



Where Community Connects

STOCKBRIDGE

CITY COUNCIL

Mayor

Anthony Ford

Mayor Pro Tem Alphonso Thomas

Councilman Elton Alexander

Councilwoman Yolanda Barber

Councilman John Blount

Councilwoman LaKeisha Gantt

CITY MANAGER

Frederick Gardiner

CITY CLERK

Vanessa Holiday

CITY TREASURER

John Wiggins

CITY ATTORNEY

Quinton G. Washington

Jeremy T. Berry

Council Meeting Agenda July 11, 2022 6:00 PM



STOCKBRIDGE CITY HALL

4640 NORTH HENRY BLVD.

STOCKBRIDGE, GA 30281

Website: www.cityofstockbridge.com

Phone: 770-389-7900

Fax: 770-389-7912



AGENDA COUNCIL MEETING CITY OF STOCKBRIDGE

MONDAY, JULY 11, 2022 6:00 PM

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

ADOPTION OF THE AGENDA

ADOPTION OF THE MINUTES

- 1 Minutes May 9, 2022
- 2 SCM Minutes May 16, 2022
- 3 Work Session Minutes May 31, 2022

PUBLIC COMMENTS - All persons wishing to speak for public comment must sign in with the City Clerk prior to the beginning of the meeting noting your name, address, and phone number. You will be allotted three (3) minutes. Speakers must respect all members of the elected body, officials, and staff. Defamation, unruliness and/or swearing will not be tolerated.

CEREMONIAL

- 4 Proclamation - Michael D. *Randall, LTC USA (Ret)*

PRESENTATION

- 5 FY2023 Budget Calendar - Presented by: Frederick Gardiner

PUBLIC HEARING

- 6 CONDITIONAL USE PERMIT CASE #CU-2022-01 -- MRM & Sons, Inc., the Applicant, represented by Hecht Walker Jordan, P.C., REQUEST WITHDRAWN.

- Presented by: Ryan Anderson

- 7 REZONING CASE #RZ-2022-01 -- Remi Rose Development, LLC, the Applicant, represented by Battle Law, P.C., the Agent, requests the rezoning of certain property from the C-1 (Neighborhood Commercial) and C-2 (General Commercial), districts to the PUD (Planned Unit Development) Overlay) district to allow for a mixed-use development. The property contains two parcels, as are listed below, with 68.87 +/- total acres within the Stockbridge City Limits.
- Parcel #012-01003000 – The smaller parcel. Currently zoned ‘C-1’ and ‘PMU’. Contains 3.131 +/- acres and comprises the property at 1036 Highway 138 West, across from Spivey Road. Located in Land Lot 55 of District 12.
 - Parcel #012-01002000 – The larger parcel. Currently zoned ‘C-2’ and ‘PMU’. Contains 65.743 +/- acres. Situated adjacent to the western side of the smaller parcel, with frontage on Highway 138 West, across from Tributary Parkway. Located in Land Lot 42 of District 12.

The Planning Commission recommended the approval of this case, with conditions, at its meeting on May 26, 2022. - Presented by: Ryan Anderson

NEW BUSINESS

- 8 Council consideration to approve contract renewal invitation to bid (ITB) number 16RFP101216- DRR – American Tank Maintenance, LLC – Full-Service Tank Maintenance Program in the amount of \$61,419.00. Funding source is from the Water Department Budgeted Funds. - Presented by: Decius Aaron

MAYOR'S COMMENTS (Mayor Anthony Ford)

ANNOUNCEMENTS OF UPCOMING MEETINGS & EVENTS -Meetings are held at City Hall. Please visit the city's website www.cityofstockbridge.com, Facebook page or contact City Hall offices at 770-389-7900 for updates. □ Youth Council Meeting, 5:30 p.m. - 2nd Wednesday of each month Levi Meeting Room - City Hall (Jul 13) □ Main Street Advisory Board Meeting, 2nd Friday of each month 9:00 a.m. (Jul 8) □ Downtown Development Authority Meeting, 6:00 p.m. 3rd Tuesday of each month (Jul 19) □ Youth Council Advisory Committee Meeting, 6:30 p.m. - 3rd Tuesday of each month Levi Meeting Room - City Hall (Jul 19) □ Planning Commission Meeting, 4th Thursday of each month at 6:30 p.m. (Jul 28) □ City Council Work Session Meeting, Last Tuesday of each month – City Council Chamber (Jul 26) 6:00 p.m. □ City Council Meeting, Second Monday of each month – City Council Chamber (Aug 8) UPCOMING CITY

EVENTS/INITIATIVES • A Continuous Salute to Veterans: Please forward pictures of Veterans including name, branch, rank, and years of service as Mayor Pro Tem Thomas presents a special tribute to our local veterans. Pictures should be submitted to: Rosalynd Rawls at rrawls@cityofstockbridge-ga.gov Thank you for your service! • Please join Councilwoman Barber for FREE Zumba every Saturday morning at Clark Park at 8:00 a.m. Come out for fitness in the park! • Join us for Tasty Tuesday Food Truck Takeover at Clark Park Tuesday, July 12th, July 19th, July 26th, August 2nd, August 9th, August 16th, August 23rd and August 30th, each day from 5:30 – 8:30 p.m. Come out and enjoy great food and family fun! • Here is your opportunity to Meet the Mayor, and voice your questions and/or concerns Wednesday, July 25, 2022 from 10 a.m. to noon (In-Person). Call Rosalynd Rawls to schedule an appointment. 770-389-7900 ext. 248. • Concert at the Amphitheater featuring the Stylistics, Delphonics, Heatwave, Blue Notes and Enchantment, Saturday, July 16th at 8:00 p.m. (Doors open at 6:00 p.m.) • Back to School Kick Off – Saturday, July 23rd Location TBD, kicking off the new school year with free backpacks and school supplies from 12:00 noon – 3:00 p.m. • Join Councilman Alexander for the next Keep Stockbridge Beautiful event taking place Saturday, July 30th from 10am – 12pm. Location: TBD

EXECUTIVE SESSION (Exemptions to the Georgia Open Meetings Acts)

ADJOURNMENT



CITY COUNCIL MEETING SUMMARY MINUTES

MONDAY, MAY 9, 2022 6:00 P.M.

Mayor & City Council

Mayor Anthony S. Ford
Mayor Pro Tem Alphonso Thomas
Councilman Elton Alexander
Councilwoman Yolanda Barber
Councilman John Blount
Councilwoman LaKeisha Gantt

Administration

Frederick Gardiner, City Manager
Vanessa Holiday, City Clerk
John Wiggins, City Treasurer
Quinton Washington, City Attorney
Jeremy T. Berry, City Attorney
Danielle Davis, City Attorney

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.

The meeting was called to order by Mayor Ford.

Invocation by Councilman Blount.

Pledge of Allegiance was recited by all in attendance.

City Clerk, Vanessa Holiday was asked to proceed with a verbal roll call. All members were present except Councilwoman Gantt.

Councilman Blount motioned to amend the Agenda to add Item #7 to amend the spending authority for the City Manager from \$25,000 up to \$50,000 for budgeted items; second by Councilwoman Barber.

Councilman Blount appealed to the Council to allow Mr. Gardiner to explain the reasoning for the change in the policy and increasing the amount.

Councilwoman Barber noted the motion is to add the item to the Agenda with discussion when the item is presented on the Agenda; and noted if the action is approved, it would be an amendment to the city's Procurement Policy and Ordinance and withdrew her second from the motion. Councilman Alexander seconded the motion.

Councilwoman Gantt joined the meeting.

Discussion: Mr. Gardiner provided an overview of the request where he noted the spending authority had been reduced to \$25,000 by the prior administration and gave an example of the purchase price of a vehicle of \$46,000 and there was \$50,000 in the budget, and under the current policy, the item would be required to be presented to the City Council for approval, which prolongs the process.

Mayor Ford called for a vote to add the item to the Agenda. The motion passed 4-0-1 (Thomas abstained).

Councilman Blount motioned to adopt the agenda: Second by Councilman Alexander. The motion passed 5-0.

Councilman Blount motioned to adopt the Minutes: Second by Councilman Alexander. The motion passed 5-0.

1. Minutes March 14, 2022

2. Minutes March 29, 2022

PUBLIC COMMENTS - All public comments must be submitted to the Clerk no later than one hour prior to the meeting. The Public Comment Form can be found on the City's webpage on the City Clerk's page at: <https://stockbridge.seamlessdocs.com/f/20pkdz4mo7xb> and the form must include your name, phone, and email contact information. Comments are limited to (3) three minutes and will be read by the Clerk during the meeting, respecting all members of the elected body, officials, and staff. Comments including defamation, unruliness and/or swearing will not be accepted. None

CEREMONIAL- Mayor Ford administered and read proclamations as follows:

3. Swearing-In – Frangela Merritt – Downtown Development Authority Board

4. Swearing-In – Angela Myers-Jenkins and Deron Johnson – Ethics Committee

5. Proclamation - Memorial Day, Asian American/Pacific Islander Month

NEW BUSINESS

6. Council Consideration to approve the Main Street Advisory Program MOU (Memorandum of Understanding) 2022 – 2023.

Presented by: Kira Harris-Braggs, Main Street Program Manager

Ms. Harris-Braggs noted the request is an annual housekeeping item where the city agrees to a Memorandum of Understanding between the City of Stockbridge Main Street Program and the National Main Street Program and guidelines.

Councilwoman Gantt asked if there were new changes with the past MOU (Memorandum of Understanding).

Ms. Harris-Braggs noted in Article 1, Section 5 it was once called Main Street Center and now has been changed to Main Street America.

Mayor Pro Tem Thomas noted the MOU (Memorandum of Understanding) is an agreement that outlines the requirements outlined by the DCA (Department of Community Affairs) for community participation.

Mayor Pro Tem Thomas motioned to approve the Main Street Advisory Program MOU (Memorandum of Understanding) 2022 – 2023: Second by Councilwoman Gantt. The motion passed 5-0.

Ms. Harris-Braggs noted the Stockbridge Main Street Program Staff will be honored at the upcoming 2022 National Main Street Conference as second place winners of the Small Business Saturday Neighborhood Champion Innovation Contest; noted the competition, which was hosted by American Express and Main Street America, was a nationwide search for exemplary Main Street Programs that hosted innovative promotional campaigns and activities in observance of Small Business Saturday; noted the city's Main Street Program staff have been asked to participate on a panel of experts, from around the country, to discuss best practices for Small Business Saturday at the National Main Street Now Conference which will be held in Richmond, Virginia in May ; noted the Main Street Program will also receive a monetary reward in the amount of \$2,500 to assist with the Stockbridge Small Business Saturday program implementation; noted there are currently over 1,800 Main Street Programs nationwide, with 300+ programs in the state of Georgia; highlighted that the Stockbridge Main Street Program is the only winner representing the State of Georgia and the Country's Southeastern Region.

Ms. Harris-Braggs and Ms. Fareed received congratulations from all in attendance.

7. Council Consideration to amend the spending authority for the City Manager from \$25,000 to \$50,000.

Presented by: Councilman John Blount

Councilman John Blount noted it would be best practices to allow the City Manager to oversee and approve budgeted items not exceed over \$50,000.

Councilwoman Barber noted her concerns are for the services that would need task orders and change orders such as major construction projects and asked what the \$50,000 would cover.

Mayor Ford noted \$50,000 allows the City Manager to approve any singular item and anything over \$50,000 would come before council.

Councilman Alexander noted Council should give the City Manager the opportunity to succeed with moving things forward especially with the aggressive timetable and wanting projects completed.

Councilwoman Barber asked if it would require a change to the procurement policy.

Councilwoman Gantt requested that the City Council be notified by the City Manager with Change Orders and Task Orders that are submitted to him.

Mayor Pro Tem Thomas noted he believes in being competitive and having checks and balances; noted in the past, the city manager's spending limit was changed because of certain things Council did not approve of as a form of oversight.

Councilman Blount motioned to approve to amend the spending authority for the City Manager from \$25,000 to \$50,000: Second by Councilwoman Gantt. The motion passed 4-0-1 (Councilwoman Barber abstained noting the proposed action requires an amendment to the city's Procurement Policy and Ordinance and the verbiage of what is being proposed has not been provided to the Council for review).

COMMENTS FROM THE MAYOR

Mayor Ford noted Early Voting was underway and began on May 2nd and polling locations will be available to voters through Friday, May 20th with Election Day on Tuesday, May 24th; noted the dates for Saturday voting are May 7th and May 14th and Sunday voting is May 15th from 1pm – 5pm; noted the locations for Early Voting which include the Merle Manders Conference Center at 111 Davis Rd. in Stockbridge, the Henry County Elections Office at 40 Atlanta Street in McDonough, the Fortson Library in Hampton and the library in Locust Grove; noted during the last week of Early Voting, May 16 – 20th, JP Moseley and Fairview Recreation Center will be open for voters to cast their ballots at any of the referenced locations throughout the County, and that you will only vote at your local precinct on Election Day, Tuesday, May 24th; and noted you could request an Absentee Ballot by contacting the Elections Office at 770-288-6448, and see a sample Absentee Ballot online at the website mvp.sos.ga.gov; and noted there are local elections with three Henry County Board of Commissioners seats on the ballot and two Board of Education seats on the ballot along with multiple, court and judicial races and State House and Senate elections as well as congressional races on the ballot; noted the CDC is recommending a 2nd Booster vaccination for those who have a weakened immune system, as well as those individuals who received the primary dosage of the Johnson & Johnson vaccination; noted COVI-19 is still out there and while it may not be as severe as it has been, we need to remain vigilant and noted FREE vaccinations and tests are available at the Henry County Department of Health located at 135 Henry Parkway in McDonough where the Pfizer and Moderna vaccinations are being administered, and Free Testing is available at Red Hawk Field Monday, Wednesday and Friday from 9am to 3pm.

UPCOMING MEETINGS & ANNOUNCEMENTS: Council meetings will be held in the City Council Chamber and some Board/Committee meetings will continue to take place via Zoom. Meeting dates and times are subject to change. Please visit the city's website www.cityofstockbridge.com for the meeting invitation link, Facebook page or contact City Hall offices at 770-389-7900 for updates.

- Youth Council Meeting, 5:30 p.m. - 2nd Wednesday of each month Levi Meeting Room - City Hall (May 11)
- Main Street Advisory Board Meeting, 2nd Friday of each month 9:00 a.m. Via Zoom (May 13)
- Downtown Development Authority Meeting, 6:00 p.m. Via Zoom - 3rd Tuesday of each month Via Zoom (May 17)
- Youth Council Advisory Committee Meeting, 6:30 p.m. - 3rd Tuesday of each month Patrick Henry Meeting Room - City Hall (May 17)
- Planning Commission Meeting, 4th Thursday at 6:30 p.m. Via Zoom – (May 26)

- City Council Work Session Meeting, Last Tuesday of each month – City Hall Council Chamber (May 31)
- City Council Meeting, Second Monday of each month – Via Zoom (Jun 13)

UPCOMING CITY EVENTS/INITIATIVES

- *A Continuous Salute to Veterans*: Please forward pictures of Veterans including name, branch, rank, and years of service as Mayor Pro Tem Thomas presents a special tribute to our local veterans. Pictures should be submitted to: zpearson@cityofstockbridge-ga.gov Thank you for your service!
- Please join Councilwoman Yolanda Barber for FREE Zumba on Saturdays at Clark Park beginning May 14th at 8:00 a.m.
- Food Truck Tasty Tuesday is back! Join us at Clark Park 111 Davis Road from 5:30 p.m. to 8:30 p.m. on Tuesday, May 17th, June 7th, and June 14th and enjoy great food and family fun.
- Here is your opportunity to *Meet the Mayor*, and voice your questions and/or concerns Tuesday, May 23, 2022 from 10 a.m. to noon. Call Zenovia Pearson to schedule an appointment. 770-389-7900 ext. 248.

Councilwoman Gantt motioned to convene Executive Session for Real Estate, Personnel and Litigation: Second by Councilman Alexander. The motion passed 5-0. The City Treasurer was asked to attend.

Councilwoman Gantt motioned to adjourn Executive Session: Second by Councilman Blount. The motion passed 5-0.

Councilwoman Gantt motioned to reconvene the Meeting: Second by Councilman Alexander. The motion passed 5-0.

Councilwoman Gantt motioned to appoint Rosalynd Rawls as the Executive Assistant to Mayor & Council: Second by Councilwoman Barber. The motion passed 5-0.

Councilwoman Gantt motioned to adjourn the meeting: Second by Councilman Blount. The motion passed 5-0.

Respectfully submitted by:

Vanessa Holiday, City Clerk MMC

Anthony S. Ford, Mayor



SPECIAL CALLED MEETING SUMMARY MINUTES

MONDAY, MAY 16, 2022 6:00 P.M.

Mayor & City Council

Mayor Anthony S. Ford
Mayor Pro Tem Alphonso Thomas
Councilman Elton Alexander
Councilwoman Yolanda Barber
Councilman John Blount
Councilwoman LaKeisha Gantt

Administration

Frederick Gardiner, City Manager
Vanessa Holiday, City Clerk
John Wiggins, City Treasurer
Quinton Washington, City Attorney
Jeremy T. Berry, City Attorney

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.

Zoom Meeting Information

<https://us02web.zoom.us/j/86462841085?pwd=bWhFcEdaclQ5RTlwRzZrNHMyUDgvZz09> Passcode: 065252

The meeting was called to order by Mayor Ford.

Invocation by Mayor Ford.

Pledge of Allegiance was recited all in unison.

City Clerk, Vanessa Holiday was asked to proceed with a verbal roll call. All members were present except Councilwoman Gantt.

Councilman Alexander motioned to adopt the Agenda; second by Mayor Pro Tem Thomas. The motion passed 4-0.

Councilwoman Gantt joined the meeting.

NEW BUSINESS

Council Consideration to approve the 2022-2023 Liability Insurance Policy for the city with Travelers and Beazley..

Presented by Frederick Gardiner - City Manager, Vanessa Holiday, City Clerk and Chris Walker – Marsh McLennan Agency

Mr. Gardiner noted the city's broker was present to review the city's Risk Management Policy effective may 19, 2022; noted he had reviewed coverage along with the City Clerk, Vanessa Holiday and the broker, Mr. Walker and recommends renewal.

Mr. Walker presented the proposal for the renewal of the city's liability in the amount of \$339,675.80.

Councilman Blount motioned to approve; seconded by Councilman Alexander. The motion passed 4-0-1 (Councilwoman Barber abstained).

Motion to adjourn made by Councilman Alexander; seconded by Councilwoman Gantt. The motion passed 5-0.

Respectfully submitted by:

Vanessa Holiday, City Clerk MMC

Anthony S. Ford, Mayor



WORK SESSION MEETING SUMMARY MINUTES

TUESDAY, MAY 31, 2022 6:00 P.M.

Mayor & City Council

Mayor Anthony S. Ford
Mayor Pro Tem Alphonso Thomas
Councilman Elton Alexander
Councilwoman Yolanda Barber
Councilman John Blount
Councilwoman LaKeisha Gantt

Administration

Frederick Gardiner, City Manager
Vanessa Holiday, City Clerk
John Wiggins, City Treasurer
Quinton Washington, City Attorney
Jeremy T. Berry, City Attorney

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.

The meeting was called to order by Mayor Ford.

Invocation by Councilman Alexander.

Pledge of Allegiance recited by all in attendance.

City Clerk, Vanessa Holiday was asked to proceed with a verbal roll call. All members were present except Councilwoman Gantt.

Mayor Pro Tem Thomas motioned to amend the Agenda: To Add a Presentation from the city's Financial Advisor, Ed Wall regarding the Cultural Arts Center following Old Business: Second by Councilman Blount. The motion passed 4-0.

Mayor Pro Tem Thomas motioned to adopt the Agenda: Second by Councilman Alexander. The motion passed 4-0.

REVIEW OF THE MINUTES – No Action

- 1 Draft Retreat Minutes March 8, 2022
- 2 Draft Retreat Minutes March 9, 2022
- 3 Draft Retreat Minutes March 10, 2022
- 4 Draft Council Meeting Minutes April 11, 2022
- 5 Draft SCM Minutes April 25, 2022
- 6 Draft Work Session Minutes April 26, 2022

PUBLIC COMMENTS - All persons wishing to speak for public comment must sign in with the City Clerk prior to the beginning of the meeting noting your name, address, and phone number. You will be allotted three (3) minutes. Speakers must respect all members of the elected body, officials, and staff. Defamation, unruliness and/or swearing will not be tolerated. None

OLD BUSINESS

7. Council Consideration Request for Proposal (RFP) Number 2019-00032P-Facility Security Equipment, Systems, and Service-Related Equipment and Supplies in the amount of \$542,062.92. Funding Source: Fund Balance – To be reimbursed with ARPA Funds.

Presented by: Decius Aaron, Public Works Director

Mr. Aaron noted Chief Trammer wanted to review all the locations for the access control and other equipment; the new equipment would replace all the access control that was originally going to City Hall and the Municipal Court building and would be throughout all the city buildings on one security platform; noted this would be paid out of the Fund Balance and the city would be reimbursed once the City receives the second round of ARPA funds.

Councilwoman Barber asked for a copy of Johnson's Control's fully executed contract; noting a copy had not been included for Council review.

Mr. Aaron noted a copy was not available.

Mayor Pro Tem Thomas noted he spoke with Chief Trammer and expressed the scope of what is being voted on does not include some items that had been brought to his attention.

Chief Trammer noted this item was presented to Council in August 2021 and noted the city is in need of upgrading the security cameras, access control and alarm systems at City Hall and mentioned there was a discussion of funding which would cost an extra \$100,000 but was tabled by Council; and further noted there was a consideration to fund through fund balance instead of financing over a multi-year period as well as proposing to use ARPA funds.

Mayor Pro Tem Thomas expressed he is not clear on what is being voted on and stated his concern is if its not in the scope, could council still vote on it.

Chief Trammer noted the \$542,062.92 would upgrade the Municipal Court system which is necessary and would cost \$111,201.34 to update the camera's system access control and alarm system in the court building, and gave a breakdown of cost and noted \$127, 405.01 would upgrade all the security to city hall; \$38, 991.22 would go towards the implementation system at the Ted Strickland Community Center; \$22,069.01 will go towards the Merle Manders Administration Building; \$103,759.97 would go towards the Merle Manders Conference Center; the securities and networking infrastructure is an additional \$72,035.67; the library exterior camera will cost \$21,266.28; tag office is \$15,267.23 and city hall parking lot cameras are \$24, 003.86 with one year of monitoring at \$5,478.00.

Councilwoman Barber inquired if the proposal includes the Amphitheater and the parking lot and why the tag office and library were being covered.

Mr. Aaron noted the Amphitheater and parking lot has previously been approved on the Johnson Control system.

Mr. Gardiner noted the tag office and library are buildings owned by the city.

Councilman Blount motioned to approve Request for Proposal (RFP) Number 2019-00032P-Facility Security Equipment, Systems, and Service-Related Equipment and Supplies in the amount of \$542,062.92. Funding Source: Fund Balance – Reimbursement: ARPA; Second by Councilman Alexander. The motion passed 4-0.

COUNCIL DISCUSSION

8. Council Discussion of funding sources for the Cultural Arts Center

Presented by: Ed Wall, Financial Advisor

Mr. Wall noted the city had 3 bonds issued in 2021 with the 1st One Series A at \$9,910,000 being paid back in five years; of the \$9,910,000, \$7,000,000 was for the Amphitheater, \$2,900,000 was for the Cultural Arts Center which would be paid from SPLOST V; under the Amphitheater, the General Fund cash of \$5 million was added with a balance of the SPLOST IV account, and also noted \$18,300,000 was budgeted for the Amphitheater; noted \$1 million was borrowed from SPLOST V for the trail system and will be paid back in five years and a bond issued for \$14,800,000 that would be paid back over a 15-year span; noted out of the \$14.8 million, \$3 million went towards police equipment, \$11 million went towards the Cultural Arts Center with an additional \$2.9 million from Series A bond paid from SPLOST V.

