



Mission: To provide visionary leadership and superior municipal services that enhance the quality of life for citizens while creating a welcoming business atmosphere focused on sustainability and expansion of tourism and cultural events.



AGENDA ZONING ADVISORY BOARD MEETING

Thursday, December 2, 2021 6:30 PM

Board Members

Askia Abdullah, Chair
Harold Thibodeaux, Vice Chair
Stanley Dumas
Kathleen Nelson
David Planchon
Vacant

Administration

Brecca Johnson, Community Development Director
Linda Logan, Senior Planner
Melinda Davies, Planning/GIS Technician
Gordon Linton, Planner I
Quinton G. Washington, City Attorney

- I. Call to Order**
- II. Invocation**
- III. Pledge of Allegiance**
- IV. Roll Call**

Present

Absent

Askia Abdullah
Stanley Dumas
Louis Goglia
Dr. Renata Hannah
Shirley Wallace

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

- V. Adoption of the Agenda**
- VI. Approval of Minutes**
October 28, 2021 Summary Minutes

WELCOME OF NEW PLANNING COMMISSION BOARD MEMBER, RODNEY HORNES: To be presented by Brecca Johnson and Chairman Abdullah.

REVISIONS TO PLANNING COMMISSION BYLAWS

Item # 1 - Discussions and decisions on possible revisions to the existing Bylaws.

To be presented by Brecca Johnson and Linda Logan.

Presented by:

ADOPTION OF THE PLANNING AND ZONING SCHEDULE FOR 2022

Item # 1 - *To be presented by Brecca Johnson and Linda Logan.*

Presented by:

REZONING CASE #RZ-2021-02

Item # 1 - The City of Stockbridge Planning Commission and the City of Stockbridge Mayor and City Council will hear a Rezoning Request by Samir Patel, the Applicant, represented by Sibley-Miller Surveying, the Agent, to rezone certain property from PTD (Planned Town Development) to MUND (Mixed-Use Neighborhood Development) to allow for the development of several commercial buildings and a townhome community. The property is located in Land Lots 100 and 101 of District 12 within the Stockbridge City Limits. It contains two parcels with 13.52 +/- total acres, as are listed below. The City of Stockbridge Planning Commission approved the recombination of the two parcels into one parcel at its February 27, 2020 meeting, but the new plat has not yet been recorded. If the requested rezoning is approved by the City Council, it would be contingent upon the new plat being recorded.

- **Parcel #047-01016001-- Contains 2.64 acres. Located in Land Lot 100 of District 12, at the southwest corner of East Atlanta Road and Stagecoach Road.**

- **Parcel #028-02021005 --** Contains 10.88 acres. Located in Land Lot 101 of District 12, at the southeast corner of Stagecoach Road and Woodall Road.

NOTE: The applicant has requested that this case be withdrawn.
Presented by:

COMPREHENSIVE PLAN AMENDMENT CASE #CP-2021-02

Item # 1 - The City of Stockbridge Planning Commission and the City of Stockbridge Mayor and City Council will hear a Comprehensive Plan Amendment Request by Samir Patel, the Applicant, represented by Sibley-Miller Surveying, the Agent, to change the future land use designation of certain property from 'Low-Density Residential' to 'Low-Density Vertical Mixed-Use' to allow for the development of several commercial buildings and a townhome community. The property is located in Land Lots 100 and 101 of District 12 within the Stockbridge City Limits. It contains two parcels with 13.52 +/- total acres, as are listed below. The City of Stockbridge Planning Commission approved the recombination of the two parcels into one parcel at its February 27, 2020 meeting, but the new plat has not yet been recorded. If the requested Comprehensive Plan amendment is approved by the City Council, it would be contingent upon the new plat being recorded, as well as the approval of the companion rezoning case, RZ-2021-02.

- **Parcel #047-01016001--** Contains 2.64 acres. Located in Land Lot 100 of District 12, at the southwest corner of East Atlanta Road and Stagecoach Road.
- **Parcel #028-02021005 --** Contains 10.88 acres. Located in Land Lot 101 of District 12, at the southeast corner of Stagecoach Road and Woodall Road.

NOTE: The applicant has requested that this case be withdrawn.

Presented by:

PROJECT UPDATES

Item # 1 -

To be presented by Brecca Johnson. No action is required.

Presented by:

STAFF COMMENTS

Item # 1 -

To be presented by Brecca Johnson. No action is required.

Presented by:

BOARD COMMENTS

ADJOURN



Mission: To provide visionary leadership and superior municipal services that enhance the quality of life for citizens while creating a welcoming business atmosphere focused on sustainability and expansion of tourism and cultural events.



SUMMARY MINUTES [DRAFT] **PLANNING COMMISSION**

THURSDAY, October 28, 2021 at 6:30 p.m. (Virtual Meeting)

BOARD MEMBERS (5):

Askia Abdullah, Chairman
Harold Thibodeaux, Vice Chairman
Stanley Dumas
Kathleen Nelson
David Planchon

ADMINISTRATION:

Brecca Johnson, Community Dev. Director
Quinton Washington, City Attorney
Vanessa Holiday, City Clerk
Randi Rainey, Deputy City Clerk
Linda Logan, Senior Planner / PC Sect'y
Gordon Linton, Planner I

I. CALL TO ORDER—Made by Chairman Abdullah.

II. INVOCATION—Provided by Stanley Dumas.

III. PLEDGE OF ALLEGIANCE—Recited in unison.

IV. ROLL CALL (5 members)—Taken by Ms. Logan.

	Present	Absent
~ Askia Abdullah	X	
~ Harold Thibodeaux	X	
~ Stanley Dumas	X	
~ Kathleen Nelson	X	
~ David Planchon	X	

A quorum of members was achieved.

V. ADOPTION OF THE AGENDA—Motion to adopt made by Kathleen Nelson; seconded by Stanley Dumas. The motion passed, 4-0.

VI. APPROVAL OF MINUTES – September 23, 2021 Action Minutes

Harold Thibodeaux stated that he mentioned in the meeting commercial vehicles passing through the neighborhood from Drive Time, and he did not see them reflected in the Minutes and the problem needs to be corrected with the vehicles passing through for the September 23rd Minutes.

Stanley Dumas noted several corrections for the September 23rd Minutes:

1. Item #5 has the adoption of the agenda by Harold Thibodeaux and seconded by Kathleen Nelson. Stanley Dumas made the motion instead.
2. Item #6 has the approval of February 25, 2021 minutes by Kathleen Nelson and seconded by Harold Thibodeaux. Stanley Dumas made the motion instead.
3. Item #7 has the approval of the May 27, 2021 minutes by Harold Thibodeaux and seconded by David Planchon. Stanley Dumas made the motion instead.
4. Item #8 Election of Officers, 2nd paragraph, reads Chairman Abdullah nominated himself with Harold Thibodeaux asking for clarification. Stanley Dumas asked for clarification instead. The final paragraph reads that Chairman Abdullah nominated Harold Thibodeaux as Vice-Chair with Stanley Dumas providing the second. Harold Thibodeaux provided the second instead.

Linda Logan, Planning Commission Secretary, stated that there were three people taking notes, and that they do not always know who is speaking. She recommended that each person identify himself or herself when speaking.

Brecca Johnson, Community Development Director, stated that to ensure the correct motions and seconds, staff will verify who is speaking after each vote.

Stanley Dumas motioned to approve the Minutes with the corrections made as noted. The motion was seconded by Kathleen Nelson. The motion passed, 4-0.

VII. NEW BUSINESS – RECOMBINATION PLAT APPLICATION FOR QUIKTRIP

To be presented by Linda Logan. Requires a decision to approve or disapprove the proposed recombination plat.

RC-2021-01—Recombination Plat Application for Property at the Southeast Corner of Eagles Landing Parkway and Patrick Henry Parkway. The applicant is Eric Bikas of QuikTrip and the property owner is Eagles Landing Partners, LLC. They propose to combine parts of three parcels with a fourth parcel to allow for the development of a QuikTrip gas station and convenience store. Two new parcels would be created, with

QuikTrip to purchase and use only one of them. The four existing parcels contain a total of 2.54 acres, and they are identified as follows:

1. Parcel #051-01011000 with 0.596 acres—Located at 1239 Eagles Landing Parkway in Land Lot 20 of District 6.
2. Parcel # 051-01011023 with 0.473 acres -- Located at 1235 Eagles Landing Parkway in Land Lot 20 of District 6.
3. Parcel # 051-01011002 with 1.130 acres -- Located at 1231 Eagles Landing Parkway in Land Lot 20 of District 6.
4. Parcel #051-01053000 with 0.341 acres--Located in front of 1231 and 1239 Eagles Landing Parkway, in Land Lot 20 of District 6.

Linda Logan, Senior Planner, stated that the Recombination Plat application RC-2021-01 is for QuikTrip. The applicant is Eric Bikas of QuikTrip and the property owner is Eagles Landing Partners, LLC. They propose to combine parts of three parcels with a fourth parcel to allow for the development of a QuikTrip gas station and convenience store. Ms. Logan also stated that two new parcels would be created, with QuikTrip to purchase and use only one of them. The four existing parcels contain a total of 2.54 acres, and they are identified as follows: Parcel #051-01011000 with 0.596 acres—located at 1239 Eagles Landing Parkway in Land Lot 20 of District 6; Parcel # 051-01011023 with 0.473 acres -- located at 1235 Eagles Landing Parkway in Land Lot 20 of District 6; Parcel # 051-01011002 with 1.130 acres -- located at 1231 Eagles Landing Parkway in Land Lot 20 of District 6; and Parcel #051-01053000 with 0.341 acres--located in front of 1231 and 1239 Eagles Landing Parkway, in Land Lot 20 of District 6, with all four (4) parcel zoned as C-2 (General Commercial).

Mr. Thibodeaux stated that the property was once the locale of an office building, and after it was torn down, the dirt was used to build up the Patrick Henry Parkway area, and the property has been vacant for the past 10 years.

Ms. Logan stated that the City's engineer has reviewed the plat, and she said that the qualifications for recombination have been met, whereby all four parcels have the same property owner and the same zoning classification; and also that the preliminary plat has been approved by Planning and Zoning and by the City Engineer. Ms. Logan stated that the Planning and Zoning staff recommends approval with one stipulation, which is that no land disturbance permit or building permit may be issued by the City until the applicant submits proof that the plat has been officially recorded by the Henry County Superior Court.

Stanley Dumas stated that there is a QuikTrip establishment located about 6/10th of a mile away, on Hudson Bridge Road. He asked whether the proposed QuikTrip would replace the existing QuikTrip or be in competition with it.

Chairman Abdullah stated that it is not uncommon to have several convenience stores in proximity of each other, and that it also depends on the market value.

Mr. Thibodeaux stated that when one convenience store is located on one side of the freeway, they may be going for market share on that side versus on the other side.

Mr. Dumas stated that his question was not asked to form opinions but rather to inquire about what was going on in the neighborhood.

Eric Bikas of QuikTrip stated that the exiting store on Hudson Bridge Road will remain open, and in the future after the proposed QuikTrip is built, the existing QuikTrip may get remodeled or rebuilt. Mr. Bikas also stated that an external traffic analysis showed that the traffic patterns are much different where the QuikTrip would be located.

Mr. Planchon inquired as to whether the purpose of this case was just to discuss the zoning. Chairman Abdullah said yes. Ms. Logan clarified that the purpose of this application is to approve the proposed recombination from four parcels to two parcels.

