



Where Community Connects

**STOCKBRIDGE
PLANNING COMMISSION**

BOARD MEMBERS

Askia Abdullah, Chair

Kathleen Nelson, Vice-Chair

Stanley Dumas

Harold Thibodeaux

David Planchon

Rodney Hornes

ADMINISTRATION

Brecca Carter

Community Development Director

Ryan Anderson

Chief Planner

Linda Logan,

Senior Planner, Secretary

Gordon Linton, Planner I

Quinton Washington, City Attorney

**Planning Commission
Meeting
Agenda
July 28, 2022 6:30 PM**



STOCKBRIDGE CITY HALL

4640 NORTH HENRY BLVD.

STOCKBRIDGE, GA 30281

Website: www.cityofstockbridge.com

Phone: 770-389-7900

Fax: 770-389-7912



AGENDA PLANNING COMMISSION MEETING CITY OF STOCKBRIDGE

THURSDAY, JULY 28, 2022 6:30 PM

- I. CALL TO ORDER**
- II. INVOCATION**
- III. PLEDGE OF ALLEGIANCE**
- IV. ROLL CALL**
- V. ADOPTION OF THE AGENDA**
- VI. APPROVAL OF MINUTES**
 - June 23, 2022 Summary Minutes**

PUBLIC HEARING

Item # 1 - ANNEXATION CASE #AX-2022-01 -- The City of Stockbridge Planning Commission and the City of Stockbridge Mayor and City Council will hear an Annexation Request by S3 Capital Investments, LLC, the Applicant, represented by Battle Law, P.C., the Agent, to annex a parcel, as described below, into the Stockbridge City limits from unincorporated Henry County in order to allow the parcel to be combined with an adjacent parcel for an age-restricted residential development.

Parcel #071-01034012 – Subject property is in unincorporated Henry County, with frontage on Highway 42 North, across from Summit View Drive. Currently zoned 'MU' (Mixed-Use), with a land use designation of 'MIX' (Mixed-Use). Contains 20.00 +/- acres. Located in Land Lot 31 of District 7.

NOTE: The applicant for this case (AX-2022-01) has submitted a letter to request the deferral of the public hearing until the August 25, 2022 Planning Commission meeting.

Item # 2 - COMPREHENSIVE PLAN AMENDMENT CASE #CP-2022-02 -- The City of Stockbridge Planning Commission and the City of Stockbridge Mayor and City Council will hear a Comprehensive Plan Amendment Request by S3 Capital Investments, LLC, the Applicant, represented by Battle Law, P.C., the Agent, to change the future land use designations of certain parcels, as are described below, from 'Light Industrial' and 'Mixed-Use' to 'High-Density Residential' in order to allow for an age-restricted residential development.

Parcel #071-01034014—Located within the Stockbridge City Limits, with frontage on Highway 42 North and situated at the end of Technology Parkway. Applicant proposes to change the current land use designation from 'Light Industrial' to 'High-Density Residential'. Contains 22.01 +/- acres. Located in Land Lot 31 of District 7.

Parcel #071-01034012 – Subject property is in unincorporated Henry County, with frontage on Highway 42 North, across from Summit View Drive. Applicant proposes to change the current County land use designation of 'Mixed-Use' to the City land use designation of 'High-Density Residential' after the parcel is annexed into the Stockbridge City Limits. Contains 20.00 +/- acres. Located in Land Lot 31 of District 7.

NOTE: This case (CP-2022-02) has been postponed by Staff until the August 25, 2022 Planning Commission meeting.

Presented by: Ryan Anderson

Item # 3 - REZONING CASE #RZ-2022-02 -- The City of Stockbridge Planning Commission and the City of Stockbridge Mayor and City Council will hear a Rezoning Request by S3 Capital Investments, LLC, the Applicant, represented by Battle Law, P.C., the Agent, to rezone certain property from 'OI' (Office-Institutional) and 'LI' (Light Industrial) in the Stockbridge City Limits and 'MU' (Mixed-Use) in unincorporated Henry County to 'PUD' (Planned Unit Development) to allow for an age-restricted residential development. The property contains two parcels, as are listed below, with 42.01 +/- total acres.