Mr. Wall noted the original project for the cultural arts center was budgeted at \$14 million, however, TSW completed the schematics and plan which totaled \$32 million, and the city thinks it could be built for about \$25 million which would leave a funding gap of \$11 million; noted the source of funding could come from the General Fund cash, about 43 million of ARPA funds, bonds from the Public Facilities Authority (PFA) or a future SPLOST VI referendum; noted the first available funding would be ARP funds, however, the city would need to identify the use of using ARPA funds. Mr. Wall explained ARPA fund could be used by replacing lost public sector revenue, respond to the far-reaching public health and negative economic impact of the pandemic, provide premium pay for essential workers, and invest in water, sewer, and broadband internet infrastructure.

Councilman Blount noted he needs more concrete answers, with bullet points being a far reach, and nothing seems to fit.

Mayor Pro Tem Thomas introduced the newly appointed Executive Assistant to Mayor and Council, Rosalynd Rawls, and noted he had requested her to conduct research on the benefits of having a Cultural Arts Center in your community, with the document distributed to the mayor and councilmembers, and believes this information is in line with what was read by Mr. Wall.

Councilwoman Barber asked for the SPLOST account balances.

Mr. Wall noted looking at the audit from December 31, 2021, APRA funds have a possibility of \$3 million available, the cash balance in the general fund is \$11,012,000, the total fund balance is \$17 million and of that, \$13 million is unassigned, \$1.1 million is assigned for purchases on order, \$2,197,000 is assets held available for sale. noted the projecting fund balance ending December 31, 2021 would be \$1.6 million which will make the cash balance in the general fund total \$12,600,000; noted the process will be a combination of options and not just one; noted a fourth bond issue through the Public Facilities Authority by issuing a \$11,225,000 bond that will pay the entire gap and noted a 15-year bond issued today would have a rate around 3.3%. noted with the 15-year bond and a new SPLOST would pay down the borrowed amount and if the entire amount is used, the city would only need to pull from the general fund \$370,000 yearly until a new SPLOST is voted on.

Mayor Pro Tem Thomas thanked Mr. Wall for the presentation and noted he is excited to see what type of impact the Cultural Arts Center will have within the community.

Councilwoman Barber noted she would like to see a list of projects or expenditures that have been allocated and statements of expenditures spent by SPLOST IV and V.

Mr. Wall indicated the funds for both SPLOST have been allocated and will not be used.

Councilman Blount inquired on how the city would get there showing what expenditures will be in the future.

Councilman Alexander noted he is in support of the project, wants to make sure it is best in class without sacrificing the vision, and believes there are other options to make it happen.

Mayor Pro Tem Thomas noted out of the \$11 million, \$8 million has been allocated and accounted for, the \$3 million has not been allocated.

Mayor Pro Tem Thomas motioned to task the City Manager, City Treasurer and Financial Advisor with identifying funding sources for the Cultural Arts Center; and to provide a list of account balances and projects funded from SPLOST and ARPA at the next council meeting on June 13, 2022: Second by Councilman Alexander. The motion passed 4-0.

9. Council Consideration to approve Tasty Tuesday Additional and Budget Amendment. Presented by: Kim Jordan, Conference Center, and Events Manager

Ms. Jordan noted the Tasty Tuesday event has been a huge success and staff is requesting to extend 9 additional dates through the months of July and August; noted the city will continue the event on June 7th and the June 14th event will have a showcase with saxophone player Richard Shaw; noted the additional dates to be added are 6/28, 7/12, 7/19, 7/26/ 8/2, 8/9, 8/16, 8/23 and 8/30 and requesting additional funding of \$14,000.00 from Fund Balance. Ms. Jordan noted the \$14,000 would go towards radio packages totaling \$10,500, the total for rides and games are estimated at \$5,000, the DJ for an additional 8 Tuesdays totals \$3,200 and additional advertising makes up the total.

Councilman Blount inquired on the amount of past tasty Tuesdays and noted the budget is still the same for previous tasty Tuesdays with less tasty Tuesday events.

Mayor Ford noted the last Tasty Tuesday happened in 2019 starting in May, ending in July.

Ms. Jordan noted there are less events, but with more robust programming and more entertainment.

Mr. Gardiner noted the amount budgeted was the same, however, funding in the events department was moved to work on educating the public regarding the annexation project.

Councilman Blount noted Council should have been made aware that funding was reallocated.

Mayor Ford inquired about the June dates for Tasty Tuesday.

Ms. Jordon confirmed June 7th, June 14th, and June 28th.

Mayor Pro Tem noted June 21st was the Sip and See event he was hosting at the Amphitheater, noting at the time that he checked the city's events calendar, there was not a Tasty Tuesday, or any other event on the calendar for that date.

Mayor Ford noted he thinks both events can go on simultaneously.

Mayor Pro Tem Thomas noted he disagreed, and reiterated he checked the calendar and that there should not be city events competing on the same day.

Councilman Blount noted to be careful and cautious with city events and Council initiatives, noting the same would apply for other members of Council.

Councilman Alexander motioned to approve 9 additional Tasty Tuesday dates 6/28, 7/12, 7/19, 7/26/ 8/2, 8/9, 8/16, 8/23 and 8/30 with additional funding of \$14,000.00 from Fund Balance: Second by Councilwoman Barber. The motion passed 4-0.

10. Council Consideration to approve an increase of the annual On-Call Sidewalk Repairs and Replacement contract with DAF Concrete, Inc., from \$150,000.00 to \$350,000.00 to complete sidewalk repairs in Monarch Village and Windsong Subdivision. The funding source is SPLOST V.

Presented by: Decius Aaron, Public Works Director

Mr. Aaron noted that there was \$150,000 budgeted in the FY2022 budget for sidewalk repairs and maintenance and has identified 3 subdivisions from the 2019 sidewalk street assessment conducted by Carter & Sloope to repair; noted the cost of material and supplies have gone up and Mr. Wiggins informed him there were additional funds in SPLOST V to use for the sidewalk repairs; noted staff would start in Monarch Village and then the Windsong subdivision.

Councilman Blount inquired if there was a sidewalk list for Windsong subdivision.

Mayor Pro Tem Thomas inquired if there was an analysis of the conditions completed for all sidewalks citywide.

Mr. Aaron noted in 2019 a new assessment of all the roads and sidewalks within the city limits.

Councilman Alexander inquired on the movement with trails and noted \$1 million was bonded for trails.

Mr. Aaron noted staff is in the process of gathering information and prioritizing which are more important; and further noted the On-Call Engineers are out for bid and closes on June 19th with no renewals available.

Councilman Blount motioned to approve an increase of the annual On-Call Sidewalk Repairs and Replacement contract with DAF Concrete, Inc., from \$150,000.00 to \$350,000.00 to complete sidewalk repairs in Monarch Village and Windsong Subdivision. The funding source is SPLOST V: Second by Councilman Alexander. The motion passed 4-0.

Councilman Alexander motioned to amend the agenda to hear the RedSpeed Item: Second by Councilman Blount. The motion passed 4-0.

11. Council consideration to approve the Stockbridge Police Department's use of automated speed detection devices within marked school zones inside the city limit of Stockbridge and to enter into an agreement with RedSpeed USA to implement a School Safety Zone Program.

Presented by: Chief Frank Trammer and Greg Parks with RedSpeed

Chief Trammer introduced Mr. Greg Parks with RedSpeed whom gave a presentation on the use of automated speed detection devices within marked school zones inside the city limit of Stockbridge.

Mr. Parks noted the County has had the program for over 2 years with violation going down over 80% in school zones with only 10% of motorist receiving a second citation. Mr. Parks noted it will be no cost to the city but rather funded by violators and the benefits are having state of the art equipment with 24/7 surveillance and 45-day archiving; noted Georgia ranks 36th out of 51 with a heavy traffic problem and in 2018, GA Legislation passed House Bill 978 to allow cities, police departments and counties to have something to combat the problem; noted motorist will only be cited during the school hours and going over 10 mph and must be approved by G-DOT and the school system stating a need for it with the superintendent signing off; noted the violation tickets would cost \$75.00 and the funding received from ticket will go to the police department to receive equipment; noted speed studies were conducted at the police departments request and within a one 9-hours school day period and 10 mph over or greater, Stockbridge Elementary had 996 violations, Eagles Landing Christian Academy had 503 in one day and Red Oak Elementary had 484 violations in one school day; noted the process will include submitting drawings from G-DOT and retain a permit application, once approved, everything will be installed and train the police department.

Mr. Parks noted the city would collect 65% of revenues and RedSpeed collects 35% of revenues in exchange for maintaining and installing equipment and is the same contract signed by the County and surrounding sister cities; and noted there is a 30-day warning period to warn speeders with mandatory signage by G-DOT that will be about 500 ft. from the camera informing drivers of photo enforcement.

Councilman Blount expressed one of his concerns is informing the public and being able to verify the information has gone out to the public and wants the city to make sure the city being transparent and doing its part in informing the public.

Councilman Blount inquired if violators would be able to go to court.

Mr. Parks noted all violators have the option of going to court, but only 1% attest the tickets due to video that captured the violation.

Councilman Blount motioned to approve the Stockbridge Police Department's use of automated speed detection devices within marked school zones inside the city limit of Stockbridge and to enter into an agreement with RedSpeed USA to implement a School Safety Zone Program: Second by Councilman Alexander. The motion passed 4-0.

12. Council consideration to approve the purchase of a 2023 Isuzu Chassis Landscape Truck under Georgia statewide contract number 99999-001-SPD0000155-0001 with Rush Truck Center of GA, Inc. in the amount of \$61,893.00 to replace vehicle that was totaled in 2021. Funding source is from Public Works Department budgeted funds and insurance settlement.

Presented by: Decius Aaron, Public Works Director

Mr. Aaron noted that this would be the replacement of a truck totaled in 2021 and will be paid by using \$50,000 budgeted funds from FY2022 and insurance money. Mr. Aaron noted they will use \$11,000 out of the \$35,000 received by the insurance company to purchase the replacement truck that will cost \$61,000; noted the totaled truck was an F-350 that hauled lawn mowers and decided to go with a landscaping truck to haul equipment.

Councilman Blount motioned to approve utilizing the payment from the insurance company in the amount of \$38,634.39 and the balance of \$23,258.61 from the Public Works Department Budget: Second by Councilman Alexander. The motion passed 4-0.

13. Council Consideration to approve Authorizing documents for the Stockbridge Police Department.

Presented by: Chief Frank Trammer

Chief Trammer noted the Police Department is asking for approval of a Resolution that covers a multitude of things, noting the Henry County Police Department provided law enforcement services pursuant to an agreement with the County; as of July 1st, the city will provide those services; noted the Charter needs to be amended in order to allow for the Stockbridge Police Department to provide such services; and noted the chapter reads the Henry County provides law enforcement services within the City of Stockbridge and had to expand and define the Stockbridge Police Department roles and responsibilities, functions and duties of the department and responsibilities of the Chief of Police. Chief Trammer noted two things to add to the Charter are: to authorize the

Chief of Police to administer the Oath of Office to staff and to be able to make certain assignments without competitive examination; noted there is also a probationary period of 12 months with the current city staff having a probationary period of 90 days; and to allow authority to claim compensation or property by virtue of participation in various different interagency organizations whether it be a task force, drug task force, etc.

Mayor Pro Tem Thomas referenced the relationship between the Police Department and Business Services regarding vehicles for hire.

Chief Trammer noted the change requested is replacing Henry County Police Department with the City of Stockbridge Police Department.

Councilwoman Barber motioned to approve authorizing documents for the Stockbridge Police Department: Second by Councilman Alexander. The motion passed 4-0.

14. Council Consideration to apply for and receive COPS Grant funding to hire 10 additional police officers for the Stockbridge Police Department.

Presented by: Chief Frank Trammer and Captain Karen Anderson

Chief Trammer Captain Anderson noted the grant is for law enforcement and the COPS office will provide up to \$100,000 over a 3-year period for an entry level officer; noted Category 1 would allow for new officers or positions no longer funded and over a 3-year period it would be \$41,666 per officer, anything over that, the agency pays for but can't go over 20% of allocated amount police officers; noted the deadline to submit the grant is June 16th.

Councilman Blount motioned to approve to apply for and receive COPS Grant funding to hire 10 additional police officers for the Stockbridge Police Department: Second by Councilman Alexander. The motion passed 3-0-1 (Thomas abstained).

Staff was tasked with submitting a report to the Mayor & Council with the current number of police department staff, officers, their positions, and salaries with actual year-to-date payroll numbers as of 5/31/2022.

15. Council Consideration to approve City of Stockbridge Procurement Code Updates

Presented by: Jeremy Berry, City Attorney

Attorney Berry noted there are proposed changes to the Procurement Code as follows:

1. Section 3.30.013-Application of federal and stat law- anytime money is involved, procurement will follow federal law
2. Section 3.30.040-Powers and Duties of the purchasing agent- informing Council of all procurement and by adding a section allowing the procurement division to submit information to the City Manager who would then provide a regular report to Council and notify Council of all contracts expiring 120 days before the expiration date

Mayor Ford noted if it is the consensus of Council.

3. Section 3.30.080-Summary of methods of procurement- currently requires three bidders, suggests stating the "City prefers three or more vendors compete in procurement"; Section D requires any time there is a sole source procurement, there needs to be a written memo justifying the use of sole source.

Councilman Blount stated there is a Resolution that would need to be rescinded and inquired if it was in conflict.

Attorney Berry noted the Ordinance would supersede the Resolution.

Councilwoman Barber noted she brought forth the Resolution that has the language and is fine with changing the language in the ordinance and noting the language referenced in the Resolution was already in the procurement policy and the action was a standard practice of the procurement department long before she was a member of the Council, noting she was seeking consistency.

4. Section 3.30.082-Mandatory pre-qualification process- City does not currently have a bid protect remedy- proposing a losing bidder can challenge the award

5.0 Section 3.30.100-Competitive Sealed Bids- Current process requires 30 days' notice before a bid by using best practices and final offer

6.0 Section 3.30.100-Competitive Sealed Bids- Council to approve all contracts above \$50,000 with a copy of the proposed contract for review and the procurement manager can reject bids

7. Section 3.30.110-Competitive Sealed proposals- ensuring the evaluation committee is independent and no fewer than three members from different departments and legal counsel cannot serve on the committee but can consult

8. Section 3.30.222-Approval of contracts; contract execution- the routing of documents and reports; once city clerk receives contract from contractor, its reviewed by the purchasing representative and distributed for signing, all final documents shall go to the city clerk who is the official custodian of records; Section C state the procurement department keeps the bids, the city clerk keeps the signed contracts; Section D states the contractor should be required to provide updates either in person or written on the status of their contract and the city manager will update council

9. Section 3.30.223-Change Orders and Contract Modifications- Council shall approve change orders modifications of \$50,000 or greater and the city managers authority increases to \$50,000

Councilwoman Barber recommended the following modifications:

- Council to be notified 120 days prior to contracts expiring.
- Pg. 9 of the report 2nd C. to remove the verbiage "The Procurement Division is designated as the legal custodian of the procurement file; noting the Procurement Office should have in their files, and fully executed contracts, responses to solicitations, etc., however, the City Clerk shall be noted as the city's Official Custodian of Records.
- Pg. 10 – Committee members shall increase from 3 members to 5 members.
- \$50,000 spending authority shall not be cumulative; and the criteria for Capital Improvement Projects, Tasks Orders and Change Orders shall not be cumulative; the City Manager shall have authority to approve all change orders to purchase orders and contracts up to an absolute value of twenty (20) percent of the original contract, provided the total change order amount is fifty thousand dollars (\$50,000.00) or less.

Councilman Blount motioned to approve as written and presented by City Attorney Berry: Second by Councilman Alexander.

Mayor Pro Tem Thomas asked Attorney Berry if he was in agreement with Councilwoman Barber's recommendations.

Attorney Berry confirmed, noting she had brought for the items that he had not considered.

Councilman Alexander withdrew the second.

Councilman Alexander motioned to approve the City of Stockbridge Procurement Code with the recommended modifications; second by Councilwoman Barber. The motion passed 3-0-1 (Blount abstained).

COMMENTS FROM THE MAYOR

Mayor Ford noted today, May 31, 2022 was historic with a swearing-in for 40 police officers took place at the Merle Manders Conference Center; noted the selection was Chief Trammer was right, noting he will lead the charge to make this police department great for the Stockbridge community; congratulated Michael Harris, a Stockbridge High School alumni, who was called up to play center field for the Atlanta Braves; noted we are still in a pandemic and asked everyone to be mindful, and wear a mask when you need to, but more importantly, asked everyone to get vaccinated and to get your boosters if eligible; noted you can contact the Department of Public Health in McDonough on Henry Pkwy at 470-664-0005 for an appoint Mon – Fri 9am – 11:30 am and 1pm – 2:30 pm; with free testing at Red Hawk Field on Henry Pkwy Mon, Wed, Fri 9am -3pm.

Mayor Ford introduced Rosalynd Rawls, the City Executive Assistant to the Mayor & Council and looks forward Ms. Rawls noted she is happy to be here in the City of Stockbridge, where she is also a resident and looks forward to serving in her community.

UPCOMING MEETINGS & ANNOUNCEMENTS: Meetings will be held via Zoom unless otherwise noted. Meeting dates and times are subject to change. Please visit the city's website www.cityofstockbridge.com for the meeting invitation link, Facebook page or contact City Hall offices at 770-389-7900 for updates.

- Youth Council Meeting, 5:30 p.m. - 2nd Wednesday of each month Levi Meeting Room - City Hall (Jun 8)
- Main Street Advisory Board Meeting, 2nd Friday of each month 9:00 a.m. Via Zoom (Jun 10)
- City Council Meeting, Second Monday of each month – Via Zoom (Jun 13)
- Downtown Development Authority Meeting, 6:00 p.m. Via Zoom - 3rd Tuesday of each month Via Zoom (Jun 21)
- Youth Council Advisory Committee Meeting, 6:30 p.m. - 3rd Tuesday of each month Patrick Henry Meeting Room - City Hall Jun 21)
- Planning Commission Meeting, 4th Thursday at 6:30 p.m. Via Zoom – (Jun 23)
- City Council Work Session Meeting, REVISED DATE – **WEDNESDAY** (Jun 29) at 6:00 p.m.

UPCOMING CITY EVENTS/INITIATIVES

- *A Continuous Salute to Veterans*: Please forward pictures of Veterans including name, branch, rank, and years of service as Mayor Pro Tem Thomas presents a special tribute to our local veterans. Pictures should be submitted to: rrawls@cityofstockbridge-ga.gov Thank you for your service!
- Please join Councilwoman Barber for FREE Zumba on every Saturday morning at Clark Community Park at 8:00 a.m. Come out for fitness in the park!
- Join us for Tasty Tuesday Food Truck Takeover at Clark Park Tuesday, June 7th and Tuesday, June 14th each day from 5:30 – 8:30 p.m. Come out and enjoy great food and family fun!
- Join Mayor Ford's Clergy Roundtable, Tuesday, June 7th at 6:30pm at City Hall in the Levi Meeting Room.
- Come out and meet your Stockbridge Police Department for a public safety event Saturday, June 11th from 10am -2pm in the Stockbridge Amphitheater parking lot. There will be vehicles on display, bounce house for the kids, a DJ, face painting, games, food trucks, cotton candy, ice cream, giveaways and information stands.
- Here is your opportunity to *Meet the Mayor*, and voice your questions and/or concerns Wednesday, June 29, 2022, from 10 a.m. to noon (In-Person). Call Rosalynd Rawls to schedule an appointment. 770-389-7900 ext. 248.
- Join Mayor Pro Tem Thomas for a Sip 'n See Tour of the City's Amphitheater, Wednesday, June 21st from 4pm – 7pm. Here is an opportunity for the community to see seating layout, get information on upcoming events, enjoy live music and refreshments.

Councilman Alexander motioned to adjourn: Second by Mayor Pro Tem Thomas. The motion passed 4-0.

Respectfully submitted by:

Vanessa Holiday, City Clerk MMC

Anthony S. Ford, Mayor



City Manager's FY 2023 Budget Process Presentation



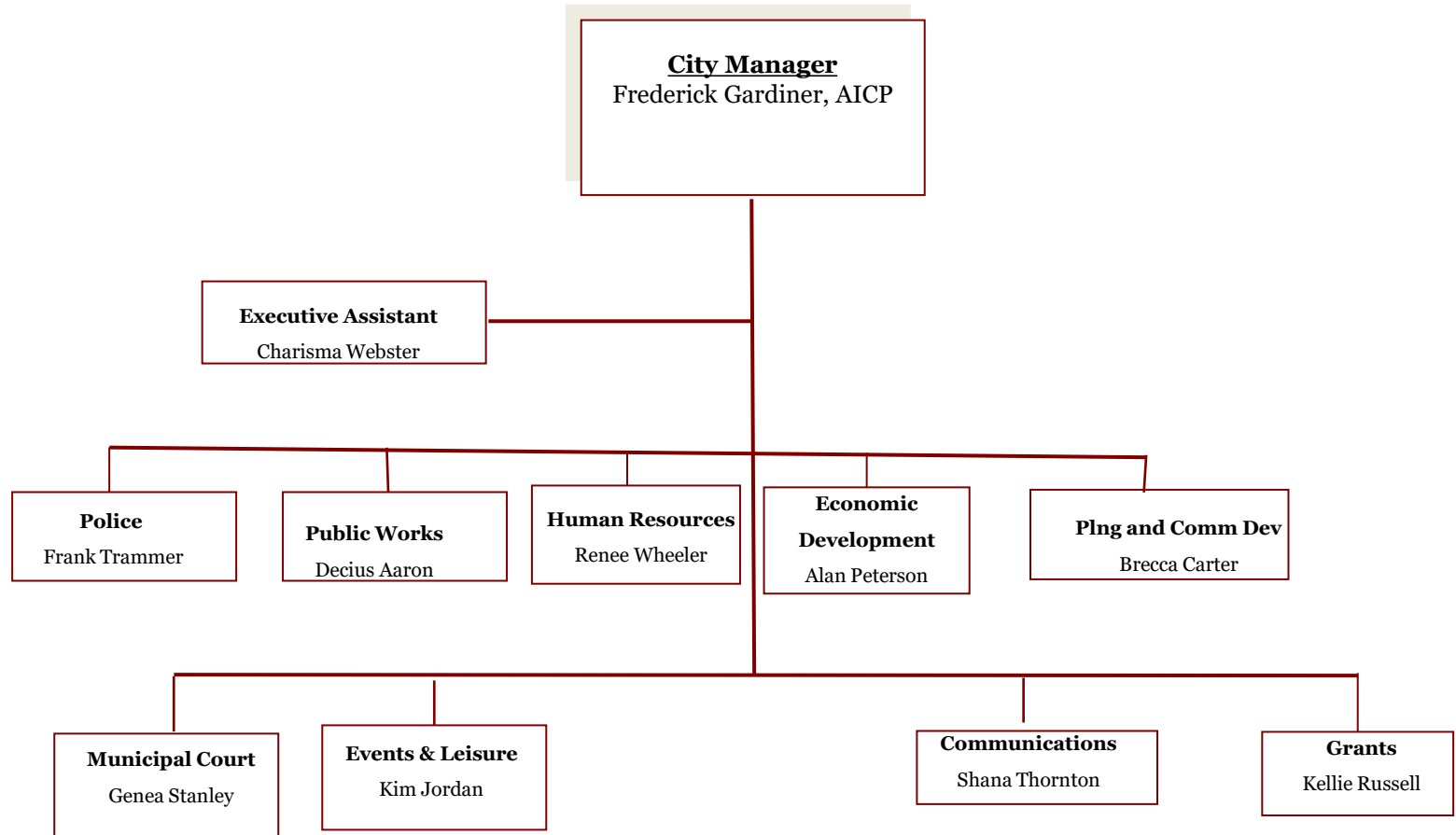
Purpose for Meeting

- **Get an understanding of Manager's Budget Philosophy**
-
- **Learn about the Budget Process**
- **Update Mayor and Council on the FY 2023 Budget**
- **Discussion on Council's Budget Priorities**

