

AGENDA ITEM SUMMARY
October 7, 2021

Item #

6A

ITEM SUMMARY:

Request approval to amend Chapter 17, Section 5.20.010 of the Code of Ordinance regarding business licenses to establish an annual license fee of \$100.00 for insurance companies effective January 1, 2022; adoption of the revised Ordinance.

SPECIAL CONSIDERATIONS OR CONCERNS:

GMA notified the City that due to the 2020 census population increase to 29,051 that the City may increase the license fee for insurance companies.

STAFF RECOMMENDATION:

Staff recommends adoption of the revised Ordinance.

FINANCIAL IMPACT: (Funding Source)

Increase of business fee revenues (approximately \$10,000 to \$15,000.00 annually) to the City beginning in 2022.

ATTACHMENTS:

Copy of the proposed Ordinance amendment
Copy of the GMA letter to the City.

Submitted by:

Rosalind Walker, Supervisor of Business Licenses

**STATE OF GEORGIA
COUNTY OF HENRY**

ORDINANCE NO.: _____

WHEREAS, due to an increase in the population of the City of McDonough during the 2020 federal census, state law provides for an increase in the license fee for insurance companies doing business in or with citizens of the City.

NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE GOVERNING AUTHORITY OF THE CITY OF McDONOUGH that chapter 17 of the code of ordinances regarding business licenses and regulation be amended as follows:

-1-

Section 5.20.010 of the city code is amended to establish an annual license fee of \$100.00 for insurers.

-2-

Except as set forth herein, all remaining provisions of Sec. 5.20 shall remain in full force and effect.

-3-

If any ordinance, or part thereof, is in conflict herewith, this this ordinance shall have preference. If any provisions of this ordinance are held invalid, such invalidity shall not affect any of the other provisions which can be given effect without the invalid provision, and, to this end, the provisions of this ordinance are declared to be severable.

This ordinance shall become effective on January 1, 2022. So adopted this ____ day of October, 2021.

CITY OF McDONOUGH, GEORGIA

By: _____
Billy Copeland, Mayor

Attest: _____
Janis Price, City Clerk

Approved as to form:

James E. Elliott, Jr., City Attorney



September 15, 2021

President
Jim Thornton
Mayor, LaGrange

First Vice President
Julia Smith
Mayor, Tifton

Second Vice President
Michelle Cooper Kelly
Councilmember, Marietta

Third Vice President
Randall Walker
Mayor, Perry

Immediate Past President
Vince Williams
Mayor, Union City

Executive Director
Larry H. Hanson

Rosalind Walker, Accounting Clerk/Supervisor
City of McDonough
136 Keys Ferry St.
McDonough, GA 30253-3215

Re: Revision of License Fee Ordinances – Insurance Companies

Dear Ms. Walker:

We are providing this correspondence to inform you about the new 2020 Census figures which allow your city to increase the amount of its municipal license fee charged to insurance companies.

As you know, O.C.G.A. Section 33-8-8 permits Georgia municipalities to charge an annual flat fee to insurance companies transacting business within the municipal limits, the amount of which is determined by the population of each city. According to the new Census, the population of your city increased from 22,084 to 29,051. Accordingly, under the authorizing statute, you are authorized to charge an annual license fee to insurance companies in the amount of \$100.00, and your license ordinance should be changed to this new amount.

It is important to adopt a new ordinance before the end of the year, as any ordinance adopted next year will not be effective until the 2023 license year.

Once this change is made to your ordinance, for the change to be valid you must file the ordinance with the Insurance Commissioner's office *within forty-five (45) days* of enactment by sending a copy to:

Georgia Insurance Commissioner
Attention: Mandy Snipes, Director of Premium Tax
912 West Tower
Two Martin Luther King Jr. Drive
Atlanta, GA 30334

You should also forward to us a copy of the new ordinance at the address below:

Georgia Municipal Association
Municipal Revenue Services
2915 Piedmont Road, Suite E
Atlanta, GA 30305

For your convenience, we are enclosing a sample ordinance. If you have any questions, please contact Russell Winch with Municipal Revenue Services at 404-237-2280 or toll-free 888-255-0434, or me by phone at 678-686-6264 or by email at djenkins@gacities.com. We do recommend that you consult with your city attorney before amending the ordinance, to be sure that all legal requirements are met.

Thanks so much for allowing GMA to serve you!

Sincerely,

Darin Jenkins
Director, Financial and Operational Services

DJ/df
Enclosure

AGENDA ITEM SUMMARY

Date: 10/7/21

6:00p.m.

ITEM NUMBER:

6B

ITEM SUMMARY:

Consider for approval a revised MOU for the City of McDonough Police Department and other local law enforcement agencies. The MOU is a "Mutual Aid Agreement" for local cities within Henry County to work side by side in the event a local emergency occurs.

SPECIAL CONSIDERATIONS OR CONCERNS:

This is a revised MOU and will override the previous MOU signed on 4/1/21.

