

Agenda
Regular Meeting of the Planning Commission
City of Chattahoochee Hills, Georgia
February 15, 2024
6:30 pm

Zoom Link [HERE](#)
Meeting ID: 814 3131 5729
Passcode: 347680
Dial in: 646 558 8656

Call to Order

Pledge of Allegiance

Approval of Agenda

Approval of Minutes

1. Approval of December 14, 2023 Regular Meeting Minutes

Public Hearings

2. Recommendation on an Ordinance to approve a Special Use Permit for a Country Inn in the RL (Rural) District and for all other purposes related thereto – property is located at 8735 Wilkerson Mill Road.
3. Recommendation on an Ordinance to amend the Official Zoning Map to Rezone 1606.18 acres from the HM-MU (Mixed-Use Hamlet) District to the RL (Rural) District and to eliminate three Variances – property is 1,606.18 acres on several tracts located between Campbellton Redwine Road and the Chattahoochee River, southwest of Jones Ferry Road.

Old Business

None

New Business

None

Staff Reports

Adjourn Meeting



6505 Rico Road Chattahoochee Hills Georgia 30268

MAYOR
Tom Reed

CITY COUNCIL
Ruby Foster
Richard Schmidt
Scott Lightsey
Camille Lowe
Rodney Peek

CITY MANAGER
Robert T. Rokovitz

www.chatthillsga.us

(770) 463-8881

Fax (770) 463-8550

Date: February 15, 2024
To: Planning Commission
From: Caity McKee, City Planner
Subject: 24U-001 Special Use Permit

Special Use Permit Request

Justin Robinson has applied for a Special Use Permit for 28.7 acres at 8735 Wilkerson Mill Road. The proposal is to allow a Country Inn in the RL (Rural) district.

Property Description

The proposal covers 28.7 acres located on the north side of Wilkerson Mill Road, just west of Petersburg Road. It is a little west of the City of Palmetto.

The property is mostly wooded, with a U-shaped Pond to the rear of the property. There is a small boat storage building towards the front of the property and a trailer home near the center of the property. The trailer home will be demolished prior to construction of the Country Inn. The parcel is approximately 670 feet wide, and 2130 feet deep measured from the front of the parcel to the rear of the parcel. The property has two separate frontages on Wilkerson Mill Road of about 130 and 150 feet. They are separated by a 1.2-acre occupied lot, approximately 150 feet wide.

The surrounding property is mostly wooded, with some single-family homes to the west, south, and east of the property. The property to the north is wooded and shares the pond located on the subject parcel. The properties to the north and west of the subject property are mostly undeveloped. There are single-family homes on the smaller parcels to the east of the subject property, along Petersburg Road. Existing homes on Petersburg Road are approximately 280-580 feet from the property line. None of these homes are within 500 feet of the proposed Country Inn. Additionally, there are two single-family lots in the frontage of the subject property, which is along the north side of Wilkerson Mill Road. Neither of these lots will be within 500 feet of the Country Inn. The property across Wilkerson Mill Road, to the south, includes the Pizza Farm, which was approved by City Council in 2021.

Discussion

The proposed special use permit would allow Mr. Robinson to use the parcel to operate a Country Inn. The space would include four 4-unit cabins, a 3,000 square-foot kitchen, a 7,000 square-foot dining venue, a small outdoor seating area, and a garden. Each of the sixteen cabin units will be 800 square-feet. In addition to hosting guests at the Country Inn, the applicant intends to host wedding celebrations in his indoor dining venue. The kitchen and dining venue will be accessory uses to the Country Inn and will be used for guests of the estate.

Zoning Excerpt

Section 3-16 Special Use Permits

A. Purpose.

- 1 Special use permits are a type of special permit provided for uses that are potentially compatible with the use characteristics of a zoning district but require the City Council to individually review their location, design, intensity, configuration and public facility impact to determine the use's appropriateness in a particular location and its compatibility with adjacent uses.
- 2 A special use permit shall not be approved for a use in any zoning district unless it is listed as a special use permit eligible use of the type indicated for the subject district in Sec. 7-2.

C. Procedures.

- 5 The decision of the City Council on each application for special use permit shall be based on a discretionary determination as to whether or not the applicant has met the criteria contained in Sec. 3-14B, the use standards contained in Sec. 7-4, where applicable to the use proposed, the consistency of the application with the Comprehensive Plan, and the requirements of the zoning district in which such use is proposed to be located.

Section 7-1 Use Definitions

Country inn or farm stay means a lodging facility in which 6-50 rooms are provided for sleeping accommodations for transient guests, for a daily fee and for no more than 30 consecutive days. Meals may be served to guests and the general public. Guests may participate in agricultural activities. Rooms may be provided in a single building or multiple buildings with design features and accessory uses that support the rural character of the city, to distinguish it from a hotel/motel.

Section 7-2 Permitted Uses

Permitted Use	Supplemental Standards	RL	HM	VL	HC
Institutional					
Country Inn		U	U	U	U

Special Use Permit Criteria

Section 3-14-B.

Criteria. No application for a special administrative permit shall be granted by the Zoning Administrator and no application for a special use permit shall be granted by the City Council unless satisfactory provisions and arrangements have been made concerning each of the following criteria, all of which are applicable to each application:

1. Whether or not the proposed plan is consistent with all of the requirements of the zoning district in which the use is proposed to be located, including required parking, loading, setbacks and transitional buffers;

- The proposed plan for the permit is consistent with the zoning requirements.
2. Compatibility of the proposed use with land uses on surrounding properties and other properties within the same zoning district, including the compatibility of the size, scale, and massing of proposed buildings in relation to the size, scale and massing of adjacent and nearby lots and buildings;
 - The proposed use is compatible with surrounding properties. The Special Use Permit plan leaves most of the 28.7-acre site undeveloped. The building density and locations are consistent with the RL district.
 3. Adequacy of the ingress and egress to the subject property, and to all proposed buildings, structures, and uses thereon, including the traffic impact of the proposed use on the capacity and safety of public thoroughfares, including pedestrian flow and access, providing access to the subject site;
 - The plan shows the entrance on Wilkerson Mill Road. Anticipated traffic from the proposed use would not pose undue burden on this thoroughfare.
 4. Consistency with any adopted county and City wastewater treatment plans, including the feasibility and impacts of serving the property with public wastewater treatment service and, if an alternative wastewater treatment method is proposed, whether such wastewater treatment method will have a detrimental impact on the environment or will negatively affect other public concerns;
 - There is no wastewater treatment plan that applies to the property. The site will be served by septic. The Health Department will have to approve individual septic system plans before building permits are issued.
 5. Adequacy of other public facilities and services, including stormwater management, schools, parks, roads, sidewalks, and utilities, to serve the proposed use;
 - The project does not include any residential use, so it will have no impact on schools. Utilities are adequate. There are no sidewalks serving the site. Stormwater management is not a significant concern since impervious cover is very limited on the site.
 6. Whether or not the proposed use will create adverse impacts upon any surrounding properties by reason of noise, smoke, odor, dust, or vibration, or by the character or volume of traffic generated by the proposed use;
 - There should be no adverse impacts from noise, smoke, odor, dust, vibration, or traffic. The site is subject to the city's noise ordinance. Traffic will be focused on Wilkerson Mill Road.

7. Whether or not the proposed use will create adverse impacts upon any surrounding use by reason of the manner of operation or the hours of operation of the proposed use; and
 - There should be no adverse impacts from noise, smoke, odor, dust, or vibration. The activity is for the proposed event center is more than 500 feet away from existing residences.
8. Whether or not the proposed use will create adverse impacts upon any environmentally sensitive areas or natural or historic resources.
 - There are no adverse impacts on environmentally sensitive areas.

Analysis

The proposal meets the zoning requirements. Much of the site is to remain wooded. The Country Inn should have minimal impact on neighboring properties.

Recommendation

Staff recommends approval of the Special Use Permits for the Country Inn with the attached conditions.

Additional Action

The City Council held a first read of the ordinance at their regular meeting on February 6th and will hold a public hearing on this application on Tuesday March 5th at 6:30 p.m.

Attachments:

Recommended Conditions
Special Use Permit Ordinance
Location Map
Application Materials

24U-001 JRob Experience Recommended Conditions

1. The site plan submitted with the application will serve as the site plan for the development. Any departure from this design will require council approval.
2. Events are accessory to the Country Inn and shall be limited to private dining experiences and wedding celebrations. The venue will not serve as a restaurant for the general public, but for overnight guests of the estate.
3. The permitted capacity of the dining venue will be limited to a maximum of 250 guests for wedding celebrations and 50 guests for dining experiences. Any event to exceed this limit will require a Special Event Permit from the city.
4. There shall be no outside catering. The applicant shall directly supervise all weddings and dining experiences.
5. Parking surfaces shall be made from pervious materials, i.e., gravel or brick pavers, except for the areas dedicated to handicapped parking.
6. Wedding events shall not start before 9:00 AM and/or end after 10:00 PM. Weddings shall be limited to Thursday, Friday, Saturday, and Sunday.
7. The 120-foot buffer surrounding the property shall be undisturbed other than natural surface walking trails. No portion of the trails shall be closer than 50 feet of the property lines unless the owner of the adjoining property grants express written permission.
8. All trail boundaries shall be adequately marked to prohibit guests from entering neighboring properties.
9. The special use permit will expire with the sale or transfer of the property.
10. There shall be no music or amplified sound to exceed 55 decibels beyond the interior side of the 120-foot buffer. There shall be no recreational gunfire on the property.
11. No event activities shall be visible above the tree line. This includes a prohibition on fireworks, releasing paper lanterns, and other activities that could be a nuisance or danger to neighbors.
12. The driveway shall be relocated to the frontage that lies to the east of 8725 Wilkerson Mill Road and located equidistant from the side property lines. Any tree removal for the driveway shall be kept to a minimum. A vegetative buffer of 50 feet shall be maintained along the first 400 linear feet of driveway. The existing driveway to the west shall be block by a gate, bollard, or vegetation and may be accessible only to emergency vehicles.

13. Solid waste storage containers receiving garbage shall be placed on solid or concrete platforms or pads, located, and constructed to minimize spillage and facilitate cleanup. Such containers shall be fully enclosed by a wall or an opaque fence and located within 10 feet of the kitchen. Truck access to these containers will need to be considered when selecting a location for the containers. Said containers shall be emptied at a minimum of once a week by a contracted solid waste company.
14. The signage for the Country Inn shall meet the requirements set forth in the city's sign ordinance. It shall not exceed 32 square feet in size or exceed 6 feet in height.
15. The applicant shall provide one to two small "private property" or similar signs to be used at 8725 Wilkerson Mill Road to discourage guests from entering the wrong property.
16. An adequate grease trap shall be installed onto the property. Said grease trap must meet the requirements set forth by the Georgia Department of Public Health. The applicant must regularly maintain the grease trap.

**STATE OF GEORGIA
COUNTY OF FULTON**

ORDINANCE NO. 24-XX-XXX

**AN ORDINANCE TO APPROVE A SPECIAL USE PERMIT FOR A COUNTRY INN IN THE
RL (RURAL) DISTRICT AND FOR ALL OTHER PURPOSES RELATED THERETO**

WHEREAS: The City of Chattahoochee Hills has adopted a unified development code to promote the health, safety and general welfare of the present and future inhabitants of the City of Chattahoochee Hills; and

WHEREAS: The property located at 8735 Wilkerson Mill Road is located in the RL (Rural) zoning district; and

WHEREAS: Section 7-2.H of the unified development code specifies that a Country Inn is permitted in the RL (Rural) district only by Special Use Permit; and

WHEREAS: The City has conducted two public hearings, one with the Planning Commission and the second with the City Council.

