitted and Condition Uses" (Section 900 of the Zoning Ordinance) will be permitted.

The applicant has the opportunity to pursue an occupant in the building labeled retail on the concept plan with a possible hardware store like operation. The location of the proposed limited retail building is over 560 l.f. to the nearest property line of the adjacent residential properties. This limited retail use would have no impact on the use or usability of the residential homes.

Proposed Condition to add to the last sentence of 2.a as highlighted below:

a. Service-oriented commercial and office/warehouse uses will be permitted. No retail commercial businesses OR uses listed in the Industrial or Manufacturing Uses portion of the "Table of Permitted and Condition Uses" (Section 900 of the Zoning Ordinance) will be permitted with the exception of one building limited to 20,000 sq.ft. substantially located as shown on the Concept Plan provided with the Rezoning Application.

Condition requesting revision:

3. Hours of Operation:

a. Hours of Operation for the proposed development shall be limited to 8:00am to 8:00pm.

The applicant believes the restricted hours of operating of a service oriented business between 8:00am to 8:00pm is too restrictive and does not fall within industry norms. Limiting the hours of

4174 Silver Peak Parkway, Suwanee, Georgia 30024
770.932.6550

gomda.net | bowman.com

operation as proposed would place a competitive disadvantage to the business occupying the buildings. The Concept Plan provided is compliant to all required visual and noise buffers per the code and the implementation of such buffers provides screening (both visual and noise) to residential and AG zonings.

Proposed Condition to revise the hours of operation as highlighted below:

3. Hours of Operation:

a. Hours of Operation for the proposed development shall be limited to 7:00am to 9:00pm.

Condition requesting revision:

4. Buffers / Landscaping:

b. Provide a 50 foot wide buffer adjacent to the AG property along the southern and southeastern property lines. Buffer may be reduced to 40 feet with the construction of a decorative fence or wall adjacent to the AG property. Fence/wall details to be approved prior to the issuance of any permits.

Most of the adjacent AG property is owned by the applicant. The applicant intends to rezone the adjacent property following the guidelines developed by the Downtown Overlay. The applicant has provided buffering compliant to all other properties except the parcel owned by himself. Once the rezoning takes place the buffer is no longer relevant. The applicant request language that removes the buffer in the event of the adjacent parcel being rezoned.


Proposed Condition to revise the hours of operation as highlighted below:

4. Buffers / Landscaping:

b. Provide a 50 foot wide buffer adjacent to the AG property along the southern and southeastern property lines. Buffer may be reduced to 40 feet with the construction of a decorative fence or wall adjacent to the AG property. Fence/wall details to be approved prior to the issuance of any permits. Should the adjacent parcel be rezoned the zoning buffering will no longer be required.

We believe the requested revisions to the proposed conditions are minor and would not cause detriment to nearby or adjacent properties. The applicant seeks to comply with most of the proposed conditions as written. The only revisions are to provide a design that will attract new businesses and allow connectivity to future development coming at Walnut Grove Parkway.

Thank you,



Chris McCrary
Suwanee Branch Manager