Ms. Nelson asked whether there had been any discussion on traffic and congestion in the area. Chairman Abdullah stated that the application states that there would be ingress off Rock Quarry Road and Eagles Landing Parkway. Mr. Bikas stated that there would also be a full access point on Country Club Drive. Ms. Logan explained that there would be three (3) access points to enter the QuikTrip, with the main access being located off Eagles Landing Parkway, a second access driveway to connect with the driveway of an office building to the rear of the property and out to Patrick Henry Parkway, and the third access to be an internal driveway that would connect with an office park driveway to the east. Mr. Thibodeaux stated that it was good that medians are present on Eagles Landing Parkway and Patrick Henry Parkway, which would help to control the entry and exits on the property.

Mr. Dumas motioned to approve RC-2021-01—Recombination Plat Application for Property at the Southeast Corner of Eagles Landing Parkway and Patrick Henry Parkway. The motion was seconded by Mr. Thibodeaux. The motion passed, 4-0.

XIII. PROJECT UPDATES

Ms. Johnson stated that there will be a groundbreaking ceremony at the Bridges at Jodeco in the next couple of weeks to start construction on the 306-unit apartment community. The project will have roughly 6,2000 square feet of commercial space for mixed uses, and it will include garages, a clubhouse, and other amenities.

Ms. Johnson stated that the Unified Development Code (UDC) that was approved has gone before the City Council for the first reading, and that it will go before the Council for the second reading in January. The City's attorneys would like to finalize their review and look at certain concerns that have been made since the first reading.

Ms. Johnson stated that the Davidson Parkway rezoning and Comprehensive Plan amendment cases were recommended for denial at the last Planning Commission meeting, and then were scheduled to go before the City Council at its October 11th meeting. However, the applicant requested to defer the cases until the November 8th Council meeting in order to have more time to speak with the public at another community meeting.

Ms. Johnson noted that she will prepare a report at the next meeting for next year's projects.

XIV. STAFF COMMENTS

Ms. Logan stated that the Planning Commission needs to have a discussion on the Bylaws.

Ms. Johnson stated that the City Council hopes to have the vacant Planning Commission seat filled by the new year.

Ms. Logan stated that the next Planning Commission meeting will be held on December 2nd, and that a rezoning case is to be reviewed.

XV. BOARD COMMENTS

Mr. Dumas stated that the Bylaws have already been approved, and he asked what else would need to be discussed.

Chairman Abdullah stated that it was discovered that the Board has not been voting annually on member positions, and that a specific date needs to be set to vote on them. Ms. Johnson replied that they can be voted upon at the next meeting.

Chairman Abdullah stated that the Bylaws meeting should be scheduled after the December 2nd meeting. Ms. Logan replied that another Planning Commission meeting has been scheduled for December 16th.

XVI. ADJOURNMENT

Ms. Nelson motioned to adjourn the meeting, and the motion was seconded by Mr. Thibodeaux. The motion passed, 4-0.

CITY OF STOCKBRIDGE PLANNING COMMISSION BYLAWS

1. BYLAWS

- 1.1 The City of Stockbridge Planning Commission, (Planning Commission) pursuant to Georgia's Zoning Procedure Law, O.C.G.A. § 36-66-1 and City of Stockbridge Code of Ordinances, has the responsibility for adopting a Master Plan which is a comprehensive long term general plan for the physical development of the City; recommending development code amendments; and providing a recommendation or approving specified development applications. In furtherance of these responsibilities the Planning Commission adopts the following bylaws pursuant to DCA and from time to time may amend said bylaws. These bylaws are for the benefit of the City of Stockbridge Planning Commission and do not confer any rights upon third persons. Robert's Rules of Order, as amended and applicable, may be used for guidance when a question or controversy arises that is not answered by these bylaws.

2. ELECTION OF OFFICERS: POWERS AND DUTIES

- 2.1 The Planning Commission shall, at its first regular meeting in January, elect from its membership a Chair and Vice-Chair and each shall serve for a term of one year or until the expiration of his/her term, whichever occurs first, with the Chair eligible for re-election to one additional consecutive year.
- 2.2 The Chair is responsible for presiding over the Planning Commission meetings, for placing items on the agenda as may be requested by the Planning Commission, and reviewing the draft agenda. He/she shall exercise general supervision over the business, papers and property of the Commission and shall execute all formal documents on behalf of the Commission.
- 2.3 The Vice-Chair acts as Chair in his/her absence.
- 2.4 In absence of both the Chair and Vice-Chair, the quorum present shall appoint a Chair Pro-tempore by majority vote.
- 2.5 The Chair shall recognize members of the Planning Commission, staff and citizens desiring to speak during meetings.
- 2.6 All questions and remarks during meetings shall be addressed to the Chair. The Chair may rule out of order and admonish any person that makes personal derogatory or disrespectful comments about individual members of the Commission, staff or participants.
- 2.7 If any person willfully disrupts a Planning Commission meeting, the Chair, after giving a warning, if reasonable under the circumstances, may admonish him/her or may bar such person

¹ These bylaws serve as the Planning Commission's rules for transacting business as allowed per the City Code of Ordinances, as amended.

from further audiences before the Planning Commission during the meeting. If such person does not remove himself/herself, the Chair may cause the removal of that person for the Planning Commission meeting.

- 2.8 The Chair may call for a short recess during a Planning Commission meeting when deemed necessary.
- 2.9 Commissioners have a duty to preserve order and decorum at meetings, including:
 - a. Treating fellow Commissioners, staff, applicants and the public with professionalism, respect and courtesy;
 - b. Honoring the role of the Chair in maintaining order;
 - c. Giving a signal to the Chair indicating they want to speak. The Chair will acknowledge them before they begin speaking;
 - d. Efficiently conducting business. Commissioners shall be attentive to the proceedings and refrain from engaging in private conversations; performing tasks not associated with the meeting or otherwise delay or interrupt the proceedings;
 - e. Practicing civility in discussions and debates; and
 - f. Valuing each Commissioners' time and opinion. Recognizing Commissioners may disagree with each other, but they will always respect and value each other as individuals.

3. MEETINGS, STUDY SESSIONS, AGENDAS AND STAFF REPORTS

- 3.1 Meetings shall comply with the Georgia open meeting laws, (O.C.G.A.) § 50-14-1, as amended.
- 3.2 Regular Meetings:

Regular meetings of the Planning Commission shall be held on the third Thursday of each calendar month. If the regular meeting date falls on a holiday (non-judicial day), the meeting shall then be held on the next business day. In the event, the regular meeting date interferes with a special event using the Commissioner Meeting Room of the City of Stockbridge Administrative Building, the meeting shall be held on an alternate date and/or at an alternate meeting facility as determined by the Planning Commission. All regular meetings of the Planning Commission will be called to order at 6:00 p.m., unless advertised otherwise, canceled or rescheduled. The Community Development Director will provide notice of any continued hearing or other unfinished business, as may be required by law.
- 3.3 Emergency or Special Meetings:

An emergency or special meeting may be called at any time by the Chair of the Planning Commission or by a majority of the members of the Planning Commission. A special meeting is convened to address important matters that may arise between regular meetings that require discussion or action. Written notice shall be provided pursuant to the applicable NRS provisions. The notice shall specify the time and place of the special meeting and the business to be transacted. No other business shall be considered at the meeting.

3.4 Study Sessions/Workshops:

The Planning Commission may hold a study session/workshop as part of a regular or as a special meeting. When an item is scheduled for a study session/workshop, for discussion only, public comment will be taken as required by the open meeting law. A record of the study sessions/workshop on specific matters for which public hearings are anticipated shall be entered into the minutes of any such future public hearings so the record will indicate whether any information received at the study sessions/workshop was taken into consideration as evidence at the subsequent public hearings.

3.5 Open and Closed Sessions:

Except as otherwise provided in these bylaws, all meetings of the Planning Commission shall be open and public, and all persons shall be permitted to attend. The Planning Commission may hold a closed session during a regular or special meeting, or at any time otherwise authorized by law, to consider or hear any matter it is authorized by state law to hear or consider in closed session.

3.6 Quorum:

A quorum shall consist of four Planning Commissioners; however, except those actions where the minimum number of affirmative votes is specifically set forth in these by-laws.

- 3.6.1 Should members of the Planning Commission be invited to other meetings or events in their capacity as a Planning Commissioner, then the Community Development Director will poll the members to determine which members would like to attend the function. Should a majority of the Commissioners respond affirmatively then staff shall prepare a notice indicating a quorum of the Planning Commission maybe attending a meeting or function. Should there not be enough time for staff to prepare the proper notice then three

(3) or less Planning Commissioners shall be the maximum number that can attend a function. The preference to which Commissioners can attend a meeting or function will be on the basis of who has responded in a timely fashion.

3.7 Agendas:

The Community Development Director and the Clerk's office shall prepare, post, publish and mail the Planning Commission agenda. Agendas must comply with the Georgia open meeting law, (O.C.G.A.) § 50-14-1 as amended. At least ten (10) days prior to a regular meeting, notice of a public hearing item shall be posted and/or published as may be required by Georgia's Zoning Procedure Law, O.C.G.A. § 36-66-1 and City of Stockbridge Code of Ordinances.

- 3.7.1 Any individual Planning Commissioner may request relevant topics be placed on the agenda provided that the request is timely. At the Chair's discretion the topic may be postponed, but no later than the next regular meeting of the Planning Commission.
- 3.7.2 The Planning Commission may not take action on any item that did not appear on the posted agenda. The Chair may rearrange the order of items appearing on the agenda, may combine two or more agenda items for consideration and may

remove or delay an item as he/she may deem necessary or desirable for the conduct of the meeting. No person shall be entitled to rely upon the order in which public hearing items appear on the posted agenda, and any public hearing on any agenda may commence immediately upon the time the meeting is called to order.

3.8 Staff Reports:

When planning staff reports exist, they shall be made public before or at the beginning of any hearing or meeting. Staff reports shall be prepared with recommendations and the basis for recommendations, and included in the hearing record on any application. Reports or recommendations on applications/requests shall be provided in writing and shall be transmitted to the applicant at least three (3) days before any hearing or action on the project by the Planning Commission.

3.9 Annual Updates of Documents:

The Community Development Department shall provide to the members, on an annual basis, updated pages pertaining to the master plan, the development code, and the design manual.

4. **ETHICS AND GENERAL RESPONSIBILITIES OF PLANNING COMMISSIONERS**

4.1 Conflict of Interest:

Planning Commissioners shall comply with state and City regulations related to conflict of interest.

4.1.1 In connection with matters coming before the Planning Commission, pursuant to Georgia's Zoning Procedure Law, O.C.G.A. § 36-66-1 and City of Stockbridge Code of Ordinances, as amended, discusses three circumstances where disclosure and abstention may be required. These three circumstances include when a member of the Commission has: received a gift or loan, a pecuniary interest, or a commitment in a private capacity to others in connection with the matter, (i.e.: familial relationship, business relationship or close personal friendship).

4.1.2. If a member of the Commission has an ownership interest in property or a project being considered individually for a master plan amendment, re-zoning, special use permit, variance, tentative map or an entitlement, the member must abstain, but may address the Commission to discuss facts about the property but must not ask, advocate or give any reasons for or against a vote.

4.1.3. The Legislature encourages appointed or elected members of public bodies to vote, not abstain: "Because abstention by a public officer disrupts the normal course of representative government and deprives the public and the public officer's constituents of a voice in governmental affairs the provisions of Georgia's Zoning Procedure Law, O.C.G.A. § 36-66-1 and City of Stockbridge Code of Ordinances, are intended to require abstention only in clear cases where the

4.1.4. independence of judgment of a reasonable person in the public officer's situation would be materially affected by the public officer's acceptance of a gift or loan, the public officer's pecuniary interest, or the public officer's commitment in a private capacity to the interests of others."