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF CHATTAHOOCHEE HILLS
HEREBY ORDAINS that:**

Section 1: A Special Use Permit for a Country Inn is approved for the property at 8735 Wilkerson Mill Road, more specifically described in the attached Exhibit “A” [TO BE ATTACHED], consistent with the plans received by the Department of Community Development on January 26th, 2024.

Section 2: This ordinance shall become effective immediately upon its adoption by the Council of the City of Chattahoochee Hills.

Section 3: All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

ORDAINED this the ____ day of _____, 2024.

Tom Reed, Mayor

Attest:

Dana Wicher, City Clerk
(Seal)

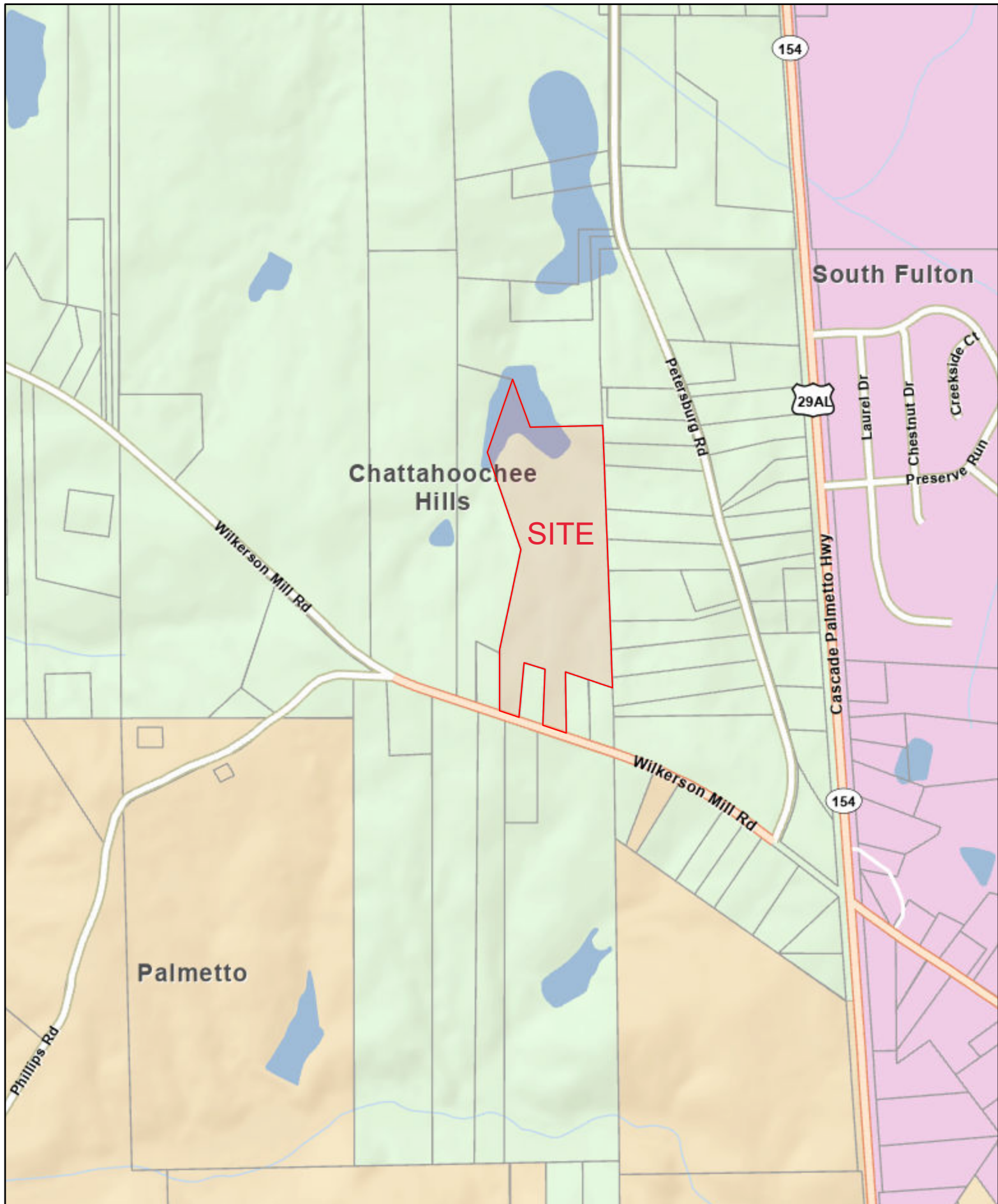
EXHIBIT "A"

All that tract or parcel of land lying and being in Land Lots 57 and 58 of the 7th District of Fulton County, Georgia and being more particularly described as follows:

Beginning at an iron pin located on the northeast right-of-way of Wilkerson Mill Road, (60 foot right-of-way), 320 feet northwesterly from the intersection of the northeast right-of-way of Wilkerson Mill Road and the east line of Land Lot 58; run thence North 71 degrees 22 minutes West along the northeast right-of-way of Wilkerson Mill Road, 192.8 feet to an iron pin; run thence North 3 degrees 39 minutes East 565.9 feet to an iron pin; run thence North 33 degrees 40 minutes East 325.0 feet to an iron pin; run thence North 0 degrees 51 minutes West 540.0 feet to an iron pin; run thence North 22 degrees 50 minutes West 571.6 feet to a point; run thence South 88 degrees 00 minutes East 470 feet to an iron pin; run thence South 0 degrees 51 seconds East 1654.6 feet to an iron pin; run thence North 71 degrees 22 minutes West 320.0 feet to an iron pin; run thence South 0 degrees 46 minutes 30 seconds East 395.0 feet to an iron pin located on the northeast right-of-way of Wilkerson Mill Road and the true point of beginning. All as will be more particularly described on that survey by Steed and Boyd, Registered Land Surveyors, dated 9-18-97.

Also Known By Street and Number: **8735 Wilkerson Mill Road, Chattahoochee Hills, GA 30268**

Deed Book 64297 Pg. 195
CATHLENE ROBINSON
Clerk of Superior Court
Fulton County, Georgia



Date: 1/23/2024

Fulton County GIS

Fulton County provides the data on this map for your personal use "as is". The data are not guaranteed to be accurate, correct, or complete. The feature locations depicted in these maps are approximate and are not necessarily accurate to surveying or engineering standards. Fulton County assumes no responsibility for losses resulting from the use of these data, even if Fulton County is advised of the possibility of such loss.



THE EXPERIENCE ESTATE



PRECEDENT IMAGE



THE EXPERIENCE ESTATE

At The Experience Estate, our mission is to redefine opulence by providing an exclusive sanctuary where visitors and local Georgians can escape their everyday life to embrace peace and tranquility. Nestled in a secluded haven within Chattahoochee Hills, This 28 acre Estate is a testament to refined luxury in a rural community, offering an unparalleled retreat for those seeking an indulgent escape. We are committed to curating an atmosphere of absolute tranquility, where every detail is meticulously designed to exceed the expectations of our guests. With a focus on privacy and personalized service, we aim to create an oasis where time slows down, allowing for rejuvenation, connection, and the creation of new memories while experiencing flavors that celebrate the richness of local and global cuisines by the estate's personal chef, Justin Robinson. Our luxurious accommodations, complemented by state-of-the-art amenities, provide a haven of comfort and sophistication. Whether for a honeymoon, a celebration, or a well-deserved respite, The Experience Estate offers an unmatched escape where every moment is a celebration of indulgence. This secluded retreat, is dedicated to sustainability and responsible stewardship of the natural surroundings. Through thoughtful design and eco-conscious practices, The Experience Estate ensures that all guests' an experience that harmonizes with the rural environment and local aesthetic within Chattahoochee Hills.

DINING VENUE:

The estate's event hall is 7,000 sq.ft masterpiece of architectural grace, surrounded by the towering pine trees. The versatile indoor and outdoor spaces that cater to intimate ceremonies, grand receptions, and banquets. The Chef JRob Experience is leading the culinary efforts on the Experience Estate, and will transform into a hospitality company, offering not only fine-dining experiences, but also comfortable accommodations for guest at The Alexander.

ROCKSTAR KITCHEN:

Guest will be able to elevate their culinary journey by partaking in Georgia's first private commissary kitchen experience. The elegant dining facility is designed to meet the evolving needs of culinary professionals, chefs, and food entrepreneurs. This 3,000sqft commissary is equipped with cutting-edge amenities, providing a premium space for culinary innovation, food production, and collaboration within the community. The commissary offers a range of versatile workspaces, including fully equipped prep areas, cooking stations, baking zones, and specialized production spaces.

THE ALEXANDER – PRIVATE SECLUDED CABINS

The Experience Estate will have sixteen private luxury cabins among the trees, where the estate's cabins redefine the concept of rustic elegance. These 800sq.ft cabins are a sanctuary of comfort, featuring custom rustic furnishings, modern amenities, and expansive windows that invite the lake into the living space. There will be opportunities for guest to unwind on their private deck or in their outdoor jacuzzi, surrounded by the tranquility of the woods. A dedicated concierge team will be available throughout the cabins.



Justin Robinson

TIMING AND PHASING

The Experience Estate is subject to start the Conceptual Documents in April of 2024. The project will take eighteen months of dedicated architecture, structural, landscape, and civil documents. The project is intended to take 2-3 years of construction time.

Water/Waste Management

As part of our commitment to environmental sustainability and compliance with local regulations, we have undertaken significant measures to ensure the effective management of water and waste on the property.

The property, which is slated for the development of the country inn, is not serviced by the municipal sewage system, currently. To address this, we have elected to install a septic system, which will handle all water and waste management needs efficiently and safely, in the case that we cannot connect into city sewage lines.

To ensure the suitability of our property for a septic system, we have conducted a Percolation (Perk) Test, overseen by Miguel with Resource Engineers. I am pleased to report that the results of the test are favorable, indicating that the soil conditions on the property are well-suited for a septic system for both the country inn and where we will have our family residence. The details of the test results are enclosed with this letter for your review.

The implementation of a septic system at 8735 Wilkerson Mill Rd. aligns with our dedication to sustainable and environmentally responsible development. We are committed to adhering to all local regulations and best practices in the installation and maintenance of this system. Our plan includes:

System Design: 250ft of infiltrating Units lines with a 4 way split with a blow-out valve & a T-valve to act as a safety valve split to prevent issues in case of backfill or flooding.

Installation and Compliance: We will engage qualified professionals for the installation of the 5,000 - 10,000 gallon septic system, ensuring full compliance with Chattahoochee Hills/South Fulton regulations and environmental standards.

Maintenance Plan: To maintain the efficacy and safety of the septic system, we have consulted with our Septic consultant, Noah with Shamrock Septic, and the system itself requires low maintenance (drain, once a year).



Justin Robinson

We believe that the proposed septic system is the best solution for water and waste management for 8735 Wilkerson Mill Rd and is in the best interest of both the development and the surrounding community, if we cannot utilize the sewer lines.

Special Use Permit Approval Criteria.