City of Stockbridge Government Structure



City Organizational Structure





Tools Utilized in Developing FY Budget

- **Finance Team conduct financial projection on Revs and Exps**
- **Historical Expenditure Data by Department**
- **Review economic quarterly reports on the Health of the Economy**
- **3-5 Year Strategic Plan**
- **Elements from Mayor and Council**



Fiscal Year Types of Budget

- **General Fund Budget**
 - Sales Taxes
 - Permits and Development Fees
 - Franchise Fees
- **Fiduciary Fund Budget**
 - Pensions
 - Investments
- **Capital Improvement Budget**
 - General Fund
 - Enterprise Fund
- **Enterprise Fund Budget**
 - Water and Sewer Fund
 - Sanitation Fund
 - Stormwater
- **Special Fund Budget**
 - TSPLOST
 - Grants

City of Stockbridge Strategic Plan

- **Focus 1**
 - Quality of Life
- **Focus 2**
 - Cultural and Brand Development
- **Focus 3**
 - Economic Growth
- **Focus 4**
 - Sustainability



FY 2023 Budget Highlights

Set City Budget Priorities



Water and Sewer
infrastructure
improvements

Improvements to
existing Parks

Implementation
of All SPLOST
Funded Projects

Street
Improvements

New Paving and
sidewalks
improvements

Downtown
Redevelopment

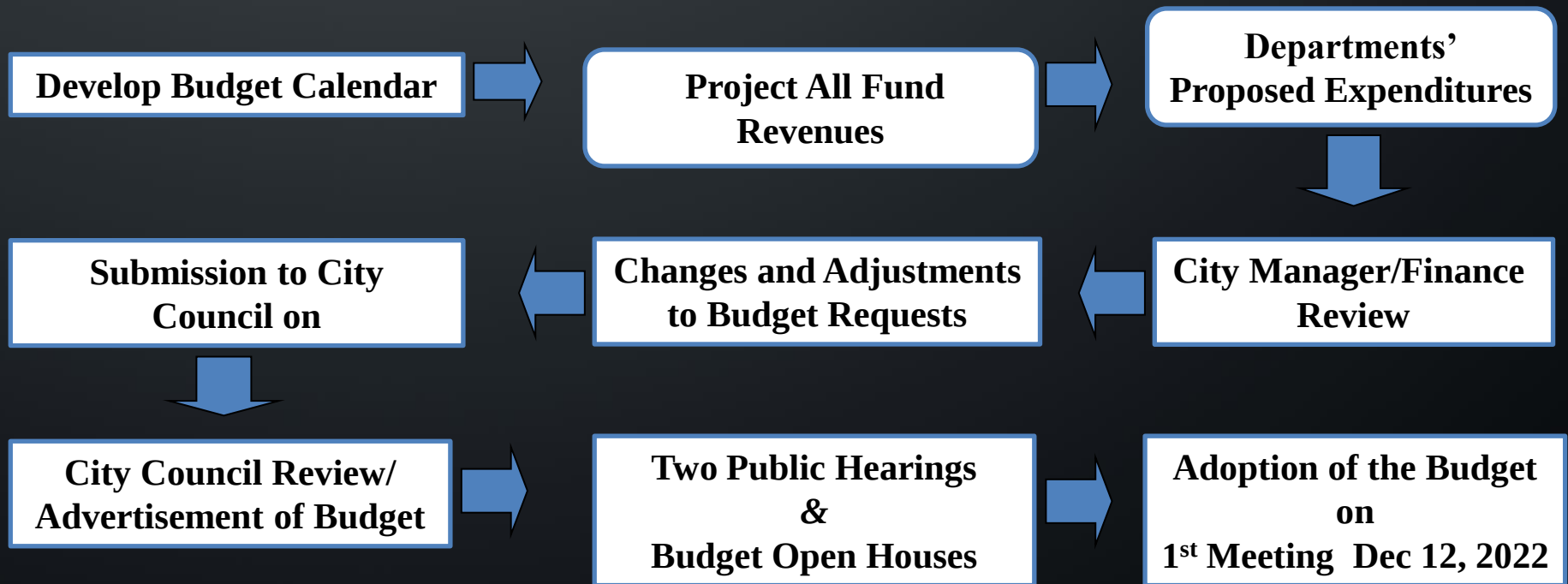
Rehabilitation of
Merle Manders
Center

Funding for
Cultural Arts
Center

Funding for
Stockbridge
Police



Budget Development Flowchart





FY 2023 Budget Process Timeline

- **July - Distribute Budget worksheets**
- **July 22nd - Capital budgets due to City Manager & Finance Officer**
- **August 8th - Capital budget submission to City Council**
- **September Draft Budget Review by Manager & Finance Officer**
- **October 10th - Budget submission to City Council**
- **Community Town Hall Meetings – October 13th and 20th**
- **Public Hearings – November 29th & December 12th**
- **December 12th - Budget Adoption @ City Council Meeting**



Stockbridge

Where Community Connects

Questions

CONDITIONAL USE PERMIT CASE
#CU-2022-01 -- MRM & Sons, Inc.,
the Applicant, represented by Hecht
Walker Jordan, P.C., REQUEST
WITHDRAWN. - Presented by: Ryan
Anderson



City of Stockbridge

AGENDA ITEM

MEETING DATE

July 11, 2022

- ☐ RESOLUTION
- ☐ ORDINANCE
- ☐ CONTRACT APPROVAL/RENEWAL
- ☒ PUBLIC HEARING
- ☐ PRESENTATION
- ☐ BID SELECTION/AWARD
- ☐ TASK ORDER
- ☐ CHANGE ORDER
- ☐ BUDGET AMENDMENT
- ☐ BUDGET TRANSFER
- ☐ PAYMENT APPROVAL
- ☐ OTHER

FUNDING SOURCE

- ☐ GENERAL FUND
- ☐ FUND BALANCE
- ☐ SPLOST IV
- ☐ TSPLOST
- ☐ CDBG
- ☐ GRANT FUNDING
- ☐ COUNCIL INITIATIVE
- ☐ PARTNER/SPONSOR
- ☐ DEPARTMENT FUND BALANCE
- ☐ BONDING

ACCOUNT TRANSFER FROM: N/A

ACCOUNT TRANSFER TO: N/A

PRESENTER: Brecca R. Carter, Director & Ryan Anderson, Chief Planner

DEPARTMENT: Community Development

ITEM/PROJECT/EVENT:

Rezoning (Case #RZ-2022-01) for the proposed Crescent Communities Mixed-Use Development from the 'C-1' (Neighborhood Commercial), 'C-2' (General Commercial), and 'PMU' (Parkway Mixed-Use Overlay) districts to the 'PUD' (Planned Unit Development) and PMU districts to allow for a mixed-use development project with apartments, townhomes, and small commercial uses. The applicant has also submitted a Comprehensive Plan Amendment application (Case #CP-2022-01), which is running concurrently with the rezoning.

BACKGROUND INFORMATION:

The applicant proposes to build a mixed-use development containing approximately 48,000 square feet of commercial/retail space within 2 buildings, 360 apartment units within 8 buildings, and 102 townhomes within 22 buildings. The main entrance would be located at a traffic signal on Highway 138 West, across from Spivey Road. To accomplish this, a portion of the smaller C-1 parcel needs to be combined with the larger C-2 parcel. Two amenity areas and a surrounding multi-use trail would be provided. The Planning Commission recommended Approval of the request with five conditions.

SIGNATURES:

CITY ATTORNEY _____

CITY TREASURER N/A _____

CITY MANAGER _____

FINANCIAL IMPACT: N/A

AMOUNT: N/A

ATTACHMENTS: Yes



REZONING FOR THE PROPOSED CRESCENT COMMUNITIES MIXED-USE DEVELOPMENT--FROM 'C-1' (NEIGHBORHOOD COMMERCIAL) AND 'C-2' (GENERAL COMMERCIAL) TO 'PUD' (PLANNED UNIT DEVELOPMENT)

CASE FACTS

- Applicant:** Remi Rose Development, LLC
- Agent:** Battle Law, P.C.
- Location:** Located on Highway 138 West, west of I-75 and Mount Zion Parkway, in Land Lots 55 and 42 of District 12.
- Parcel ID:** Includes two parcels:
- Parcel #012-01003000 – The smaller parcel. Currently zoned 'C-1' and 'PMU'. Contains 3.131 +/- acres and comprises the property at 1036 Highway 138 West, across from Spivey Road. Located in Land Lot 55 of District 12. Owned by Melissa Russell.
 - Parcel #012-01002000 – The larger parcel. Currently zoned 'C-2' and 'PMU'. Contains 65.743 +/- acres. Situated adjacent to the western side of the smaller parcel, with frontage on Highway 138 West, across from Tributary Parkway. Located in Land Lot 42 of District 12. Owned by West Henry Land Corporation, et al.
- Lot Size/Acres:** 68.874 +/- total acres within two parcels.
- Request:** Rezone property from the 'C-1' (Neighborhood Commercial) and 'C-2' (General Commercial) districts to the 'PUD' district to allow for a mixed-use development project with apartments, townhomes, and small commercial uses. The applicant has also submitted a Comprehensive Plan Amendment application (CP-2022-01), which is running concurrently with the rezoning application.
- Proposed Use/Project Description** The applicant proposes to build a mixed-use development containing approximately 48,000 square feet of commercial/retail space within 2 buildings, 360 apartment units within 8 buildings, and 102 townhomes within 22 buildings.

The main entrance to the development would occur through a new driveway off Lake Spivey Parkway, across from Spivey Road, where a traffic signal is present. A secondary access would occur across from Tributary Parkway, but it would be limited to right-in and right-out turning movements due to the presence of a median in the

	center of Lake Spivey Parkway. Sidewalks and deceleration lanes would be provided along Lake Spivey Parkway.
Existing Land Uses:	Mostly vacant, except for a very small cemetery off Highway 138 West. The site is mostly wooded, except for Reeves Creek and its associated floodplain.
Future Land Use Designation:	'Low-Density Vertical Mixed-Use'. This designation does not allow the proposed development. It needs to be changed to 'High-Density Residential'. The applicant has simultaneously applied for a Comprehensive Plan Amendment via CP-2022-01 for this purpose.
Road Access:	Via Highway 138 West.
Application Received:	April 4, 2022.
Community Meetings Held by Applicant:	March 16, 2022 and May 4, 2022.
Public Notices:	On May 6, 2022, signs were posted on the property and the applicant mailed notices to 29 adjacent property owners. Public Notices in the Henry Herald were scheduled to appear on May 4 and June 18, 2022.
Planning Commission Meeting:	May 26, 2022, via Zoom. The Planning Commission unanimously recommended the approval of the requested rezoning with five conditions.
Council Meeting:	June 13, 2022, in the Council Chamber.

Development Regulations Relevant to Request:

- City of Stockbridge Unified Development Code, adopted on March 14, 2022.
 - All other City Code sections regarding site development standards and requirements.
-

ANALYSIS OF REQUEST (Sec. 12.02.09.C.2):

CRITERION #1: Consistency with the Comprehensive Plan.

The proposed rezoning of the subject property from C-1, C-2, and PMU to PUD and PMU would not be consistent with the specifications of the Comprehensive Plan since the proposed development would be of a much higher density than is envisioned within the property's current land use designation of Low-Density Vertical Mixed-Use. The more

appropriate land use designation is High-Density Residential, which allows some commercial uses in addition to residential uses. Its allowable density is 6 to 16 units per acre, and the proposed development would comply with this range by having a gross density of about 6.9 units per acre and a net density of 8.3 units per acre within the buildable areas (to account for the presence of Reeves Creek, the floodplain areas, and other open space).

The merits of CP-2022-01, which is to be considered simultaneously during the Planning Commission and City Council meetings, comprises a separate staff report.

CRITERION #2: The relation that the proposed rezoning amendment bears to the purpose of the overall zoning scheme with due consideration given to whether or not the proposed change will help carry out the purposes of the City of Stockbridge Zoning Code.

Section 1.4 provides the Purpose and Intent of the Stockbridge Unified Development Code, and it identified several objectives to accomplish. Among them are the following, which the proposed project is envisioned to accomplish:

- Promote the health, safety, aesthetics, convenience, order, prosperity, and general welfare of the present and future residents of the City of Stockbridge;
- Secure safety from fire, flood, and other dangers;
- Provide adequate light and air;
- Facilitate the adequate provision of transportation, water, sewage collection, schools, parks, and other public requirements;
- Encourage the most appropriate and best use of land, buildings, and other structures throughout the City;
- Preserve natural resources.

CRITERION #3: Potential positive effects of the rezoning amendment on the character of the proposed zoning district, a particular piece of property, neighborhood, a particular area, or community.

The proposed mixed-use development project is anticipated to have a positive effect on the subject property and the surrounding area. Having a mixture of land uses makes the best use of a large site which contains sensitive environmental areas.

The commercial component would be well-suited to its planned location on Highway 138 West between the extensions of Spivey Road and Tributary Road. This would make use of the existing traffic signal and would be compatible with other commercial uses in the vicinity.

The proposed townhome and multifamily uses would represent a good transition between the existing commercial uses to the east and the existing single-family detached homes to the west, along Glen Devon Road.

CRITERION #4: The physical conditions of the site relative to its capability to be developed as requested, including topography, drainage, access, and size and shape of the property.

The presence of an existing traffic signal on Highway 138 West across from Spivey Road offers the developer the opportunity to provide a convenient access to the development site by constructing the main project driveway there. This would allow for entry and exit turning movements in both directions. The proposed secondary access across from Tributary Parkway would not have a traffic signal, and the presence of a median within the center of Highway 138 West would prohibit left-turning exit movements from the site.

The subject property is physically challenged due to the presence of Reeves Creek and its surrounding floodplain areas. The land also slopes downward from west to east toward Reeves Creek, allowing drainage. The developer plans to protect these areas by leaving them in their natural state. The remainder of the development site is relatively level and suitable for the proposed mixed-use development. A 50-foot-wide vegetative buffer would be provided along the western side of the site. The applicant's landscape architect has explained that due to the large parking lots which the proposed apartments would require, the apartments need to be located on the western side of the site in order to allow for maximum drainage on the eastern side of the site.

CRITERION #5: The impact upon adjacent property owners should the request be granted.

The proposed mixed residential development with townhomes and apartments would represent an acceptable land use transition between the existing single-family detached housing to the west, within the Glen Devon Subdivision, to the existing retail uses along Highway 138 West and Mount Zion Parkway. Since the proposed apartments would represent a much higher density than the homes within the Glen Devon Subdivision, a vegetative buffer with a width of 50 feet would be provided along the western boundary of the site. A fence or wall with a height of at least eight (8) feet would be desirable. In addition, Section 4.6.5 of the UDC states that for each 50 linear feet of buffer, one canopy tree, two understory trees, and ten screening shrubs with a mature height of at least four feet would be required.

CRITERION #6: The potential impact of the rezoning on City infrastructure including water and sewage system.

The applicant has obtained a letter from the Clayton County Water Authority, dated October 4, 2021. It states that a twelve (12)-inch water main is present along the north side of Highway 138 West, adjacent to the subject property. In addition, an eighteen (18)-inch sanitary sewer main is present along the east side of Reeves Creek, although this might need to be extended to serve the proposed development. This may require easements and it would be at the owner's or developer's expense.

CRITERION #7: The impact of the proposed amendment on adjacent thoroughfares and pedestrian and vehicular circulation and traffic volumes.

The applicant's submitted trip generation memorandum states that the proposed development would generate an estimated 7,390 total trips per day. A breakdown of those trips by peak hours was presented in Table 4 above. But a full traffic impact study has not been done, which would make projections on the actual road and traffic impacts that the development would have on the surrounding street network. Such a study should be completed. It should include consultations with officials from Georgia DOT and Henry County DOT to determine whether any road improvements or traffic signalization adjustments need to be made along Highway 138 West.

Regarding access to the site, Section 4.5.1 of the UDC states that any improvements along major highways are subject to Georgia DOT approval. Further, Section 16.4(J) states that any developments which have an entrance onto a state highway must provide deceleration lanes, and that these must meet Georgia DOT's design requirements.

Internally, the streets would be 28 feet wide, from the back of the curb on one side of the street to the back of the curb on the other side of the street. This would meet the requirements of the Unified Development Code (UDC), and it would meet the specifications of the Stockbridge Fire Marshal.

Pedestrians would be able to use the one-mile multi-use trail surrounding the site, and sidewalks would be provided along all of the internal streets. Sidewalks must be at least ten (10) feet wide along Highway 138 West. The Streetscape Design Standards of the UDC also specify that along a major highway, a building frontage zone, a pedestrian travel zone, and a fixtures/planting zone must all be provided. Internally, sidewalks must be at least eight (8) feet wide on commercial streets and at least five (5) feet wide on residential streets.

Regarding parking, the Illustrative Rezoning Exhibit indicates that the proposed development would have provide approximately 689 parking spaces for the 360 total apartment units. Additional parking would be provided for the two commercial buildings, and guest parking would be provided adjacent to the two proposed clubhouses on the property. The townhome properties would be large enough to accommodate four parked vehicles per unit, including two vehicles within the two-car garages and two vehicles parked on the driveway.

CRITERION #8: The merits of the requested change in zoning relative to any other guidelines and policies for development, which the Planning Commission and City Council may use in furthering the objective of the comprehensive plan.

The proposed development would meet purposes of the Parkway Mixed-Use Overlay District. In particular, it would feature a balanced mixed of retail and residential uses, where residents could both live and shop. The retail uses would provide jobs and bring needed services to residents of the project and within the surrounding area. The proposed development would also help to improve public health by encouraging physical activity via walking along the proposed one-mile multi-use trail around the subject property.

CRITERION #9: The ability of the subject land to be developed as it is presently zoned.

The applicant has requested that a portion of a smaller parcel, as well as a larger parcel, be rezoned. The smaller parcel is zoned 'C-1', which allows for the development of many types of neighborhood commercial uses. Although these uses would be allowed, they are less likely to be developed than larger commercial uses due to this parcel's location on a State highway, and the lack of pedestrian access for customers who are seeking neighborhood retail products and services. The development of such larger commercial uses would be more realistic, and the proposed rezoning of a portion of this parcel to PUD would allow for such action.

The larger parcel is currently zoned 'C-2', which allows for general commercial uses. They could be developed on the site under the C-2 zoning, but it is likely that this would only occur along Highway 138 West due to the large size of this parcel and the substantial site limitations that are due to the presence of Reeves Creek and its associated floodplain areas.

The rezoning of the subject property to PUD would allow for flexibility in design and the greater usage of the total site area than would the existing commercial zoning or the MFR (Multiple Family Residential) district.

RECOMMENDATIONS

The Planning and Zoning Staff recommends **APPROVAL WITH CONDITIONS** for the proposed rezoning of the subject property from C-1, C-2, and PMU to PUD. The recommended **ZONING CONDITIONS** are listed below.

1. The project will be developed in conformance with the City of Stockbridge Unified Development Code and all other City Code sections regarding site development standards and requirements.
2. **Regarding the Property's Future Land Use Designation --** The approval of Case #CP-2022-01 to change the property's future land use designation from Low-Density Vertical to High-Density Residential shall occur simultaneously with the approval of Case #RZ-2022-01 for the rezoning of the property.
3. **Regarding the Parcels Comprising the Development Site --** If the applicant wishes to include only a portion of the smaller parcel (Parcel #012-01003000) with the larger parcel (Parcel #012-01002000) to form the project development site, then the rezoning shall not be finalized until that portion of the smaller parcel is subdivided from the remainder of the smaller parcel and combined with the larger parcel simultaneously; and this shall not be finalized until a new plat is officially recorded by the Henry County Super Court (Real Estate Records Division).
4. **Regarding Environmental Matters --** The applicant shall comply with the following:
 - a. Take appropriate steps for the environmental protection of Reeves Creek, the

-
- floodplain areas, and other sensitive site areas.
- b. Submit an acceptable landscape plan to the Community Development Department.
 - c. Preserve and maintain the existing cemetery and provide adequate access to it.
5. **Regarding the Issuance of Land Disturbance and Building Permits** – No land disturbance or building permit shall be issued for the subject property until the applicant has had the new recombination plat officially recorded and has submitted a copy of the recorded plat to the Community Development Department.
-

City of Stockbridge Planning and Zoning Staff
RECOMMENDATION:
APPROVAL WITH CONDITIONS

City of Stockbridge Planning Commission
RECOMMENDATION:
APPROVAL WITH CONDITIONS

City of Stockbridge Mayor and Council:
ACTION:

Presentation
For RZ-2022-01:

Rezoning for the
Proposed Crescent
Communities Mixed-Use
Development

Presented To:

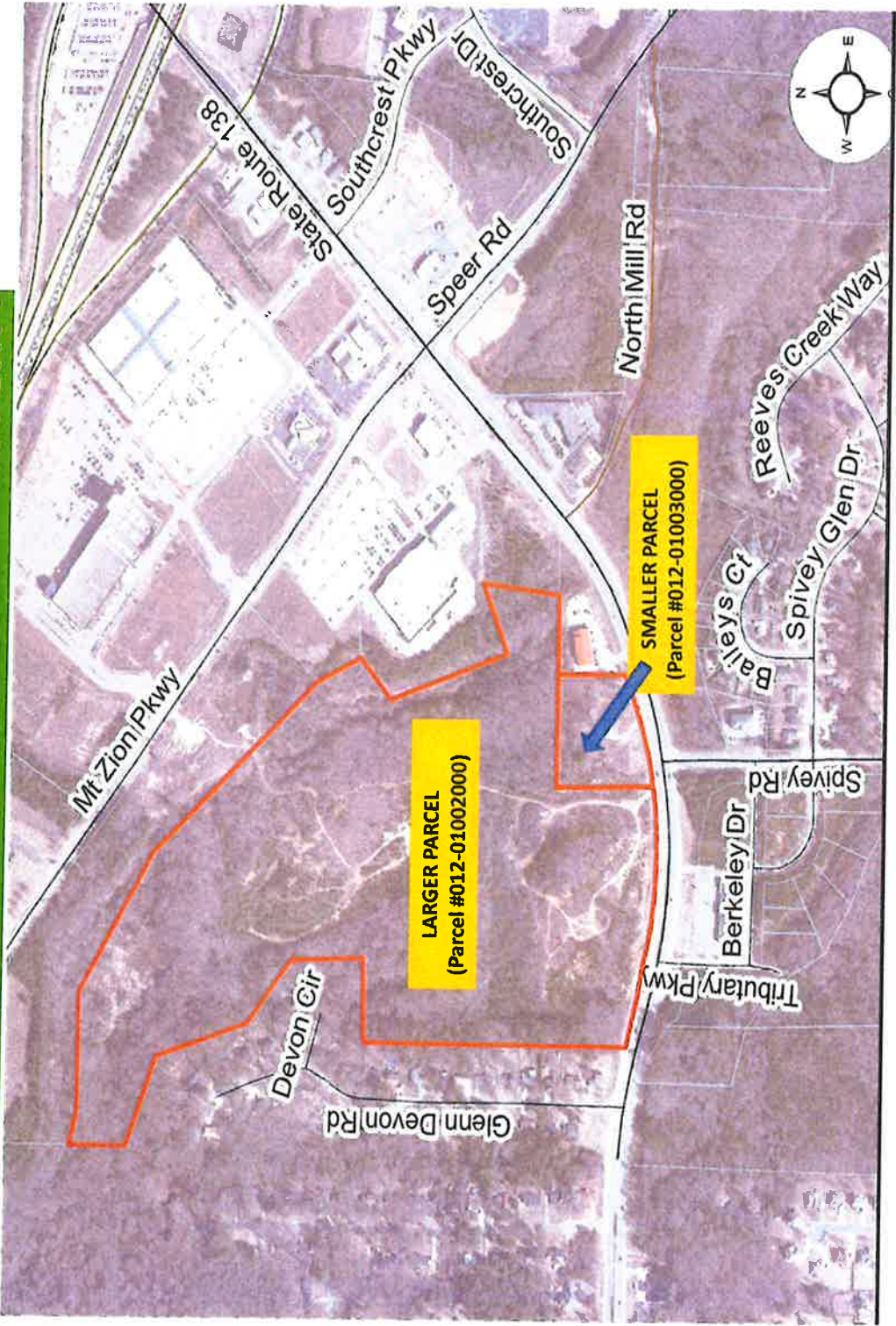
Planning Commission – May 26, 2022
(Recommended Approval With Conditions)
City Council – June 13, 2022