4.1.4 It shall be the policy of the Planning Commission that the appearance of a conflict of interest is as prejudicial in nature for the credibility of the Planning Commission as an actual conflict of interest. Planning Commissioners, on behalf of the good of the Planning Commission and to maintain its public credibility, shall utilize discretion and judgment and should disclose any appearance of conflict. If a Planning Commissioner is uncertain as to the merit of a possible conflict of interest, he/she should consult with the District Attorney.

4.2 Communication Outside of the Public Hearing or Meetings:

Planning Commissioners shall be discreet in the discussion of pending matters outside of the meeting forum. No commitments or prejudicial comments shall be made prior to a public hearing in advance of any official action.

4.2.1 Commissioners should avoid ex-parte communications with parties who have an interest in a pending matter or anticipated to be brought before the Planning Commission. Parties should be encouraged to discuss their comments with staff or at the public hearing rather than privately with individual Planning Commission members. Unsolicited correspondence and emails should be preserved so they may be put in the record. Commissioners must disclose all ex-parte communications.

4.2.2 If during any such ex-parte contacts, a member of the Planning Commission obtains information that he/she might consider as important when deciding an adjudicative matter, the Commissioner must assure the information is: already public knowledge, has been included in the reports or presentations, or disclosed or otherwise brought out at the public hearing so that interested parties may have an opportunity to comment on it.

4.3 Agenda Items and On-Site Inspections:

Commissioners may find it helpful to physically inspect properties involved in the agenda items, and this can be accomplished by an individual Planning Commissioner at their convenience. However, when an applicant arranges for a tour of the property in question in order to clarify potential issues pertaining to their application, it is strongly recommended that two or three Planning Commissioners attend jointly.

4.4 Construction and Effect of Planning Bylaws:

No Planning Commissioner(s) shall intentionally set forth to participate in, be party to, or cause to take place any planning and zoning action which is in violation of the codes over which the Planning Commission is an administrator. Such intentional action shall be grounds for the Planning Commission to request that Mayor & City Council to consider removal of that Planning Commissioner.

4.5 Representations in Public:

At public and private functions at which a Planning Commissioner is present as an individual, each Planning Commissioner shall be careful to indicate when he/she is representing the Planning Commission or acting as a private citizen. Unless specifically directed by the Chair to be a representative of the Planning Commission, members should resist speaking on the Planning Commission's behalf.

4.6 Gifts and Gratuities:

Planning Commissioners should not accept any gifts from applicants, representatives of applicants, or other persons, institutions, associations, or organizations concerned with matters which have either been or are before the Planning Commission. Even a well-intentioned and innocent action has the appearance of a conflict of interest.

4.7 Attendance and Preparation:

Planning Commissioners shall make a diligent effort to attend all meetings, and be properly prepared to discuss the issues calendared for the meetings. Planning Commissioners shall also inform themselves concerning the laws, ordinances, regulations, and policies related to areas under its jurisdiction. Each member of the Planning Commission who will be unable to attend a meeting of the Planning Commission must notify the Planning Staff of the Community Development Department and Chair not later than 5:00 p.m. three days prior to the date of the meeting or at the earliest opportunity of his/her unavailability.

5. PRESENTATION OF AGENDA ITEMS

5.1 Minutes and Recording:

Hearings on matters before the Planning Commission must be recorded by electronic device or transcribed and preserved for public inspection for at least a one-year period. Minutes of all meetings will be formally submitted to the Planning Commission for approval. The minutes shall accurately reflect the business conducted at the meeting, and shall also include a record of those Planning Commissioners in attendance. Corrections to the minutes by any Planning Commission member will be limited to typographical errors or other errors or corrections as may be determined by listening to the recording. Unless it is decided otherwise by the Chair, the approval for previous meetings shall precede the regular order of business. Minutes shall be kept for at least five years and then archived in accordance with Georgia's Zoning Procedure Law, O.C.G.A. § 36-66-1 and City of Stockbridge Code of Ordinances.

5.2 Order of Presentation:

Unless the Chair in his or her discretion directs otherwise, the order for presentation of public hearing items should be as follows:

- a. Chair will read the agenda title into the public record.
- b. Staff will introduce the item and provide a report, if any. Planning Commission members may ask questions.
- c. Applicant, if any, will have an opportunity to present and address the Planning Commission. Planning Commission members may ask questions.

- d. The Planning Commission may then discuss/comment on the item, including seeking clarification or asking further questions. Once the Planning Commission has concluded its discussion, public comment will be allowed.
- e. Public comment taken.
- f. Once public comment is completed, the Planning Commission, at the Chair's discretion, will then allow for rebuttal from staff and the applicant. The Chair shall decide what is reasonable, and is not required to afford equal time for each public comment.
- g. The Planning Commission will then take action by motion.

Public hearings may be reopened at any time during the meeting to permit additional testimony and evidence, either to permit reconsideration of an action or for any other reason.

5.3 Evidence:

Hearings and meetings before the Planning Commission need not be conducted according to formal rules of evidence. Any relevant evidence may be considered if it is the sort of evidence upon which responsible persons are accustomed to rely in the conduct of serious affairs. The Chair may exclude irrelevant or redundant testimony and may make such other rulings as may be necessary for the orderly conduct of the proceedings while ensuring basic fairness and full consideration of the issues involved.

5.4 Burden of Proof:

The burden of proof of all legal prerequisites to the granting of the relief or action sought shall be upon the party requesting such relief or action.

5.5 Oral Evidence, Time Limits, and Number of Speakers:

Any person desiring to speak must first be recognized by the Chair. All comments must be made clearly and audibly, and all speakers must first state their full names and disclose on whose behalf, if other than themselves, they are appearing. In order to expedite the conduct of hearings the Chair, as stated on the agenda or as announced at the beginning of public comment, may limit the amount of time which a person other than the applicant or appellant may use in addressing the Planning Commission. The Chair may also limit the number of speakers or amount of testimony upon a particular issue in order to avoid repetitious and cumulative comments. Except when necessary for immediate clarification of a particular point, no person shall be allowed to speak a second time until all others wishing to speak have had an opportunity to do so, and then only at the discretion of the Chair.

5.6 Questioning of Speakers:

Any person other than a Planning Commission member desiring to direct a question to a speaker or staff member shall submit the question to the Chair, who shall determine whether the question is relevant to the subject of the hearing and whether or not it should be answered by the speaker or staff member.

5.7 City Attorney:

Any member of the Planning Commission may request the City Attorney or his or her deputy to explain the legal principles and standards pertinent to the Planning Commissions'

action on a particular matter. The City Attorney or his or her deputy may further advise the Chair on matters of evidence and procedure which may arise, including, but not limited to, the desirability of closed sessions to discuss pending or potential litigation.

6. MOTIONS

6.1 Motions – Second:

Actions upon an order, resolution, ordinance or other action of the Planning Commission may be proposed by any member by a motion. The Chair may make a motion only after all other members of the Planning Commission present have had an opportunity to make a motion on the question. Before a motion can be considered or debated it must be seconded at which time it shall be on the floor and must be considered. If not seconded, the motion is lost for lack of second and shall be so declared by the Chair.

6.2 Withdrawal of Motion or Second:

A motion may be withdrawn by the maker at any time before adoption or rejection, with consent of the second. A second to a motion may be withdrawn by the seconding member at any time before adoption or rejection of the motion. The motion will then be lost for lack of a second and so declared by the Chair unless seconded by another person.

6.3 Discussion, Closure, and Question:

After a motion has been seconded, any member may discuss or comment on the subject or the motion. The Chair will recognize members of the Planning Commission desiring to speak, beginning with the motion's maker, and will protect each speaker from disturbance or interference. Individual members are encouraged to discuss their views of the evidence and why they are going to vote for or against the motion. If findings of fact are required for approval of an item, members are encouraged to individually discuss proposed findings but, at a minimum, discuss those findings that he/she cannot agree with. When no member wishes to discuss or comment further, the Chair will call for a vote on the motion.

6.4 Motions for Reconsideration:

Motions for reconsideration of a matter may be made by any member who voted with the prevailing majority on the matter to be reconsidered. Any member of the Planning Commission may second a motion to reconsider. Motions to reconsider shall be made in the same meeting as the original motion. If the matter to be reconsidered was considered a public hearing, the public hearing will be reopened before additional evidence is received.

7. DECISION-MAKING

7.1 Voting:

Approval of any motion brought before the Planning Commission shall require the affirmative vote of a majority of the members present, unless otherwise specified by law. Specifically,

Georgia's Zoning Procedure Law, O.C.G.A. § 36-66-1 and City of Stockbridge Code of Ordinances, require a two-thirds vote of the total membership of the Planning Commission to approve a motion for a Master Plan Amendment.

7.1.1 Tie Votes:

A tie vote results in a failed motion. A tie vote is neither a denial nor approval of the motion. A denial and an approval are both "actions" requiring a majority vote. If there is a tie vote and there are less than seven Planning Commissioners present, upon consent of the applicant, the matter shall be continued to the next regular meeting of the Planning Commission to allow any absent members to vote on the matter. If the applicant does not consent and the Planning Commission is not sitting as an appellate body, the Planning Commission may make subsequent motions. If the matter involves an appeal and an affirmative vote does not occur, the result is that the decision appealed stands as decided by the decision-maker from which the appeal was taken.

7.1.2 Abstentions:

Abstentions shall not count as votes for the purpose of determining whether there has been an affirmative vote by the majority of the members present, but shall be counted for the purpose of determining whether a quorum is present. Planning Commissioners desiring to abstain on a question shall do so at the time the agenda item is called, and shall state the reason for the abstention. Upon declaring an abstention, the abstaining member is not allowed to influence the Planning Commission with respect to the item, and shall retire to the general public area during the duration of the agenda item's discussion.

7.1.3 Roll Call:

Voting upon a motion may, at the discretion of the Chair, and shall, upon the request of any member, be by roll call. When voting is not by roll call, the Chair may, in the absence of objection of any member of the Planning Commission, declare an item to be unanimously approved.

7.1.4 Motions Include Staff Recommendations:

A motion to adopt or approve staff recommendations or simply approve the action under consideration shall, unless otherwise particularly specified, be deemed to include adoption of all proposed findings and execution of all actions recommended in both the written staff report on file on the matter and any oral staff report presented during the hearing.

7.1.5 Absentees:

A Planning Commission member who is absent from any portion of a hearing conducted by the Planning Commission may vote on the matter at the time it is acted upon provided the member has listened to a recording of the entire portion of the hearing from which he/she was absent, has examined all of the exhibits presented and states for the record that the member deems himself/herself to be

as familiar with the record and with the evidence presented at the hearing as he/she would have been had they personally attended the entire hearing.

7.2 Findings:

On any matter for which state law or City ordinance requires the preparation of written findings, the staff report submitted on the matter will contain findings proposed for adoption by the Planning Commission. Any motion directly or implicitly rejecting the proposed findings must include a statement of alternative or modified findings.

7.3 Continuances:

An applicant, City staff, member of the public, or member of the Planning Commission, may request a continuance on a particular item at the time set for hearing or after hearing testimony. Consistent with Georgia's Zoning Procedure Law, O.C.G.A. § 36-66-1 and City of Stockbridge Code of Ordinances, the Planning Commission may consider and order the hearing to be continued to a specified date and time. At the Chair's option, if a continuance is granted, the Planning Commission may still accept public testimony.

8. NEW AND SUPPORTING MATERIAL

8.1 Submittal of Materials with Applications:

It shall be the policy of the Planning Commission that staff is directed not to schedule a matter before the Commission until such time that staff has determined that all required information has been submitted in a form and manner consistent with Georgia's Zoning Procedure Law, O.C.G.A. § 36-66-1 and City of Stockbridge Code of Ordinances, and the policies of the Commission.

- 8.1.1 Staff is directed by the Commission that if an applicant who has submitted an incomplete application insists that the project go before the Commission, staff shall recommend denial on the basis of incomplete information in order to make the required findings to consider approval of the project.