City Council will grant a Special Use Permit only if satisfactory provisions and arrangements have been made concerning each of the following criteria. Please include in your application package an explanation of how your proposal satisfies each of these criteria.

1. Whether or not the proposed plan is consistent with all of the requirements of the Zoning District in which the Use is proposed to be located, including required parking, loading, Setbacks and transitional Buffers
Yes, it is consistent with the requirements of the Zoning District, in which it will be used, parking will be adequate and majority setbacks and transitional buffers exceed the requirement per code.
2. Compatibility of the proposed Use with land Uses on surrounding properties and other properties within the same Zoning District, including the compatibility of the size, Scale and Massing of proposed Buildings in relation to the size, Scale and Massing of adjacent and nearby Lots and Buildings
Yes, it will be compatible and not seen from road-front.
3. Adequacy of the ingress and egress to the subject Property, and to all proposed Buildings, Structures, and Uses thereon, including the traffic impact of the proposed Use on the capacity and safety of Public Thoroughfares, including pedestrian flow and access, providing access to the subject site
Yes, the adequacy of the ingress and egress will be done by the Civil Engineer
4. Consistency with any adopted county and City wastewater treatment plans, including the feasibility and impacts of serving the Property with public wastewater treatment service and, if an alternative wastewater treatment method is proposed, whether such wastewater treatment method will have a detrimental impact on the environment or will negatively affect other public concerns
Yes, all wastewater treatment plans will be consistent with the county.
5. Adequacy of other public facilities and services, including stormwater management, Schools, Parks, Sidewalks, and utilities, to serve the proposed Use
Yes, it will be adequate
6. Whether or not the proposed Use will create adverse impacts upon any surrounding properties by reason of noise, smoke, odor, dust, or vibration, or by the character or volume of traffic generated by the proposed use
No, the country inn will not create adverse impacts amongst the neighbors in relation to its current state.
7. Whether or not the proposed Use will create adverse impacts upon any surrounding Use by reason of the manner of operation or the hours of operation of the proposed Use
No, the operation hours will be applied throughout the 28 acres
8. Whether or not the proposed Use will create adverse impacts upon any environmentally sensitive areas or natural or historic resources.
No, the Experience Estate will not create an adverse impact on the environment or natural historic resources.

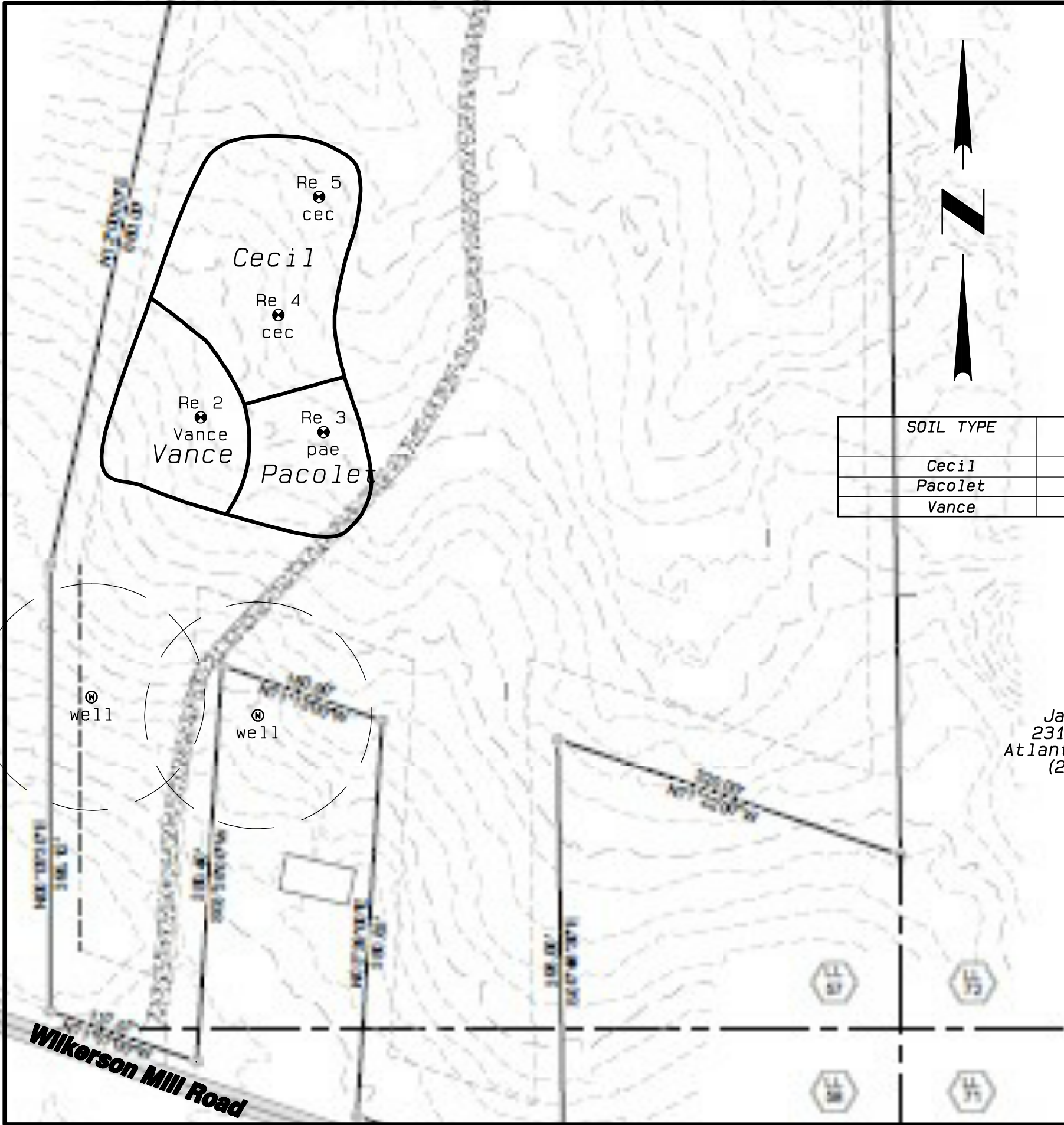


SITE DATA	
TOTAL PROPERTY AREA	= 28.6 AC
ZONING	
JURISDICTION	CITY OF CHATTAHOOCHEE HILLS
ZONING	RL
DEVELOPMENT REQUIREMENTS	
FRONT YARD	60'
SIDE YARD	120'
REAR YARD	50'

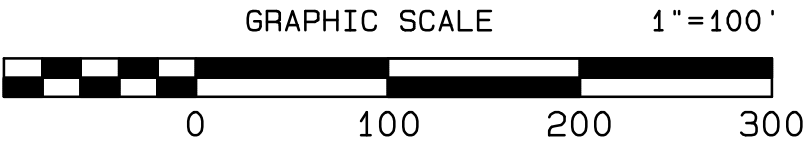
JANUARY 25, 2024

NOTE: PLANTING AND HARDSCAPE SHOWN IS FOR GRAPHIC REPRESENTATION ONLY. TREE REPLACEMENT WILL BE PREPARED IN ACCORDANCE WITH CITY OF CHATTAHOOCHEE HILLS STANDARDS. SITE PLAN IS CONCEPTUAL.

0 40' 80'
SCALE: 1"=80'



CODE LETTER	SUITABILITY CODE DESCRIPTION
A	Soil series should have ability to function as suitable absorption field with proper design, installation, and maintenance
B	Some rock and or stony conditions were found. This soil should function as a suitable absorption field providing that the system is put in first to make sure there will be no rock limiting. Holes have been bored at least 72" deep within this unit with a hand auger.
C	Due to water table, flooding, and or drainage problems, there is a HIGH PROBILITY OF FAILURE for conventional systems. (Your Health Department can discuss with you if an alternate system might be an option for your situation.)
F	Normally considered unsatisfactory for use for conventional absorption fields.



SOIL TYPE	Slope %	Water inches	Resistance inches	Code	Trench Depth inches	Perk Rate min/in	Infil. Rate gal/sf/day
Cecil	2 - 8	>72	>72	A	24 - 48	45	0.10
Pacolet	2 - 8	>72	>72	A	24 - 48	45	0.10
Vance	2 - 8	>72	>72	A	24 - 48	45	0.10



FOR
Jason Robinson
231 Casson St NE
Atlanta GA 30307-2209
(251) 802-0446

LIMITED IN SCOPE
LEVEL III SOILS STUDY

8735 WILKERSON MILL ROAD
L.L.s 57 & 58, DISTRICT 7, FULTON CO, GA



DATE: FEBRUARY 23, 2022
ENGINEERS
INCORPORATED

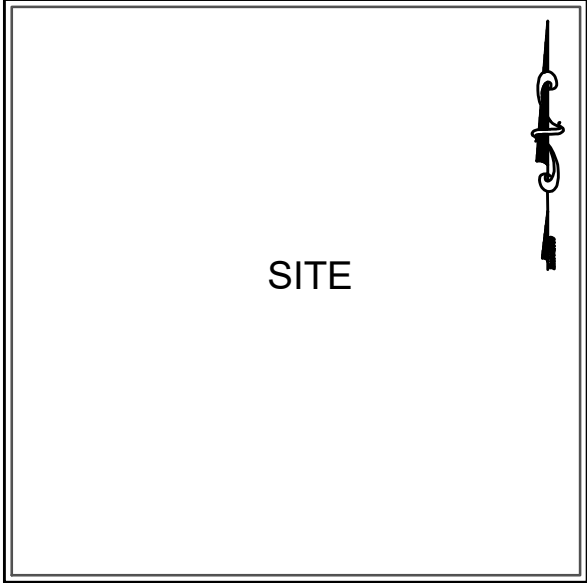
8305 SPENCE ROAD
FAIRBURN, GEORGIA 30213
770 969 8923

EMAIL: RESO_ENG@COMCAST.NET
Job No. 4502

THIS BLOCK RESERVED FOR THE
CLERK OF THE SUPERIOR COURT

BOUNDARY & TOPOGRAPHIC SURVEY PREPARED FOR:
ANIKA CARTER
LAND LOTS 57 & 58 7TH DISTRICT FULTON COUNTY

AREA
1,246,660 sq. ft.
28.62 acres



SURVEY NOTES

- EQUIPMENT USED : TOPCON ROBOTIC D2 TOTAL STATION - TOPCON RTK GPS ROVER.
- THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 10,000 FEET AN ANGULAR ERROR OF 02" PER ANGLE POINT AND WAS ADJUSTED USING COMPASS RULE.
- THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 46489.19' FEET.
- THIS PROPERTY IS SUBJECT TO ALL ZONING ORDINANCES, SETBACK LINES AND EASEMENTS OF RECORD LYING WITHIN.
- AS SHOWN ON FLOOD INSURANCE RATE MAPS OF COUNTY, GEORGIA COMMUNITY PANEL NUMBER 13121C041E THIS PROPERTY IS NOT LOCATED WITHIN A 100 YEAR FLOOD ZONE.