By:

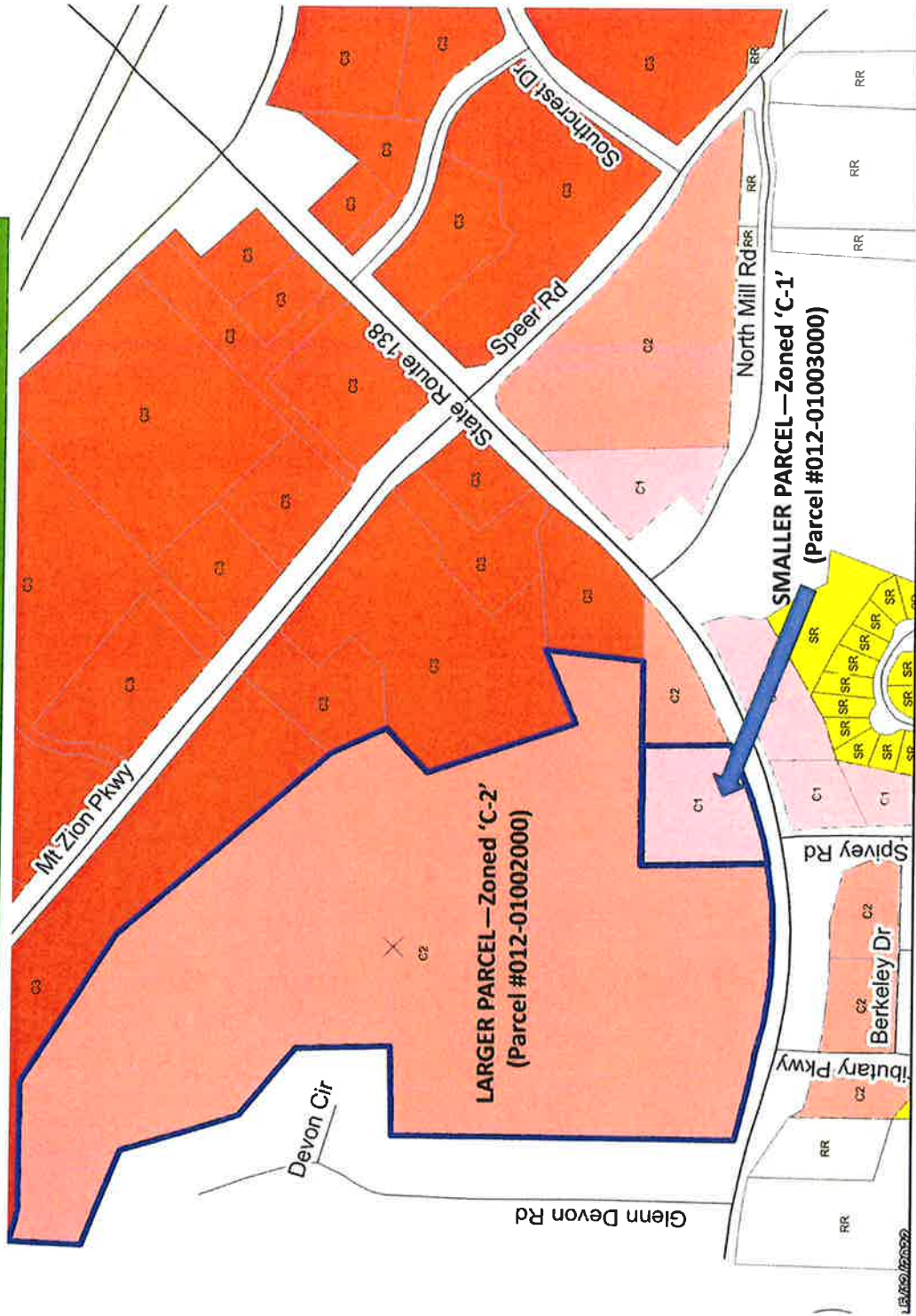
City of Stockbridge Community
Development Department,
Planning and Zoning Division



AERIAL PHOTO OF SUBJECT PROPERTY



AERIAL PHOTO OF VICINITY ZONING



CASE FACTS



PARTIES TO THE APPLICATION – Remi Rose Development, LLC, Applicant; Battle Law, P.C., Agent.

PROPERTY LOCATION – Located on Highway 138 West (Lake Spivey Parkway), across from Spivey Road.

PROPERTY IDENTITY – Contains 68.874 +/- acres in two parcels: #012-01003000 (the smaller parcel) with 3.131 +/- acres and #012-01002000 (the larger parcel) with 65.743 +/- acres.

PROPERTY CHARACTERISTICS – Mostly vacant and wooded. Includes Reeves Creek, floodplains, and a cemetery.

PROPERTY ZONING – Smaller Parcel: C-1. Larger Parcel: C-2. Both parcels: PMU (Parkway Mixed-Use Overlay) district.

SURROUNDING LAND USES – Include Glen Devon Subdivision; Highway 138 Package Store; CVS Pharmacy; Kohl's.

APPLICANT'S REQUEST – Rezone property from C-1 and C-2 to PUD (Planned Unit Development).

SIGN POSTING – Occurred on May 6, 2022.

COMPREHENSIVE DEVELOPMENT PLAN – Future Land Use Map shows 'Low-Density Vertical Mixed-Use' designation.

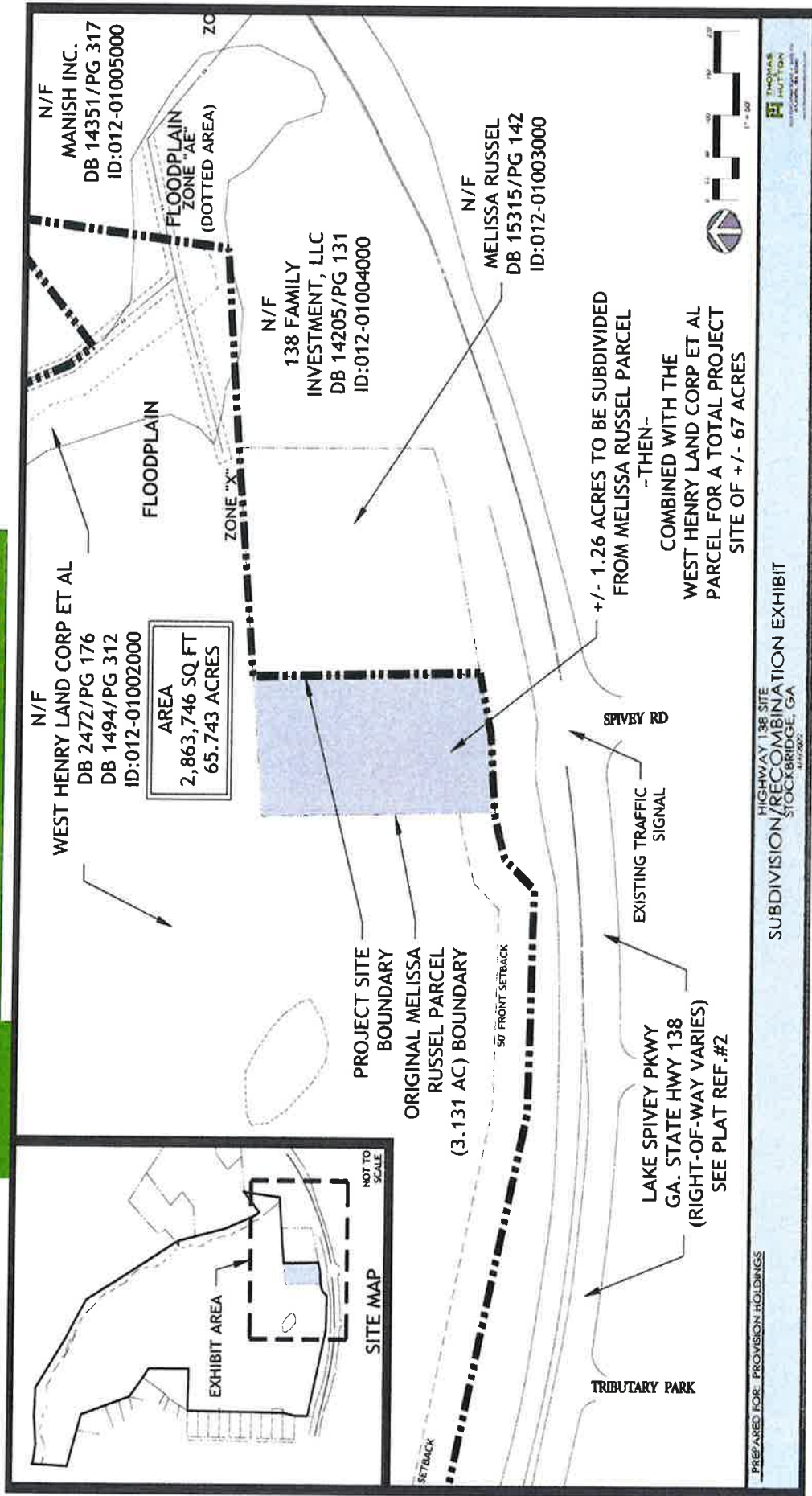
ZONING HISTORY – Was rezoned in 1996 as part of 178-acre tract from 'RA' to 'C-2' and 'C-3' (Heavy Commercial).

ZONING DISTRICT INTENTS – C-1: neighborhood commercial uses. C-2: community commercial uses. PUD: mixed-use developments with flexible designs on environmentally-challenged properties.

PARCEL CONSIDERATIONS

1. **Two Parcels --** Rezoning application includes the smaller parcel (zoned 'C-1' and the larger parcel (zoned 'C-2').
2. **Overlay District --** Both parcels are zoned 'PMU' (Planned Mixed-Use Overlay District); this would not change.
3. **Half of Smaller Parcel --** Applicant only wants to include about half of the smaller parcel in the development site.
4. **Required Actions --** Applicant must subdivide the smaller parcel into a western tract and an eastern tract, then combine the western tract with the larger parcel.
5. **Use of Smaller Parcel --** Western tract of smaller parcel would be used to create the main project entrance at the traffic light across from Spivey Road.
6. **Eastern Tract --** Would remain zoned 'C-1' and would not be part of the development.
7. **Western Tract --** Must be combined with the larger parcel to form the total development site.
8. **Separate Application --** To accomplish all of this, applicant must submit a separate application to subdivide and combine. The UDC would allow an administrative approval, with no public hearing.
9. **Contingent Rezoning --** Rezoning of the development site would not be finalized until the subdivision and recombination actions were finalized.
10. **Contingent Subdivision and Recombination Actions --** Would not occur if the rezoning is not approved.

SUBDIVISION/RECOMBINATION



PROPOSED DEVELOPMENT

PROJECT COMPONENTS – Includes 360 apartments, 102 fee simple townhomes, & 48,000 SF commercial.

SITE AND BUILDING ACCESS – Main entrance at traffic light at Spivey Road; second access across from Tributary Parkway; internal connection between entrances.

SITE DESIGN – Includes two commercial buildings at main entrance; apartments on west side; townhomes on east side; two pools; multi-use trail surrounding site; open space to the north; preserve creek areas.

ARCHITECTURAL DESIGN – Residential buildings would have three stories and two-car garages.

TRAFFIC IMPACTS – Trip generation study projects 7,390 total trips; 205 AM exiting & 203 PM entering. Needs a full traffic impact study. Required on Lake Spivey Parkway: sidewalks and deceleration lanes. Must coordinate with Georgia DOT.

ENVIRONMENTAL IMPACTS – Protection of Reeves Creek and floodplain areas. Creation of a 50-foot-wide vegetative buffer on western side of site, adjacent to Glen Devon Subdivision.



ILLUSTRATIVE REZONING



ANALYSIS OF REQUEST



NINE (9) REQUIRED CRITERIA WERE ANALYZED:

1. Consistency with the Comprehensive Plan -- Not consistent. Property's land use designation must be changed. Applicant has applied for this change via CP-2022-01.
2. Ability to Carry out the Purpose of the Zoning Code -- Would encourage appropriate development.
3. Potential Positive Effects on the Area -- Good transition of land uses between commercial and SF homes.
4. Physical Suitability of the Site -- Site is large. Has convenient access to via traffic signal at Spivey Road. Reeves Creek and floodplain areas would be left in their natural states.
5. Impacts on Adjacent Property Owners -- Western site border would have a 50-foot-wide vegetative buffer adjacent to single-family residential properties in the Glen Devon Subdivision.
6. Impacts on Water and Sewer Infrastructure -- Available 12-inch water main and a sewer main.
7. Impacts on Traffic and Transportation -- Applicant's trip generation study projects 7,390 total trips. Applicant must coordinate with Georgia DOT regarding trips on Lake Spivey Parkway.
8. Merits of the Request in Relation to Other Considerations -- Would meet the PMU district objectives: provide jobs, enable live/work on site, bring needed services, and encourage physical activity.
9. Ability of the Site to be Developed as it is Currently Zoned -- Unlikely for the larger parcel to be developed totally with commercial uses due to its large size.





RECOMMENDATION – APPROVAL WITH CONDITIONS



1. Regarding Conformance with the UDC and City Code – The project will be developed in conformance with the City of Stockbridge Unified Development Code (UDC) and all other City Code sections regarding site development standards and requirements.
2. Regarding the Property's Future Land Use Designation – The approval of Case #CP-2022-01 to change the property's future land use designation from 'Low-Density Vertical Mixed-Use' to 'High-Density Residential' shall occur simultaneously with the approval of Case #RZ-2022-01 for the rezoning of the property.
3. Regarding the Parcels Comprising the Development Site – If the applicant wishes to include only a portion of the smaller parcel with the larger parcel, then the rezoning shall not be finalized until that portion of the smaller parcel is subdivided from the remainder of the smaller parcel and combined with the larger parcel simultaneously; and this shall not be finalized until a new plat is officially recorded by the Henry County Superior Court (Real Estate Records Division).
4. Regarding Environmental Matters – The applicant shall comply with the following:
 - a. Protect Reeves Creek, the floodplain areas, and other sensitive site areas.
 - b. Submit an acceptable landscape plan.
 - c. Protect, maintain, and allow access to the existing small cemetery.
5. Regarding the Issuance of Land Disturbance and Building Permits – No permits shall be issued until the new plat is officially recorded and a copy is provided to the City.





Overview



Legend

- ☐ Parcels
- ☐ Roads

Parcel ID	012-01002000	Class	C	Owner	WEST HENRY LAND	Land	\$2,532,100			
Property		Acreage	63.994	Address	CORP & ETAL	Value:				
Address					1801 PEACHTREE STREET	Building	\$0	Last 2 Sales		
District	City/Stockbridge				NE	Value:	\$0	Date	Price	Reason Qual
					SUITE 340	Misc	\$0	12/27/1996	\$0	n/a U
					ATLANTA GA 30309	Value:		n/a	\$	n/a n/a
						Total	\$2,532,100			
						Value:				

Parcel lines depicted on the maps do not reflect a true and exact representation of property boundaries and should not be relied upon for said purpose. Property boundary lines are depicted on recorded plats available at the Henry County Courthouse or can be determined by employing the services of a licensed surveyor.

Date created: 4/19/2022

Last Data Uploaded: 4/19/2022 2:33:41 AM

Developed by Schneider
GEOSPATIAL



Overview



Legend

- ☐ Parcels
- ☐ Roads

Parcel ID	012-01003000	Class	C	Owner	RUSSELL	Land					
Property	1036 HIGHWAY	Acreage	3.55	Address	MELISSA	Value:	\$319,500				
Address	138 W				PO BOX 2828	Building	\$0	Last 2 Sales			
District	City/Stockbridge				SUWANEE GA	Value:		Date	Price	Reason	Qual
						Misc	\$200	6/22/2017	\$350,000	OTHER	Q
						Value:		2/1/1986	\$0	PART	U
						Total				INT	
						Value:	\$319,700				

Parcel lines depicted on the maps do not reflect a true and exact representation of property boundaries and should not be relied upon for said purpose. Property boundary lines are depicted on recorded plats available at the Henry County Courthouse or can be determined by employing the services of a licensed surveyor.

Date created: 4/19/2022

Last Data Uploaded: 4/19/2022 2:33:41 AM

Developed by  **Schneider**
GEOSPATIAL

Rezoning Application

City of Stockbridge, Georgia



THANK YOU FOR YOUR INTEREST IN THE CITY OF STOCKBRIDGE, GEORGIA. THIS PACKET INCLUDES THE NECESSARY DOCUMENTS THAT ARE NEEDED FOR REZONING APPLICATIONS TO BE HEARD BY THE CITY OF STOCKBRIDGE PLANNING COMMISSION.

PLEASE NOTE: ALL FEES ARE NON-REFUNDABLE. THERE ARE NO EXCEPTIONS.

ALL APPLICANTS ARE REQUIRED TO SCHEDULE AND ATTEND A PRE-APPLICATION MEETING WITH THE CITY OF STOCKBRIDGE PLANNING AND ZONING DIVISION OF THE COMMUNITY DEVELOPMENT DEPARTMENT. PLEASE CALL THE OFFICE AT (770) 389-7900 TO SCHEDULE AN APPOINTMENT.

NO PRE-APPLICATION MEETING WILL BE CONDUCTED WITHOUT AN APPOINTMENT.

SHOULD YOU NEED FURTHER ASSISTANCE, PLEASE FEEL FREE TO CONTACT THE PLANNING AND ZONING DIVISION OFFICE BETWEEN 8:00 AM AND 5:00 PM,
MONDAY THROUGH FRIDAY,
AT (770) 389-7900.

MEETING LOCATIONS—ALL PLANNING COMMISSION MEETINGS WILL BE HELD VIRTUALLY (BY ZOOM) UNTIL FURTHER NOTICE.

[Form revised on 1/19/22.]

City of Stockbridge Planning and Zoning Division
Community Development Department

REZONING APPLICATION CHECKLIST

PLEASE COMPLETE THIS FORM WHEN ACCEPTING ALL REZONING APPLICATIONS.
 ATTACH THE CHECKLIST TO THE APPLICATION AND SIGN.

ALL DOCUMENTS ARE REQUIRED IN ORDER TO ACCEPT APPLICATION.

REQUIRED ITEMS	COPIES	PROCEDURE	CHECK/INITIAL
Pre-Application Review Form (Meeting Notes)	1	Must be obtained from a current planner, prior to submitting your application. (by appointment only)	/
Application Form	1	1. Signed and notarized by owner. Original signature 2. In lieu of owner's signature, applicant has signed and notarized a copy of a "Contract", "Power of Attorney" or "Lease."	/
Applicant Disclosure Form	1	Required for all property owners, applicants, and agents filed with an application, and must be notarized .	/
Letter of Ownership	01	Letter stating that the owner is aware of the rezoning request and owns the property in question.	/
Letter of Intent	1	Must clearly state the proposed use and development intent.	/
Site Plans (24 x 36) and (11 x 17)	1 10	Must show minimum details: Buildings, setbacks, buffers, road frontage, correct scale, north arrow, present zoning classification, topographic information to show elevation and drainage, location and extent of required buffers, and the proposed lot layout.	/
Survey Plat (8 ½ x 11) Or (11 x 17)	1	Subject Property, prepared and sealed within the last five years by a professional engineer, landscape architect, or land surveyor who is registered in the State of Georgia. Said survey plat shall: 1) indicate the complete boundaries of the subject property and all buildings and structures existing therein; 2) Include a notation as to whether or not any portion of the subject property is within the boundaries of the 100-year floodplain; and 3) include a notation as to the total acreage or square footage of the subject property.	/
Water and sewer availability letter	1	This letter must accompany the application at the time of submittal. It should state that water and sewer are available to serve the property, or such services can be extended to the site. Please obtain the letter from the appropriate office which serves the property, such as Henry County Water Authority, City of Stockbridge Public Works Department, or a Clayton County office.	/
Form from the Health Department	1	This letter must accompany the application at the time of submittal (Only needed if property is not on sewer).	/

City of Stockbridge Planning and Zoning Division
Rezoning Application

Name of Applicant Remi Rose Development, LLC Phone: 678-983-4657 Date: January 13, 2022

Address Applicant: 11 Lumpkin Street, Suite 200 Fax _____ Cell # 678-983-4657

City: Lawrenceville State: Georgia Zip: 30046 E-mail: roros@provisionholdings.com

Name of Agent Battle Law, P.C. Phone: 404-601-7616 Date: January 13, 2022

Address Agent: 3562 Habersham at Northlake Building J, Suite 100 Fax _____ Cell # 404-601-7616

City: Tucker State: Georgia Zip: 30084 E-mail: mlb@battlelawpc.com

THE APPLICANT NAMED ABOVE AFFIRMS THAT HE OR SHE IS THE OWNER, OR AGENT OF THE OWNER, OF THE PROPERTY DESCRIBED BELOW, AND IS REQUESTING A REZONING OF THE PROPERTY.

Rezoning being requested from C1 and C2 to PUD for the purpose
of a residential development

The property will be POSTED with a City of Stockbridge rezoning 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. MB Acknowledgement

Address of Property: 1036 Highway 138 West

Nearest intersection to the property: Highway 138 and Spivey Road

(Street Address)

Size of Tract: _____ acre(s), Land Lot Number(s): 42, 55, District(s): 12

Property Tax Parcel Number(s): 012-01002000, 012-01003000 (Required)

Witness' Signature

Taylor Harris

Printed Name of Witness

Signature of Applicant

Remi Rose Development, LLC

Printed Name of Applicant

Michelle Battle

Signature of Agent

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: _____

Planning Commission Decision: _____

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 ✓

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 1st day of March, 2022

Michele Battle

Applicant's Name - Printed

Signature of Applicant/Property Owner/Agent

Applicant's Attorney, if applicable - Printed

Signature of Applicant's Attorney, if applicable

Sworn to and subscribed before me this 1st day of March, 2022.

Brittney Butler
Notary Public



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



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 _____

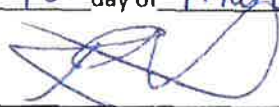
If **Yes**, the applicant and the attorney representing the applicant must file the following information with the Henry County Board of Commissioners within ten (10) days after this application is first filed:

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 10 day of March, 2022

Remi Rose Development, LLC

Applicant's Name - Printed


Signature of Applicant/Property Owner/Agent

Applicant's Attorney, if applicable - Printed

Signature of Applicant's Attorney, if applicable

Sworn to and subscribed before me this 10 day of March, 2022




Notary Public

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



Applicant Campaign Disclosure Form

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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 11 day of March, 2022

West Henry Land Corp & Etal
Applicant's Name - Printed

X Jay L. Wilensky
Signature of Applicant/Property Owner/Agent

Applicant's Attorney, if applicable - Printed

Signature of Applicant's Attorney, if applicable

Sworn to and subscribed before me this 11 day of March, 2022.

[Signature]
Notary Public



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



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?

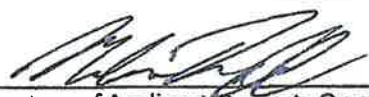
Yes _____ No X

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 _____ day of _____, _____

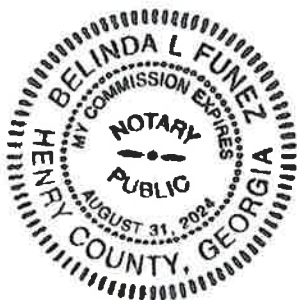
Melissa Russell
Applicant's Name - Printed

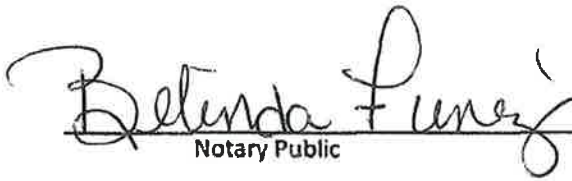

Signature of Applicant/Property Owner/Agent

Applicant's Attorney, if applicable - Printed

Signature of Applicant's Attorney, if applicable

Sworn to and subscribed before me this 10th day of March, 2022.