- 8.1.2 The Commission may accept staff's recommendation for denial, or it may elect to continue the matter to a later date in order to receive complete information. If the applicant refuses to provide additional information, the policy of the Commission shall be to deny the project.

8.2 Major Revisions to Projects Occurring Between the Planning Commission Submittal Cut-Off Date and the Date of the Commission Hearing:

It shall be the policy of the Planning Commission that if a project applicant makes a major change or revision to the scope or content of an application; including providing voluminous and/or technical supporting documentation

after the closing date for receipt of application materials and prior to the Planning Commission hearing, the Director of Community Development or Planning Staff shall request correspondence from the applicant for a continuance of the matter to the following month's meeting to adequately review the nature of the changes/revisions or materials.

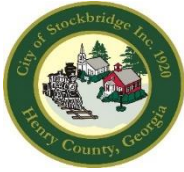
- a. Any changes or materials submitted by the applicant are to be considered "major" should it result in a change in design, site plan, or supporting documentation, which requires the materials to be re-circulated to reviewing agencies, reviewing City departments, including the Community Development or to be re-noticed.
- b. The Director of Community Development shall determine whether the changes or materials are "major changes to the scope or content of an application" or only the submittal of additional information which satisfies issues or questions raised by a reviewing agency, department or planning staff.

8.2.2 In the event that an applicant does not agree to a continuance, the Director and staff shall recommend denial based on inadequate time to review the submitted changes/materials to determine appropriate findings as required by the Georgia's Zoning Procedure Law, O.C.G.A. § 36-66-1 and City of Stockbridge Code of Ordinances.

8.2.3 New materials should be submitted and received in the office of the Community Development Department not later than seventy-two (72) hours before the commencement of the meeting at which they are proposed to be considered. A minimum of 20 copies of the new materials shall be provided by the applicant.

8.3 Supporting Materials submitted at the Commission Hearing:

If supporting material, either for or against an item, is provided at the time of the public hearing, a minimum of 10 copies of the supporting material shall be provided to the Deputy Clerk responsible for maintaining the meeting record for distribution to the members of the Planning Commission, Community Development staff and the public.



**SUMMARY OF COMMENTS
FROM PLANNING COMMISSION MEMBERS
REGARDING THEIR PREFERENCES
FOR THE BYLAWS AND 2022 MEETING SCHEDULE;
NOVEMBER 2021**

Informal discussions were held by members of the Community Development Department (including Brecca Johnson, Community Development Director and Linda Logan, Senior Planner) with Planning Commission members to seek their preferences regarding items within the Planning Commission Bylaws, as well as their preferences for the Planning and Zoning Schedule. Listed below are the meeting dates and participants, followed by the Board members' comments.

~ **Zoom Meeting on November 11, 2021**—Held by Brecca Johnson with Askia Abdullah, Chairman and Harold Thibodeaux, Vice Chairman.

~ **Zoom Meeting on November 12, 2021**—Held by Linda Logan with Stanley Dumas and David Planchon.

~ **Telephone Call on November 15, 2021** -- Held by Linda Logan with Kathleen Nelson only.

COMMENTS FROM ASKIA ABDULLAH AND HAROLD THIBODEAUX:

- 1. Meeting Date**—The Planning Commission should continue to meet on the fourth Thursday of Each month.
- 2. Meeting Time**—Planning Commission meetings should begin at 6:00 p.m. rather than 6:30 p.m., to be the same time as when City Council meetings begin.
- 3. Provision of Meeting Materials**—The agenda, staff reports, and other supporting materials should be sent to the Planning Commission members and applicants at least seven (7) days prior to the Planning Commission meeting.
- 4. Meeting Attendance**—Planning Commission members may only have three excused absences per year before they are asked to resign.
- 5. Public Meetings**—Should Planning Commission meetings be held at City Hall, or continue to be held virtually?

COMMENTS FROM STANLEY DUMAS AND DAVID PLANCHON:

1. **Meeting Date**—The Planning Commission should continue to meet on the fourth Thursday of each month. The Bylaws should be updated to reflect this.
2. **Meeting Time**—Planning Commission meetings should continue to begin at 6:30 p.m., not 6:00 p.m. The Bylaws should be updated to reflect this.
3. **Number of Members**—The Bylaws mention seven members in Section 7. Should this be changed to six members?
4. **Tie Votes**—Should the Chairman always vote, or just in a tie-breaker?
5. **Election of Officers**—This should always be done in January of each year, even if there is no other business to discuss.
6. **Staggering of Terms**—There should be a seniority element, whereby more senior members would have the opportunity to be elected Chairman before newer members.
7. **Nomination of Chairman**—This should be an open vote. The current Chairman should not be allowed to nominate himself or herself.
8. **Terms of Chairman**—The Chairman should be limited to two terms.

COMMENTS FROM KATHLEEN NELSON ONLY:

1. **Meeting Date**—The Planning Commission should continue to meet on the fourth Thursday of each month.
2. **Meeting Time**—Planning Commission meetings should continue to begin at 6:30 p.m.
3. **Meeting Attendance**—Planning Commission members may only have three excused absences per year before they are asked to resign.
4. **Acknowledgement of Speakers**—The Chairman should acknowledge (and identify) each person who wishes to speak, before the person speaks.
5. **Public Meetings**—Would it be possible to hold all Planning Commissions virtually (via Zoom) on a permanent basis? This would be much more convenient.



City of Stockbridge

2022 PLANNING & ZONING SCHEDULE

[DRAFT]

Planning Commission meetings are normally held at 6:30 p.m.
in the City Council Chamber on the Second Floor of City Hall.

Applications will be heard by the Planning Commission a minimum of 45 days from the Application Filing Deadline. Public notification and sign posting must occur no sooner than 15 days before the Planning Commission meeting.
(City of Stockbridge Zoning Code—Section 12.12.030, Notice Requirements.)

APPLICATION FILING DEADLINE (Monday, unless noted)	PUBLIC NOTIFICATION/ SIGN POSTING DEADLINE (Monday, unless noted)	PLANNING COMMISSION MEETING (Thursday)	MAYOR / CITY COUNCIL MEETING (Monday)
January 3, 2022	February 7, 2022	February 24, 2022	March 14, 2022
February 7, 2022	March 7, 2022	March 24, 2022	April 11, 2022
March 7, 2022	April 11, 2022	April 28, 2022	May 9, 2022
April 4, 2022	May 9, 2022	May 26, 2022	June 13, 2022
May 2, 2022	June 6, 2022	June 23, 2022	July 11, 2022
June 6, 2022	July 11, 2022	July 28, 2022	August 8, 2022
July 5, 2022*	August 9, 2022	August 25, 2022	September 12, 2022
August 1, 2022	September 6, 2022*	September 22, 2022	October 10, 2022
September 6, 2022*	October 10, 2022	October 27, 2022	November 14, 2022
October 3, 2022	November 1, 2022	November 17, 2022**	December 12, 2022
October 31, 2022	November 28, 2022	December 15, 2022***	January 9, 2023
December 5, 2022	January 9, 2023	January 26, 2023	February 23, 2023

*This date is a Tuesday.

**Scheduled one week earlier due to the Thanksgiving holiday.

***Scheduled one week earlier due to the Christmas holiday.

Changes in the scheduling of any of the above meetings or notifications will be made in compliance with the City of Stockbridge Zoning Ordinance.



City of Stockbridge Planning and Zoning Division
Community Development Department
Rezoning Request Application

Name of Applicant Samir Patel Phone: 404-717-6695 Date: 6-9-2021
Address Applicant: 247 Eagles Landing Way Fax _____ Pager/Cell _____
City: McDonough State: GA Zip: 30253 E-mail fmsupariwala@yahoo.com
Name of Agent Sibley-Miller Surveying & Planning Phone: 770-320-7555 Date: _____
Address Agent: PO Box 2511 // 212 W Campground Rd Fax _____ Pager/Cell _____
City: McDonough State: GA Zip: 30253 E reception@sibleysurveying.com

THE APPLICANT NAMED ABOVE AFFIRMS THAT THEY ARE THE OWNER OR AGENT OF THE
OWNER OF THE PROPERTY DESCRIBED BELOW AND REQUESTS

Request from PTD to
(Current Zoning)
MUND
(Requested Zoning)

The property will be POSTED with a City of
Stockbridge Planning and Zoning Sign. The sign must
remain on the subject property for no less than fifteen
days prior to either Planning Commission or City
Council meeting(s). The applicant or property owner
shall not remove or alter the sign for any reason.

For the Purpose of developing a proposed 7 bldg Townhouse complex w/ 35 units, along w/ 3 retail/commercial units
(Type of Development)

Address of Property: East Atlanta & Woodall Rd Nearest intersection to the property: Stagecoach Rd
(Street Address)

Size of Tract: 13.524 acre(s), Land Lot Number(s): 100 & 101, District(s): 12th

Gross Density: 8.87 units per acre Net Density: _____ units per

Property Tax Parcel Number: 028-02021005 & 047-01016001 (Required)

Witness' Signature Paul Fortt

Signature of Applicant/s Samir Patel

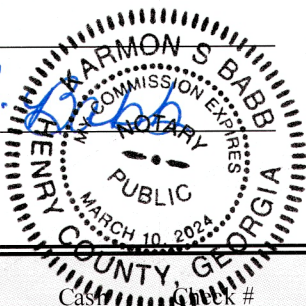
Paul Fortt
Printed Name of Witness

Samir Patel
Printed Name of Applicant/s

Notary Karmon S. Babbar

Signature of Agent [Signature]

NOTARY STAMP:
(For Office Use Only)



Total Amount Paid \$ _____ Cash _____ Check # _____ Received by: _____ (FEES ARE NON-REFUNDABLE)

Application checked by: _____ Date: _____ Map Number(s): _____

Pre-application meeting: _____ Date: _____

Recommendation of Planning Commission: _____

City Council Decision: _____

Community Development Director's Signature: _____ Date: _____



Applicant Campaign Disclosure Form

(Must be completed by the applicant, the property owner, and the agent. Use as many forms as needed.)

Has the applicant* made, within two (2) years immediately preceding the filing of this application for rezoning, campaign contributions aggregating \$250 or more or made gifts having in the aggregate a value of \$250 or more to a member of the City of Stockbridge Planning Commission or the Stockbridge City Council, who will consider the application?

Yes _____ No X

If Yes, the applicant and the attorney representing the applicant must file the following information with the Henry County Board of Commissioners within ten (10) days after this application is first filed:

Name of Planning Commissioner or City Council Member	Dollar amount of Campaign Contribution	Description of Gift \$250 or greater given to Planning Commissioner or City Council Member

We certify that the foregoing information is true and correct, this 9th day of June, 2021

Samir Patel

Applicant's Name Printed

Signature of Applicant Property Owner Agent

N/A

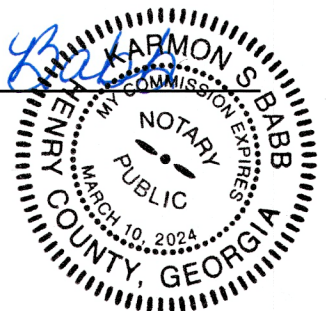
Applicant's Attorney, if applicable Printed

N/A

Signature of Applicant's Attorney, if applica

Sworn to and subscribed before me this 9th day of June, 2021

Notary Public



* Applicant means any individual or business entity (corporation, partnership, limited partnership, firm enterprise, franchise, association, or trust) applying for rezoning.



Henry County School Board Information for Zoning Requests

Please update w/current info

tony.pickett@henry.k12.ga.us

33 North Zack Hinton Parkway McDonough, GA 30253 770
957-6601

This form must be completed and submitted to the City of Stockbridge Planning and Zoning Division with all zoning applications for residential developments.