Parcel #071-01034014—Located within the Stockbridge City Limits, with frontage on Highway 42 North and situated at the end of Technology Parkway. Currently zoned OI' (Office-Institutional) and 'LI' (Light Industrial)'. Property also lies within the Parkway Mixed-Use Overlay District. Contains 22.01 +/- acres. Located in Land Lot 31 of District 7.

Parcel #071-01034012 – Subject property is in unincorporated Henry County, with frontage on Highway 42 North, across from Summit View Drive. Currently zoned 'MU' (Mixed-Use). Contains 20.00 +/- acres. Located in Land Lot 31 of District 7.

NOTE: This case (RZ-2022-02) has been postponed by Staff until the August 25, 2022 Planning Commission meeting.

Presented by: Ryan Anderson

PROJECT UPDATES

STAFF COMMENTS

BOARD COMMENTS

ADJOURNMENT

City of Stockbridge

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



SUMMARY MINUTES PLANNING COMMISSION

THURSDAY, June 23, 2022 at 6:30 p.m., via Zoom

BOARD MEMBERS (6):

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

ADMINISTRATION:

Brecca Carter, Community Dev. Director
Quinton Washington, City Attorney
Vanessa Holiday, City Clerk
Ryan Anderson, Chief Planner
Linda Logan, Senior Planner / PC Sect'y
Gordon Linton, Planner I

I. **CALL TO ORDER** – Made by Vice Chairman,
Kathleen Nelson at 6:35 p.m.

II. **INVOCATION** – Led by Stanley Dumas.

III. **PLEDGE OF ALLEGIANCE** – Done in unison.

IV. ROLL CALL (6 members):

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

A quorum of board members was present.

V. ADOPTION OF THE AGENDA

Chairman Abdullah made a motion to adopt the Agenda, with an amendment to remove the Public Hearing for Conditional Use Permit Case #CU-2022-01. Rodney Hornes seconded the motion. A vote was taken, and the amended Agenda was adopted unanimously.

VI. APPROVAL OF MINUTES – May 26, 2022 Summary Minutes.

A motion to approve the Minutes was made by David Planchon and seconded by Chairman Abdullah. A vote was taken, and the Minutes were adopted unanimously.

VII. PUBLIC HEARING

To be presented by the Community Development Staff.

CONDITIONAL USE PERMIT CASE #CU-2022-01 -- MRM & Sons, Inc., the Applicant, represented by Hecht Walker Jordan, P.C., the Agent, requests that a Conditional Use Permit be granted to allow for automobile gasoline sales on Parcel #071-01025021 within the Stockbridge City Limits. The property fronts on the east side of Campground Road and represents Tract 2 of the adjacent parent tract at 108 Peach Drive (Parcel # 071-01025002). Zoned 'PUD' with a 'C-2' subzoning. Contains 0.84 +/- acres. Located in Land Lot 64 of District 7.

Due to the decision above to amend the Agenda, this case was not heard.

IX. PROJECT UPDATES

To be presented by the Community Development Staff. No action is required.

Ms. Carter gave the Project Updates, as follows:

- A. Winding Creek—Construction on one phase of townhomes has been completed, and construction on another phase of townhomes has begun.
- B. Bridges at Jodeco—This project is under construction.
- C. Downtown Stockbridge—Several developers have recently expressed an interest in developing projects within Downtown Stockbridge.
- D. City's Annexation Proposal—The next public meeting is scheduled to take place virtually on Thursday, August 21st at 6:30 p.m.
- E. Highway 138 West Beautification—The City is working with property owners along this corridor.

Chairman Abdullah asked about the Bridges at Jodeco development project. He commented that Jodeco Road needs to have a mixture of businesses, not just many gas stations. Further, the City should not have an oversaturation of any type of business in an area. Ms. Carter said that Staff takes this into consideration, but that applicants have the right to apply.

X. STAFF COMMENTS

To be presented by the Community Development Staff. No action is required.

No comments were made.

XI. BOARD COMMENTS

Stanley Dumas wondered whether anyone had heard from Harold Thibodeaux, since he was not present at the meeting. Ms. Logan said that this was his second absence this year, and that a maximum of three absences per year are allowed, per the adopted Bylaws. No one had heard from Mr. Thibodeaux, but some board members said that they would try to reach him to inquire about his absences.