STAFF RECOMMENDATION:

None.

FINANCIAL IMPACT: (Funding Source)

None.

ATTACHMENTS:

Yes.

Submitted by:

Chief Ken Noble

Mutual Aid Resolution

DEFINITIONS:

1. "Agreement" means an arrangement between parties
2. "Parties" means the agencies involved
3. "Participating Parties" means the combination of agencies involved that have become parties to this agreement
4. "Requesting Party" means the participating party that has requested assistance pursuant to this agreement during a disaster or local emergency
5. "Local Emergency" means the existence of conditions of extreme peril to the safety of persons and property within a jurisdiction caused by natural disasters, riots, civil disturbances, or other situations presenting major law enforcement and other public safety problems, which conditions are or likely to be beyond the control of services, personnel, equipment, and/or facilities of that agency and which require the combined forces of other agencies.

AGREEMENT

Whereas the City of McDonough is within close proximity to the City of Locust Grove, the City of Hampton, the City of Stockbridge; and the unincorporated areas of Henry County; and

Whereas the City of McDonough, the City of Locust Grove and the City of Hampton maintain their own city police departments, the City of Stockbridge at this time is policed by the Henry County Police Department, and the unincorporated areas of Henry County are policed by the Henry County Police Department and the Henry County Sheriff's Office; and

Whereas the municipalities within Henry County and the unincorporated areas of Henry County are vulnerable to a wide range of "local emergency" situations where the respective Police Department or Sherriff's Office will be unable to handle the emergency situation without assistance; and

Whereas it is the desire of the Agencies in the best interest of the communities involved to adopt this resolution pursuant to the Official Code of Georgia Annotated O.C.G.A. 36-69-1, "The Georgia Mutual Aid Act." This Resolution is being adopted to specifically authorize the mutual assistance under the Georgia Mutual Aid Act without further action on behalf of the City Council of McDonough, Georgia.

This agreement is effective as of the date of signature by the Chief Law Enforcement Officer and/or Governing Authority of each Participating Party and shall continue for a period of three (3) years or until cancelled by one of the Participating Agencies. The designated representative identified below represents that he is authorized by his/her jurisdiction or Participating Agency to enter into this agreement on behalf of the Participating Agency.

WITNESSETH:

Whereas the Participating Parties agree to each maintain and staff their respective agency for the purpose of daily operations,

Mutual Aid Resolution

Whereas it is deemed mutually sound, practicable, and in the best interest of the community to render assistance to one another in situations of "Local Emergency"

THEREFORE BE IT AGREED THAT:

Incorporation by Reference

As required by state law, the provisions of Official Code of Georgia Annotated §§ 36-69-4 through 36-69-9 (inclusive) are incorporated as if set forth verbatim herein.

Communications

1. Communications at scenes of "Local Emergency" shall be made through the Henry County Communication Center.
2. Communications amongst agencies shall operate on the Requesting Agencies designated channel. Should a need arise where it is unfeasible for a Participating Party to change radio channels, a line of communication between Participating Parties shall be established. This could be, but is not limited to assigning a Participating Party member to partner at the scene with a member of the requesting agency.

Request for Assistance

1. Request for assistance should be made by a Supervisor of the Participating Party needing assistance.
2. The request should be acknowledged by a Participating Parties on duty Supervisor, in order to determine the amount of personnel and/or resources available to respond to assist the requesting agency.
3. Each Participating Party regardless of if they are requesting or rendering assistance shall adhere to their agencies rules, regulation, policy, general order, or procedure as it pertains to internal notifications.

Command and Supervisory Responsibility

1. Participating Parties should use the National Incident Command System (NIMS)/ Incident Command System (ICS) as a guideline for establishing a command post and incident command.
2. The Participating Party with the most knowledge of the situation should maintain supervision of the scene, typically the Requesting Agency. However; supervision may and should be delegated if a Participating Party member has more training and/or knowledge of how to mitigate the "Local Emergency."
3. Whenever a member of a Participating Party is rendering assistance that Participating Party shall abide by and be subject to the rules and regulations, personnel policies, general orders, and standard operating procedures of their own agency. At no time will a member of a Participating Party be forced to adhere to a direct order from a Superior or Supervisor at the "Local Emergency" that contradicts their agencies rule, regulation, policy, general order, or procedure.

Mutual Aid Resolution

Cost

1. Dependent on the situation, each Participating Party agrees to cover the cost(s) associated with their own participation. However; should the "Local Emergency" be extensive and require extensive assistance the Requesting Party should compensate the Participating Party in a mutually agreed upon way.
2. If equipment belonging to a Participating Party rendering assistance in a "Local Emergency" gets damaged; dependent on the situation the Requesting Party should compensate the Participating Party in a mutually agreed upon way.
3. The mutually agreed upon way of compensation can include but is not limited to meals, lodging, monetary amount, or other expenses relating to the provision of assistance.