Name of Applicant: Samir Patel Phone: _____ Mobile: 404-717-6695
Applicant Address: 247 Eagles Landing Way City: McDonough State: GA Zip: 30253
Name of Agent: Sibley-Miller Surveying & Planning Phone: 770-320-7555 Mobile: _____
Agent Address: PO Box 2511, 212 W. Campground Rd City: McDonough GA 30253 For the Purpose of _____
developing a proposed 7 Bldg Townhouse complex w/ 35 units along with 3 retail/commercial units
Property Address: East Atlanta Rd & Woodall Rd Nearest Intersection to property: Stagecoach Rd
Size of Tract: 13.524 acres acres Land Lot(s): 100 & 101, District(s): 12th
Property Tax Parcel Number: 028-02021005 & 047-01016001 Proposed Number of Lots: N/A
Request from PTD (present zoning) to MUND (requested zoning)
Projected number of dwelling units 35 Estimated period of construction and phases _____
Signature of Owner: [Signature] Printed Name of Owner: Samir Patel
Signature of Agent: [Signature] Printed Name of Agent: Tim L Miller

(To be Completed by Henry County School Board)

- Schools serving proposed development _____
- Number of trailers _____
- Projected number of school children for developm _____
- Projected number of additional classrooms/buses required to serve the proposed development _____
- Projected capital improvement costs _____

See attached letter

Name of Person Compl Form: _____ Title: _____
Signature: _____ Date: _____
E-mail Address: _____ Phone Number: _____

Letters will require a minimum of three weeks from the date of application submittal.



District Office
33 N. Zack Hinton Parkway
McDonough, GA 30253
770.957.6601



**Henry County
Board of Education**

Holly Cobb
Board Chair
District 3

Annette Edwards
Board Vice-Chair
District 5

Dr. Pam Nutt
District 1

Makenzie McDaniel
District 2

Sophe Pope
District 4

Mary Elizabeth Davis, PhD
Superintendent

B202D86

To: Samir Patel

Date: June 3, 2021

Re: Henry County Department of Planning and Zoning
School Board Information for Zoning Requests

Property Address and Nearest Intersection: East Atlanta Rd & Woodall Rd/ Stagecoach Rd

Projected Number of Dwelling Units: 35

Estimated Period of Construction: 1-2 years

The below information is provided in response to your request.

Schools Serving Proposed Development	Current Number of Trailers	Projected Number of School Children for Development	Projected Number of Additional Classrooms to Serve Proposed Development	Projected Capital Improvement Costs
Cotton Indian Elementary	-0-	35 unit x 2 children per unit = 70 students	70 students ÷ 25 per class 3 = classrooms	If Modular \$25,000 per classroom
Stockbridge Middle School	-0-			If Permanent \$300,000 per classroom
Stockbridge High School	-0-			

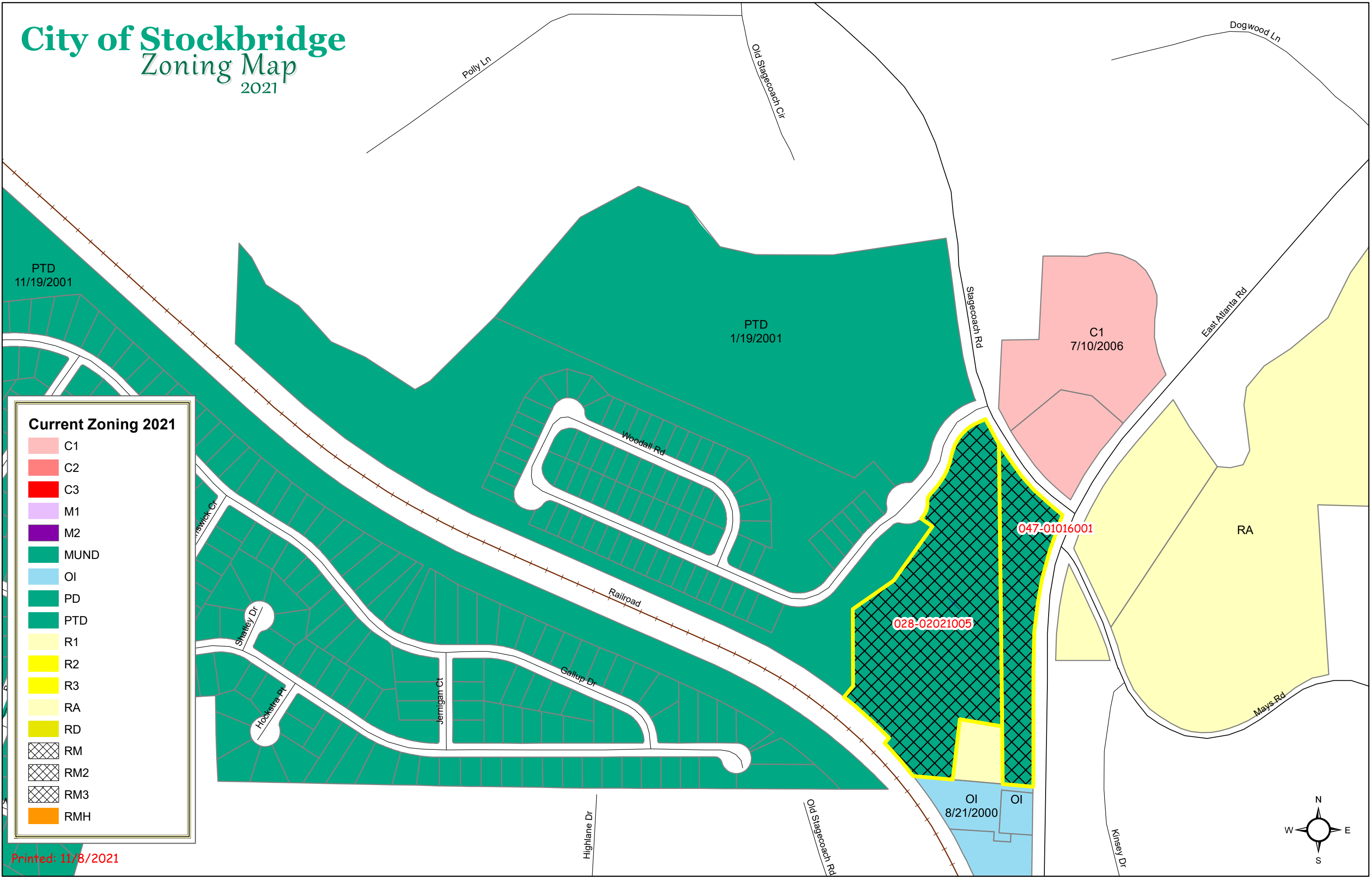
Respectfully,

Carl Knowlton, Ed.D
Chief of Staff
Superintendent's Office

City of Stockbridge

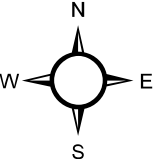
Zoning Map

2021



Current Zoning 2021

- C1
- C2
- C3
- M1
- M2
- MUND
- OI
- PD
- PTD
- R1
- R2
- R3
- RA
- RD
- RM
- RM2
- RM3
- RMH

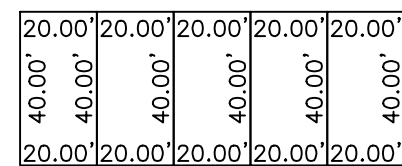


AREA: 13.524 ACRES / 103,452 SQ. FT.
OWNER: SAMIR PATEL
PARCEL: 047-01016001, & 028-02021005
CURRENT ZONING PTD
PROPOSED ZONING MUND
PROPOSED MINIMUM LOT AREA= 2,000 SQ.FT. (PER UNIT)
FRONT SETBACK----- 20'
REAR SETBACK----- 30'
SIDE SETBACK:----- 10'

SEWER AS PER HCWA
WATER AS PER HCWA

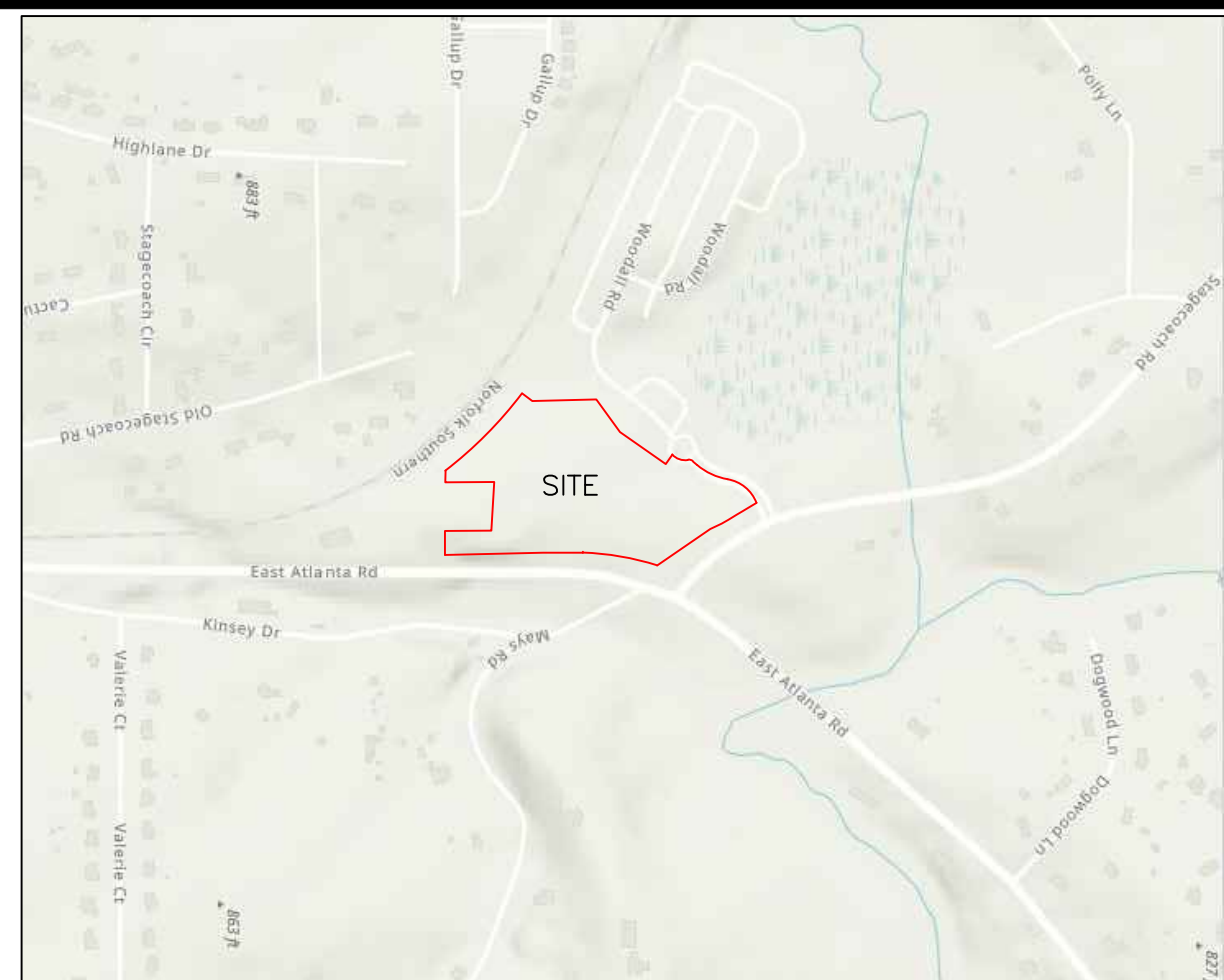
PROPOSED 7 TOWNHOUSE BUILDINGS
35 UNITS
NO FLOOD ON PROPERTY AS PER FEMA
PANEL# 13151C0080D DATED: OCTOBER 6, 2016
HENRY FLOOD MAP 80 OF 305

NOTE: THIS REPRESENTS A SITE PLAN ONLY,
THEREFORE IS NOT TO BE RECORDED.