XII. ADJOURNMENT

A motion to adjourn the meeting was made by Rodney Hornes, and it was seconded by Stanley Dumas. The meeting was unanimously adjourned.

GOVERNMENT OF THE CITY OF STOCKBRIDGE, GEORGIA

RANDY KNIGHTON
CITY MANAGER



CAMILLA J. MOORE
ASSISTANT CITY MANAGER
COMMUNITY DEVELOPMENT SERVICES

Greetings Potential City of Stockbridge Resident and/or Property Owner,

We thank you for taking the next steps of bringing your property into the City limits of Stockbridge. We have attached the necessary Annexation Petitions (100% and 60% Methods). Please complete the sections titled "Annexation Parcels" and "Applicant or Primary Point of Contact" on both pages 3 and 4 of the enclosed documents.

City Staff will assist in the completion of the remaining sections. All original signatures should be mailed back to the City at the following address:

Attn: Camilla J. Moore
Asst. City Manager, Development Services
4640 North Henry Blvd.
Stockbridge, GA 30336

We are excited to have you join our City of Stockbridge family! Please contact me directly if you have questions at CommDevelopment.info@cityofstockbridge-ga.gov or 770-389-7900.

We are looking forward to hearing from you.

All the best,

Camilla J. Moore

Asst. City Manager, Development Services



CITY OF STOCKBRIDGE | ANNEXATION CHECKLIST

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

☒ **NON-REFUNDABLE APPLICATION FEE - \$300.00**

Payment: Check or Money Order Payable to the City of Stockbridge.

☒ **APPLICATION FORM**

Two Original (2) Copies: Complete and signed with original signatures.

☒ **PETITION FOR ANNEXATION**

Two (2) Original Copies: The Annexation Petitions must be notarized and signed by the owner or authorized applicant. (The petition for the 60% Method must clearly indicate if the applicant is an elector or a landowner.)

☒ **CONSENT OF OWNER(S)**

Original: If the property owner does not sign the application and/or petition, submit a notarized affidavit signifying the approval or consent of all owners. (An affidavit form is attached.) Use additional affidavits, if necessary, for multiple owners.

☒ **PLAT OF SURVEY AND/OR LEGAL DESCRIPTION**

Original and One (1) copy - Submit an accurate, as-built survey showing all improvements on the site, to scale. The survey must be completed by a registered surveyor and must be reproducible. If a photocopy is submitted, the original seal must be visible and the survey must still be to scale. The survey must not be more the 1 year old.

☒ **VERIFIED LEGAL DESCRIPTION FORM**

Original and One (1) Copy - Submit one original, signed copy of the verified legal description form and 1 copy. Forms should be typed and include acreage. If the legal description does not fit on one form, additional forms shall be used and numbered accordingly.



ANNEXATION METHOD	100% Methodology 1. We, the undersigned, all owners of all real property of the territory described herein respectfully request that the City Council annex this territory into the City of Stockbridge, Georgia, and extend the city boundaries to include the same. 2. The territory to be annexed is unincorporated and contiguous (as described in O.C.G.A. § 36-36-20) to the existing corporate limits of the City of Stockbridge, Georgia, and the description of such territory is as follows:				
ANNEXATION PARCELS	Parcel ID#:	Address:	Print Name:	Signature:	Date:
	071-01034012	2125 Highway 42 North McDonough, GA 30253	Southern Crescent Rehab & Retirement Co Inc	<i>[Signature]</i>	2-21-12
An additional list for parcels and signatures is attached.					
APPLICANT OR PRIMARY POINT OF CONTACT	Name <u>S3 Capital Investments, LLC</u> Address <u>2125 Highway 42 North McDonough, GA 30253</u> Phone # <u>678-565-7710</u> Email <u>kelsawi@sctbi.com</u>		ATTORNEY	Name <u>Battle Law, P.C.</u> Address <u>3562 Habersham at Northlake Building J, Suite 100 Tucker, GA 30084</u> Phone # <u>404-601-7616</u> Email <u>mlb@battlelawpc.com</u>	
UTILITIES		Existing	Proposed		
	Water	Henry County Water Authority	Henry County Water Authority		
	Sewer	Henry County	Henry County		
	Fire/ EMS	Henry County	Henry County		
	Police	Henry County	Henry County		
	Electricity	Georgia Power	Georgia Power		
PROPOSED DEVELOPMENT	Location Address: <u>2125 Highway 42 North McDonough, GA 30253</u> Present Zoning: <u>MU and OI</u> Proposed Zoning: <u>PUD</u> Proposed Use of the Property (attach additional sheets if necessary): <u>proposed age-restricted residential development</u> ATTACH LEGAL DESCRIPTION				



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 an annexation of the property.