CURRENT ZONING

ZONED: RL (CITY OF CHATTAHOOCHEE HILLS DISTRICT)

MIN. YARD ADJACENT TO PUBLIC STREET

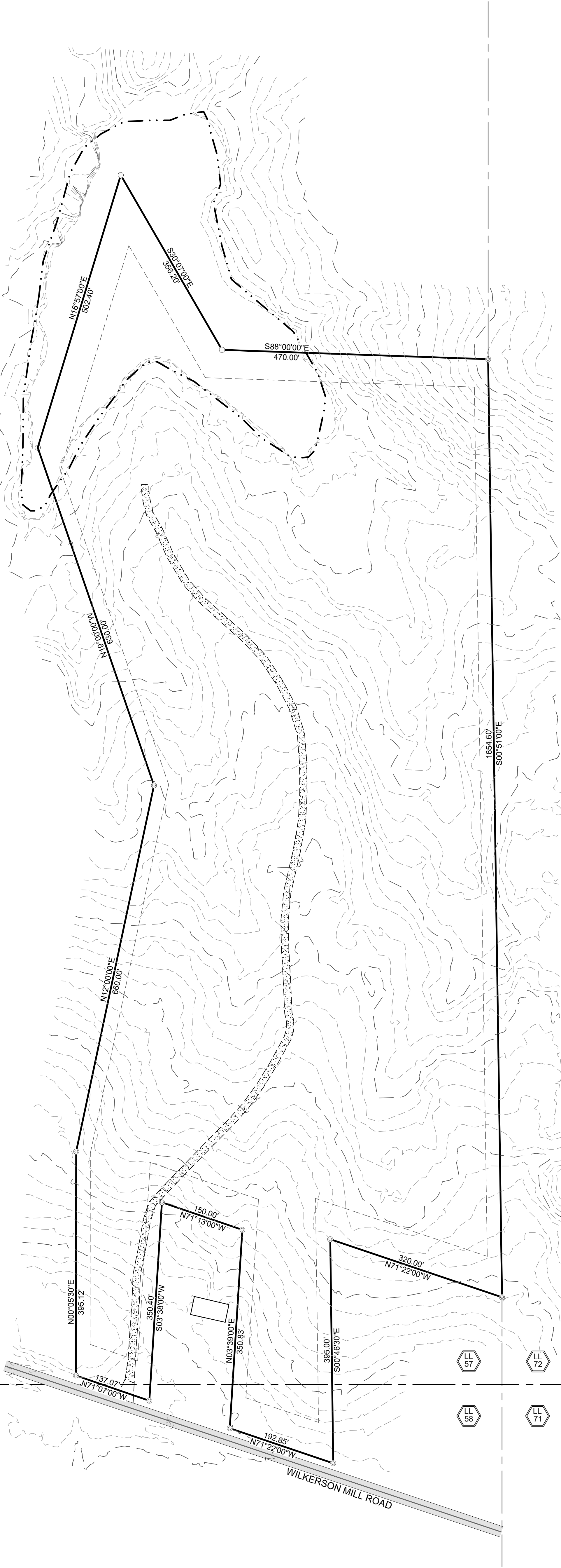
FRONT YARD: 60 FEET

SIDE YARD: 25 FEET

REAR YARD: 50 FEET

LEGEND

- POWER POLE
FIRE HYDRANT
WATER VALVE
WATER METER
JUNCTION BOX
SANITARY SEWER MANHOLE
DROP INLET
R/W MONUMENT
SINGLE WING CATCH BASIN
DOUBLE WING CATCH BASIN
CURB INLET
HEADWALL
GAS METER
GAS VALVE
ELECTRIC TRANSFORMER
TELEPHONE PEDESTAL
LIGHT POST
1/2 IRON PIN SET (IPS)
REBAR FOUND (RBF)
CONC. MONUMENT FOUND (CMF)
CALCULATED POINT
CHAIN LINK FENCE
CRIMP TOP PIPE FOUND
OPEN TOP PIPE FOUND
IRON PIN OR OR ROD FOUND
- CLF
OTF
IPF

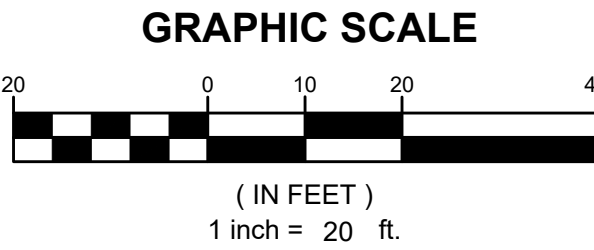


SURVEYORS CERTIFICATION

THIS PLAT IS A RETRACEMENT OF AN EXISTING PLAT AND DOES NOT SUBDIVIDE OR CREATE ANY PARCELS OF LAND AND DOES NOT SUBDIVIDE OR CREATE ANY PARCELS OF LAND AND DOES NOT SUBDIVIDE OR CREATE ANY PARCELS OF LAND. THE RECORDING INFORMATION OF THE DOCUMENTS, MAPS, PLANS, OR OTHER INSTRUMENTS WHICH CREATED THE PARCELS OR PARCELS ARE STATED HEREON. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVOIDANCE OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REGULATIONS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTERED PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS AMENDED IN O.C.G.A. SECTION 15-6-67.

CULLEN PRESTON HARDEE
REGISTERED LAND SURVEYOR #3144, LSF 001321

DATE



UNITED LAND SURVEYING, LLC. ALL RIGHTS ARE RESERVED. ANY POSSESSION, REPRODUCTION, OR OTHER USE OF THIS DOCUMENT WITHOUT PRIOR WRITTEN PERMISSION FROM UNITED LAND SURVEYING, LLC. IS EXPRESSLY PROHIBITED.

REVISIONS

1.	
2.	
3.	
4.	

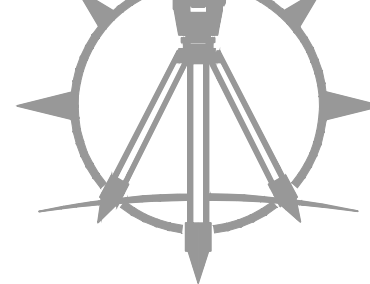
THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS, OR ENTITY NAMED IN THE CERTIFICATE HEREON. SAID CERTIFICATE DOES NOT EXTEND TO ANY UNNAMED PERSON WITHOUT AN EXPRESS RECERTIFICATION BY THE SURVEYOR NAMING SAID PERSON.

BOUNDARY & TOPOGRAPHIC SURVEY
FOR:

ANIKA CARTER
8735 WILKERSON MILL ROAD
LOCATED IN:
LAND LOTS 57 & 58
7TH DISTRICT, FULTON COUNTY, GEORGIA

1258 CONCORD ROAD SE SUITE 103
SMYRNA, GEORGIA 30080
Ph: (678) 293-5333

VISIT US ON OUR WEBSITE:
www.united-uls.com



UNITED LAND SURVEYING
COA NO. LSF 001321

1 OF 1

SHEET NUMBER



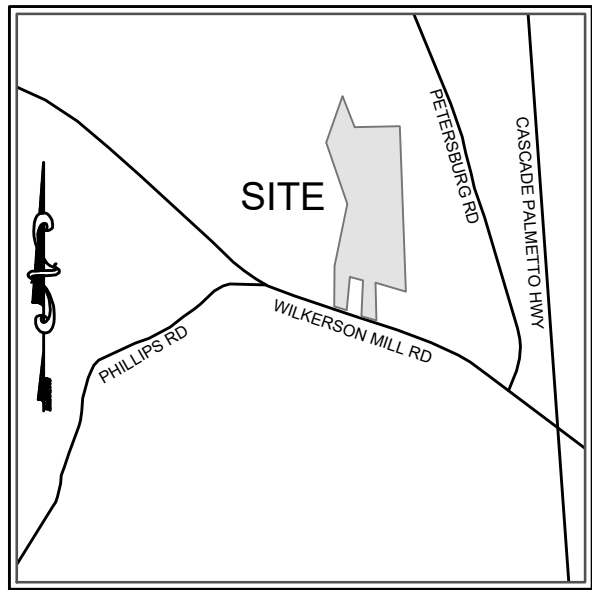
PRELIMINARY RESULTS

DATE: 1/6/2022
SCALE: 1" = 100'
FILE NUMBER: 21-1066
DRAWN BY: MIGUEL
REVIEWED BY: PRESTON

THIS BLOCK RESERVED FOR THE
CLERK OF THE SUPERIOR COURT

BOUNDARY & TOPOGRAPHIC SURVEY PREPARED FOR:
ANIKA CARTER
LAND LOTS 57 & 58 7TH DISTRICT FULTON COUNTY

AREA
1,245,719 sq. ft.
28.60 acres



SURVEY NOTES

- EQUIPMENT USED : TOPCON ROBOTIC D2 TOTAL STATION - TOPCON RTK GPS ROVER.
- THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 10,000 FEET AN ANGULAR ERROR OF 02" PER ANGLE POINT AND WAS ADJUSTED USING COMPASS RULE.
- THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 46489.19' FEET.
- THIS PROPERTY IS SUBJECT TO ALL ZONING ORDINANCES, SETBACK LINES AND EASEMENTS OF RECORD LYING WITHIN.
- AS SHOWN ON FLOOD INSURANCE RATE MAPS OF : COUNTY : GEORGIA COMMUNITY PANEL NUMBER 13121C0441E THIS PROPERTY IS NOT LOCATED WITHIN A 100 YEAR FLOOD ZONE.