Reporting Responsibilities

1. Each Participating Party shall abide by and be subject to the rules and regulations, personnel policies, general orders, and standard operating procedures of their own agency pertaining to reporting procedures.
2. Should a member of a Participating Party be rendering assistance in the form of answering emergency calls within the Requesting Parties Jurisdiction, all written reports shall be forwarded to the Requesting Agency.

Renewal of Agreement or Cancellation

The agreement shall be reviewed by all participating Parties every three (3) years. At such time a new agreement shall be agreed upon and signed by the Chief Law Enforcement Officer and/or Governing Authority of each Participating Party.

Any Participating Party may cancel their participation in this Mutual Aid Resolution upon delivery of written notice to the other Participating Parties. Cancellation shall be effective immediately upon receipt of such notice. Upon cancellation of one of the Participating Parties, that agency will coordinate the return of any loaned equipment and/or any compensation that was mutually agreed upon to the proper Participating Party.

City of McDonough
State of Georgia

Mutual Aid Resolution

Agreed to and Acknowledged:

City of McDonough

Kenneth Noble, Chief of Police

Date

Billy Copeland, Mayor

Date

City of McDonough
State of Georgia

Mutual Aid Resolution

Agreed to and Acknowledged:

City of Hampton

James Turner, Chief of Police

Date

Steve Hutchison, Mayor or his designee

Date

City of McDonough
State of Georgia

Mutual Aid Resolution

Agreed to and Acknowledged:

City of Locust Grove

Derrick Austin, Chief of Police

Date

Robert Price, Mayor

Date

City of McDonough
State of Georgia

Mutual Aid Resolution

Agreed to and Acknowledged:

City of Stockbridge

Anthony Ford, Mayor

Date

Mutual Aid Resolution

Agreed to and Acknowledged:

Henry County

Mark Amerman, Chief of Police

Date

Reginald Scandrett, Sheriff

Date

Carlotta Harrell, Chair Commissioner

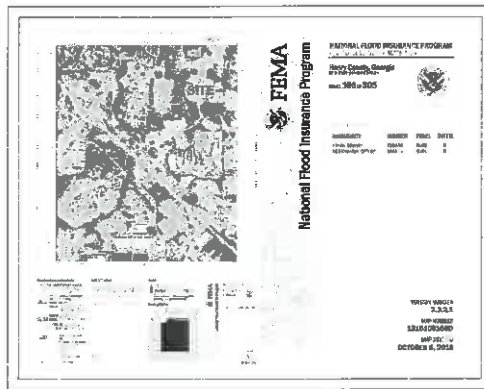
Date

8A

PRELIMINARY PLAT FOR EAGLES REST PHASE I

LAND LOT 156, DISTRICTS 7
CITY OF MCDONOUGH, GEORGIA

OWNER/DEVELOPER: DOUBLE EAGLE LAND DEVELOPMENT 1985 MCDONOUGH PKWY MCDONOUGH, GA. 30205 PHONE: (770) 284-8424	24 HOUR CONTACT: CLATE WALL PHONE: (770) 284-8424	SURVEYOR: FALCON DESIGN CONSULTANTS, LLC 235 CORPORATE CENTER DR., SUITE 200 STOCKBRIDGE, GA 30281 PHONE: (770) 388-6666	ENGINEER: FALCON DESIGN CONSULTANTS, LLC 235 CORPORATE CENTER DR., SUITE 200 STOCKBRIDGE, GA 30281 PHONE: (770) 388-6666
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FEMA FLOOD MAP

N.T.S.
FLOOD NOTE
AS SHOWN ON FLOOD INSURANCE RATE MAPS OF A CITY OF MCDONOUGH,
GEORGIA, CONSIDERED FLOOD PRONE, THE FOLLOWING
STATED THE DISTANCE A NEW PORTION OF THESE PROPERTIES
ARE LOCATED TO A FLOOD HAZARD ZONE.