Name:

Southern Crescent Rehab & Retirement Co Inc

Property Address: 2125 Highway 42 North McDonough, GA 30253

Telephone: (678) 565-7710

Email: kelsawi@sctbi.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:

Date:

2/20/22

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.

Notary Public

February 20, 2022

Date



Print

RESERVED FOR CLERK OF THE SUPERIOR COURT

THIS PROPERTY IS SUBJECT TO ALL RIGHT OF WAYS AND EASEMENTS SHOWN OR NOT SHOWN, RECORDED OR UNRECORDED.

THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF A TITLE REPORT WHICH COULD REVEAL ENCUMBRANCES NOT SHOWN.

UTILITIES SHOWN ARE LOCATION VISIBLE AT TIME OF SURVEY. ADDITIONAL UTILITIES MAY EXIST ABOVE OR BELOW GROUND. THE SURVEYOR ACCEPTS NO RESPONSIBILITY FOR THE COMPLETENESS OF THIS DATA.

SURVEY ORDERED BY: KHALED EL-SAWI
FIELDWORK COMPLETED ON: 4-28-2021
A SEARCH WAS MADE FOR NGS MONUMENTS AND NONE WERE FOUND WITHIN 500' OF SITE.

This plat is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plats, or other instruments which created the parcel or parcels are stated hereon. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.



Tim L. Miller GA. RLS # 3150 4-29-2021 Date:

SURVEYORS CERTIFICATION:

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 47,985 FEET AND AN ANGULAR ERROR OF 0.01" PER ANGLE POINT AND WAS ADJUSTED USING THE COMPASS RULE. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND WAS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 100,000 FEET. EQUIPMENT USED: TOPCON GTS-313.

AS PER OFFICIAL FLOOD INSURANCE MAPS BY THE F.E.M.A., A PORTION OF THIS PROPERTY IS LOCATED IN A FLOOD HAZARD AREA (ZONE A) AS PER COMMUNITY - PANEL NUMBER 13151C0156D DATED: OCTOBER 6, 2016

SURVEYOR'S CERTIFICATION:
I HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE ON THE GROUND BY ME OR UNDER MY SUPERVISION, AND THAT THE MONUMENTS REFERENCED HEREON, EXIST AND THEIR SIZES, LOCATIONS AND MATERIALS ARE CORRECTLY SHOWN.