Notary Public

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

First Name	Last Name	Email	Registration Time	Approval Status
ryan	oros	roros@provisionholdings.com	3/4/2022 13:00	approved
Kyle	Brock	kbrock@crescentcommunities.com	3/16/2022 15:29	approved
Larry	Wilensky	lewco@bellsouth.net	3/16/2022 15:44	approved
Susan	Snair	ssnair11@hotmail.com	3/16/2022 17:45	approved
Yolanda	Barber	ybarber@cityofstockbridge-ga.gov	3/16/2022 18:50	approved
Mamie	Kresses	mkresses@bbbnp.org	3/16/2022 19:13	approved

First Name	Last Name	Email	Registration Time	Approval Status
Susan	Snair	ssnair11@hotmail.com	3/31/2022 16:49	approved
Jay	Kresses	kressesj@gmail.com	3/31/2022 18:33	approved
Shirley	Boyce	sboyce7650@bellsouth.net	5/3/2022 17:49	approved
Larry Wilensky		lewco@bellsouth.net	5/4/2022 13:06	approved
ryan	oros	ryanoros@me.com	5/4/2022 19:30	approved
Taylor	Harris	taylortharris@yahoo.com	5/4/2022 19:34	approved

LOW DENSITY VERTICAL MIXED USE

This designation is intended for commercial/retail areas along various corridors and intersections located throughout the City. These areas mainly serve the residents of the surrounding residential neighborhoods. Future development and redevelopment should maintain the community-oriented feel of these areas, with a focus on creating small mixed-use areas combining locally owned retail, low intensity office uses, and apartment/condo/loft uses in two story buildings in a pedestrian friendly environment, allowing nearby residents to safely walk to and within them.



Compatible Zoning Districts

MUND, Mixed-Use Neighborhood Development

O-I, Office Institutional

C-1, Neighborhood Commercial

MEDIUM DENSITY VERTICAL MIXED USE

This designation is intended for commercial areas located around major intersections, including Lake Spivey Parkway @ Mount Zion Boulevard/Speer Road; Lake Spivey Parkway @ North Henry Boulevard; the north side of Eagles Landing Parkway @ Village Center Parkway; and Hudson Bridge Road @ I-75. Future development and redevelopment should focus on making these areas more pedestrian oriented. This is characterized by mixed-use developments incorporating mostly commercial uses with some smaller office tenants, and medium density residential uses. This area would allow for two to three story buildings, combining street-level commercial/retail/office uses with second and third stories accommodating office or lofts/apartments/condominiums.



Compatible Zoning Districts

MUND, Mixed-Use Neighborhood Development

O-I, Office Institutional

C-1, Neighborhood Commercial

C-2, General Commercial

LOW DENSITY RESIDENTIAL (1.25—2 UNITS/ACRE)

This designation is intended for typical, large lot residential subdivision developments.



Compatible Zoning Districts

R-A, Residential-Agricultural

R-1, Single Family Residential

R-2, Single Family Residential

MEDIUM DENSITY RESIDENTIAL (2-3.6 UNITS/ACRE)

This designation is intended for residential developments which include single-family, detached homes on lots ranging from 10,000 – 30,000 square feet, including parcels zoned for single-family attached and detached homes, as well as duplex residential developments and mobile home/manufactured home developments.



Compatible Zoning Districts

R-2, Single Family Residential

R-3, Single Family Residential

TND Traditional Neighborhood

CD, Conventional Development

RD, Residential Duplex

RM-1, Multifamily Residential—
Apartments

RM-2 Multiple Family Residence—
Townhomes

RMH, Mobile or Manufactured Home

HIGH DENSITY RESIDENTIAL (6-16 UNITS/ACRE)

This designation is intended primarily for residential land uses which include multi-story condominiums and planned town developments. Small commercial or service businesses may be permitted within these developments for the convenience of their residents and visitors only. High Density Residential is an appropriate transition between mixed-use and industrial projects, and low or medium density residential areas.



Compatible Zoning Districts

RM-3, Multiple Family Residence—Condominiums

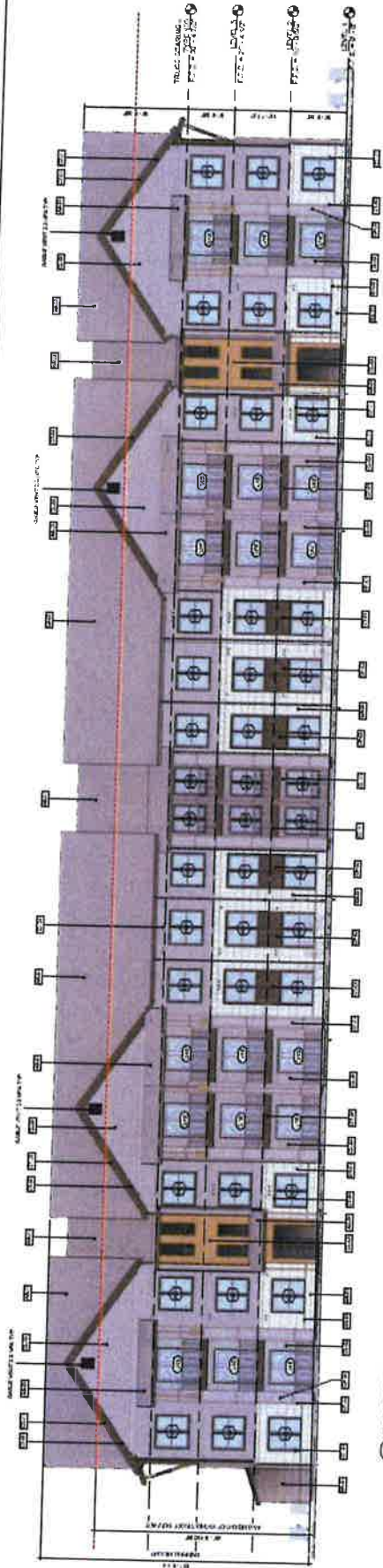
PTD, Planned Town Development

CRS, Conservation Residential

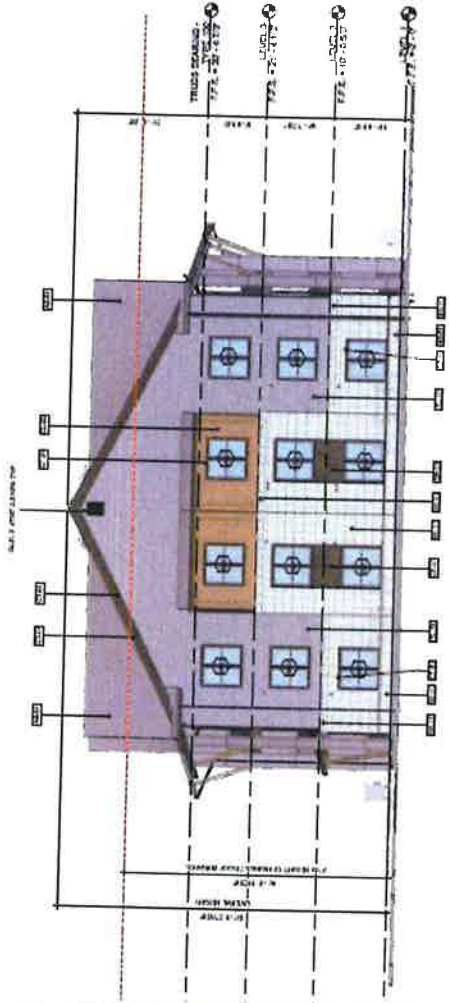
PARK / RECREATION / CONSERVATION

This designation includes public parks, recreation areas, and open spaces, as well as areas to be preserved for greenway or land conservation.



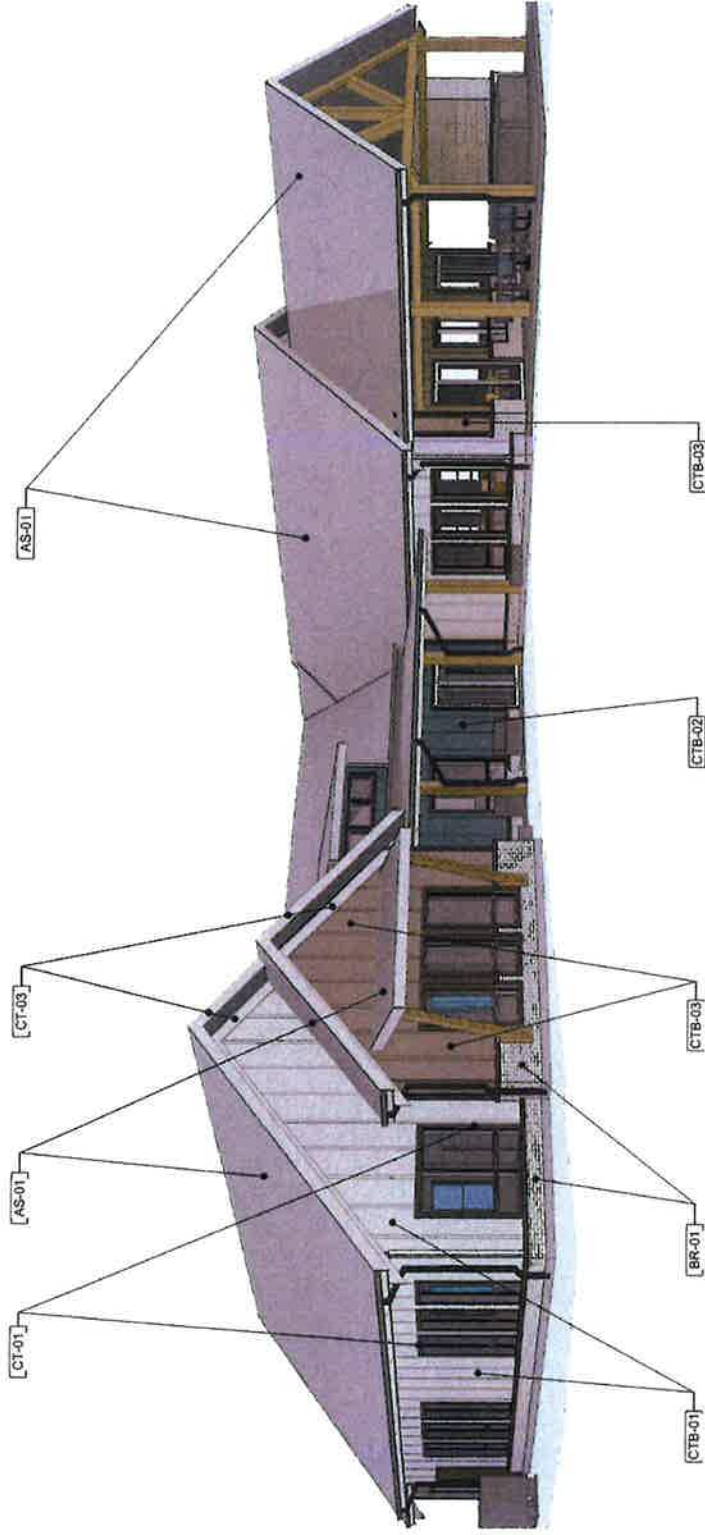


2 BUILDING TYPE 100 - FRONT ELEVATION
100' x 100'

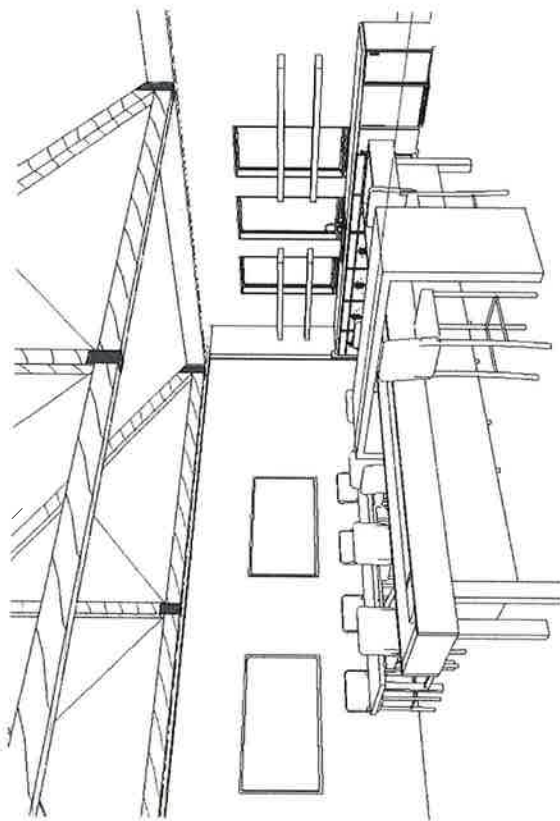


1 BUILDING TYPE 100 - RIGHT ELEVATION
100' x 100'





EXTERIOR FINISH LEGEND	
NO.	MATERIAL DESCRIPTION
BR-01	BRICK VENEER: WHITE RUSTIC BRICK / PAINTED BRICK : WHITE FLOUR SW7102
CL-01	HARDIE: 6" CEMENTITIOUS LAP SIDING: ARGOS SW7065
CL-02	HARDIE: 6" CEMENTITIOUS LAP SIDING: SLATE TILE SW7624
CL-03	ASPHALT SHINGLES
CL-03	6" CEMENTITIOUS LAP SIDING: WOODTONE RUSTICSERIES: ASPEN RIDGE
CP-01	HARDIE: CEMENTITIOUS PANEL: ARGOS SW7065
CT-01	HARDIE: CEMENTITIOUS TRIM: URBANE BRONZE SW7048
CT-03	HARDIE: CEMENTITIOUS TRIM: WHITE FLOUR SW7102
CTB-01	HARDIE: CEMENTITIOUS BOARD & BATTEN : WHITE FLOUR SW7102
CTB-02	HARDIE: CEMENTITIOUS BOARD & BATTEN: SLATE TILE SW7624
CTB-03	HARDIE: CEMENTITIOUS BOARD & BATTEN: DOVETAIL SW7018





NOVEL Upper Westside
Atlanta, GA

NOVEL Riverwalk
Tampa, FL



NOVEL Montford Park
Charlotte, NC

NOVEL Atherton
Charlotte, NC

NOVEL Providence Farms
Charlotte, NC







HIGHWAY 138 SITE ILLUSTRATIVE REZONING EXHIBIT STOCKBRIDGE, GA

4/4/2022

NEIGHBORHOOD COMMERCIAL 47.41 AC (65%)	COMMERCIAL 47.41 AC (65%)
TOWNHOMES 47.102 FRONT LOAD (240-30 UNITS)	TOWNHOMES 47.102 AC (65%)
APARTMENTS 47.102 AC (65%)	APARTMENTS 47.102 AC (65%)
SHARED OFFICE SPACE 47.102 AC (65%)	SHARED OFFICE SPACE 47.102 AC (65%)
MULTI-USE TRAIL 47.102 AC (65%)	MULTI-USE TRAIL 47.102 AC (65%)

RED FOR: PROVISION HOLDINGS



CITY OF STOCKBRIDGE | OWNER'S AUTHORIZATION

4640 North Henry Boulevard
Stockbridge, GA 30281
Phone: (770) 389-7900
Fax: (770) 389-7912

The undersigned below, or as attached, is the owner of the property that is the subject of this application. The undersigned does duly authorize the applicant named below to act as applicant in the pursuit of a rezoning of the property.

Name:

West Henry Land Corp & Etal

Property Address: Parcel Number 012-01002000

Telephone: (404) 351-8803

Email: lewco@bellsouth.net

I swear that I am the owner of the property that is the subject matter of the attached application, as it is shown in the records of Henry County, Georgia.

Signature:

Larry E Wilensky
West Henry Land Corp & Etal

Date: 3-11-22

Personally appeared before me,

Larry E Wilensky

Who swears the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

[Signature]
Notary Public

3-11-22

Date



Print



CITY OF STOCKBRIDGE | OWNER'S AUTHORIZATION

4640 North Henry Boulevard
Stockbridge, GA 30281
Phone: (770) 389-7900
Fax: (770) 389-7912

The undersigned below, or as attached, is the owner of the property that is the subject of this application. The undersigned does duly authorize the applicant named below to act as applicant in the pursuit of a rezoning of the property.

Name:

Melissa Russell

Property Address: Parcel Number 012-01003000

Telephone: (770) 891-8953

Email: lisarussell9@hotmail.com

I swear that I am the owner of the property that is the subject matter of the attached application, as it is shown in the records of Henry County, Georgia.

Signature:

Melissa Russell

Date:

3/10/22

Personally appeared before me,

Who swears the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

Belinda L. Funez
Notary Public

3/10/2022
Date



Print

[To be completed by City Staff,
prior to and during the meeting]

PRE-APPLICATION FORM

DATE March 25, 2022

APPLICANT: Remi Rose Development, LLC _____

TYPE OF APPLICATION: Rezoning and Comprehensive Plan Amendment

PROPERTY ADDRESS: 1036 Highway 138 West and an adjacent large parcel to the west

DISTRICT: 12 LAND LOT(S): 42 PARCEL I.D.(S): 012-01002000 and 012-01003000

CURRENT ZONING: C-1, C-2, & PMU PROPOSED ZONING: PUD and PMU

FUTURE LAND USE MAP DESIGNATION: Low-Density Vertical Mixed-Use

REQUEST/ITEMS DISCUSSED:

1. SITE PLAN – A revised site plan is forthcoming. It will contain a chart with a breakdown of acreage by land uses. City staff requested that the site plan be shifted slightly to include the intersection of Highway 138 with Mount Zion Parkway. The applicant questioned the required minimum lot width.
2. LETTER OF INTENT -- Is needed. The applicant will include an impact analysis of the Steinberg Criteria.
3. TRIP GENERATION REPORT – Has already been prepared and will be submitted with the final application.
4. EXTERIOR CONSTRUCTION MATERIALS – Will consist of brick, stone, and hardiplank.
5. CONCEPTUAL ELEVATIONS DRAWINGS – Requested by City Staff.

[Continued]

6. APPLICATION FILING FEES – The total amount will be determined by the number of acres for each type of land use, including a base fee and a per-acre fee for each land use (accounting for the total site acres).

7. MAILED NOTICES – The applicant is required to mail notices of the proposed rezoning to adjacent property owners.

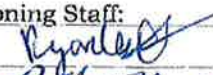
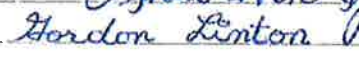
ZONING OF ADJACENT PROPERTIES:

NORTH: C-3 & PMU SOUTH: C-1, C-2, & PMU EAST: C-3 & PMU WEST: Clayton County

PREVIOUS REZONING REQUESTS ON THE PROPERTY AND IN THE AREA,
INCLUDING SURROUNDING SUBDIVISIONS: The proposed development site is part of a
an approved annexation and rezoning (on May 13, 1996) of a large tract with approximately
178.06 acres by Sid M. Kresses, Larry E. Wilensky, West Henry Land Corporation, Et Al, of
which approximately 116.92 acres were zoned 'C-3' and approximately 60.64 acres were zoned
'C-2', within Land Lots 42 and 55 of District 12 Henry County.

[Continued]

MEETING ATTENDANTS:

City of Stockbridge Planning and Zoning Staff:		(Name and Signature)
Ryan Anderson, Chief Planner		(Name and Signature)
Linda Logan, Senior Planner		(Name and Signature)
Gordon Linton, Planner I		(Name and Signature)

PLEASE NOTE:

No application will be accepted unless all necessary documentation is complete and a pre-application meeting has been held (No exceptions).

[The pre-application/pre-submittal meeting was conducted by Linda Logan on March 25, 2022. This form was subsequently completed by Ms. Logan.]

The property will be POSTED with a City of Stockbridge rezoning 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.



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

We share a **VISION** to ensure a high-quality, world-class education for every student.

Our **MISSION** is to empower all students with exceptional opportunities and access that lead to success in a global society.

www.henry.k12.ga.us

To: Brittney Butler

Date: 3/15/2022

Re: Remi Rose Development LLC

Property Address and Nearest Intersection: HWY 138 & Spivey Rd

Projected Number of Dwelling Units: 462

Estimated Period of Construction: 30 Months

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
Red Oak Elem	0	462 Units x .34 Children per unit	158 students ÷ 25 per class	If Modular \$25,000 per Classroom If Permanent \$300,000 per Classroom
Dutchtown MS	6			
Dutchtown HS	2	158 students	7 Classrooms	

Respectfully,

Jim Jones
Planning and Growth Coordinator
Operations
Jim.Jones@henry.k12.ga.us



Battle Law

STATEMENT OF INTENT

and

Other Material Required by
City of Stockbridge Zoning Ordinance
For
A Rezoning From C-1 and C-2 to PUD and
a Future Land Use Change from
Low Density Vertical Mixed Use to High-Density Residential

of

**Remi Rose Development, LLC.
c/o Battle Law, P.C.**

for

**+/-65.743 Acres of Land
Being 1036 Highway 138 West
Stockbridge, Georgia and
Parcel Nos. 012-01002000 and 012-01003000**

Submitted for Applicant by:

Michèle L. Battle, Esq.
Battle Law, P.C.
Habersham at Northlake, Building J, Suite 100
Tucker, Georgia 300384
(404) 601-7616 Phone
(404) 745-0045 Facsimile
mlb@battlelawpc.com



I. LETTER OF INTENT

Remi Rose Development, LLC. (the "Applicant") is seeking to develop on +/- 65.743 acres of land being Tax Parcel Nos. 012-01002000 and 012-01003000 having frontage on Georgia State Highway 138 (the "Subject Property") with a mixture of multi-family apartments, and fee simple townhomes. The development will include other parcels that will be used for neighborhood commercial. The Applicant is seeking a rezoning of the Subject Property from C-1 and C-2 to PUD and a Future Land Use Change from Low-Density Vertical Mixed Use to High-Density Residential.

This document serves as a statement of intent, analysis of the criteria under the Steinberg Act, and contains notice of constitutional allegations as a reservation of the Applicant's rights.

II. STEINBERG CRITERIA

1. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property;

The zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property. The zoning proposal will allow fee simple townhomes, apartments, and commercial uses. Nearby uses include single-family detached homes, a Kohl's Department Store, a CVS drug store, and a package store. The proposed homes would serve the dual purpose of supporting the existing and new commercial businesses while also providing a diversity of housing types in the area. By introducing both fee simple townhomes and apartments, the zoning proposal would attract young professionals who seek smaller, more sustainable, housing solutions. Therefore, the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties.

2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property;



Battle Law

The zoning proposal will not adversely affect the existing use or usability of adjacent or nearby property. Commercial uses already exist in this area. This zoning proposal creates an opportunity to introduce different commercial uses that complement what already exists, while also considering uses that are needed and desired by the existing community members. The townhomes and apartments proposed would not be unsuitable in this area either. They would serve as an appropriate transitional buffer between the single-family homes to the West and the commercial center to the East.

3. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned;

The property does currently have a reasonable economic use as currently zoned, but commercial applicants are not interested in this site. The Subject Property is zoned C1 and C2 and has been vacant for quite some time. The Subject Property contains a creek and the accompanying stream buffer. The stream and its buffer make the Subject Property less desirable for a fully commercial applicant to develop this property. Commercial developers bring a much higher level of impervious surface due to the large parking lots and buildings needed to house their businesses. A residential development, on the other hand, is much more able to break up impervious surfaces with yards, trees, and open space. These additions provide much more protection to the sensitive environmental assets on the Subject Property than a fully commercial development would. The zoning proposal provides that protection while still providing the benefit of new commercial businesses in the area by placing the commercial uses close to the road, far away from the stream and the accompanying buffer, and placing the residential development behind the commercial uses to shield the stream from the commercial uses stormwater runoff. Therefore, while the Subject Property has a reasonable economic use, it is by no means the best use of the Subject Property.