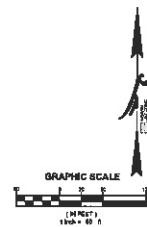


DEVELOPMENT DATA

1. SITE LOCATION 156 MCDONOUGH PARKWAY MCDONOUGH, GA 30205 PROJECT # 586-005	2. SUBMITTER CLATE WALL PHONE: (770) 284-8424	3. SUBMITTER ADDRESS 235 CORPORATE CENTER DR., SUITE 200 STOCKBRIDGE, GA 30281 PHONE: (770) 388-6666	4. SUBMITTER ADDRESS 235 CORPORATE CENTER DR., SUITE 200 STOCKBRIDGE, GA 30281 PHONE: (770) 388-6666
5. SOURCE OF DATA FALCON DESIGN CONSULTANTS, LLC 235 CORPORATE CENTER DR., SUITE 200 STOCKBRIDGE, GA 30281 PHONE: (770) 388-6666	6. DATE OF SURVEY OCTOBER 6, 2012	7. TOTAL AREA 1.18 ACRES	8. TOTAL AREA 1.18 ACRES
9. TOTAL AREA 1.18 ACRES	10. TOTAL AREA 1.18 ACRES	11. TOTAL AREA 1.18 ACRES	12. TOTAL AREA 1.18 ACRES
13. TOTAL AREA 1.18 ACRES	14. TOTAL AREA 1.18 ACRES	15. TOTAL AREA 1.18 ACRES	16. TOTAL AREA 1.18 ACRES
17. TOTAL AREA 1.18 ACRES	18. TOTAL AREA 1.18 ACRES	19. TOTAL AREA 1.18 ACRES	20. TOTAL AREA 1.18 ACRES
21. TOTAL AREA 1.18 ACRES	22. TOTAL AREA 1.18 ACRES	23. TOTAL AREA 1.18 ACRES	24. TOTAL AREA 1.18 ACRES
25. TOTAL AREA 1.18 ACRES	26. TOTAL AREA 1.18 ACRES	27. TOTAL AREA 1.18 ACRES	28. TOTAL AREA 1.18 ACRES
29. TOTAL AREA 1.18 ACRES	30. TOTAL AREA 1.18 ACRES	31. TOTAL AREA 1.18 ACRES	32. TOTAL AREA 1.18 ACRES
33. TOTAL AREA 1.18 ACRES	34. TOTAL AREA 1.18 ACRES	35. TOTAL AREA 1.18 ACRES	36. TOTAL AREA 1.18 ACRES
37. TOTAL AREA 1.18 ACRES	38. TOTAL AREA 1.18 ACRES	39. TOTAL AREA 1.18 ACRES	40. TOTAL AREA 1.18 ACRES
41. TOTAL AREA 1.18 ACRES	42. TOTAL AREA 1.18 ACRES	43. TOTAL AREA 1.18 ACRES	44. TOTAL AREA 1.18 ACRES
45. TOTAL AREA 1.18 ACRES	46. TOTAL AREA 1.18 ACRES	47. TOTAL AREA 1.18 ACRES	48. TOTAL AREA 1.18 ACRES
49. TOTAL AREA 1.18 ACRES	50. TOTAL AREA 1.18 ACRES	51. TOTAL AREA 1.18 ACRES	52. TOTAL AREA 1.18 ACRES
53. TOTAL AREA 1.18 ACRES	54. TOTAL AREA 1.18 ACRES	55. TOTAL AREA 1.18 ACRES	56. TOTAL AREA 1.18 ACRES
57. TOTAL AREA 1.18 ACRES	58. TOTAL AREA 1.18 ACRES	59. TOTAL AREA 1.18 ACRES	60. TOTAL AREA 1.18 ACRES
61. TOTAL AREA 1.18 ACRES	62. TOTAL AREA 1.18 ACRES	63. TOTAL AREA 1.18 ACRES	64. TOTAL AREA 1.18 ACRES
65. TOTAL AREA 1.18 ACRES	66. TOTAL AREA 1.18 ACRES	67. TOTAL AREA 1.18 ACRES	68. TOTAL AREA 1.18 ACRES
69. TOTAL AREA 1.18 ACRES	70. TOTAL AREA 1.18 ACRES	71. TOTAL AREA 1.18 ACRES	72. TOTAL AREA 1.18 ACRES
73. TOTAL AREA 1.18 ACRES	74. TOTAL AREA 1.18 ACRES	75. TOTAL AREA 1.18 ACRES	76. TOTAL AREA 1.18 ACRES
77. TOTAL AREA 1.18 ACRES	78. TOTAL AREA 1.18 ACRES	79. TOTAL AREA 1.18 ACRES	80. TOTAL AREA 1.18 ACRES
81. TOTAL AREA 1.18 ACRES	82. TOTAL AREA 1.18 ACRES	83. TOTAL AREA 1.18 ACRES	84. TOTAL AREA 1.18 ACRES
85. TOTAL AREA 1.18 ACRES	86. TOTAL AREA 1.18 ACRES	87. TOTAL AREA 1.18 ACRES	88. TOTAL AREA 1.18 ACRES
89. TOTAL AREA 1.18 ACRES	90. TOTAL AREA 1.18 ACRES	91. TOTAL AREA 1.18 ACRES	92. TOTAL AREA 1.18 ACRES
93. TOTAL AREA 1.18 ACRES	94. TOTAL AREA 1.18 ACRES	95. TOTAL AREA 1.18 ACRES	96. TOTAL AREA 1.18 ACRES
97. TOTAL AREA 1.18 ACRES	98. TOTAL AREA 1.18 ACRES	99. TOTAL AREA 1.18 ACRES	100. TOTAL AREA 1.18 ACRES

NOTE: THIS SUBMISSION WILL HAVE A FINAL DIVERSITY ASSOCIATED WITH FINAL COVENANTS.