CURRENT ZONING

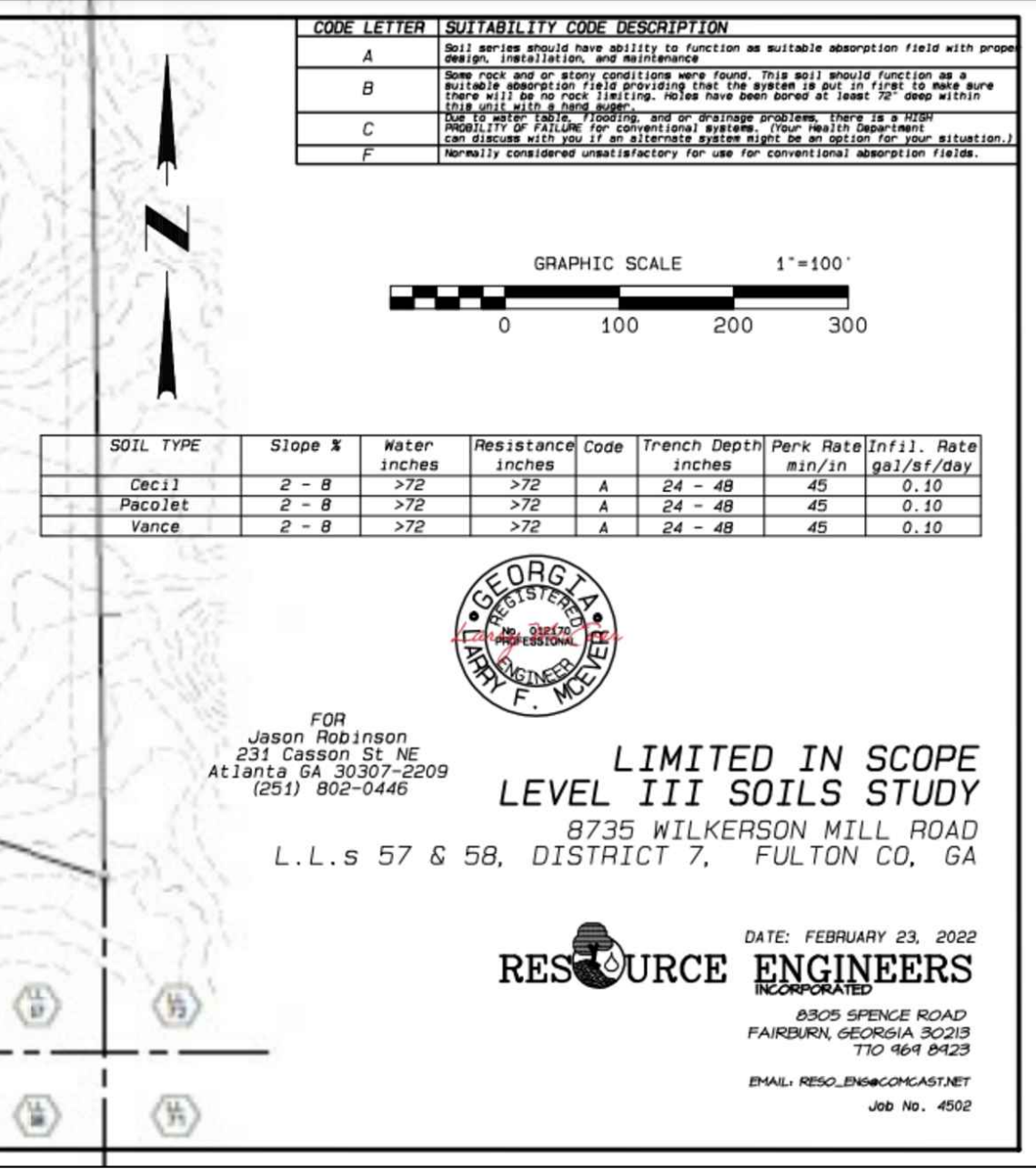
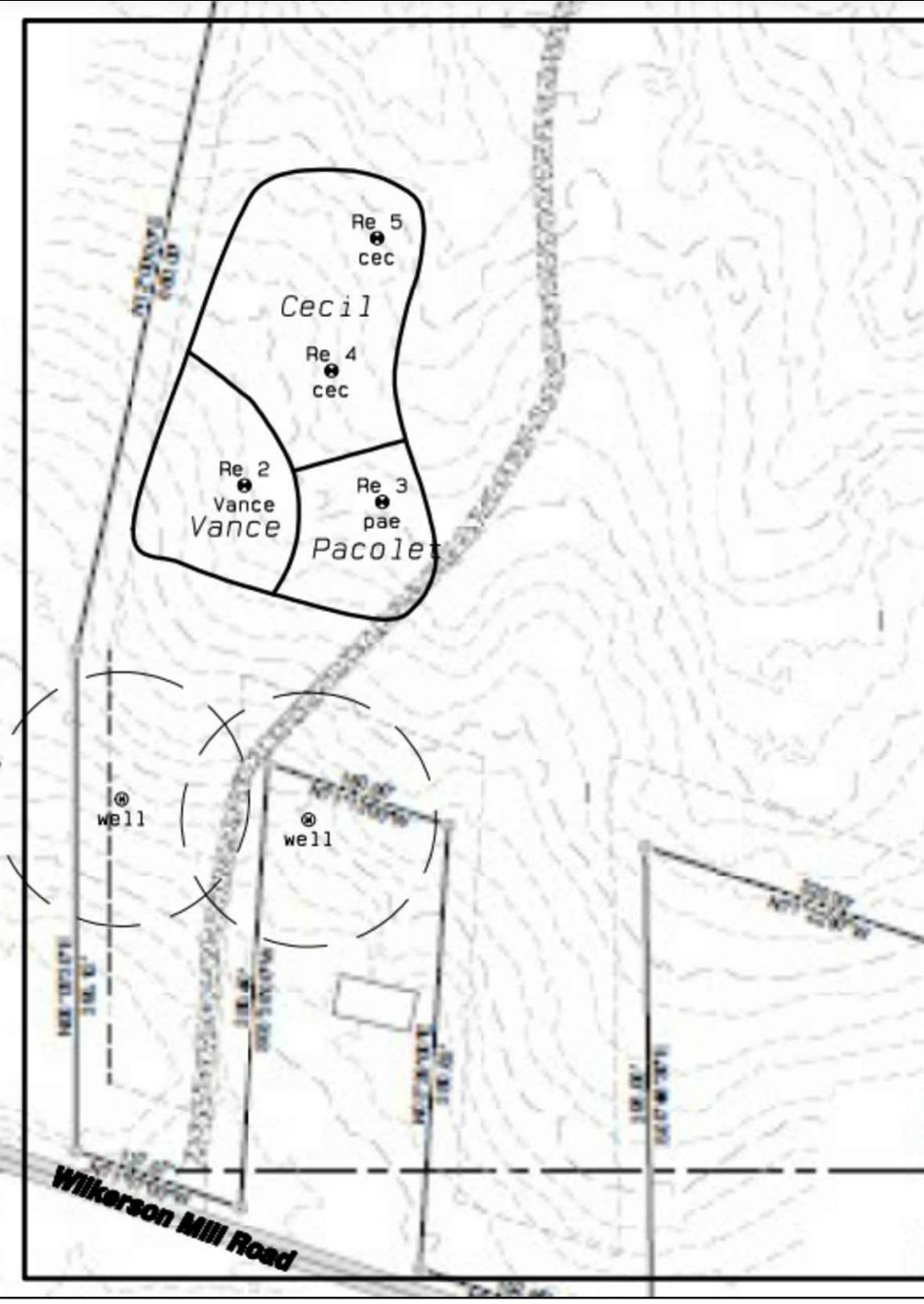
ZONED: RL (CITY OF CHATTAHOOCHEE HILLS DISTRICT)

MIN. YARD ADJACENT TO PUBLIC STREET

FRONT YARD: 60 FEET

SIDE YARD: 25 FEET

REAR YARD: 50 FEET



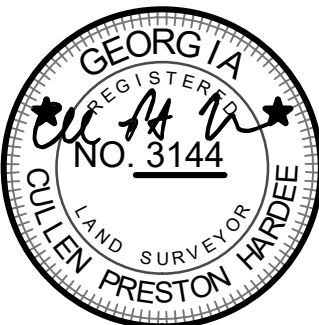
SURVEYORS CERTIFICATION

THIS PLAT IS A RETRACEMENT OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT SUBDIVIDE OR CREATE A NEW PARCEL OR MAKE ANY CHANGES TO ANY REAL PROPERTY BOUNDARIES. THE RECORDING INFORMATION OF THE DOCUMENTS, MAPS, PLATS, OR OTHER INSTRUMENTS WHICH CREATED THE PARCEL OR PARCELS ARE STATED HEREON. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67.

Cullen Preston Hardee
CULLEN PRESTON HARDEE
REGISTERED LAND SURVEYOR #3144, LSF 001321

5/11/2022
DATE

1 OF 1
SHEET NUMBER



DATE: 1/6/2022
SCALE: 1" = 100'
FILE NUMBER: 21-1066
DRAWN BY: MIGUEL
REVIEWED BY: PRESTON

REVISIONS

1.	
2.	
3.	
4.	

THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS, OR ENTITY NAMED IN THE CERTIFICATE HEREON. SAID CERTIFICATE DOES NOT EXTEND TO ANY UNNAMED PERSON WITHOUT AN EXPRESS RECERTIFICATION BY THE SURVEYOR NAMING SAID PERSON.

BOUNDARY & TOPOGRAPHIC SURVEY

FOR:

ANIKA CARTER
8735 WILKERSON MILL ROAD
LOCATED IN:
LAND LOTS 57 & 58
7TH DISTRICT, FULTON COUNTY, GEORGIA

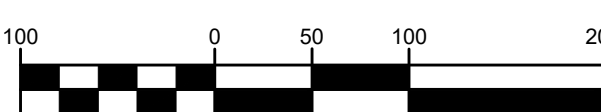
1258 CONCORD ROAD SE SUITE 103
SMYRNA, GEORGIA 30080
PH: (678) 293-5323

VISIT US ON OUR WEBSITE:
www.united-us.com



COA NO. LSF 001321

GRAPHIC SCALE



(IN FEET)
1 inch = 100 ft.

To Whom it may concern:

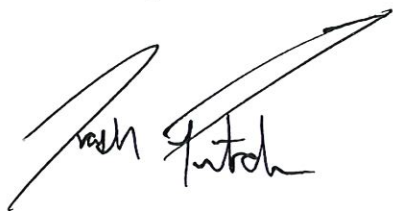
This letter is to confirm that GreyStone Power has electric facilities serving a home at 8735 Wilkerson Mill Rd.

GreyStone Power is currently providing a single phase 120/240V Overhead line through the property of 8735 Wilkerson Mill Rd being served by our ONO Substation. If the proposed development will require 3 phase 277/480V or 120/208V GreyStone would be contingent of providing 3 phase power to the development if easement could be obtained.

If GreyStone is able to obtain easements then we would be able to provide 3 phase power to the site being Overhead or Underground which may come with a cost sent to the developer to do so.

If you have any specific questions regarding this future development please give me a call at 678-985-5405 and I will be glad to assist.

Sincerely,



Josh Pritchard
GreyStone Power
Field Engineer Tech III
Office (770) 370-2262
Cell (678) 982-5405





6505 Rico Road Chattahoochee Hills Georgia 30268

MAYOR
Tom Reed

CITY COUNCIL
Ruby Foster
Richard Schmidt
Scott Lightsey
Camille Lowe
Rodney Peek

CITY MANAGER
Robert T. Rokovitz

www.chatthillsga.us

(770) 463-8881

Fax (770) 463-8550

Date: February 15, 2022
To: Mayor and City Council
From: Mike Morton, Community Development Director
Subject: Reversion of Movie Studio Zoning & three Variances

This is a Public Hearing.

Rezoning, Variance, and Special Use Permit Background

In June 2023 the City Council approved a rezoning of 1606.18 acres from RL (Rural) to HM-MU (Mixed-Use Hamlet) to create a film production studio along with three variances and five Special Use Permits. The approved zoning included the following condition:

15. If the sale of the property to the applicant does not close by the end of the current calendar year or if no land development permits or building permits are issued on the project within 24 months of the rezoning, whichever shall happen first, the five Special Use Permits shall expire and the City Council may review the project and consider a vote to revert the district zoning to RL (Rural) zoning district or another zoning district as deemed appropriate by the City Council.

When the calendar year concluded without a sale of the property, the city received notice from the applicant's attorney that the deal for the property was dead. The Special Use Permits had expired and the property's owner was curious about a reversion back to the original RL (Rural) zoning.

Based on the language in condition 15, the decision was made that the City Council would initiate a rezoning back to RL. The property owner has provided a letter and a resolution of support for this change.

The proposed rezoning ordinance also reverses the three variances granted with the rezoning:

1. A variance from Section 6-3.C to reduce the minimum residential units required in the HM-MU District from .5 units per acre to zero and to increase the maximum allowable percentage of property devoted to non-residential units from 25% of the developable area to 100%.
2. A variance from Section 5-6.G to increase the maximum open space which can be transferred offsite from 20% to 50%.
3. A variance to eliminate all of the requirements of Article XII regarding thoroughfares in those portions of the development to which public access is restricted.

As noted above, the five Special Use Permits have expired. They were for a Motion Picture or Sound Recording Facility, Large; a Hotel; a College, University, or Professional School; an Event Center, Large; and a Recycling Center.