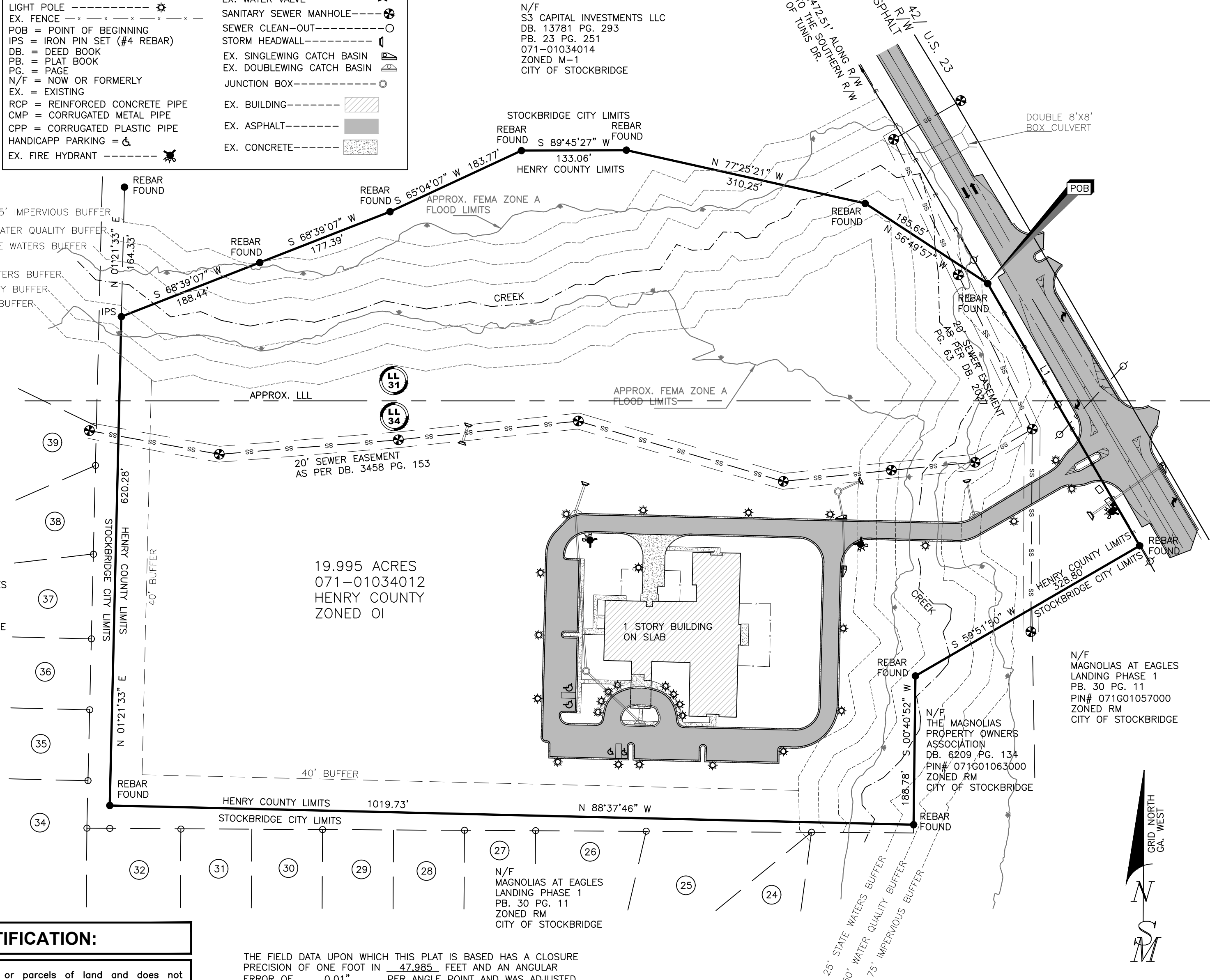
GENERAL NOTES:

AREA: 19.995 ACRES
PARCEL: 071-01034012
ZONED OI
MINIMUM LOT AREA= 10,000 SQ.FT. (COUNTY WATER & SEWER)
MINIMUM LOT WIDTH=125'
FRONT SETBACK----- 50'
REAR SETBACK----- 20'
SIDE SETBACK:----- 15'
SEWER AS PER HCWA.
WATER AS PER HCWA



LEGEND	
WOODEN POWER POLE	---
EX. OH POWER LINES	---
LIGHT POLE	---
EX. FENCE	---
POB = POINT OF BEGINNING	
IPS = IRON PIN SET (#4 REBAR)	
DB. = DEED BOOK	
PB. = PLAT BOOK	
PG. = PAGE	
N/F = NOW OR FORMERLY	
EX. = EXISTING	
RCP = REINFORCED CONCRETE PIPE	
CMP = CORRUGATED METAL PIPE	
CPP = CORRUGATED PLASTIC PIPE	
HANDICAPP PARKING	
EX. FIRE HYDRANT	
EX. WATER METER	
EX. WATER VALVE	
SANITARY SEWER MANHOLE	
SEWER CLEAN-OUT	
STORM HEADWALL	
EX. SINGLEWING CATCH BASIN	
EX. DOUBLEWING CATCH BASIN	
JUNCTION BOX	
EX. BUILDING	
EX. ASPHALT	
EX. CONCRETE	

LINE CALL CHART		
LINE	BEARING	DISTANCE
L1	S 30°04'30" E	384.49'



BOUNDARY SURVEY
S3 CAPITAL INVESTMENTS LLC
TRACT 2 19.995 ACRES
LAND LOTS 31, & 34,
7th. DISTRICT
HENRY COUNTY, GEORGIA

SIBLEY-MILLER
SURVEYING & PLANNING INC.