Battle Law

4. *Whether the zoning proposal will result in a use which will or would cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.*

The zoning proposal will not result in a use which will cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. The Subject Property fronts on a major Highway which is more than capable of taking on any additional trips that might be caused by this proposed community.

5. *Whether the zoning proposal is in conformity with the policy and intent of the land use plan; and*

The zoning proposal, by itself, is not in conformity with the policy and intent of the land use plan. However, paired with the future land use change, the entire request is in conformity with the policy and intent of the land use plan.

6. *Whether there are any other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.*

The Applicant is not aware of any other existing or changing conditions affecting the use and development of the property which might give supporting grounds for either approval or disapproval of the zoning proposal.

III. CONCLUSION

For the foregoing reasons, the Applicant hereby requests that the application for a rezoning from C-1 and C-2 to PUD and the accompanying future land use change be approved. The Applicant welcomes any questions and feedback from the planning staff.

IV. NOTICE OF CONSTITUTIONAL ALLEGATIONS AND PRESERVATION OF CONSTITUTIONAL RIGHTS



Battle Law

The portions of the City of Stockbridge Zoning Ordinance, facially and as applied to the Subject Property, which restrict or classify or may restrict or classify the Subject Property so as to prohibit its development as proposed by the Applicant are or would be unconstitutional in that they would destroy the Applicant's property rights without first paying fair, adequate and just compensation for such rights, in violation of the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States and Article I, Section I, Paragraph I of the Constitution of the State of Georgia of 1983, Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and would be in violation of the Commerce Clause, Article I, Section 8, Clause 3 of the Constitution of the United States.

The application of the City of Stockbridge Zoning Ordinance to the Subject Property which restricts its use to any classification other than that proposed by the Applicant is unconstitutional, illegal, null and void, constituting a taking of Applicant's Property in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States, Article I, Section I, Paragraph I, and Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States denying the Applicant an economically viable use of its land while not substantially advancing legitimate state interests.

A denial of this Application would constitute an arbitrary irrational abuse of discretion and unreasonable use of the zoning power because they bear no substantial relationship to the public health, safety, morality or general welfare of the public and substantially harm the Applicant in violation of the due process and equal protection rights guaranteed by the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph 1 of the Constitution of the State of Georgia.

A refusal by the City of Stockbridge City Council to amend the land use and/or rezone the Subject Property to the classification as requested by the Applicant would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any rezoning of the Property subject to conditions which are different from the conditions requested by the Applicant, to the extent such different conditions would have the effect of further restricting Applicant's utilization of the property, would also constitute an arbitrary, capricious and discriminatory act in zoning the Subject Property to an unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove.

A refusal to allow the land use amendment and/or rezoning in questions would be unjustified from a fact-based standpoint and instead would result only from constituent opposition, which would be an unlawful delegation of authority in violation of Article IX, Section II, Paragraph IV of the Georgia Constitution.

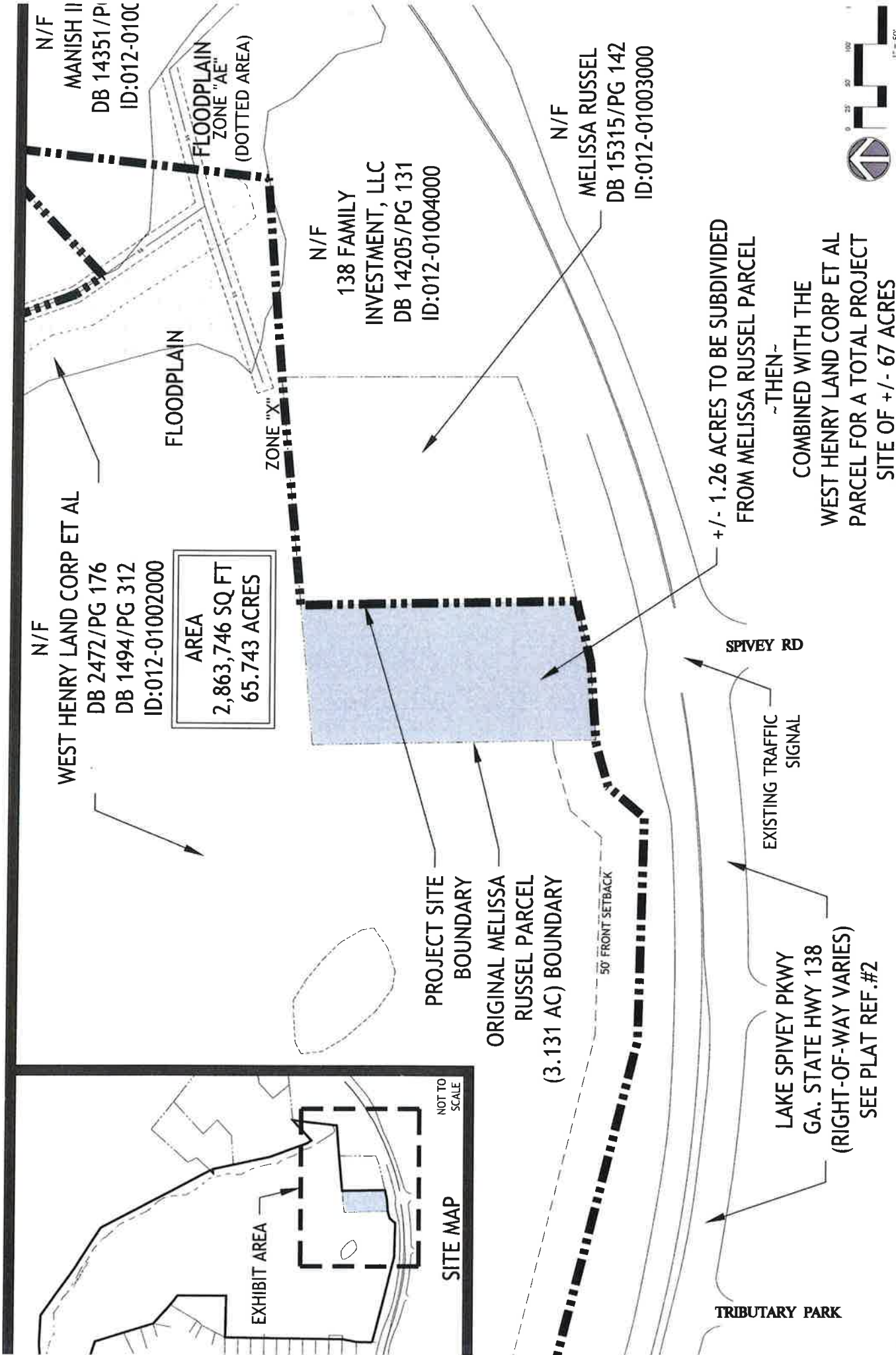


Battle Law

A refusal to allow the land use amendment and/or rezoning in question would be invalid inasmuch as it would be denied pursuant to an ordinance which is not in compliance with the Zoning Procedures Law, O.C.G.A Section 36-66/1 et seq., due to the manner in which the Ordinance as a whole and its map(s) have been adopted.

The existing land use designation and/or zoning classification on the Subject Property is unconstitutional as it applies to the Subject Property. This notice is being given to comply with the provisions of O.C.G.A. Section 36-11-1 to afford the County an opportunity to revise the Property to a constitutional classification. If action is not taken by the County to rectify this unconstitutional land use designation and/or zoning classification within a reasonable time, the Applicant is hereby placing the County on notice that it may elect to file a claim in the Superior Court of Fulton County demanding just and adequate compensation under Georgia law for the taking of the Subject Property, diminution of value of the Subject Property, attorney's fees and other damages arising out of the unlawful deprivation of the Applicant's property rights.

Michele L. Battle, Esq.
Attorney for the Applicant



[illegible]



5553 PEACHTREE ROAD, SUITE 175
ATLANTA, GA 30341 | 470.893.1700
WWW.THOMASANDHUTTON.COM

MEMORANDUM

TO: Ryan Oros, Managing Partner, Provision Holdings, LLC
FROM: Danielle Easterling, P.E.
DATE: March 15, 2022
RE: Trip Generation – Highway 138 Site
Thomas & Hutton Engineering Co. J-28501

This memo shows the traffic generated for the proposed mixed-use development on Georgia Highway 138 in Stockbridge, Georgia. The site is proposed to have 102 townhomes, 360 apartment dwelling units, and 48,000 square feet of commercial building space.

Trips generated by the proposed development are estimated using the standard rates and equations from the Institute of Transportation Engineers, Trip Generation, 11th Edition, 2021.

Land Use: 215 – Single-Family Attached Housing "includes any single-family housing unit that shares a wall with an adjoining dwelling unit, whether the walls are for living space, a vehicle garage, or storage space." Also includes "townhomes/rowhouses (defined as a single structure with three or more distinct dwelling units, joined side-by-side in a row and each with an outside entrance)." The 102 townhomes fall into this category.

Land Use: 220 – Multifamily Housing (Low-Rise) "includes apartments, townhomes, and condominiums located within the same building with at least three other dwelling units and that have two or three floors (levels)." The 360 apartments are within 3-floor buildings; therefore, the apartment trips are generated using this category.

Land Use: 821 – Shopping Plaza (40-150k) "is an integrated group of commercial establishments that is planned, developed, owned, and managed as a unit...Its major tenant is often a supermarket but many sites are anchored by home improvement, discount, or other stores. A shopping plaza typically contains more than retail merchandising facilities. Office space, a movie theater, restaurants, a post office, banks, a health club, and recreational facilities are common tenants." The commercial property is envisioned to have a supermarket and falls into this category.

Since the development is mixed-use, the NCHRP 684 Internal Trip Capture Estimation Tool is utilized to remove the projected internal trip from the generated trips. ITE states "a key characteristic of a mixed-use development is that trips between the various land uses can be made on site and these internal trips do not utilize the major street system."

Some trips produced by the development are considered pass-by trips. Pass-by trips are defined by ITE as intermediate stops "on the way from an origin to a primary trip destination without a route diversion. Pass-by trips are attracted from traffic passing the site on the adjacent street or roadway that offers direct access to the generator. Pass-by trips are not diverted from another roadway not adjacent to the site."

Table 1 shows the trip generation for the development. The trip generation calculations are attached.

Table 1. Trip Generation

Land Use Code	Land Use	Daily Trips	AM Peak Hour		PM Peak Hour	
			Enter	Exit	Enter	Exit
215	Single-Family Attached Housing 102 dwelling units	734	15	34	33	25
220	Multifamily Housing (Low-Rise) 360 dwelling units	2,426	35	109	116	68
821	Shopping Plaza (40-150k) 48,000 square feet	4,536	105	64	209	227
Total Unadjusted Trips		7,696	155	207	358	320
Internal Capture Trips		-164	-2	-2	-80	-80
Pass-By Trips		-142	0	0	-75	-67
Total Primary Trips		7,390	153	205	203	173



HIGHWAY 138 SITE - TRIP GENERATION CALCULATIONS

J-29535.0000

ITE LAND USE CODE	ITE LAND USE DESCRIPTION	"X"	SIZE	ADT		AM PEAK HOUR		PM PEAK HOUR	
215	Single-Family Attached Housing	Dwelling Units	102 Units	T = 7.20(X) T = 7.20(102)		T = 0.48(X) T = 0.48(102)		T = 0.57(X) T = 0.57(102)	
				T = 734		T = 49		T = 58	
				Enter 50% 367	Exit 50% 367	Enter 31% 15	Exit 69% 34	Enter 57% 33	Exit 43% 25
220	Multi Family Housing (Low-Rise)	Dwelling Units	360 Units	T = 6.74(X) T = 6.74(360)		T = 0.40(X) T = 0.40(360)		T = 0.51(X) T = 0.51(360)	
				T = 2426		T = 144		T = 184	
				Enter 50% 1213	Exit 50% 1213	Enter 24% 35	Exit 76% 109	Enter 63% 116	Exit 37% 68
821	Shopping Plaza (40-150k) Supermarket - Yes	ksf	48 ksf	T = 94.49(X) T = 94.49(48)		T = 3.53(X) T = 3.53(48)		T = 9.08(X) T = 9.08(48)	
				T = 4536		T = 169		T = 436	
				Enter 50% 2268	Exit 50% 2268	Enter 62% 105	Exit 38% 64	Enter 48% 209	Exit 52% 227
Total Unadjusted Trip Generation Volumes				3848	3848	155	207	358	320
Internal Trips									
Retail				22	60	1	1	21	59
Residential				60	22	1	1	59	21
Total Internal Trips				82	82	2	2	80	80
Pass-By Trips									
821	Shopping Plaza	AM = 0, PM = 40%		75	67	0	0	75	67
Primary Trips				3691	3699	153	205	203	173

NCHRP 684 Internal Trip Capture Estimation Tool					
Project Name:	Highway 138 Site			Organization:	Thomas & Hutton
Project Location:	Stockbridge, GA			Performed By:	DPE
Scenario Description:	AM Street Peak Hour			Date:	3/10/2022
Analysis Year:	2022			Checked By:	MB
Analysis Period:	AM Street Peak Hour			Date:	

Table 1-A: Base Vehicle-Trip Generation Estimates (Single-Use Site Estimate)						
Land Use	Development Data (For Information Only)			Estimated Vehicle-Trips ³		
	ITE LUCs ¹	Quantity	Units	Total	Entering	Exiting
Office				0		
Retail	821	48	ksf	169	105	64
Restaurant				0		
Cinema/Entertainment				0		
Residential	215,220	102,360	dwelling units	193	50	143
Hotel				0		
All Other Land Uses ²				0		
				362	155	207

Table 2-A: Mode Split and Vehicle Occupancy Estimates						
Land Use	Entering Trips			Exiting Trips		
	Veh. Occ. ⁴	% Transit	% Non-Motorized	Veh. Occ. ⁴	% Transit	% Non-Motorized
Office						
Retail						
Restaurant						
Cinema/Entertainment						
Residential						
Hotel						
All Other Land Uses ²						

Table 3-A: Average Land Use Interchange Distances (Feet Walking Distance)						
Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office						
Retail						
Restaurant						
Cinema/Entertainment						
Residential						
Hotel						

Table 4-A: Internal Person-Trip Origin-Destination Matrix*						
Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		0	0	0	0	0
Retail	0		0	0	1	0
Restaurant	0	0		0	0	0
Cinema/Entertainment	0	0	0		0	0
Residential	0	1	0	0		0
Hotel	0	0	0	0	0	

Table 5-A: Computations Summary			
	Total	Entering	Exiting
All Person-Trips	362	155	207
Internal Capture Percentage	1%	1%	1%
External Vehicle-Trips ⁵	358	153	205
External Transit-Trips ⁶	0	0	0
External Non-Motorized Trips ⁶	0	0	0

Table 6-A: Internal Trip Capture Percentages by Land Use		
Land Use	Entering Trips	Exiting Trips
Office	N/A	N/A
Retail	1%	2%
Restaurant	N/A	N/A
Cinema/Entertainment	N/A	N/A
Residential	2%	1%
Hotel	N/A	N/A

¹Land Use Codes (LUCs) from *Trip Generation Manual*, published by the Institute of Transportation Engineers.

²Total estimate for all other land uses at mixed-use development site is not subject to internal trip capture computations in this estimator.

³Enter trips assuming no transit or non-motorized trips (as assumed in *ITE Trip Generation Manual*).

⁴Enter vehicle occupancy assumed in Table 1-A vehicle trips. If vehicle occupancy changes for proposed mixed-use project, manual adjustments must be made to Tables 5-A, 9-A (O and D). Enter transit, non-motorized percentages that will result with proposed mixed-use project complete.

⁵Vehicle-trips computed using the mode split and vehicle occupancy values provided in Table 2-A.

⁶Person-Trips

*Indicates computation that has been rounded to the nearest whole number.

Estimation Tool Developed by the Texas A&M Transportation Institute - Version 2013.1

Project Name:	Highway 138 Site
Analysis Period:	AM Street Peak Hour

Table 7-A: Conversion of Vehicle-Trip Ends to Person-Trip Ends						
Land Use	Table 7-A (D): Entering Trips			Table 7-A (O): Exiting Trips		
	Veh. Occ.	Vehicle-Trips	Person-Trips*	Veh. Occ.	Vehicle-Trips	Person-Trips*
Office	1.00	0	0	1.00	0	0
Retail	1.00	105	105	1.00	64	64
Restaurant	1.00	0	0	1.00	0	0
Cinema/Entertainment	1.00	0	0	1.00	0	0
Residential	1.00	50	50	1.00	143	143
Hotel	1.00	0	0	1.00	0	0

Table 8-A (O): Internal Person-Trip Origin-Destination Matrix (Computed at Origin)						
Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		0	0	0	0	0
Retail	19		8	0	9	0
Restaurant	0	0		0	0	0
Cinema/Entertainment	0	0	0		0	0
Residential	3	1	29	0		0
Hotel	0	0	0	0	0	

Table 8-A (D): Internal Person-Trip Origin-Destination Matrix (Computed at Destination)						
Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		34	0	0	0	0
Retail	0		0	0	1	0
Restaurant	0	8		0	3	0
Cinema/Entertainment	0	0	0		0	0
Residential	0	18	0	0		0
Hotel	0	4	0	0	0	

Table 9-A (D): Internal and External Trips Summary (Entering Trips)						
Destination Land Use	Person-Trip Estimates			External Trips by Mode*		
	Internal	External	Total	Vehicles ¹	Transit ²	Non-Motorized ²
Office	0	0	0	0	0	0
Retail	1	104	105	104	0	0
Restaurant	0	0	0	0	0	0
Cinema/Entertainment	0	0	0	0	0	0
Residential	1	49	50	49	0	0
Hotel	0	0	0	0	0	0
All Other Land Uses ³	0	0	0	0	0	0

Table 9-A (O): Internal and External Trips Summary (Exiting Trips)						
Origin Land Use	Person-Trip Estimates			External Trips by Mode*		
	Internal	External	Total	Vehicles ¹	Transit ²	Non-Motorized ²
Office	0	0	0	0	0	0
Retail	1	63	64	63	0	0
Restaurant	0	0	0	0	0	0
Cinema/Entertainment	0	0	0	0	0	0
Residential	1	142	143	142	0	0
Hotel	0	0	0	0	0	0
All Other Land Uses ³	0	0	0	0	0	0

¹Vehicle-trips computed using the mode split and vehicle occupancy values provided in Table 2-A

²Person-Trips

³Total estimate for all other land uses at mixed-use development site is not subject to internal trip capture computations in this estimator

*Indicates computation that has been rounded to the nearest whole number.

NCHRP 684 Internal Trip Capture Estimation Tool			
Project Name:	Highway 138 Site	Organization:	Thomas & Hutton
Project Location:	Stockbridge, GA	Performed By:	DPE
Scenario Description:	AM Street Peak Hour	Date:	3/10/2022
Analysis Year:	2022	Checked By:	MB
Analysis Period:	PM Street Peak Hour	Date:	

Table 1-P: Base Vehicle-Trip Generation Estimates (Single-Use Site Estimate)						
Land Use	Development Data (For Information Only)			Estimated Vehicle-Trips ³		
	ITE LUCs ¹	Quantity	Units	Total	Entering	Exiting
Office				0		
Retail	821	48	ksf	436	209	227
Restaurant				0		
Cinema/Entertainment				0		
Residential	215,220	102,360	dwelling units	242	149	93
Hotel				0		
All Other Land Uses ²				0		
				678	358	320

Table 2-P: Mode Split and Vehicle Occupancy Estimates						
Land Use	Entering Trips			Exiting Trips		
	Veh. Occ. ⁴	% Transit	% Non-Motorized	Veh. Occ. ⁴	% Transit	% Non-Motorized
Office						
Retail						
Restaurant						
Cinema/Entertainment						
Residential						
Hotel						
All Other Land Uses ²						

Table 3-P: Average Land Use Interchange Distances (Feet Walking Distance)						
Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office						
Retail						
Restaurant						
Cinema/Entertainment						
Residential						
Hotel						

Table 4-P: Internal Person-Trip Origin-Destination Matrix*						
Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		0	0	0	0	0
Retail	0		0	0	59	0
Restaurant	0	0		0	0	0
Cinema/Entertainment	0	0	0		0	0
Residential	0	21	0	0		0
Hotel	0	0	0	0	0	

Table 5-P: Computations Summary			
	Total	Entering	Exiting
All Person-Trips	678	358	320
Internal Capture Percentage	24%	22%	25%
External Vehicle-Trips ⁵	518	278	240
External Transit-Trips ⁵	0	0	0
External Non-Motorized Trips ⁶	0	0	0

Table 6-P: Internal Trip Capture Percentages by Land Use		
Land Use	Entering Trips	Exiting Trips
Office	N/A	N/A
Retail	10%	26%
Restaurant	N/A	N/A
Cinema/Entertainment	N/A	N/A
Residential	40%	23%
Hotel	N/A	N/A

¹ Land Use Codes (LUCs) from <i>Trip Generation Manual</i> , published by the Institute of Transportation Engineers.
² Total estimate for all other land uses at mixed-use development site is not subject to internal trip capture computations in this estimator.
³ Enter trips assuming no transit or non-motorized trips (as assumed in ITE <i>Trip Generation Manual</i>).
⁴ Enter vehicle occupancy assumed in Table 1-P vehicle trips. If vehicle occupancy changes for proposed mixed-use project, manual adjustments must be made.
⁵ Vehicle-trips computed using the mode split and vehicle occupancy values provided in Table 2-P.
⁶ Person-Trips
*Indicates computation that has been rounded to the nearest whole number.
Estimation Tool Developed by the Texas A&M Transportation Institute - Version 2013.1

Project Name:	Highway 138 Site
Analysis Period:	

Table 7-P: Conversion of Vehicle-Trip Ends to Person-Trip Ends						
Land Use	Table 7-P (D): Entering Trips			Table 7-P (O): Exiting Trips		
	Veh. Occ.	Vehicle-Trips	Person-Trips*	Veh. Occ.	Vehicle-Trips	Person-Trips*
Office	1.00	0	0	1.00	0	0
Retail	1.00	209	209	1.00	227	227
Restaurant	1.00	0	0	1.00	0	0
Cinema/Entertainment	1.00	0	0	1.00	0	0
Residential	1.00	149	149	1.00	93	93
Hotel	1.00	0	0	1.00	0	0

Table 8-P (O): Internal Person-Trip Origin-Destination Matrix (Computed at Origin)						
Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		0	0	0	0	0
Retail	5		66	9	59	11
Restaurant	0	0		0	0	0
Cinema/Entertainment	0	0	0		0	0
Residential	4	39	20	0		0
Hotel	0	0	0	0	0	3

Table 8-P (D): Internal Person-Trip Origin-Destination Matrix (Computed at Destination)						
Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		17	0	0	6	0
Retail	0		0	0	69	0
Restaurant	0	105		0	24	0
Cinema/Entertainment	0	8	0		6	0
Residential	0	21	0	0		0
Hotel	0	4	0	0	0	

Table 9-P (D): Internal and External Trips Summary (Entering Trips)						
Destination Land Use	Person-Trip Estimates			External Trips by Mode*		
	Internal	External	Total	Vehicles ¹	Transit ²	Non-Motorized ²
Office	0	0	0	0	0	0
Retail	21	188	209	188	0	0
Restaurant	0	0	0	0	0	0
Cinema/Entertainment	0	0	0	0	0	0
Residential	59	90	149	90	0	0
Hotel	0	0	0	0	0	0
All Other Land Uses ³	0	0	0	0	0	0

Table 9-P (O): Internal and External Trips Summary (Exiting Trips)						
Origin Land Use	Person-Trip Estimates			External Trips by Mode*		
	Internal	External	Total	Vehicles ¹	Transit ²	Non-Motorized ²
Office	0	0	0	0	0	0
Retail	59	168	227	168	0	0
Restaurant	0	0	0	0	0	0
Cinema/Entertainment	0	0	0	0	0	0
Residential	21	72	93	72	0	0
Hotel	0	0	0	0	0	0
All Other Land Uses ³	0	0	0	0	0	0

¹Vehicle-trips computed using the mode split and vehicle occupancy values provided in Table 2-P

²Person-Trips

³Total estimate for all other land uses at mixed-use development site is not subject to internal trip capture computations in this estimator

*Indicates computation that has been rounded to the nearest whole number.