Property Description

The property is 1,606.18 acres on several tracts located between Campbellton Redwine Road and the Chattahoochee River, southwest of Jones Ferry Road. It is mostly wooded, with some open fields and lakes, mostly in the southern portion of the property. The property surrounds a small cemetery, which was not included in the rezoning. The property is zoned HM-MU and its surroundings all are zoned RL.

The property is bordered on the west by the river, on the south by the city's Riverlands Park, on the east by Campbellton Redwine Road, and on the north by mostly undeveloped property, with a handful of homes to the north and northeast, and to the east across Campbellton Redwine Road.

Discussion

The proposed ordinance will return the zoning of the property to its state before June of last year. No particular activity is proposed for the property by this action. There would be no variances or special use permits remaining on the property.

Land Use

The property's Future Development map category is Preferred Agricultural and Rural Residential. According to the Unified Development Code, the RL zoning district is compatible with this category.

Zoning Action Review Standards

According to Section 3.10.A of the UDC, the Zoning Administrator, the Planning Commission and the City Council shall consider the following standards governing the exercise of the zoning power whenever deliberating over any changes to the official zoning map pursuant to this article.

1. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of utilities, public facilities, or schools;
 - *The proposal would result in a less intense use of the property than the current zoning, reducing any potential burdens.*
2. Whether the zoning proposal will result in a use which will or could cause City thoroughfares or transportation facilities to be unable to meet the transportation policies of the Comprehensive Plan;
 - *The proposal would result in a less demand on the transportation infrastructure than the current zoning. Levels of Service on surrounding city roads are well within the standards in the Comp Plan.*
3. Whether the zoning proposal is in conformity with the policy and intent of the Comprehensive Plan;

- *The central intent in the Comprehensive Plan is to remain deliberately rural. Reverting 1606 acres to RL zoning is consistent with this. While the reversion theoretically reduces the acreage to be permanently protected from 1044 acres to zero acres, the timing of this protection requirement would only be triggered if there were development activity on the property.*
4. Whether there are other existing or changing conditions affecting the use and Development of the property which gives supporting grounds for either approval or disapproval of the zoning proposal;
 - *The sale of the property to the studio did not take place and the Special Use Permits authorizing the movie studio and other uses of the property have expired.*
 - *The property owner has no plans to develop a hamlet.*
 - *A large swath of the site is in the 2000-foot MRPA corridor along the Chattahoochee River, which limits the amount of land disturbance and impervious cover possible on the site.*
 - *The site is served by a state highway.*
 - *The site is located miles from the closest water and wastewater service.*
 5. The existing uses and zoning of nearby property;
 - *All of the surrounding land is zoned RL. The land immediately to the south is a city park. To the east across Campbellton Redwine Road, about two thirds of the frontage faces undeveloped land and one third faces single family residences on large lots. Farther north the property abuts the rear of a couple of single-family residential lots and more undeveloped land, then Jones Ferry Road frontage with more undeveloped land on the other side. Finally, to the north and northwest, it borders a large property under single ownership which is mostly undeveloped with a single house and equestrian facilities. All of these surrounding uses are rural in nature and are consistent with the proposed zoning.*
 6. The suitability of the subject property for the zoning proposed;
 - *The property is suitable for RL zoning.*
 7. Consistency with any adopted county and City wastewater treatment plans, including the feasibility and impacts of serving the property with public wastewater treatment service and, if an alternative wastewater treatment method is proposed, whether such wastewater treatment method will have a detrimental impact on the environment or will negatively affect other public concerns;
 - *The city has not adopted a wastewater treatment plan. No development is currently proposed for the property.*
 8. The length of time the property has been vacant as zoned, considered in the context of land development in the vicinity of the property;
 - *The subject property has never been developed. It includes two houses and scattered agricultural structures. Land development in the vicinity is similar in character.*

There is a large amount of undeveloped property surrounding the subject property, along with a dozen or so single family residences

9. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property;
 - *Much of the adjacent land is undeveloped open land, along with some single family residential. The proposed RL zoning is consistent with these uses and the development pattern.*
10. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property;
 - *The subject property is surrounded by open land and single-family residences. The proposal does not include any changes to the property. It will not adversely affect the existing use or usability of adjacent properties.*
11. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned;
 - *The property would have reasonable economic use as currently zoned (HM-MU).*
12. In instances involving district expansion, whether the proposed change is supported by the homeowners associations or official neighborhood associations within the expanding district; and
 - *N/A.*
13. In instances involving developments of regional impact, whether the proposed change is supported by the Atlanta Regional Commission (ARC) and/or the Georgia Regional Transportation Authority (GRTA).
 - *While the proposal that led to the property's current zoning was a Development of Regional Impact, the current proposal is not.*
14. Any additional review standards specific to that zoning district.
 - *N/A*

Project History

In 2022 the city received an application for a Special Use Permit in the RL (Rural) district for the first phase of a movie studio project. That application was withdrawn in August 2022, before the public hearings. Subsequent applications for rezoning to HM-MU, the three variances, and the five special use permits were received in late 2022. In early 2023 the project went through a Development of Regional Impact (DRI) review. The applicant held a community information meeting at City Hall in April. The rezoning, special use permits, and variances were approved by City Council at their June 6, 2023 meeting. By January 2024, the property remained unsold and the owners contacted the city about the possibility of reverting the zoning to RL. At least in

part due to the language in the 2023 rezoning conditions the council decided to initiate the process to consider rezoning the property back to RL (Rural).

City Council Action

The First Read before City Council was February 6th. The City Council will hold a public hearing on this application on February 5th.

Concept Plan

No concept plan has been submitted by the applicant for approval.

Staff Recommendations

Staff recommends approval of the proposed ordinance, returning the property to its original RL zoning and eliminating the three variances approved as a part of the 2023 rezoning.

This is a Public Hearing.

Attachments:

Rezoning Ordinance

Location Map

Materials from property owner

**AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP TO
REZONE 1606.18 ACRES FROM THE HM-MU (MIXED-USE HAMLET)
DISTRICT TO THE RL (RURAL) DISTRICT AND TO ELIMINATE
THREE VARIANCES**

WHEREAS, Painted Rock Farm, LLC is the owner of certain property within the City of Chattahoochee Hills, Georgia; and

WHEREAS, in 2023 the City Council of Chattahoochee Hills approved application, on behalf of Painted Rock Farm, LLC to rezone approximately 1606.18 acres, further described in the attached Exhibit “A,” from RL (Rural) District to the HM-MU (Mixed-Use Hamlet) District; and

WHEREAS, in 2023 the City Council of Chattahoochee Hills also approved variances to increase allowed offsite open space in the HM-MU district found in the City’s Unified Development Code Section 5-6.G from 20% to 50% of required open space, to reduce the minimum residential units required in the HM-MU district found in the City’s Unified Development Code Section 6-3.C from .5 units per acre to zero, to increase the maximum allowable non-residential area in the HM-MU district found in the City’s Unified Development Code Section 6-3.C from 25% of the developable area to 100%, and to eliminate the requirements regarding thoroughfares found in the City’s Unified Development Code Article XII, regarding thoroughfares in only those portions of the development to which public access is restricted; and

WHEREAS, the conditions of rezoning included the stipulation that, “if the sale of the property to the applicant does not close by the end of the current calendar year or if no land development permits or building permits are issued on the project within 24 months of the rezoning, whichever shall happen first ... the City Council may review the project and consider a vote to revert the district zoning to RL (Rural) zoning district or another zoning district as deemed appropriate by the City Council;” and

WHEREAS, the sale of the property to the applicant did not close by the end of the calendar year and no land development permits or building permits were issued on the project; and

WHEREAS, the City of Chattahoochee Hills has adopted a unified development code to promote the health, safety and general welfare of the present and future inhabitants of the City of Chattahoochee Hills; and

WHEREAS, the City has conducted public hearings before the Planning Commission and the City Council; and

WHEREAS, notice has been published in the newspaper and signs have been posted as required on the property containing the date, time, place and purpose of the public hearing; and

WHEREAS, the Mayor and City Council have approved of the application to amend the zoning map; and

**STATE OF GEORGIA
COUNTY OF FULTON**

ORDINANCE NO. 24-XX-XXX

WHEREAS, the Mayor and City Council have approved of the elimination of the three variances; and

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CHATTAHOOCHEE HILLS HEREBY ORDAINS that:

Section 1: The property described in the attached Exhibit “A” be rezoned to RL (Rural), and

Section 2: The variance to Unified Development Code section 5-6.G for the property described in the attached Exhibit “A” be eliminated, and

Section 3: The variance to Unified Development Code Section 6-3.C for the property described in the attached Exhibit “A” be eliminated, and

Section 4: The variance to Unified Development Code Article XII for the property described in the attached Exhibit “A” be eliminated, and

Section 6: That this ordinance and the within rezoning shall become effective upon its adoption, and

Section 7: All other ordinances or parts of ordinances in conflict with this rezoning are hereby repealed to the extent of such conflict.

ORDAINED this the X day of X, 2024.

Approved:

Tom Reed, Mayor

Attest:

Dana Wicher, City Clerk
(Seal)

Exhibit "A"

LEGAL DESCRIPTION
TRACT ONE

ALL TRACT OR PARCEL OF LAND LYING AND BEING IN Land Lots 132, 133, 142, 143, 144, 145, 146, 152, 153, 154, 155, 156, 157, 164, 165, 166, 167, 177 and 182, 8th. District of Fulton County, Georgia, containing 1606.18 acres in accordance with a boundary survey for Kane Studios by Southeastern Engineering, Inc., Wayne Alan Powers, Georgia Registered Land Surveyor #2891, dated June 17, 2022, and being more particularly described as follows:

COMMENCING at a one (1) inch open top pipe found located at the common land lot corner of land lots 130, 131, 146, and 147, said point of commencement having State Plane Coordinates of: Northing 1,295,871.205, Easting 2,104,122.773;

THENCE, along the land lot line common to land lots 146 & 147, and the easterly boundary line of property owned by STG Investments, Inc, S 89° 30' 56" W for a distance of 825.65 feet to a road scrape blade found;

THENCE continuing along said land lot line, S 88° 01' 33" W for a distance of 1480.91 feet to a 1" open top pipe found on the easterly right-of-way line of Jones Ferry Road (30' right-of-way);

THENCE S 84° 55' 30" E for a distance of 43.21 feet to a point on the westerly right-of-way line of said Jones Ferry Road, the easterly boundary line of property owned by STG Investments, Inc, and the POINT OF BEGINNING;

From the POINT OF BEGINNING thus established and continuing along said right-of-way, S 43° 00' 11" E for a distance of 50.52 feet to a point;

THENCE, S 47° 21' 59" E for a distance of 107.90 feet to a point;

THENCE, S 50° 55' 48" E for a distance of 114.62 feet to a point;

THENCE, S 45° 26' 46" E for a distance of 102.56 feet to a point;

THENCE, S 30° 15' 52" E for a distance of 72.92 feet to a point;

THENCE, S 23° 37' 45" E for a distance of 120.71 feet to a point;

THENCE, S 34° 00' 04" E for a distance of 123.81 feet to a point;

THENCE, S 34° 43' 58" E for a distance of 122.30 feet to a point;

THENCE, S 29° 16' 02" E for a distance of 77.04 feet to a point;