TYPICAL TOWNHOUSE 5 UNITS

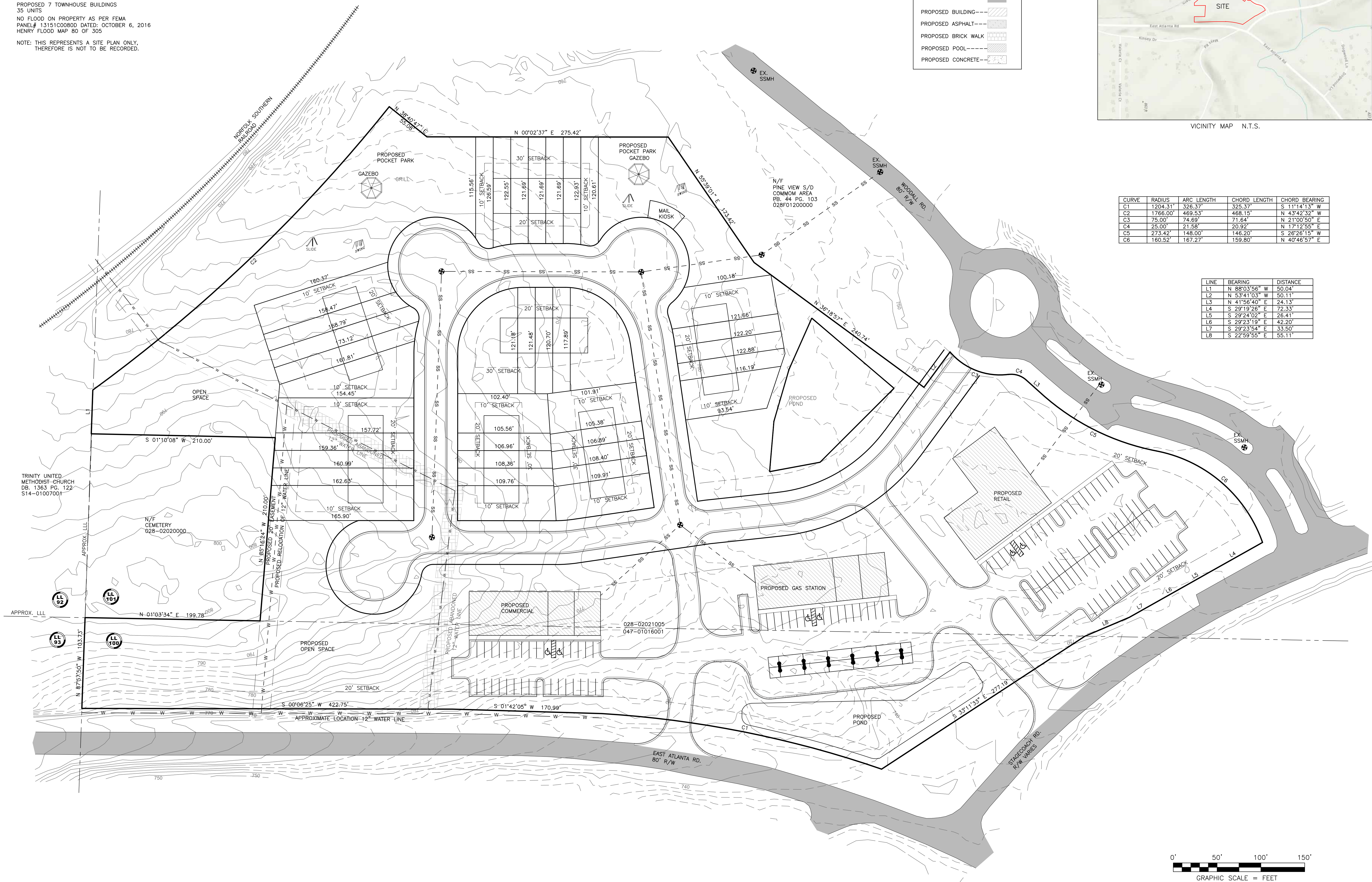
- LEGEND
- DB. = DEED BOOK
PB. = PLAT BOOK
PG. = PAGE
N/F = NOW OR FORMERLY
EX. = EXISTING
- HANDICAP PARKING =
- PROPOSED SEWER MANHOLE-----
- EX. ASPHALT-----
- PROPOSED BUILDING-----
- PROPOSED ASPHALT-----
- PROPOSED BRICK WALK-----
- PROPOSED POOL-----
- PROPOSED CONCRETE-----



VICINITY MAP N.T.S.

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	1204.31'	326.37'	325.37'	S 11°14'13" W
C2	1766.00'	469.53'	468.15'	N 43°42'32" W
C3	75.00'	74.69'	71.64'	N 21°00'50" E
C4	25.00'	21.58'	20.92'	N 17°12'55" E
C5	273.42'	148.00'	146.20'	S 26°26'15" W
C6	160.52'	167.27'	159.80'	N 40°46'57" E

LINE	BEARING	DISTANCE
L1	N 88°03'56" W	50.04'
L2	N 53°41'03" W	50.11'
L3	N 41°56'40" E	24.13'
L4	S 29°19'26" E	72.23'
L5	S 29°24'02" E	26.41'
L6	S 29°23'19" E	42.20'
L7	S 29°23'54" E	33.50'
L8	S 22°59'55" E	55.11'



0' 50' 100' 150'

GRAPHIC SCALE = FEET

[illegible]

OSBIELEY-MILLER
SURVEYING & PLANNING INC.
(ALL RIGHTS RESERVED)
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BETWEEN SMSP AND THE PARTY
FOR WHICH THESE DOCUMENTS
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BY THE USER AS DETERMINED
BY SMSP. ALL RIGHTS OF
THIS DESIGN ARE RESERVED.

SIBLEY - MILLER
SURVEYING & PLANNING INC.

212 WEST CAMPGROUND RD
MC DONOUGH, GA. 30253
PHONE: (770) 320-7555
FAX: (770) 320-7333
www.sibleysurveying.com

- *CIVIL ENGINEERING SURVEYS
- *LAND DEVELOPMENT DESIGN
- *CONSTRUCTION LAYOUT
- *LAND PLANNING
- *LAND SURVEYING

REZONE PLAT
SAMIR PATEL
13.524 PLATTED ACRES
LAND LOTS 100, & 101, 12th. DISTRICT
CITY OF STOCKBRIDGE
HENRY COUNTY, GEORGIA



PROJECT #: B202086
REZONE
PLAT

DRAWN BY:	TLM
SCALE:	1" = 50'
DATE:	05/25/2021

For RZ-2021-02 + CP-2021-02

To whom it may concern:

11/22/2021

Samir Patel wants to withdraw the
Re-zoning Application for East Atlanta &
Stygecoach.

Sincerely:

Sam Patel.

Samir Patel



Tim L. Mison



***REZONING FOR RZ-2021-02:
FROM 'PTD' (PLANNED TOWN DEVELOPMENT)
TO 'MUND' (MIXED-USE NEIGHBORHOOD DEVELOPMENT)***

CASE FACTS

Applicant:	Samir Patel (is also the property owner)
Agent:	Tim Miller of Sibley-Miller Surveying & Planning
Location:	Located at the southwest corner of East Atlanta Road and Stagecoach Road; in Land Lots 100 and 101 of District 12.
Parcel ID:	<u>Includes two parcels, as are listed below.</u> The parcels were officially combined via Recombination Case #RC-2020-01 on February 27, 2020 by the Stockbridge Planning Commission, but the final plat has not yet been recorded at the Henry County Superior Court. • <u>Parcel # 047-01016001</u> at the southwest corner of East Atlanta Road and Stagecoach Road. Contains approximately 2.64 acres. • <u>Parcel #028-02021005</u> at the southeast corner of Stagecoach Road and Woodall Road. Contains approximately 10.88 acres.
Lot Size/Acres:	13.52 total acres within two parcels.
Request:	Rezone the property from 'PTD' (Planned Town Development) to 'MUND' (Mixed-Use Neighborhood Development). The applicant has also applied for a Comprehensive Plan Amendment of the property, from 'Low-Density Residential' to 'Low-Density Vertical Mixed-Use'.
Proposed Use/ Purpose	Development of a mixed-use development project with several small commercial buildings and a townhome community with 35 units.
Existing Land Uses:	Vacant land.
Future Land Use Designation:	'Low-Density Residential'.

Application Received: September 4, 2021

Sign Posted: November 12, 2021

Planning Commission Meeting: December 2, 2021

Council Meeting: December 13, 2021

Development Regulations Relevant to Request:

- City of Stockbridge Unified Development Code (including the Zoning Code and the Subdivision Ordinance).
 - All other City Code sections regarding site development standards and requirements.
-

APPLICANT'S REQUESTS--The applicant submitted his application to the Planning and Zoning Office on September 4, 2021, but he later requested to withdraw his application.

RECOMMENDATIONS

Per the applicant's decision to withdraw his application, the Planning and Zoning Staff asked that the applicant submit a letter of withdrawal. The applicant subsequently submitted his withdrawal letter on November 22, 2021. Upon its receipt, the Staff consequently accepted the withdrawal of this application.

**City of Stockbridge Planning and Zoning Staff
RECOMMENDATION:**

WITHDRAWAL

**City of Stockbridge Planning Commission
RECOMMENDATION:**

**City of Stockbridge Mayor and Council:
ACTION:**



City of Stockbridge Planning and Zoning Division
Community Development Department
Rezoning Request Application

Name of Applicant Samir Patel Phone: 404-717-6695 Date: 6-9-2021
Address Applicant: 247 Eagles Landing Way Fax _____ Pager/Cell _____
City: McDonough State: GA Zip: 30253 E-mail fmsupariwala@yahoo.com
Name of Agent Sibley-Miller Surveying & Planning Phone: 770-320-7555 Date: _____
Address Agent: PO Box 2511 // 212 W Campground Rd Fax _____ Pager/Cell _____
City: McDonough State: GA Zip: 30253 E reception@sibleysurveying.com

THE APPLICANT NAMED ABOVE AFFIRMS THAT THEY ARE THE OWNER OR AGENT OF THE
OWNER OF THE PROPERTY DESCRIBED BELOW AND REQUESTS

Request from PTD to
(Current Zoning)
MUND
(Requested Zoning)

The property will be POSTED with a City of
Stockbridge Planning and Zoning Sign. The sign must
remain on the subject property for no less than fifteen
days prior to either Planning Commission or City
Council meeting(s). The applicant or property owner
shall not remove or alter the sign for any reason.

For the Purpose of developing a proposed 7 bldg Townhouse complex w/ 35 units, along w/ 3 retail/commercial units
(Type of Development)

Address of Property: East Atlanta & Woodall Rd Nearest intersection to the property: Stagecoach Rd
(Street Address)

Size of Tract: 13.524 acre(s), Land Lot Number(s): 100 & 101, District(s): 12th

Gross Density: 8.87 units per acre Net Density: _____ units per

Property Tax Parcel Number: 028-02021005 & 047-01016001 (Required)

Witness' Signature Paul Fortt

Signature of Applicant/s Samir Patel

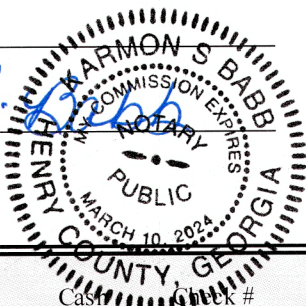
Paul Fortt
Printed Name of Witness

Samir Patel
Printed Name of Applicant/s

Notary Karmon S. Babbar

Signature of Agent [Signature]

NOTARY STAMP:
(For Office Use Only)



Total Amount Paid \$ _____ Cash _____ Check # _____ Received by: _____ (FEES ARE NON-REFUNDABLE)

Application checked by: _____ Date: _____ Map Number(s): _____

Pre-application meeting: _____ Date: _____

Recommendation of Planning Commission: _____

City Council Decision: _____

Community Development Director's Signature: _____ Date: _____



Applicant Campaign Disclosure Form

(Must be completed by the applicant, the property owner, and the agent. Use as many forms as needed.)