Table 7.1a Adjusted Internal Trip Capture Rates for Trip Origins within a Multi-Use Development			
Land Use Pairs		Weekday	
		AM Peak Hour	PM Peak Hour
From OFFICE	To Office	0.0%	0.0%
	To Retail	28.0%	20.0%
	To Restaurant	63.0%	4.0%
	To Cinema/Entertainment	0.0%	0.0%
	To Residential	1.0%	2.0%
	To Hotel	0.0%	0.0%
From RETAIL	To Office	29.0%	2.0%
	To Retail	0.0%	0.0%
	To Restaurant	13.0%	29.0%
	To Cinema/Entertainment	0.0%	4.0%
	To Residential	14.0%	26.0%
	To Hotel	0.0%	5.0%
From RESTAURANT	To Office	31.0%	3.0%
	To Retail	14.0%	41.0%
	To Restaurant	0.0%	0.0%
	To Cinema/Entertainment	0.0%	8.0%
	To Residential	4.0%	18.0%
	To Hotel	3.0%	7.0%
From CINEMA/ENTERTAINMENT	To Office	0.0%	2.0%
	To Retail	0.0%	21.0%
	To Restaurant	0.0%	31.0%
	To Cinema/Entertainment	0.0%	0.0%
	To Residential	0.0%	8.0%
	To Hotel	0.0%	2.0%
From RESIDENTIAL	To Office	2.0%	4.0%
	To Retail	1.0%	42.0%
	To Restaurant	20.0%	21.0%
	To Cinema/Entertainment	0.0%	0.0%
	To Residential	0.0%	0.0%
	To Hotel	0.0%	3.0%
From HOTEL	To Office	75.0%	0.0%
	To Retail	14.0%	16.0%
	To Restaurant	9.0%	68.0%
	To Cinema/Entertainment	0.0%	0.0%
	To Residential	0.0%	2.0%
	To Hotel	0.0%	0.0%

Table 7.2a Adjusted Internal Trip Capture Rates for Trip Destinations within a Multi-Use Development

Land Use Pairs		Weekday	
		AM Peak Hour	PM Peak Hour
To OFFICE	From Office	0.0%	0.0%
	From Retail	4.0%	31.0%
	From Restaurant	14.0%	30.0%
	From Cinema/Entertainment	0.0%	6.0%
	From Residential	3.0%	57.0%
	From Hotel	3.0%	0.0%
To RETAIL	From Office	32.0%	8.0%
	From Retail	0.0%	0.0%
	From Restaurant	8.0%	50.0%
	From Cinema/Entertainment	0.0%	4.0%
	From Residential	17.0%	10.0%
	From Hotel	4.0%	2.0%
To RESTAURANT	From Office	23.0%	2.0%
	From Retail	50.0%	29.0%
	From Restaurant	0.0%	0.0%
	From Cinema/Entertainment	0.0%	3.0%
	From Residential	20.0%	14.0%
	From Hotel	6.0%	5.0%
To CINEMA/ENTERTAINMENT	From Office	0.0%	1.0%
	From Retail	0.0%	26.0%
	From Restaurant	0.0%	32.0%
	From Cinema/Entertainment	0.0%	0.0%
	From Residential	0.0%	0.0%
	From Hotel	0.0%	0.0%
To RESIDENTIAL	From Office	0.0%	4.0%
	From Retail	2.0%	46.0%
	From Restaurant	5.0%	16.0%
	From Cinema/Entertainment	0.0%	4.0%
	From Residential	0.0%	0.0%
	From Hotel	0.0%	0.0%
To HOTEL	From Office	0.0%	0.0%
	From Retail	0.0%	17.0%
	From Restaurant	4.0%	71.0%
	From Cinema/Entertainment	0.0%	1.0%
	From Residential	0.0%	12.0%
	From Hotel	0.0%	0.0%



Providing Quality Water and Quality Services to Our Community

October 4, 2021

Adam Kirk
Thomas & Hutton
5553 Peachtree Road
Suite 175
Atlanta, GA 30341

Re: Highway 138
Parcel 012-01002000
Henry County, Georgia

Mr. Kirk,

Clayton County Water Authority owns and maintains a 12-inch water main running along the north side of Highway 138 at the above referenced property. The Authority has a treatment capacity of 42 MGD and is currently producing an average of 23.84 MGD.

The Authority also owns and maintains an 18-inch sanitary sewer main running along the east side of Reeves Creek east of the referenced property. Sanitary sewer may need to be extended, may require easements and be at the owner's expense. Wastewater generated from your development would receive treatment at the WB Casey WRF. This facility has a design capacity of 24.0 MGD and is presently treating 11.85 MGD. The Authority does not guarantee capacity of plant or infrastructure; capacity is allocated only when purchased.

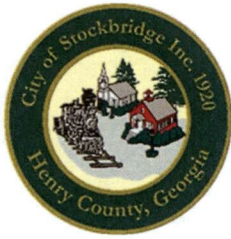
The data contained in this letter is for informational purposes only indicating location and size. A survey, by the above referenced property owner, may be necessary to determine connection to the Authority's system.

Potable water and sanitary sewer service to this property is subject to the existing and future policies of the Clayton County Water Authority, State EPD and Federal EPA.

Sincerely,

A handwritten signature in blue ink that reads "Keith Watkins".

Keith Watkins
Engineering Supervisor



City of Stockbridge

AGENDA ITEM

MEETING DATE

July 11, 2022

FUNDING SOURCE

- ☒ RESOLUTION
- ☐ ORDINANCE
- ☒ CONTRACT APPROVAL/RENEWAL
- ☐ PUBLIC HEARING
- ☐ PRESENTATION
- ☐ BID SELECTION/AWARD
- ☐ TASK ORDER
- ☐ CHANGE ORDER
- ☐ BUDGET AMENDMENT
- ☐ BUDGET TRANSFER
- ☐ PAYMENT APPROVAL
- ☐ OTHER

- ☐ GENERAL FUND
- ☐ FUND BALANCE
- ☐ SPLOST
- ☐ TSPLOST
- ☐ CDBG
- ☐ GRANT FUNDING
- ☐ COUNCIL INITIATIVE
- ☐ PARTNER/SPONSOR
- ☒ DEPARTMENT BUDGET
- ☐ BONDING

ACCOUNT TRANSFER FROM:

ACCOUNT TRANSFER TO:

PRESENTER: Decius T. Aaron

DEPARTMENT: Public Works.

ITEM/PROJECT/EVENT:

INVITATION TO BID (ITB) NUMBER 16RFP101216-DRR-AMERICAN TANK MAINTENANCE, LLC—FULL SERVICE TANK MAINTENANCE PROGRAM.

BACKGROUND INFORMATION:

On April 3, 2018, the City Council approved the Invitation to Bid (ITB) Number, 16RFP101216-DRR for American Tank Maintenance, LLC, for Full-Service Tank Maintenance.

Invitation to Bid (ITB) Number, -DRR for American Tank Maintenance, LLC, for Full-Service Tank Maintenance provides routine maintenance, a full-service tank maintenance program, long-term maintenance and management to include but not be limited to engineering and inspection services, rehabilitation, repair, repainting, inspection, washout, and preventative maintenance of four (4) water tank systems and any other repair activities to be determined by the City for City of Stockbridge—City government facilities, throughout the City of Stockbridge.

SIGNATURES:

CITY MANAGER

CITY TREASURER

CITY ATTORNEY

☒ FINANCIAL IMPACT ☐ N/A

AMOUNT 61,419.00

ATTACHMENTS:

The initial contract term of the Agreement is for one (1) year, with ten (10), one (1) year renewal options. October 2021, the Service Agreement was entered into by and between American Tank Maintenance, LLC and The City of Stockbridge, Georgia, and shall expire after one (1) year, though the Agreement can be renewed for up to six (6), one (1) year periods.

STAFF RECOMMENDATION:

The Public Works Department is requesting City Council's approval to renew the term contract for Invitation To Bid (ITB) Number 16RFP101216-DRR, Full Service Tank Maintenance Program, between American Tank Maintenance, LLC, and the City of Stockbridge, authorizing the Mayor to execute same; and authorizing the City Manager to execute all administrative and budgetary actions related to the Agreement.

City staff is requesting a contract renewal through October 2023. The Public Works Department has determined that American Tank Maintenance, LLC, has performed all work in accordance with the contract requirements, and have provided quality service to the City.

The initial contract term of the Agreement is for one (1) year, with ten (10), one (1) year renewal options. October 2021, the Service Agreement was entered into between American Tank Maintenance and The City of Stockbridge, Georgia. The agreement shall expire after one (1) year, though the Agreement can be renewed for up to six (6), one (1) year periods.

Section 3.30.227 - Renewals and extensions; The city council shall approve all renewals or term contract extensions: (A) to afford the city a continuous supply of items or services in the event of the termination or near termination of the award/contract and; (B) where cost is greater than fifty thousand dollars (\$50,000.00); and when the original contract was approved by the city council.

Fiscal Impact: Funds will be provided from account number 505-44200-522210 (Maintenance Agreements) in the Water Department budget.

RESOLUTION NO.

R19-1061

**A RESOLUTION TO AUTHORIZE REPAINTING OF THE CITY'S
WATER TANKS**

WHEREAS, the City of Stockbridge ("City") is a municipal corporation duly organized and existing under the laws of the State of Georgia and is charged with being fiscally responsible concerning the use and expenditure of all public funds; and

WHEREAS, the City proposes to authorize the repainting of the City's water tanks;

THEREFORE, THE CITY COUNCIL OF THE CITY OF STOCKBRIDGE HEREBY
RESOLVES:

SECTION 1. Approval of Purchase. The repainting of the City's water tanks with new branding in the amount of \$76,400.00 to be paid in three annual installments as presented to the City Council on May 13, 2019 is hereby approved by the City Council.

SECTION 2. Public Record. This document shall be maintained as a public record by the City Clerk and shall be accessible to the public during all normal business hours of the City of Stockbridge.

SECTION 3. Authorization of Execution. The Mayor is hereby authorized to sign all documents necessary to effectuate this Resolution.

SECTION 4. Attestation. The City Clerk is authorized to execute, attest to, and seal any documents which may be necessary to effectuate this ordinance, subject to approval as to form by the City Attorney.

SECTION 5. Effective Date. This resolution shall become effective immediately upon its adoption by the Mayor and City Council of the City of Stockbridge as provided in the City Charter.

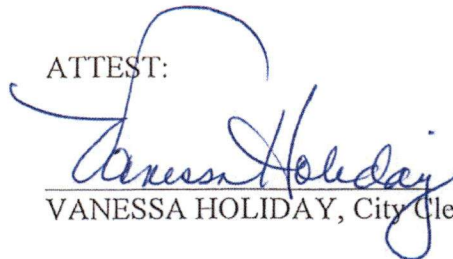
[SIGNATURES APPEAR ON FOLLOWING PAGE]

SO RESOLVED this 13th day of May, 2019.



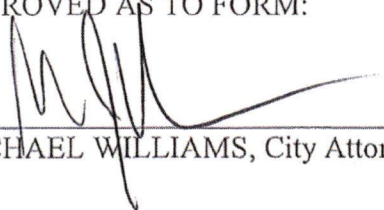
ANTHONY S. FORD, Mayor

ATTEST:



VANESSA HOLIDAY, City Clerk (SEAL)

APPROVED AS TO FORM:



MICHAEL WILLIAMS, City Attorney



Water Tank Maintenance Agreement

Addendum #1

City of Stockbridge

ADDENDUM No. 1

This addendum entered into by and between the City of Stockbridge hereinafter known as the Owner, and American Tank Maintenance, LLC hereinafter known as the Company.

The Owner acknowledges it entered into a "Water Tank Maintenance Agreement" on July 19, 2018 for four various water storage tanks.

This addendum modifies the scope of work and annual invoicing for the four various water storage tanks as defined in Schedule "A" of the original agreement to include new logos for each tank. The following two pages identify the terms and conditions of the installation of the new logos.

All other terms and conditions of the original agreement remain unchanged.

This Addendum is signed this 13th day of June, 2019.

Owner:

City of Stockbridge

By:

[Signature]

Witness:

Devin T. Allen

American Tank Maintenance, LLC

[Signature]

By:

Witness: Lydia Shelton

City of Stockbridge

New Logo Install Pricing & Terms

1,000,000 Gallon Elevated Tank

Art Logo Install

- Pressure Wash / Hand Tool / Spot Prime from the catwalk up
- Block out existing logos and repaint the catwalk up
- Install two new art logos **\$32,800**

500,000 Gallon Elevated Tank

Art Logo Install

- Pressure Wash / Hand Tool / Spot Prime from the catwalk up
- Block out existing logos and repaint the catwalk up
- Install one new art logo **\$20,800**

100,000 Gallon Elevated Tank

Art Logo Install

- Pressure Wash / Hand Tool / Spot Prime from the catwalk up
- Block out existing logos and repaint the catwalk up
- Install one new art logo **\$16,133**

300,000 Gallon Standpipe Tank

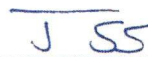
Art Logo Install

- Move the complete exterior paint job up from Year 3 to Year 2 to block out existing logo
- City will need to commit to paying through year 3 on this tank to bring paint job forward
- Install one new art logo **\$6,667**

The following page identifies the revised annual payments for each tank. Once the logo has been installed should the Owner elect to cancel this agreement then the balance of the amount identified for logo install shall be due and payable within thirty days.



Owner Initial



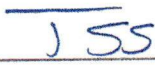
Company Initial

City of Stockbridge

	Contract Year 1	Contract Year 2	Contract Year 3	Contract Year 4	Contract Year 5	Contract Year 6	Contract Year 7	Contract Year 8	Contract Year 9	Contract Year 10
1,000,000 - Elevated	Visual Inspection Any Needed Repairs Emergency Service	Washout Inspection Any Needed Repairs Emergency Service	Visual Inspection Any Needed Repairs Emergency Service	Washout Inspection Any Needed Repairs Emergency Service	Visual Inspection Any Needed Repairs Emergency Service	Washout Inspection Any Needed Repairs Emergency Service	Visual Inspection Any Needed Repairs Emergency Service	Exterior Renovation Washout Inspection Any Needed Repairs Emergency Service	Visual Inspection Any Needed Repairs Emergency Service	Interior Renovation Visual Inspection Any Needed Repairs Emergency Service
	\$ 29,278	\$ 29,278	\$ 29,278	\$ 29,278	\$ 29,278	\$ 29,278	\$ 29,278	\$ 29,278	\$ 29,278	\$ 29,278
Addendum #1 - Logos		\$ 10,934	\$ 10,933	\$ 10,933						
100,000 - Elevated	Washout Inspection Any Needed Repairs Emergency Service	Visual Inspection Any Needed Repairs Emergency Service	Washout Inspection Any Needed Repairs Emergency Service	Visual Inspection Any Needed Repairs Emergency Service	Exterior Renovation Washout Inspection Any Needed Repairs Emergency Service	Visual Inspection Any Needed Repairs Emergency Service	Washout Inspection Any Needed Repairs Emergency Service	Visual Inspection Any Needed Repairs Emergency Service	Interior Renovation Visual Inspection Any Needed Repairs Emergency Service	Visual Inspection Any Needed Repairs Emergency Service
	\$ 6,940	\$ 6,940	\$ 6,940	\$ 6,940	\$ 6,940	\$ 6,940	\$ 6,940	\$ 6,940	\$ 6,940	\$ 6,940
Addendum #1 - Logos		\$ 5,378	\$ 5,378	\$ 5,377						
300,000 - Standpipe	Washout Inspection Any Needed Repairs Emergency Service	Visual Inspection Any Needed Repairs Emergency Service	Exterior Renovation Washout Inspection Any Needed Repairs Emergency Service	Visual Inspection Any Needed Repairs Emergency Service	Washout Inspection Any Needed Repairs Emergency Service	Visual Inspection Any Needed Repairs Emergency Service	Interior Renovation Visual Inspection Any Needed Repairs Emergency Service	Visual Inspection Any Needed Repairs Emergency Service	Washout Inspection Any Needed Repairs Emergency Service	Visual Inspection Any Needed Repairs Emergency Service
	\$ 9,516	\$ 9,516	\$ 9,516	\$ 9,516	\$ 9,516	\$ 9,516	\$ 9,516	\$ 9,516	\$ 9,516	\$ 9,516
Addendum #1 - Logos		\$ 2,223	\$ 2,222	\$ 2,222						
500,000 Elevated	Visual Inspection Any Needed Repairs Emergency Service	Washout Inspection Any Needed Repairs Emergency Service	Visual Inspection Any Needed Repairs Emergency Service	Washout Inspection Any Needed Repairs Emergency Service	Visual Inspection Any Needed Repairs Emergency Service	Washout Inspection Any Needed Repairs Emergency Service	Visual Inspection Any Needed Repairs Emergency Service	Exterior Renovation Washout Inspection Any Needed Repairs Emergency Service	Visual Inspection Any Needed Repairs Emergency Service	Interior Renovation Visual Inspection Any Needed Repairs Emergency Service
	\$ 15,685	\$ 15,685	\$ 15,685	\$ 15,685	\$ 15,685	\$ 15,685	\$ 15,685	\$ 15,685	\$ 15,685	\$ 15,685
Addendum #1 - Logos		\$ 6,934	\$ 6,933	\$ 6,933						
TOTAL including Addendum #1 - Logos	\$ 61,419	\$ 86,888	\$ 86,885	\$ 86,884	\$ 61,419	\$ 61,419	\$ 61,419	\$ 61,419	\$ 61,419	\$ 61,419



 Owner Initial



 Company Initial

RESOLUTION NO. R18-925

**A RESOLUTION TO AUTHORIZE A FIRM FOR THE FULL SERVICE
MAINTENANCE OF THE CITY'S WATER TANKS**

WHEREAS, the City of Stockbridge ("City") is a municipal corporation duly organized and existing under the laws of the State of Georgia and is charged with being fiscally responsible concerning the use and expenditure of all public funds; and

WHEREAS, the City proposes to enter into a contract with a firm for the full service maintenance of the City's water tanks;

WHEREAS, American Tank Maintenance is the recommended firm;

THEREFORE, THE CITY COUNCIL OF THE CITY OF STOCKBRIDGE HEREBY RESOLVES:

SECTION 1. Approval of Purchase. The entering into a contract for the full service maintenance of the City's water tanks with American Tank Maintenance in an amount not to exceed \$614,190.00 as presented to the City Council on April 9, 2018 is hereby approved by the City Council.

SECTION 2. Public Record. This document shall be maintained as a public record by the City Clerk and shall be accessible to the public during all normal business hours of the City of Stockbridge.

SECTION 3. Authorization of Execution. The Mayor is hereby authorized to sign all documents necessary to effectuate this Resolution.

SECTION 4. Attestation. The City Clerk is authorized to execute, attest to, and seal any documents which may be necessary to effectuate this ordinance, subject to approval as to form by the City Attorney.

SECTION 5. Effective Date. This resolution shall become effective immediately upon its adoption by the Mayor and City Council of the City of Stockbridge as provided in the City Charter.

[SIGNATURES APPEAR ON FOLLOWING PAGE]

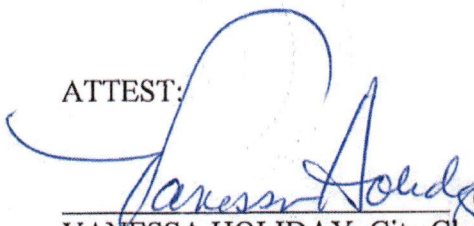
1

SO RESOLVED this 9th day of April, 2018.



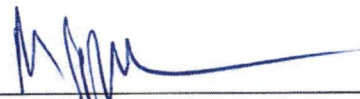
ANTHONY S. FORD, Mayor

ATTEST:



(SEAL)
VANESSA HOLIDAY, City Clerk

APPROVED AS TO FORM:



MICHAEL WILLIAMS, City Attorney



Water Tank Maintenance Agreement

Owner: City of Stockbridge

Tank Locations: Various Locations

Tank Sizes and Styles: Various Sizes & Styles

This agreement entered into by and between the City of Stockbridge hereinafter known as the City, and American Tanks Maintenance, LLC hereinafter known as the Company.

The City agrees to employ the Company to provide the professional services needed to maintain its four (4) water storage tanks as depicted in the attached Schedule "A".

This Agreement includes, and incorporates by reference, the following documents: the City's Request for Proposals numbered 17ITB082817-DRR for its Full Service Tank Maintenance Program (the "RFP"), its Addenda and the Company's responses to the RFP which are attached hereto. All of the foregoing documents are hereinafter referred to as the "Contract Documents." If any portion of the Contract Documents shall be in conflict with any other portion, the various documents comprising the Contract Documents shall govern in the following order of precedence: 1) this Agreement, 2) the RFP, 3) any Addenda, 4) change orders, 5) the exhibits, and 6) portions of the Company's proposal that were accepted by the City and made a part of the Contract Documents.

This agreement outlines the Company's responsibility and accountability for the care and maintenance of the above referenced water storage tanks. In addition to the Scope of Work established in the RFP, the Company's care and maintenance shall include the following:

1. The Company shall furnish all specialized services including engineering and inspection services necessary to maintain and care for the water storage tanks during the term of this agreement. Maintenance and care shall include: steel replacement, steel components, expansion joints, water level indicators, manhole covers and/or gaskets, and other components of the water storage tanks.
2. The Company shall perform annual visual inspections and service the water storage tanks beginning in Contract Year 1 and thereafter as indicated in the attached Schedule "A". The water storage tanks and their components including the safety, sanitary, structure, security and coatings aspects of the water storage tanks shall be inspected and the findings documented to ensure that the water storage tanks is in a sound and watertight condition.
3. The Company shall schedule and coordinate a washout inspection of the water storage tanks every two years with the City beginning in Contract Year 1 and thereafter as indicated in the attached Schedule "A". The City is responsible for draining the water storage tanks. The Company shall clean the water storage tanks of all mud, silt, and other accumulations which may be harmful to the water storage tanks and/or its contents. The Company shall utilize high pressure equipment to perform this operation. Upon cleaning the water storage tanks the Company shall inspect and document the condition as outlined in the preceding paragraph. Once the cleaning and inspection services are completed the Company shall disinfect the interior surfaces of the water storage tanks utilizing AWWA

Spray Method #2. A written report of the documented findings including photographs shall be made available to the City via mail or electronically.

4. The Company shall perform surface preparation and paint the exterior and/or interior surfaces of the water storage tanks as indicated in the attached Schedule "A". The Company shall use the same color of the existing coating system.
5. The Company shall perform all services and utilize products which shall be equal to, or exceed the standards of the State of Georgia, the American Water Works Association, and the Steel Structures Painting Council. The Company shall perform all services relating to the interior of the water storage tanks in accordance with procedures outlined in American Water Works Association D-102 standards.
6. The Company shall utilize coating systems which best suit the site conditions, environment, and general location of the water storage tanks and are in compliance with local, state and federal statutes.
7. The Company shall install and maintain an anti-climb deterrent device on the access ladder to deter unauthorized access to the water storage tanks. The Company shall install and maintain locks on all hatches of the water storage tanks to deter unauthorized entry. The keys to the locks shall remain in the possession of the City and the Company.
8. The Company shall provide emergency service to handle any problems covered by this agreement with the water storage tanks. Reasonable mobilization time shall be acceptable to the City.
9. If the City needs and requests, then the Company shall provide pressure relief valves to the City for the City's use during service events which require the water storage tanks to be drained.