THENCE, S 21° 33' 40" E for a distance of 73.09 feet to a point;

THENCE, S 10° 19' 50" E for a distance of 100.37 feet to a point;

THENCE, S 06° 01' 24" E for a distance of 99.58 feet to a point;

THENCE, S 02° 54' 49" E for a distance of 196.48 feet to a point;

THENCE, S 04° 38' 39" W for a distance of 92.56 feet to a point;

THENCE, S 06° 48' 51" E for a distance of 170.83 feet to a point;

THENCE, S 18° 40' 39" E for a distance of 79.24 feet to a point;

THENCE, S 18° 40' 39" E for a distance of 126.91 feet to a point;

THENCE, S 33° 16' 33" E for a distance of 81.94 feet to a point;

THENCE, S 41° 58' 21" E for a distance of 47.67 feet to a point;

THENCE, S 48° 53' 21" E for a distance of 91.23 feet to a point on southerly boundary line of property owned by Hoyt Investment Co.;

THENCE leaving said right-of-way, S 00° 39' 05" W for a distance of 1206.02 feet to a point and the westerly boundary line of property owned by Jennifer Causey & William R. Varner Jr.;

THENCE, S 00° 37' 42" W for a distance of 1487.12 feet to a 3/4" open top pipe found and the southeasterly boundary corner of property owned by Jennifer Causey & William R. Varner Jr.;

THENCE, S 89° 32' 41" E for a distance of 1495.69 feet to a 1" open top pipe found on the land lot line common to land lots 132 & 145 and the and the southerly boundary line of property owned by The Kenneth K. Bryant & Elaine S. Bryant Revocable Living Trust;

THENCE along said land lot line, S 00° 04' 28" E for a distance of 433.26 feet to an iron pipe found;

THENCE leaving said land lot line, S 89° 18' 30" E for a distance of 573.20 feet to a 3" open top pipe found on the westerly right-of-way line of Campbellton-Redwood Road, also known as State Highway 70 (variable width right-of-way);

THENCE along said right-of-way line, S 00° 33' 09" E for a distance of 236.62 feet to a point;

THENCE continuing along said right-of-way, S 00° 16' 57" W for a distance of 25.89 feet to a point the and the westerly boundary line of property owned by William M. & Mona Russell;

THENCE leaving said right-of-way, N 89° 09' 42" W for a distance of 843.40 feet to a 3/8" rebar found;

THENCE, S 01° 50' 32" W for a distance of 154.67 feet to a 1" open top pipe found;

THENCE, S 89° 03' 27" E for a distance of 266.24 feet to a point on said land lot line and the southerly boundary line of the property owned by Victor C. & Mona Russell;

THENCE along said land lot line, S 00° 15' 28" E for a distance of 79.13 feet to a 1/2" rebar found and the westerly boundary line of the property owned by W.C. & Janice Blackmon;

THENCE leaving said land lot line, N 89° 53' 19" W for a distance of 389.37 feet to a 1/2" rebar found;

THENCE, S 00° 26' 00" W for a distance of 559.10 feet to a 1/2" rebar found on the land lot line common to land lots 144 & 145;

THENCE along said land lot line, S 89° 50' 16" E for a distance of 389.35 feet to a rock found at the land lot corner common to land lots 132, 133, 144 & 145;

THENCE along the land lot line common to land lots 132 & 133, N 89° 42' 05" E for a distance of 407.16 feet to a 1/2" rebar found on the westerly right-of-way of said Campbellton-Redwood Road;

THENCE along said right-of-way, S 18° 54' 58" W for a distance of 347.27 feet to a point;

THENCE along a curve to the left, said curve having a radius of 1997.13 feet, an arc distance of 459.51 feet and being subtended by a chord bearing of S 12° 19' 29" W for a distance of 458.50 feet to a point;

THENCE, S 05° 43' 59" W for a distance of 590.10 feet to a point;

THENCE along a curve to the right, said curve having a radius of 1364.72 feet, an arc distance of 1018.47 feet and being subtended by a chord bearing of S 27° 06' 45" W for a distance of 995.00 feet to a point;

THENCE, S 48° 29' 32" W for a distance of 676.11 feet to a point;

THENCE along a curve to the left, said curve having a radius of 1358.75 feet, an arc distance of 391.22 feet and being subtended by a chord bearing of S 40° 14' 38" W for a distance of 389.87 feet to a point;

THENCE, S 31° 59' 43" W for a distance of 1970.43 feet to a point;

THENCE along a curve to the right, said curve having a radius of 3829.99 feet, an arc distance of 399.14 feet and being subtended by a chord bearing of S 34° 58' 51" W for a distance of 398.96 feet to a point;

THENCE, S 37° 55' 14" W for a distance of 1086.88 feet to a 1/2" rebar found at the intersection of the northerly right-of-way line of said Campbellton-Redwood Road and the land lot line common to land lots 142 & 143;

THENCE continuing along said right-of-way, S 38° 02' 33" W for a distance of 655.80 feet to a concrete monument found (disturbed);

THENCE, S 39° 42' 08" W for a distance of 260.89 feet to concrete monument found;

THENCE along a curve to the left, said curve having a radius of 1786.38 feet, an arc distance of 398.32 feet and being subtended by a chord bearing of S 31° 32' 10" W for a distance of 397.50 feet to a concrete monument found;

THENCE, N 59° 13' 58" W for a distance of 30.14 feet to a concrete monument found (disturbed);

THENCE along a curve to the left, said curve having a radius of 1816.38 feet, an arc distance of 470.38 feet and being subtended by a chord bearing of S 17° 49' 22" W for a distance of 469.06 feet to a concrete monument found (disturbed);

THENCE, S 04° 38' 24" W for a distance of 165.69 feet to a concrete monument found and the westerly boundary line of the property owned by The City of Chattahoochee Hills, Georgia;

THENCE leaving said Campbellton-Redwood Road right-of-way, N 89° 00' 19" W for a distance of 955.71 feet to an angle iron found on the east bank of the Chattahoochee River;

THENCE along said eastern bank the following courses and distances, N 16° 12' 48" W for a distance of 128.54 feet to a point;

THENCE, N 33° 21' 32" W for a distance of 264.98 feet to a point;

THENCE, N 32° 14' 24" W for a distance of 377.44 feet to a point;

THENCE, N 33° 19' 13" W for a distance of 351.25 feet to a point;

THENCE, N 33° 37' 38" W for a distance of 286.80 feet to a point;

THENCE, N 31° 47' 27" W for a distance of 249.55 feet to a point;

THENCE, N 42° 34' 35" W for a distance of 443.62 feet to a point;

THENCE, N 43° 28' 26" W for a distance of 643.31 feet to a point;

THENCE, N 42° 04' 28" W for a distance of 293.73 feet to a point;

THENCE, N 31° 45' 56" W for a distance of 418.36 feet to a point;

THENCE, N 22° 23' 23" W for a distance of 363.74 feet to a point;

THENCE, N 21° 22' 05" W for a distance of 923.91 feet to a point;

THENCE, N 20° 05' 28" W for a distance of 418.86 feet to a point;

THENCE, N 14° 52' 03" W for a distance of 447.94 feet to a point;

THENCE, N 14° 27' 51" W for a distance of 329.05 feet to a point;

THENCE, N 29° 48' 02" W for a distance of 209.07 feet to a point;

THENCE, N 16° 33' 05" W for a distance of 322.86 feet to a point;

THENCE, N 27° 38' 56" W for a distance of 455.19 feet to a point;

THENCE, N 40° 26' 43" W for a distance of 349.93 feet to a point;

THENCE, N 44° 05' 46" W for a distance of 377.46 feet to a point;

THENCE, N 50° 54' 11" W for a distance of 466.15 feet to a point;

THENCE, N 60° 55' 34" W for a distance of 368.78 feet to a point;

THENCE, N 71° 37' 14" W for a distance of 169.97 feet to a point;

THENCE, N 52° 09' 56" W for a distance of 322.68 feet to a point;

THENCE, N 45° 24' 34" W for a distance of 526.88 feet to a point at the intersection of said eastern bank and the land lot line common to land lots 177 & 182 and the easterly boundary line of the property owned by Sanford Taylor Glover;

THENCE leaving said eastern bank and along said land lot line, S 88° 59' 13" E for a distance of 3365.31 feet to a 1/2" rebar found on the land lot line common to land lots 165 & 166;

THENCE leaving said land lot line, N 02° 45' 37" E for a distance of 164.23 feet to a point;

THENCE, N 33° 49' 10" E for a distance of 194.90 feet to a 1/2" rebar found;

THENCE, N 52° 38' 12" E for a distance of 221.79 feet to a 1/2" rebar found;

THENCE, N 73° 46' 21" E for a distance of 188.65 feet to a 1/2" rebar found;

THENCE, N 00° 03' 04" E for a distance of 2979.56 feet to a 22" pine tree with hack marks found and the easterly boundary line of the property owned by STG Investments, Inc.;

THENCE, N 46° 24' 00" E for a distance of 921.40 feet to a point on the centerline branch of a creek;

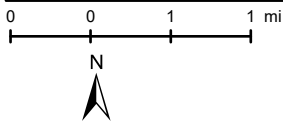
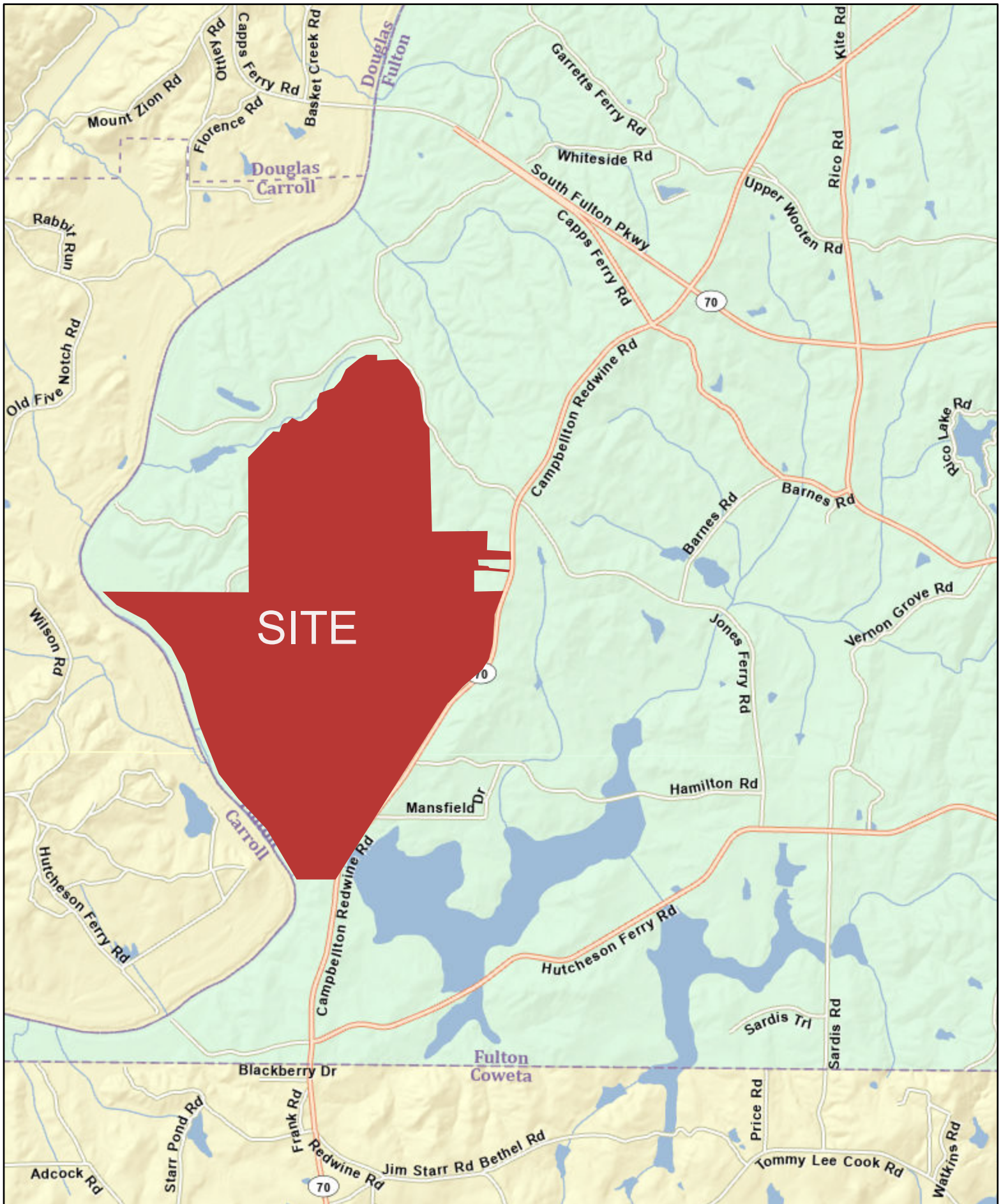
THENCE along said creek branch the following courses and distances, N 88° 53' 06" E for a distance of 149.82 feet to a point;