Has the applicant* made, within two (2) years immediately preceding the filing of this application for rezoning, campaign contributions aggregating \$250 or more or made gifts having in the aggregate a value of \$250 or more to a member of the City of Stockbridge Planning Commission or the Stockbridge City Council, who will consider the application?

Yes _____ No X

If Yes, the applicant and the attorney representing the applicant must file the following information with the Henry County Board of Commissioners within ten (10) days after this application is first filed:

Name of Planning Commissioner or City Council Member	Dollar amount of Campaign Contribution	Description of Gift \$250 or greater given to Planning Commissioner or City Council Member

We certify that the foregoing information is true and correct, this 9th day of June, 2021

Samir Patel

Applicant's Name Printed

Signature of Applicant Property Owner Agent

N/A

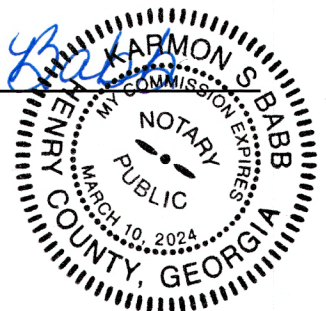
Applicant's Attorney, if applicable Printed

N/A

Signature of Applicant's Attorney, if applica

Sworn to and subscribed before me this 9th day of June, 2021

Notary Public



* Applicant means any individual or business entity (corporation, partnership, limited partnership, firm enterprise, franchise, association, or trust) applying for rezoning.



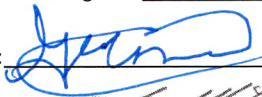
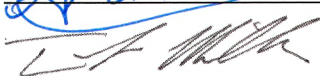
Henry County School Board Information **for Zoning Requests**

Please update w/current info

tony.pickett@henry.k12.ga.us

33 North Zack Hinton Parkway McDonough, GA 30253 770
957-6601

This form must be completed and submitted to the City of Stockbridge Planning and Zoning Division with all zoning applications for residential developments.

Name of Applicant: **Samir Patel** Phone: _____ Mobile: **404-717-6695**
Applicant Address: **247 Eagles Landing Way** City: **McDonough** State: **GA** Zip: **30253**
Name of Agent: **Sibley-Miller Surveying & Planning** Phone: **770-320-7555** Mobile: _____
Agent Address: **PO Box 2511, 212 W. Campground Rd** City: **McDonough** **GA 30253** For the Purpose of _____
developing a proposed 7 Bldg Townhouse complex w/ 35 units along with 3 retail/commercial units
Property Address: **East Atlanta Rd & Woodall Rd** Nearest Intersection to property: **Stagecoach Rd**
Size of Tract: **13.524 acres** acres Land Lot(s): **100 & 101**, District(s): **12th**
Property Tax Parcel Number: **028-02021005 & 047-01016001** Proposed Number of Lots: **N/A**
Request from **PTD** (present zoning) to **MUND** (requested zoning)
Projected number of dwelling units **35** Estimated period of construction and phases _____
Signature of Owner:  Printed Name of Owner: **Samir Patel**
Signature of Agent:  Printed Name of Agent: **Tim L Miller**

(To be Completed by Henry County School Board)

- Schools serving proposed development _____
- Number of trailers _____
- Projected number of school children for developm _____
- Projected number of additional classrooms/buses required to serve the proposed development _____
- Projected capital improvement costs _____

See attached letter

Name of Person Compl Form: _____ Title: _____
Signature: _____ Date: _____
E-mail Address: _____ Phone Number: _____

Letters will require a minimum of three weeks from the date of application submittal.



District Office
33 N. Zack Hinton Parkway
McDonough, GA 30253
770.957.6601



**Henry County
Board of Education**

Holly Cobb
Board Chair
District 3

Annette Edwards
Board Vice-Chair
District 5

Dr. Pam Nutt
District 1

Makenzie McDaniel
District 2

Sophe Pope
District 4

Mary Elizabeth Davis, PhD
Superintendent

B202D86

To: Samir Patel

Date: June 3, 2021

Re: Henry County Department of Planning and Zoning
School Board Information for Zoning Requests

Property Address and Nearest Intersection: East Atlanta Rd & Woodall Rd/ Stagecoach Rd

Projected Number of Dwelling Units: 35

Estimated Period of Construction: 1-2 years

The below information is provided in response to your request.

Schools Serving Proposed Development	Current Number of Trailers	Projected Number of School Children for Development	Projected Number of Additional Classrooms to Serve Proposed Development	Projected Capital Improvement Costs
Cotton Indian Elementary	-0-	35 unit x 2 children per unit = 70 students	70 students ÷ 25 per class 3 = classrooms	If Modular \$25,000 per classroom
Stockbridge Middle School	-0-			If Permanent \$300,000 per classroom
Stockbridge High School	-0-			

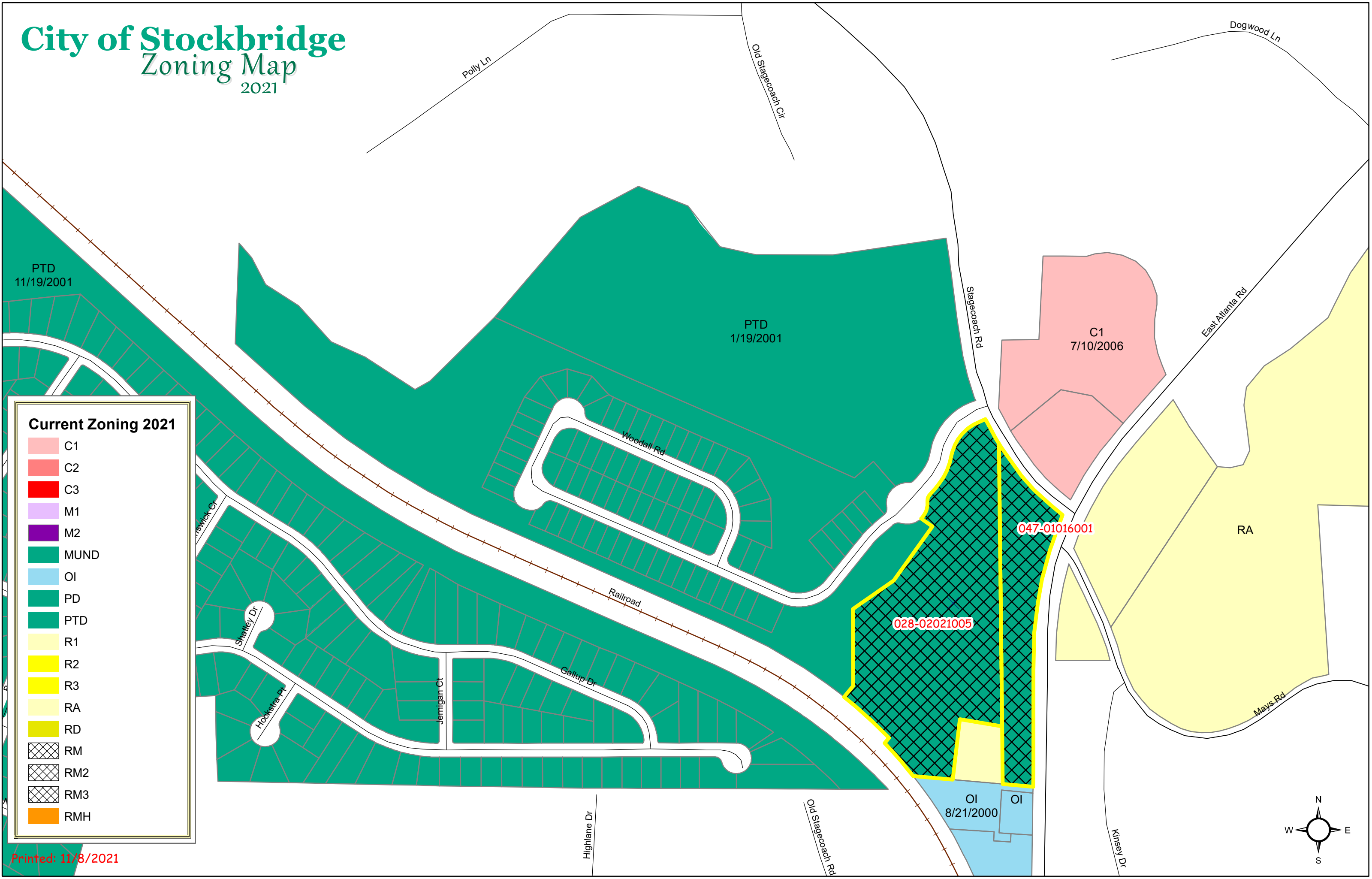
Respectfully,

Carl Knowlton, Ed.D
Chief of Staff
Superintendent's Office

City of Stockbridge

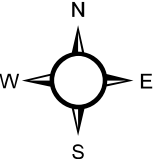
Zoning Map

2021



Current Zoning 2021

- C1
- C2
- C3
- M1
- M2
- MUND
- OI
- PD
- PTD
- R1
- R2
- R3
- RA
- RD
- RM
- RM2
- RM3
- RMH



AREA: 13.524 ACRES / 103,452 SQ. FT.
OWNER: SAMIR PATEL
PARCEL: 047-01016001, & 028-02021005
CURRENT ZONING PTD
PROPOSED ZONING MUND
PROPOSED MINIMUM LOT AREA= 2,000 SQ.FT. (PER UNIT)
FRONT SETBACK----- 20'
REAR SETBACK----- 30'
SIDE SETBACK:----- 10'

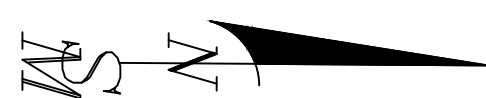
SEWER AS PER HCWA
WATER AS PER HCWA

PROPOSED 7 TOWNHOUSE BUILDINGS
35 UNITS
NO FLOOD ON PROPERTY AS PER FEMA
PANEL# 13151C0080D DATED: OCTOBER 6, 2016
HENRY FLOOD MAP 80 OF 305

NOTE: THIS REPRESENTS A SITE PLAN ONLY,
THEREFORE IS NOT TO BE RECORDED.