AGENDA ITEM SUMMARY

Date: October 7, 2021

Item Number: 8C

ITEM SUMMARY:

The request for Case #210618 (Michael Burdette-Copeland House), is for rezoning from RM-75 (Multi-Family Residential) to C-1 (Neighborhood Commercial). The subject property recognized as Tax Parcel ID #, M20-12012000 and located at 94 Macon Street.

SPECIAL CONSIDERATIONS OR CONCERNS:

Said application is to be processed in accord with schedule herein:

- 8/10/21 Municipal Planning Commission Workshop
- 9/20/21 City Council Workshop
- 9/14/21 Municipal Planning Commission Public Review
- 10/7/21 City Council Public Hearing

RECOMMENDATION (Community Development Director):

MPC

Rezoning

Scott Reeves made motion for denial of the rezoning, but that should he have to reapply to rezone to O-1 that fees be waved and the process be speedy, Stanley Head seconded. Scott Reeves restated his motion that was seconded by Mr. Head. Motion Passed (4-1 abstained).

➤ Vote: (3 yes / 1 No-Terry Ellington / 1 Abstained)

CDD –Approval with conditions

FINANCIAL IMPACT: (Funding Source) – N/A

ATTACHMENTS:

- ORD #21-10-07001(Z)
- P/Z Final Staff Report

Submitted by:

Charles Reese, Community Development Director
Diane Johnson, City Planner

**STATE OF GEORGIA
CITY OF MCDONOUGH**

ORDINANCE NO. 21-10-07001(Z)

AN ORDINANCE, PURSUANT TO MCDONOUGH CODE OF ORDINANCES SECTION 17.104.020(A)(1), AMENDING THE ZONING MAP OF THE CITY OF MCDONOUGH; PROVIDING FOR SEVERABILITY; REPEALING CONFLICTING ORDINANCES; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

NOW THEREFORE BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF MCDONOUGH AND IT IS HEREBY ORDAINED BY AUTHORITY HEREOF:

SECTION 1.

This ordinance applies to the following real property per the application filed by Michael Burdette for the Copeland House:

All that lot, tract or parcel of land, otherwise known as a portion of Parcel #M20-12012000, lying and being in Land Lot(s) 134 of the 7th District of Henry County, Georgia, consisting of 0.68 +/- acres and being more particularly described on Exhibit "A," attached hereto and incorporated herein by reference.

SECTION 2.

The above property is hereby zoned C-1 (Neighborhood Commercial), and subject to the new conditions of development contained in Exhibit "B," attached hereto and incorporated herein by reference.

SECTION 3.

The sections, subsections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any section, subsection, paragraph, sentence, clause or phrase shall be declared illegal by the valid judgment or decree of any court of competent jurisdiction, such illegality shall not affect any of the remaining section, subsections, paragraphs, sentences, clauses and phrases of this ordinance.

SECTION 4.

All ordinances and parts of ordinances in conflict herewith are expressly repealed.

SECTION 5.

This ordinance shall become effective immediately upon adoption.

So ordained this 7th day of October, 2021.

CITY OF MCDONOUGH, GEORGIA

BILLY COPELAND, MAYOR

ATTEST:

APPROVED AS TO FORM:

JANIS PRICE, CITY CLERK

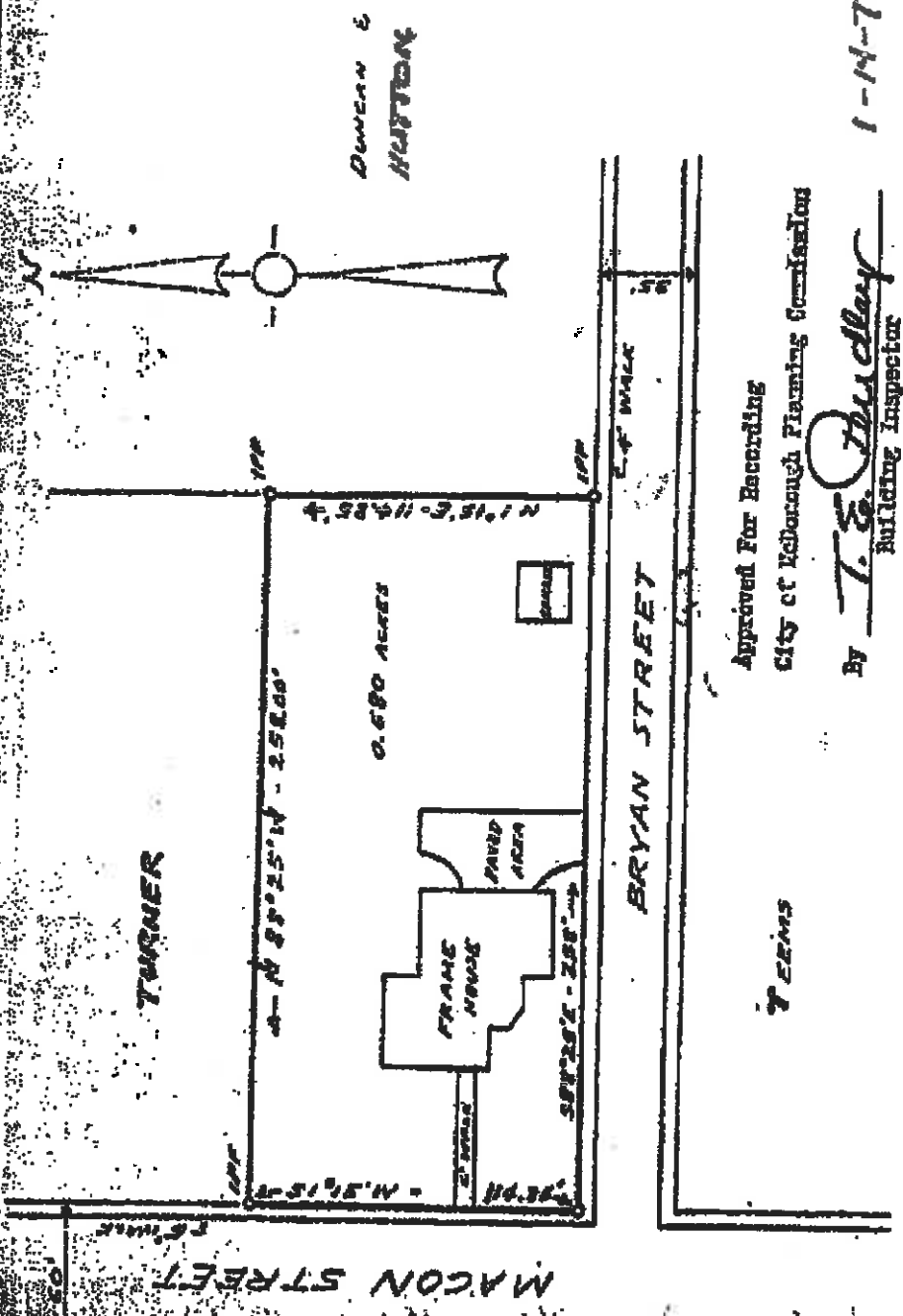
CITY ATTORNEY

EXHIBIT "A"

16-058431B

All that tract or parcel of land lying and being in Land Lot 134 of the 7th District of Henry County, Georgia, as shown by plat of survey made for the Estate of Macie E. Copeland by Alton G. Wiggers, Registered Land Surveyor, dated December 17, 1976, and being more particularly described by reference to said plat as follows:

Beginning at the intersection of the East right of way line of Macon Street (said street having a right of way of 60 feet) with the North right of way line of Bryan Street (said street having a right of way of 35 feet) (said point also being located at the intersection of the East side of a five foot sidewalk which runs parallel to Macon Street and the North side of a four foot sidewalk which runs parallel to Bryan Street) and running thence South 68 degrees 25 minutes East along the North right of way line of Bryan Street and said sidewalk 253 feet to a point; thence North 1 degree 15 minutes East 114.85 feet to a point; thence North 88 degrees 25 minutes West 253 feet to an iron pin located on the East right of way line of Macon Street and said sidewalk; thence South 1 degree 15 minutes West along the East right of way line of Macon Street and said sidewalk 114.85 feet to the point of beginning.



Approved For Recording
City of McComb Planning Commission

By T. E. Dudley 1-14-77
Building Inspector

PROPERTY SURVEY FOR	
THE ESTATE OF MACIE E. COPELAND	
SCALE: 1" = 60'	APPROVED BY: AGW
DATE: DEC. 17, 1976	DRAWN BY: AGW
REVISED	
LAND LOT 134 - DISTRICT SEVEN	
HENRY COUNTY - GEORGIA	
NOTE: THIS PLAN IS A REPRESENTATION OF ACTUAL FIELD CONDITIONS	
DRAWING NUMBER H.E. 2	

Filed in office this the 14
of January 19 77
3:00 P.M.
H. H.
Doris E. Taylor
Clerk Superior Court
NOTE: SURVEYOR'S REPORT TO BE ATTACHED (2-24)

Exhibit B
Conditions of Development

REFER TO FINAL STAFF REPORT



City of McDonough, Georgia

Community Development Department

Rezoning Staff Report *(For Recommendation Only)

Case Petition:

#210618

Applicant:

Michael Burdette for the Copeland Home

Address/Location:

94 Macon Street

Council District:

3 Craig Elrod

Request:

Land Lot/District:

Land Lot(s) 134 of the 7th District

Tract Size:

Approximately 0.68 acres +/- (Parcel)

Meetings:

➤ 08/10/21

Planning Commission Workshop

➤ 09/14/21

Planning Commission "Public Review"

➤ 09/20/21

City Council Workshop

➤ 10/07/21

City Council "Public Hearing"