THENCE, N 64° 04' 11" E for a distance of 70.35 feet to a point;

THENCE, N 15° 37' 30" W for a distance of 150.18 feet to a point;
THENCE, N 52° 31' 02" E for a distance of 75.94 feet to a point;
THENCE, S 39° 16' 16" E for a distance of 57.63 feet to a point;
THENCE, N 51° 06' 55" E for a distance of 220.43 feet to a point;
THENCE, S 55° 54' 17" E for a distance of 81.91 feet to a point;
THENCE, S 54° 38' 03" E for a distance of 66.29 feet to a point;
THENCE, S 89° 37' 01" E for a distance of 97.74 feet to a point;
THENCE, N 42° 39' 44" E for a distance of 77.75 feet to a point;
THENCE, N 69° 39' 24" E for a distance of 177.71 feet to a point;
THENCE, N 29° 55' 57" E for a distance of 116.88 feet to a point;
THENCE, N 43° 09' 49" E for a distance of 202.11 feet to a point;
THENCE, N 03° 40' 23" W for a distance of 112.08 feet to a point;
THENCE, N 03° 15' 57" E for a distance of 107.44 feet to a point;
THENCE, N 33° 46' 40" E for a distance of 198.15 feet to a point;
THENCE, N 77° 10' 24" E for a distance of 201.14 feet to a point;
THENCE, N 71° 42' 21" E for a distance of 103.67 feet to a point;
THENCE, N 40° 31' 31" E for a distance of 86.48 feet to a point;
THENCE, N 25° 01' 56" E for a distance of 71.21 feet to a point;
THENCE, N 38° 38' 35" E for a distance of 176.51 feet to a point;
THENCE, N 29° 03' 49" E for a distance of 101.54 feet to a point;
THENCE, N 16° 33' 30" E for a distance of 200.83 feet to a point;
THENCE, N 51° 28' 45" E for a distance of 128.12 feet to a point;

THENCE, N 12° 02' 55" E for a distance of 37.63 feet to a point;
THENCE, N 58° 31' 40" E for a distance of 156.75 feet to a point;
THENCE, N 63° 48' 58" E for a distance of 254.29 feet to a point;
THENCE, S 67° 53' 05" E for a distance of 105.25 feet to a point;
THENCE, S 83° 45' 52" E for a distance of 192.07 feet to a point;
THENCE, S 72° 38' 13" E for a distance of 74.59 feet to a point;
THENCE, S 88° 17' 26" E for a distance of 105.13 feet to a point;
THENCE, S 00° 49' 53" W for a distance of 72.16 feet to a 1" crimp top pipe found;
THENCE S 88° 21' 18" E a distance of 638.25 feet to the POINT OF BEGINNING.

Parcel #08 350001550088, shown as Bryants Cemetery on the survey and containing one acre is not included



Date: 1/25/2024

Fulton County GIS

Fulton County provides the data on this map for your personal use "as is". The data are not guaranteed to be accurate, correct, or complete. The feature locations depicted in these maps are approximate and are not necessarily accurate to surveying or engineering standards. Fulton County assumes no responsibility for losses resulting from the use of these data, even if Fulton County is advised of the possibility of such loss.



PAINTED ROCK FARM, LLC
3377 Satellite Boulevard
Duluth, GA 30096

City of Chattahoochee Hills, Georgia
c/o Michael Morton
Community Development Director
mike.morton@chatthillsga.us

Re: Request by Painted Rock Farm, LLC (the "Company") for reversion of zoning, and revocation or termination of special use permits, variances, and conditions of certain real property owned by the Company containing approximately 1,606.18 acres located in Fulton County, Georgia (the "Property").

Dear Mr. Morton:

In connection with a potential sale of the Property, the City Council approved certain rezoning, variances, special use permits, and conditions at the Regular Meeting of the Mayor and Council, City of Chattahoochee Hills, Georgia, dated June 6, 2023 (Item 23-015). The proposed sale of the Property is no longer pending, and the Company wishes to return the status of the Property to that in existence on or prior to October 6, 2022.

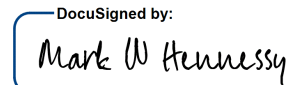
The Company hereby requests that the City Council unwind the actions taken at the June 6, 2023, meeting with respect to the Property, including but not limited to, returning the zoning classification of the Property to RL (Rural) District, and revoke or terminate the special use permits, variances and conditions related thereto, to the extent such special use permits, variances and conditions have not automatically expired by their terms.

I further represent, warrant and certify that I have been authorized and directed by all managers of the Company to sign and submit this request to you on behalf of the Company.

Please do not hesitate to contact me should you have any questions or need any additional information.

Respectfully,

PAINTED ROCK FARM, LLC

DocuSigned by:

C1C4A0C174D4427...
Mark Hennessy

PAINTED ROCK FARM, LLC
UNANIMOUS CONSENT OF MANAGERS

TAKEN IN LIEU OF A MEETING

Effective: January 22, 2024

Effective as of the date written above, the undersigned, constituting all of the Managers of PAINTED ROCK FARM, LLC, a Georgia limited liability company (the “**Company**”), pursuant to applicable provisions of the Georgia Limited Liability Company Act and the Operating Agreement of the Company dated January 20, 2004, as amended by that certain First Amendment to Operating Agreement dated March 1, 2019, as amended by that certain Second Amendment to Operating Agreement dated March 31, 2019, as amended by that certain Amended and Restated Operating Agreement dated December 31, 2020 (collectively, the “**Operating Agreement**”), do hereby (i) consent to and take the actions set forth in the resolutions below by written consent, which resolutions shall have the same force and effect as if adopted by a unanimous affirmative vote at a meeting of the Managers, duly called and held, (ii) waive all requirements of notice, and (iii) direct that this action by written consent (“**Consent**”) be filed with the minutes of the proceedings of the Company. Capitalized terms used but not defined in this Consent have the meanings set forth in the Operating Agreement.

1.

Reversion of Zoning and Related Covenants

WHEREAS, the Company and Kane Studio, LLC (“**Buyer**”) entered into that certain Agreement of Purchase and Sale dated October 6, 2022 (the “**Original Purchase Agreement**”) whereby the Company agreed to sell and Buyer agreed to purchase certain real property containing approximately 1,664.89 acres located in Fulton County, Georgia, which real property is defined more particularly in the Original Purchase Agreement as the “**Property**.”

WHEREAS, the Company and Buyer amended the Original Purchase Agreement by entering into that certain First Amendment to Purchase Agreement effective August 21, 2023, a copy of which is attached hereto as Schedule 1 (the “**First Amendment**” and together with the Original Purchase Agreement, collectively, the “**Purchase Agreement**”), whereby Buyer agreed not to take any further action prior to the Closing Date relating to (i) certain special use permits granted to Buyer (as set forth on Exhibit A to the First Amendment), (ii) the Property’s rezoning to Mixed-Use Hamlet zoning (as set forth on Exhibit B to the First Amendment), and (iii) certain variances affecting the Property (as set forth on Exhibit C to the First Amendment), all of which are collectively referred to herein as the “**New Zoning**,”

WHEREAS, the Purchase Agreement expired by its terms on December 20, 2023 without the consummation of the sale of the Property to Buyer;

WHEREAS, the undersigned hereby desire to revert the New Zoning to the zoning classification applicable to the Property prior to submission of the zoning application (the “**Zoning Application**”) for the New Zoning on or about November 29, 2022.

NOW, THEREFORE, BE IT RESOLVED, that the Managers hereby authorize and approve the reversion of the zoning of the Property to the zoning classification applicable to the Property prior to submission of the Zoning Application.

2.

General Resolutions

BE IT RESOLVED, that any and all of the Managers, including but not limited to, Peter R. Hennesy, Mark W. Hennesy and Stephen R. Hennessy, acting alone or in concert, are hereby authorized and directed to execute in the name and on behalf of the Company and to deliver and file any instrument, certificate, request, letter or any other document, or any amendment or supplement thereto, and to take any other action to any person or governmental entity that any of them may deem necessary, convenient or appropriate to carry out the intent and purpose of the preceding resolutions;

FURTHER RESOLVED, that any and all acts of the Managers of the Company and of any person or persons designated and authorized to act by the Managers of the Company, which acts would have been authorized by the foregoing resolutions except that such acts were taken prior to the adoption of such resolutions, be and each such act hereby are ratified, confirmed and approved in all respects;

FURTHER RESOLVED, that each of the Managers of the Company be, and hereby is, authorized, empowered and directed to do all further things, and to take all further actions, they deem necessary or advisable to effectuate the foregoing resolutions; and

FURTHER RESOLVED, that this Consent (i) may be executed in multiple counterparts, each of which shall constitute an original and all of which shall constitute one consent, and (ii) may be signed and transmitted by facsimile or other form of electronic transmission and such facsimile or other form of electronic transmission is to be treated as an original document, and the signature of any party thereon, for purposes hereof, is to be considered as an original signature.

[SIGNATURES ON FOLLOWING PAGE]

IN WITNESS WHEREOF, each of the undersigned has executed this Consent as of the date first set forth above.

MANAGERS:

DocuSigned by:

Mark W. Hennessy

C1C4A0C174D4427...
Mark W. Hennessy

DocuSigned by:

Stephen R. Hennessy

AD8D51051B764F0...
Stephen R. Hennessy

DocuSigned by:

Peter R. Hennessy

A432AEAE223484...
Peter R. Hennessy

DocuSigned by:

Martha Hennessy Hutson

F2E2C18E1C7F477...
Martha Hennessy Hutson

DocuSigned by:

SAR

1A7F4D8C14DA43F...
Susan Hennessy Rich