This Agreement shall comply with O.C.G.A. § 36-60-13. Accordingly, the initial term of this Agreement shall commence on the date of this Agreement and shall terminate absolutely and without further obligation on the part of the City on the last calendar day in the year in which this Agreement is executed and at the close of each succeeding calendar year for which it may be renewed as provided herein. This Agreement shall automatically renew under the same terms and conditions for up to 10 full calendar years unless (i) either party gives notice of cancellation to the other party at least sixty (60) days prior to such renewal date. The initial term and any renewal terms are referred to herein as the "Term."

Subject to the previous paragraph, the City shall have the right to continue this agreement for ten (10) years providing that the annual fee is paid in accordance with the terms of this agreement. The City shall have the right to terminate this agreement by sending written notice

to American Tanks Maintenance, LLC, PO Box 130, Warthen, GA 31094. The City's right to termination shall be subject to any agreement provisions incorporated herein.

The Company shall maintain and furnish current certificates of insurance coverage to the City during the duration of this agreement.

This agreement shall be managed by "Contract Years". "Contract Years" shall be defined as the consecutive 12 month periods beginning August 1, 2018. The total annual fees for Contract Years 1-10 shall be \$61,419.00 per year. Annual fees per water storage tank shall be invoiced as per the attached Schedule "A". Any applicable taxes shall be the responsibility of the City.

The first annual fees for Contract Year 1 shall be due and payable September 1, 2018. The annual fees for Contract Year 2 shall be due and payable September 1, 2019. Each subsequent annual fee shall be due and payable each subsequent September 1st.

The City and the Company agree that any future mandated environmental, health or safety requirements which cause significant changes in cost of services provided under this agreement shall be cause for modification of this agreement. The Company is accepting this water storage tanks under this agreement based on the current existing structure, components, location and surroundings. Any modification to the water storage tanks, including antenna installations, and changes in surroundings especially real estate development shall be cause for modification of this agreement. This agreement does not include the cost for and/or liability on the part of the Company for: containment, removal and/or disposal of any hazardous waste materials, electrical wiring or components, operational problems due to cold weather, Acts of God, structural damage due to antenna installations or other attachments for which the tanks was not originally designed, repairs to the foundation of the water storage tanks, operational or structural problems caused by physical conditions below the surface of the ground, acts of terrorism, or other conditions which are beyond the City's and/or Company's control.

The Company reserves the right to assign any outstanding receivables from this agreement to its bank or other lending institution as collateral for any loans or lines of credit.

Miscellaneous Provisions

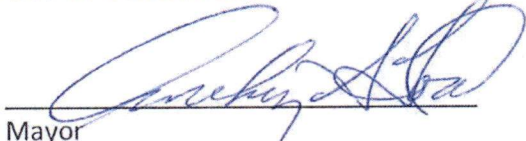
- (a) This Agreement shall be governed by and construed in accordance with the laws of the State of Georgia.
- (b) Company may not assign this Agreement, in whole or in part, without the prior written consent of City. City may assign this Agreement, in whole or in part, without the prior consent of Company; however, City shall provide Company with prior written notice of any such assignment.
- (c) This Agreement shall be binding on and inure to the benefit of the parties hereto and their respective successors and permitted assigns.

- (d) The headings contained herein are for the convenience of the parties only and shall not be interpreted to limit or affect in any way the meaning of the language contained in this Agreement.
- (e) This Agreement may be executed in one or more counterparts, each of which shall be deemed to be an original, but all of which together shall constitute the same Agreement. Any signature page of any such counterpart, or any electronic facsimile thereof, may be attached or appended to any other counterpart to complete a fully executed counterpart of this Agreement, and any telecopy or other facsimile transmission of any signature shall be deemed an original and shall bind such party.
- (f) If any provision of this Agreement shall be held void, voidable, invalid or inoperative, no other provision of this Agreement shall be affected as a result thereof, and accordingly, the remaining provisions of this Agreement shall remain in full force and effect as though such void, voidable, invalid or inoperative provision had not been contained herein.
- (g) This Agreement, including all exhibits hereto (which are incorporated herein by this reference), contains the entire agreement and understanding concerning the subject matter hereof between the parties hereto. No waiver, termination or discharge of this Agreement, or any of the terms or provisions hereof, shall be binding upon either party hereto unless confirmed in writing. This Agreement may not be modified or amended, except by a writing executed by both parties hereto. No waiver by either party hereto of any term or provision of this Agreement or of any default hereunder shall affect such party's rights thereafter to enforce such term or provision or to exercise any right or remedy in the event of any other default, whether or not similar.

[SIGNATURES APPEAR ON FOLLOWING PAGE]

This Agreement is signed this 19th day of July, 2018

CITY OF STOCKBRIDGE

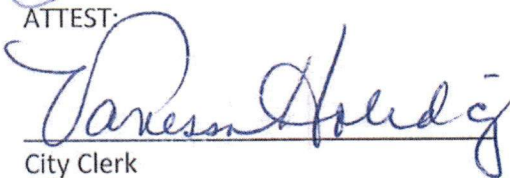


Mayor

July 19, 2018

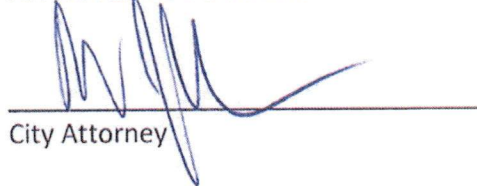
Date

ATTEST:



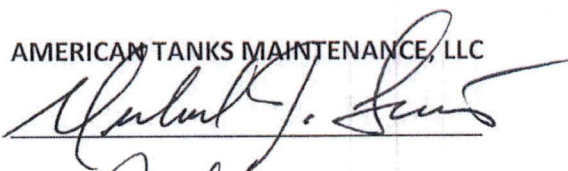
City Clerk

APPROVED AS TO FORM:



City Attorney

AMERICAN TANKS MAINTENANCE, LLC

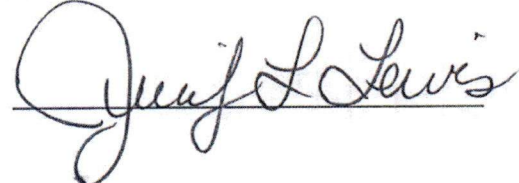


Date

July 19, 2018

Date

ATTEST:



Notary

The above signatories certify that they are duly authorized to sign the Agreement on behalf of the entities represented.

Water Tank Maintenance Agreement

City of Stockbridge

Schedule "A"

	Contract Year 1	Contract Year 2	Contract Year 3	Contract Year 4	Contract Year 5	Contract Year 6	Contract Year 7	Contract Year 8	Contract Year 9	Contract Year 10
1,000,000 - Elevated	Visual Inspection Any Needed Repairs Emergency Service	Washout Inspection Any Needed Repairs Emergency Service	Visual Inspection Any Needed Repairs Emergency Service	Washout Inspection Any Needed Repairs Emergency Service	Visual Inspection Any Needed Repairs Emergency Service	Washout Inspection Any Needed Repairs Emergency Service	Visual Inspection Any Needed Repairs Emergency Service	Exterior Renovation Washout Inspection Any Needed Repairs Emergency Service	Visual Inspection Any Needed Repairs Emergency Service	Interior Renovation Visual Inspection Any Needed Repairs Emergency Service
	\$ 29,278	\$ 29,278	\$ 29,278	\$ 29,278	\$ 29,278	\$ 29,278	\$ 29,278	\$ 29,278	\$ 29,278	\$ 29,278
100,000 - Elevated	Washout Inspection Any Needed Repairs Emergency Service	Visual Inspection Any Needed Repairs Emergency Service	Washout Inspection Any Needed Repairs Emergency Service	Visual Inspection Any Needed Repairs Emergency Service	Exterior Renovation Washout Inspection Any Needed Repairs Emergency Service	Visual Inspection Any Needed Repairs Emergency Service	Washout Inspection Any Needed Repairs Emergency Service	Visual Inspection Any Needed Repairs Emergency Service	Interior Renovation Visual Inspection Any Needed Repairs Emergency Service	Visual Inspection Any Needed Repairs Emergency Service
	\$ 6,940	\$ 6,940	\$ 6,940	\$ 6,940	\$ 6,940	\$ 6,940	\$ 6,940	\$ 6,940	\$ 6,940	\$ 6,940
300,000 - Standpipe	Washout Inspection Any Needed Repairs Emergency Service	Visual Inspection Any Needed Repairs Emergency Service	Exterior Renovation Washout Inspection Any Needed Repairs Emergency Service	Visual Inspection Any Needed Repairs Emergency Service	Washout Inspection Any Needed Repairs Emergency Service	Visual Inspection Any Needed Repairs Emergency Service	Interior Renovation Visual Inspection Any Needed Repairs Emergency Service	Visual Inspection Any Needed Repairs Emergency Service	Washout Inspection Any Needed Repairs Emergency Service	Visual Inspection Any Needed Repairs Emergency Service
	\$ 9,516	\$ 9,516	\$ 9,516	\$ 9,516	\$ 9,516	\$ 9,516	\$ 9,516	\$ 9,516	\$ 9,516	\$ 9,516
500,000 Elevated	Visual Inspection Any Needed Repairs Emergency Service	Washout Inspection Any Needed Repairs Emergency Service	Visual Inspection Any Needed Repairs Emergency Service	Washout Inspection Any Needed Repairs Emergency Service	Visual Inspection Any Needed Repairs Emergency Service	Washout Inspection Any Needed Repairs Emergency Service	Visual Inspection Any Needed Repairs Emergency Service	Exterior Renovation Washout Inspection Any Needed Repairs Emergency Service	Visual Inspection Any Needed Repairs Emergency Service	Interior Renovation Visual Inspection Any Needed Repairs Emergency Service
	\$ 15,685	\$ 15,685	\$ 15,685	\$ 15,685	\$ 15,685	\$ 15,685	\$ 15,685	\$ 15,685	\$ 15,685	\$ 15,685
TOTAL	\$ 61,419	\$ 61,419	\$ 61,419	\$ 61,419	\$ 61,419	\$ 61,419	\$ 61,419	\$ 61,419	\$ 61,419	\$ 61,419



AMERTA0-01

BRIANNA

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
08/13/2018

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Waites & Foshee Insurance P.O. Box 4803 Macon, GA 31208	CONTACT NAME: PHONE (A/C, No, Ext): (478) 743-0588 FAX (A/C, No): (478) 743-0589 E-MAIL ADDRESS:	
	INSURER(S) AFFORDING COVERAGE	
INSURED American Tank Maintenance, LLC P.O. Box 130 Warthen, GA 31094	INSURER A : Homeland Insurance Company of New York	NAIC # 34452
	INSURER B : Owners Insurance Company	32700
	INSURER C : American Interstate Ins Co	31895
	INSURER D :	
	INSURER E :	
	INSURER F :	

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☒ PROJECT ☐ LOC OTHER:			7930058240001	04/01/2018	04/01/2019	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COM/OP AGG \$ 2,000,000
B	AUTOMOBILE LIABILITY ☒ ANY AUTO OWNED AUTOS ONLY ☐ SCHEDULED AUTOS ☒ HIRED AUTOS ONLY Georgia Auto ☐ NON-OWNED AUTOS ONLY			5171185801	04/01/2018	04/01/2019	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
A	UMBRELLA LIAB ☒ EXCESS LIAB ☐ DED ☐ RETENTION \$			7930058250001	04/01/2018	04/01/2019	EACH OCCURRENCE \$ 2,000,000 AGGREGATE \$ 2,000,000
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N ☒ N	N/A	AVWCGA2688502018	04/01/2018	04/01/2019	☒ PER STATUTE ☐ OTH-ER E.L. EACH ACCIDENT \$ 500,000 E.L. DISEASE - EA EMPLOYEE \$ 500,000 E.L. DISEASE - POLICY LIMIT \$ 500,000
A	Pollution Liability			7930058240001	04/01/2018	04/01/2019	Each Condition \$ 2,000,000
A	Professional Liab			7930058240001	04/01/2018	04/01/2019	Coverage Limit \$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER

CANCELLATION

City of Stockbridge
4640 N Henry Blvd
Stockbridge, GA 30281

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE



AGENCY CUSTOMER ID: AMERTA0-01

BRIANNA

LOC #: 1

ADDITIONAL REMARKS SCHEDULE

Page 1 of 1

AGENCY Waites & Foshee Insurance		NAMED INSURED American Tank Maintenance, LLC P.O. Box 130 Warthen, GA 31094
POLICY NUMBER SEE PAGE 1		
CARRIER SEE PAGE 1	NAIC CODE SEE P 1	EFFECTIVE DATE: SEE PAGE 1

ADDITIONAL REMARKS

THIS ADDITIONAL REMARKS FORM IS A SCHEDULE TO ACORD FORM,

FORM NUMBER: ACORD 25 FORM TITLE: Certificate of Liability Insurance

Policy Forms & Endorsements

General Liability includes:

- Additional Insured Owner, Lessees or Contractors when required in a written contract #OBENVGE301 02-11
- Additional Insured Owner, Lessees or Contractors – Completed Operations when required in a written contract #OBENVGE304 02-11
- Primary & Non-Contributory Endorsement when required by written contract #OBENVGE319 02-11
- Waiver Transfer of Rights of Recovery Against Others To Us when required by written contract # OBENVGE320 04-11

Automobile Liability includes:

- Blanket Waiver of Our Right to Recover Payments #58583 01/15
- Blanket Additional Insured #89304 07/10

Workers Compensation includes:

- Waiver of Our Right to Recover From Others Endorsement #WC000313

Excess Policy follows form with primary policies scheduled on this Certificate

Request for Taxpayer Identification Number and Certification

Give Form to the
requester. Do not
send to the IRS.

Go to www.irs.gov/FormW9 for instructions and the latest information.

Print or type.
See Specific Instructions on page 3.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.

American Tank Maintenance, LLC

2 Business name/disregarded entity name, if different from above

3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only **one** of the following seven boxes.

☐ Individual/sole proprietor or single-member LLC ☐ C Corporation ☐ S Corporation ☐ Partnership ☐ Trust/estate

☒ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) **P**
Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is **not** disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.

☐ Other (see instructions) ▶

4 Exemptions (codes apply only to certain entities; not individuals; see instructions on page 3):

Exempt payee code (if any) _____

Exemption from FATCA reporting code (if any) _____

(Applies to accounts maintained outside the U.S.)

5 Address (number, street, and apt. or suite no.) See instructions.

P.O. Box 130

6 City, state, and ZIP code

Warthen, GA 31094

7 List account number(s) here (optional)

Requester's name and address (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number

____ - ____ - ____

or

Employer identification number

4 6 - 4 3 7 0 2 0 8

Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign
Here

Signature of
U.S. person ▶

Date ▶ 3/27/18

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.

Contractor Affidavit under O.C.G.A. § 13-10-91(b)(1)

By executing this affidavit, the undersigned contractor verifies its compliance with O.C.G.A. § 13-10-91, stating affirmatively that the individual, firm or corporation which is engaged in the physical performance of services on behalf of the City of Stockbridge known as E-Verify, or any subsequent replacement program, in accordance with the applicable provisions and deadlines established in O.C.G.A. § 13-10-91. Furthermore, the undersigned contractor will continue to use the federal work authorization program throughout the contract period and the undersigned contractor will contract for the physical performance of services in satisfaction of such contract only with subcontractors who present an affidavit to the contractor with the information required by O.C.G.A. § 13-10-91. Contractor hereby attests that its federal work authorization user identification number and date of authorization are as follows:

783333

Federal Work Authorization User Identification Number

5/20/14

Date of Authorization

American Tank Maintenance, LLC

Name of Contractor

Water Tank Maintenance

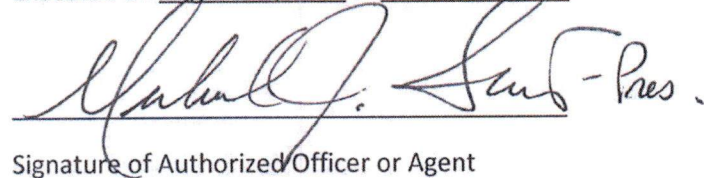
Name of Project

City of Stockbridge

Name of Public Employer

I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed on August 13, 2018 in Hawkinsville, GA

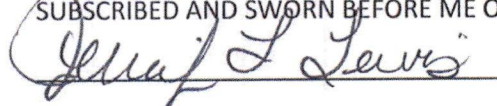


Signature of Authorized Officer or Agent

Michael J. Lewis - President

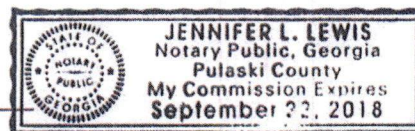
Printed Name and Title of Authorized Officer or Agent

SUBSCRIBED AND SWORN BEFORE ME ON THIS 13th DAY OF August, 2018.



Notary Public

My Commission Expires 9/22/18



STATE OF GEORGIA
HENRY COUNTY
CITY OF STOCKBRIDGE

RESOLUTION NO. R20-1137

**A RESOLUTION TO AUTHORIZE EXTENSION OF TANK
MAINTENANCE CONTRACT**

WHEREAS, the City of Stockbridge ("City") is a municipal corporation duly organized and existing under the laws of the State of Georgia and is charged with being fiscally responsible concerning the use and expenditure of all public funds; and

WHEREAS, the City proposes to extend its existing contract with American Tank Maintenance LLC;

THEREFORE, THE CITY COUNCIL OF THE CITY OF STOCKBRIDGE HEREBY RESOLVES:

SECTION 1. Approval of Vendor. Pursuant to Section 3.30.227 of the Stockbridge Municipal Code, the extension of the contract with American Tank Maintenance, LLC as presented to the Council on January 28, 2020 is hereby approved by the City Council so that the contract shall end on December 31, 2020.

SECTION 2. Public Record. This document shall be maintained as a public record by the City Clerk and shall be accessible to the public during all normal business hours of the City of Stockbridge.

SECTION 3. Authorization of Execution. The Mayor is hereby authorized to sign all documents necessary to effectuate this Resolution.

SECTION 4. Attestation. The City Clerk is authorized to execute, attest to, and seal any documents which may be necessary to effectuate this ordinance, subject to approval as to form by the City Attorney.

SECTION 5. Effective Date. This resolution shall become effective immediately upon its adoption by the Mayor and City Council of the City of Stockbridge as provided in the City Charter.

[SIGNATURES APPEAR ON FOLLOWING PAGE]

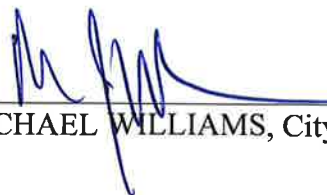
SO RESOLVED this 28th day of January, 2020.


ANTHONY S. FORD, Mayor

ATTEST:

 (SEAL)
VANESSA HOLIDAY, City Clerk

APPROVED AS TO FORM:


MICHAEL WILLIAMS, City Attorney

STATE OF GEORGIA
HENRY COUNTY
CITY OF STOCKBRIDGE

RESOLUTION NO. R20-1243

**A RESOLUTION TO AUTHORIZE EXTENSION OF TANK
MAINTENANCE CONTRACT**

WHEREAS, the City of Stockbridge ("City") is a municipal corporation duly organized and existing under the laws of the State of Georgia and is charged with being fiscally responsible concerning the use and expenditure of all public funds; and

WHEREAS, the City proposes to extend its existing contract with American Tank Maintenance LLC;

THEREFORE, THE CITY COUNCIL OF THE CITY OF STOCKBRIDGE HEREBY RESOLVES:

SECTION 1. Approval of Vendor. Pursuant to Section 3.30.227 of the Stockbridge Municipal Code, the extension of the contract with American Tank Maintenance, LLC as presented to the Council on December 14, 2020 is hereby approved by the City Council so that the contract shall end on December 31, 2021.

SECTION 2. Public Record. This document shall be maintained as a public record by the City Clerk and shall be accessible to the public during all normal business hours of the City of Stockbridge.

SECTION 3. Authorization of Execution. The Mayor is hereby authorized to sign all documents necessary to effectuate this Resolution.

SECTION 4. Attestation. The City Clerk is authorized to execute, attest to, and seal any documents which may be necessary to effectuate this ordinance, subject to approval as to form by the City Attorney.

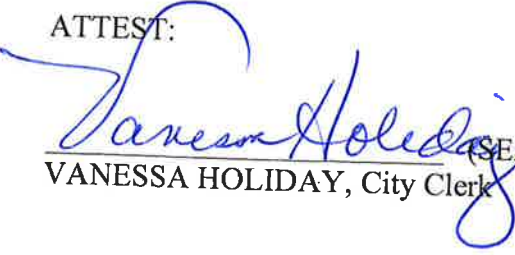
SECTION 5. Effective Date. This resolution shall become effective immediately upon its adoption by the Mayor and City Council of the City of Stockbridge as provided in the City Charter.

[SIGNATURES APPEAR ON FOLLOWING PAGE]

SO RESOLVED this 14th day of December, 2020.


ANTHONY S. FORD, Mayor

ATTEST:


(SEAL)
VANESSA HOLIDAY, City Clerk

APPROVED AS TO FORM:


MICHAEL WILLIAMS, City Attorney

STATE OF GEORGIA
HENRY COUNTY
CITY OF STOCKBRIDGE

RESOLUTION NO. B21-1363

A RESOLUTION TO AUTHORIZE RENEWAL OF CONTRACT FOR
TANK MAINTENANCE

WHEREAS, the City of Stockbridge ("City") is a municipal corporation duly organized and existing under the laws of the State of Georgia and is charged with being fiscally responsible concerning the use and expenditure of all public funds;

WHEREAS, the Public Works Department is requesting approval to renew the competitive solicited Contract pursuant to Invitation To Bid (ITB) Number 16RFP101216-DRR, for American Tank Maintenance, LLC, Full-Service Tank Maintenance;

WHEREAS, the City approved the Invitation to Bid (ITB) Number, 16RFP101216-DRR on April 9th, 2018 for an estimated amount not to exceed \$614,190.00 over a ten-year period;

WHEREAS, the initial contract term of the Agreement is for one (1) year, with ten (10), one (1) year renewal options;

THEREFORE, THE CITY COUNCIL OF THE CITY OF STOCKBRIDGE HEREBY RESOLVES:

SECTION 1. Approval of Renewal. The Council hereby approves the renewal of the competitive solicited Contract pursuant to Invitation To Bid (ITB) Number 16RFP101216-DRR, for American Tank Maintenance, LLC, Full-Service Tank Maintenance through December 2022 in the amount of \$86,885.00. The supporting documents are attached.

SECTION 2. Public Record. This document shall be maintained as a public record by the City Clerk and shall be accessible to the public during all normal business hours of the City of Stockbridge.

SECTION 3. Authorization of Execution. The Mayor is hereby authorized to sign all documents, including the contract with such changes and modifications as recommended by the City Attorney, necessary to effectuate this Resolution.

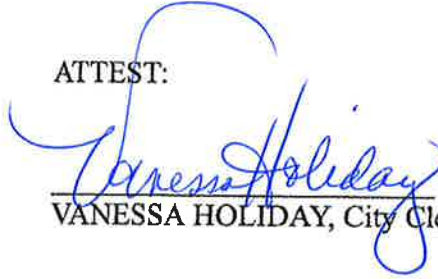
SECTION 4. Attestation. The City Clerk is authorized to execute, attest to, and seal any documents which may be necessary to effectuate this Resolution, subject to approval as to form by the City Attorney.

SECTION 5. Effective Date. This resolution shall become effective immediately upon its adoption by the Mayor and City Council of the City of Stockbridge as provided in the City Charter.

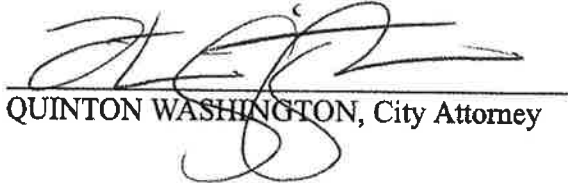
SO RESOLVED this 8th day of November 2021.


ANTHONY S. FORD, Mayor

ATTEST:

 (SEAL)
VANESSA HOLIDAY, City Clerk

APPROVED AS TO FORM:


QUINTON WASHINGTON, City Attorney