TYPICAL TOWNHOUSE 5 UNITS



LEGEND

DB. = DEED BOOK
 PS. = PLAT BOOK
 PG. = PAGE
 N/F = NOW OR FORMERLY
 EX. = EXISTING

HANDICAP PARKING = 

PROPOSED SEWER MANHOLE-----

EX. ASPHALT-----

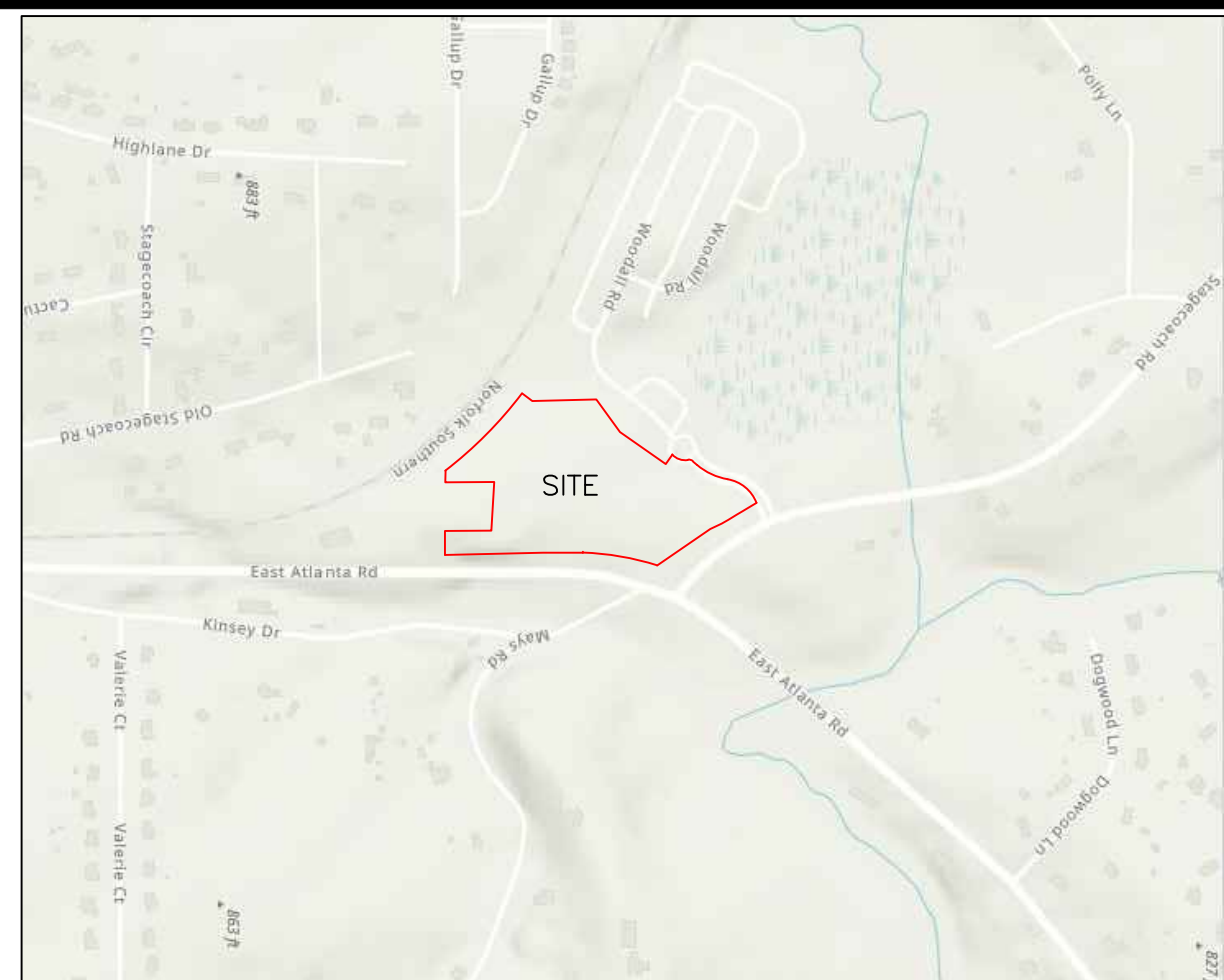
PROPOSED BUILDING----

PROPOSED ASPHALT-----

PROPOSED BRICK WALK-----

PROPOSED POOL-----

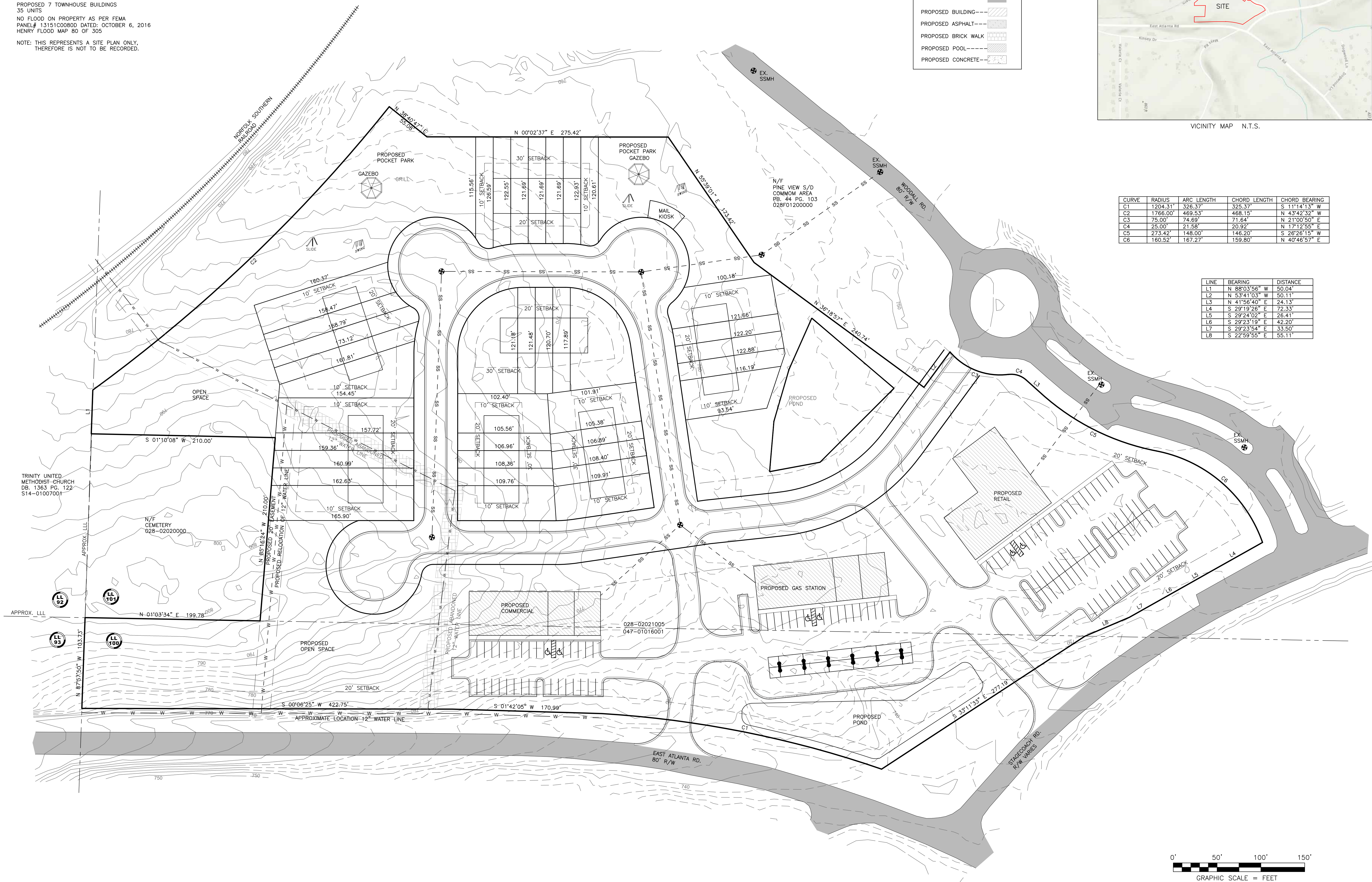
PROPOSED CONCRETE-----



VICINITY MAP N.T.S

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	1204.31'	326.37'	325.37'	S 11°14'13" W
C2	1766.00'	469.53'	468.15'	N 43°42'32" W
C3	75.00'	74.69'	71.64'	N 21°00'50" E
C4	25.00'	21.58'	20.92'	N 17°12'55" E
C5	273.42'	148.00'	146.20'	S 26°26'15" W
C6	160.52'	167.27'	159.80'	N 40°46'57" E

LINE	BEARING	DISTANCE
L1	N 88°03'56" W	50.04'
L2	N 53°41'03" W	50.11'
L3	N 41°56'40" E	24.13'
L4	S 29°19'26" E	72.23'
L5	S 29°24'02" E	26.41'
L6	S 29°23'19" E	42.20'
L7	S 29°23'54" E	33.50'
L8	S 22°59'55" E	55.11'



0' 50' 100' 150'

GRAPHIC SCALE = FEET

[illegible]

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SURVEYING & PLANNING INC.

212 WEST CAMPGROUND RD
MC DONOUGH, GA. 30253
PHONE: (770) 320-7555
FAX: (770) 320-7333
www.sibleysurveying.com

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- *PHOTOGRAPHICAL SURVEYS
- *HYDROLOGICAL SURVEYS
- *CONSTRUCTION LAYOUT
- *LAND PLANNING
- *LAND SURVEYING

REZONE PLAT
SAMIR PATEL
13.524 PLATTED ACRES
LAND LOTS 100, & 101, 12th. DISTRICT
CITY OF STOCKBRIDGE,
HENRY COUNTY, GEORGIA



PROJECT #: B202086
REZONE
PLAT

DRAWN BY:	TLM
SCALE:	1" = 50'
DATE:	05/25/2021

For RZ-2021-02 + CP-2021-02

To whom it may concern:

11/22/2021

Samir Patel wants to withdraw the
Re-zoning Application for East Atlanta &
Stygecoach.

Sincerely:

Sam Patel.

Samir Patel



Tim L. Mison



**COMPREHENSIVE PLAN AMENDMENT FOR CP-2021-02:
FROM 'LOW-DENSITY RESIDENTIAL'
TO 'LOW-DENSITY VERTICAL MIXED-USE'**

CASE FACTS

Applicant:	Samir Patel (is also the property owner)
Agent:	Tim Miller of Sibley-Miller Surveying & Planning
Location:	Located at the southwest corner of East Atlanta Road and Stagecoach Road; in Land Lots 100 and 101 of District 12.
Parcel ID:	<u>Includes two parcels, as are listed below.</u> The parcels were officially combined via Recombination Case #RC-2020-01 on February 27, 2020 by the Stockbridge Planning Commission, but the final plat has not yet been recorded at the Henry County Superior Court. • <u>Parcel # 047-01016001</u> at the southwest corner of East Atlanta Road and Stagecoach Road. Contains approximately 2.64 acres. • <u>Parcel #028-02021005</u> at the southeast corner of Stagecoach Road and Woodall Road. Contains approximately 10.88 acres.
Lot Size/Acres:	13.52 total acres within two parcels.
Request:	Comprehensive Plan Amendment to change the property's future land use designation from 'Low-Density Residential' to 'Low-Density Vertical Mixed Use'. The applicant has also applied for a rezoning of the property, from 'PTD' (Planned Town Development) to 'MUND' (Mixed-Use Neighborhood Development).
Proposed Use/ Purpose	Development of a mixed-use development project with several small commercial buildings and a townhome community with 35 units.
Existing Land Uses:	Vacant land.
Future Land Use Designation:	'Low-Density Residential'.

Application Received: September 4, 2021

Sign Posted: November 12, 2021

Planning Commission Meeting: December 2, 2021

Council Meeting: December 13, 2021

Development Regulations Relevant to Request:

- City of Stockbridge Unified Development Code (including the Zoning Code and the Subdivision Ordinance).
 - All other City Code sections regarding site development standards and requirements.
-

APPLICANT'S REQUESTS--The applicant submitted his application to the Planning and Zoning Office on September 4, 2021, but he later requested to withdraw his application.

RECOMMENDATIONS

Per the applicant's decision to withdraw his application, the Planning and Zoning Staff asked that the applicant submit a letter of withdrawal. The applicant subsequently submitted his withdrawal letter on November 22, 2021. Upon its receipt, the Staff consequently accepted the withdrawal of this application.

**City of Stockbridge Planning and Zoning Staff
RECOMMENDATION:**

WITHDRAWAL

**City of Stockbridge Planning Commission
RECOMMENDATION:**

**City of Stockbridge Mayor and Council:
ACTION:**