Community Development Staff recommendation**Staff recommends Approval of the Rezoning to C1-Neighborhood Commercial.****The rezoning request is to allow businesses to rent rooms as office space.****Background Information****The subject property is presently zoned RM-75 and is located 94 Macon Street.****It is situated along the 23/42 corridor and Bryan Street.****Site and Location Photos**



Professional Staff (City/Henry County/State) Analysis:

Section 17.104.050 Review by other agencies

- Police Chief (Mr. Ken Noble) – Not applicable at this time
- Fire Chief (Mr. Steve Morgan) – The property will require a sprinkler system 13R type
- City Engineer (Mr. Mark Whitley) - Not applicable at this time
- Building Official (Mr. Mark Dobson) – Not applicable at this time
- Public Works Director (Mr. Ronnie Thompson) – Not applicable at this time
- Henry County Board of Education (Ms. April Brown) - Not applicable at this time
- Henry County Dept. of Transportation (Mr. David Simmons) - Not applicable at this time
- Henry County Environmental Health Dept. (Ms. Glenda Scott) - Not applicable at this time
- Henry County Water Authority (Ms. Fritz Jacques) - Not applicable at this time
- Georgia Department of Transportation (Mr. Donald Wilkerson) - Not applicable at this time

Infrastructure:

Water Service: City of McDonough

Sewer Service: City of McDonough

Electricity: Georgia Power

Telephone: N/A

Cable Television: N/A

Schools: Not affected by petition request per scope of work

Staff Analysis: (Refer to Chapter 17.104 Amendments)

Section 17.104.048 Standards of Review for Rezoning

- **A(1.)** The subject property is bordered by the following (refer to Zoning Maps):

North Boundary

Zoning: O-I (Office/Institutional) and C-2 (Central Commercial District)

Land Use: Office-Law Office

East Boundary

Zoning: R-50

Land Use: Single Family Residential

South Boundary Zoning: RM-75

Land Use: Single Family Residential

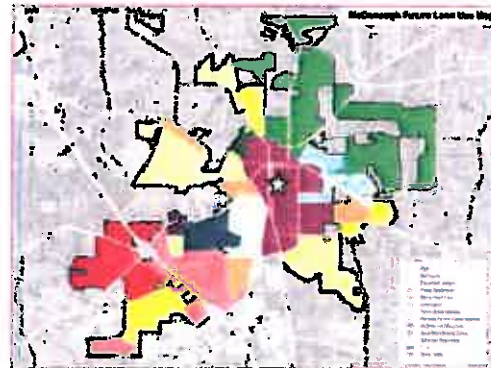
West Boundary

Zoning: O-I

Land Use: First Baptist Church

- **A(2.)** The possible creation of an isolated district unrelated to adjacent and nearby districts;
Answer: No. The C-1 (Neighborhood Commercial District) request aligns with the existing OI and C-2 zoning districts surrounding the subject property as noted in A(1).
- **A(3.)** The population density pattern and possible increase or overtaxing load on public facilities including, but not limited to, schools, utilities, and streets;
Answer: No impact to the population density pattern and possible increase on public facilities are expected as the result of rezoning.

- **A(4.)** The cost of the City and other governmental entities in providing, improving, increasing, or maintaining public utilities, schools, streets, and other public safety measures;
Answer: Minimal or no cost to the City or other governmental entity is expected due to the rezoning.
- **A(5.)** The possible impact on the environment, including, but not limited to, drainage, soil erosion and sedimentation, flooding, air quality, and water quantity.
Answer: Minimal impacts are expected with respect due to the existing as built conditions of the subject property.
- **A(6.)** Whether the proposed Zoning Map amendment will be a deterrent to the value or improvement of development of adjacent property in accordance with existing regulations;
Answer: The rezoning will be compatible with and enhance the value of adjacent & nearby properties.
- **A(7.)** Whether there are substantial reasons why the property cannot be used in accordance with existing regulations;
Answer: Yes, the existing R-75 (Multi-Family Residential) zoning designation does not allow for a business and professional office land use.
- **A(8.)** The aesthetic effect of existing and future use of the property as it relates to the surrounding area;
Answer: The subject property will be compatible with adjacent properties.
- **A(9.)** The extent to which the proposed Zoning Map amendment is consistent with the Land Use Plan;
Answer: The subject property is in alignment with the Town City Activity area as defined by the Future Land Use Map.
- **A(10.)** The possible effects of the proposed Zoning Map amendment to the character of a Zoning district, a particular piece of property, neighborhood, a particular area, or the community.
Answer: The proposed amendment, including proposed land use, is deemed to be compatible with the zoning and land uses encompassing the subject property.
- **A(11.)** The relation that the proposed Zoning Map amendment bears to the purpose of the overall zoning scheme, with due consideration given to whether or not the proposed change will help carry out the purposes of these regulations;
Answer: The proposed development reflects the purpose and intent of the zoning regulations.
- **A(12.)** Applications for a Zoning Map amendment which do not contain specific site plans carry a rebuttal presumption that such rezoning shall adversely affect the zoning scheme;
Answer: Applicant submitted photos of the existing, as built conditions present on-site and proposed parking.



- **A(13.)** The consideration of the preservation of the integrity of residential neighborhoods shall be considered to carry great weight;
Answer: The proposed development, inclusive of the stipulations recommended by staff, is expected to not adversely affect the integrity of the residential properties
- **A(14.)** In those instances in which property fronts a major thoroughfare and also adjoins an established residential neighborhood, the factor or preservation of the residential area shall be considered to carry great weight.
Answer: The proposed development, inclusive of the stipulations recommended by staff, is expected to provide an effective land use transition.

Final Staff Recommendation by: *Charles Reese, Community Development Director*

Staff recommends **Approval** of the Rezoning to C1 (Commercial Residential)

0.68 +/- acres

Approval of rezoning from **RM-75** (Multi-family Residential) to **C-1** (Neighborhood Commercial) with the following conditions:

Reasonable Conditions

- Building style/exterior to remain residential
- Tenant parking shall be located in back yard
*(Code: Office
1 car / 200 gross SF) House
SF is 3000 (15 Spaces)
Back yard-10 spaces
Street-5 spaces*
- The property will require a sprinkler system 13R type
- Applicant may not reside in building



AGENDA ITEM SUMMARY

Date: October 7, 2021

Item Number:

8D

ITEM SUMMARY:

The request for Case #210807 (Terrell Scott for Malachi House), is for a Special Use Permit to allow a church youth ministry. The subject property is currently zoned RM-75 (Multi-Family Residential). The subject property recognized as Tax Parcel ID #M21-01021000, is located at 312 Rogers Street.

SPECIAL CONSIDERATIONS OR CONCERNS:

Said application is to be processed in accord with schedule herein:

- 9/14/21 Municipal Planning Commission Workshop
- 10/12/21 Municipal Planning Commission Public Review
- 10/7/21 City Council Workshop
- 10/18/21 City Council Public Hearing

RECOMMENDATION (Community Development Director):

PENDING FINAL STAFF REPORT and Planning Commission Public Review

FINANCIAL IMPACT: (Funding Source) – N/A

ATTACHMENTS:

- P/Z Initial Staff Report

Submitted by:

Charles Reese, Community Development Director

Diane Johnson, City Planner



**City of McDonough
Community Development Department
136 Keys Ferry Street, 3rd Floor
McDonough, GA 30253
Phone (678) 432-4622
Fax (678) 432-4665**

MEMORANDUM

September 3, 2021

TO: City and County Reviewing Agencies
CC: Municipal Planning Commission Members
FROM: Tina Tebo, Executive Assistant to Community Development Director 
SUBJECT: Initial Review of Proposed Petition(s) Request – Case #210807

Please see the below information along with the attached supporting documents for your review and comments. Please contact me with any questions.

Applicant: Terrell & Brandy Scott for the Malachi House
Request: A Special Use Permit petition to allow a church facility/youth counseling Ministry.
Zoning History: RM-75 (Multi-Family Residential)
Tax-Parcel ID#: M21-01021000
Address: 312 Rogers St.
Tract Size: Approximately 0.308 +/- acres
Location: Land Lot(s) 155 of the 7th District
Infrastructure: Water & Sewer Service: City of McDonough
Electrical Service: Georgia Power
Telephone: TBD
Cable: TBD
Attachments:



The River REFUGE

The River Refuge is a 501c3 Community Development Corporation. Our mission is to serve children, families and individuals in our community who are at risk and in need by providing practical education and spiritual guidance to release them from the detrimental cycles that for generations have marginalized them from the rest of society. Our ministry accomplishes this goal through some of the following outreach programs:

- **Offering a mentoring program for middle and high school students and an after school program for elementary age students**
- **Providing students with back-to-school needs such as backpacks and school supplies**
- **Facilitating small group classes to educate parents on practical life skills such as finances and parenting**
- **During the Thanksgiving season, our program provides Boxes of Love, a meal ministry, for over 100 families in need which are distributed at Rufus Stewart Park in McDonough. These meals provide a full meal for a family of five**

For the past seven years, our team has had the privilege of serving the heart of this community which is 312 Rogers Street. This property is the perfect place for us to be able to continue the ministry and assist the families and the next generation.

The impact of River Refuge will be to help families and children have a sense of dignity and pride in their community. This house will bring revitalization to an area that has been impoverished and the programs offered will bring hope and encouragement to families in this community. Families that are struggling financially will be provided tools to assist in finding suitable employment that offers financial stability. Students that need extra help with their studies will have a safe place to learn. Teenagers involved in the streets will have the opportunity to spend their time wisely learning life skills while being mentored and influenced in positive ways which will reduce drug use, hunger and violence. This will prevent cost for our community, keeping young people from incarceration.. The revitalization of this property will have a positive impact on the neighboring housing and community.

P.O.Box 3476 McDonough GA 30253 770-639-8685