*CIVIL ENGINEERING
*TOPOGRAPHICAL SURVEYS
*LAND DEVELOPMENT DESIGN
*CONSTRUCTION LAYOUT
*LAND PLANNING
*LAND SURVEYING
212 WEST CAMPGROUND RD
McDONOUGH, GA. 30253
PHONE: (770) 320-7555
FAX: (770) 320-7333
www.sibleysurveying.com

PROJECT #: **B15008**
BOUNDARY SURVEY
19.995 ACRES

DRAWN BY: TLM
SCALE: 1" = 100'
DATE: 04/29/2021

RECEIVED IN OFFICE
HENRY COUNTY
CLERK OF SUPERIOR COURT

2014 OCT 22 PM 1:30

BK: 13781 PG: 293-299
Filed and Recorded Oct-23-2014 08:51:45AM
DOC#: D2014-023643
Real Estate Transfer Tax Paid \$110.00
0752014007392
BARBARA A. HARRISON
CLERK OF SUPERIOR COURT Henry County GA.

Return to:
LANE & KARLO, LLP
1827 Powers Ferry Road
Building Five
Atlanta, Georgia 30339

File No: LK144911
Auction #JDA30-7102

LIMITED WARRANTY DEED

STATE OF GEORGIA

COUNTY OF COBB

THIS INDENTURE, made and entered into this 16th day of October, in the year two thousand fourteen, by and between

HARVEST POINT UNITED METHODIST CHURCH, INC.

of the County of Henry, and State of Georgia, as party or parties of the first part, hereinafter called Grantor, and

S3 CAPITAL INVESTMENTS, LLC

as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits.)

WITNESSETH that: Grantor, for and in consideration of the sum of TEN AND NO/100 (\$10.00) DOLLARS in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, convey and confirm unto the said Grantee, the following described property, to-wit:

All those tracts or parcels of land lying and being in Land Lots 31, 32 and 33, 7th District, Henry County, Georgia, and being more particularly described in Exhibit A, attached hereto and made a part hereof.

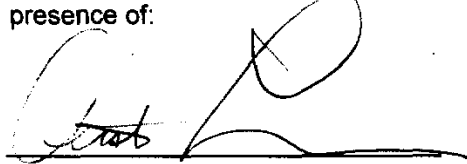
This conveyance is made and authorized in accordance with and pursuant to *The Book of Discipline of the United Methodist Church (2012)*, as set forth and confirmed in and by that certain Certification and Consent, attached hereto and made a part hereof.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in FEE SIMPLE.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons claiming by, through or under Grantor herein.

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed as of the day and year above written.

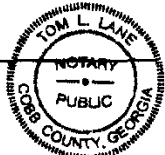
Signed, sealed and delivered in the presence of:



Witness

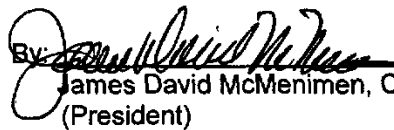


Notary Public



My Commission Expires
October 2, 2018

HARVEST POINT UNITED METHODIST
CHURCH, INC.

By:  (SEAL)
James David McMenimen, Chairman
(President)

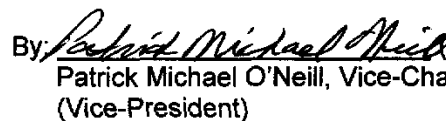
By:  (SEAL)
Patrick Michael O'Neill, Vice-Chairman
(Vice-President)

EXHIBIT A

TRACT I: All that tract or parcel of land lying and being in Land Lots 31, 32 and 33 of the 7th District of Henry County, Georgia, and being 14.169 acres designated as Tract I on a plat of survey prepared for Davis Development, Inc., prepared by Carlton Rakestraw, Jr. of Carlton Rakestraw & Associates, Ga. R.L.S. #2236, dated July 11, 2003, and last revised September 3, 2003, which said plat of survey is incorporated herein and by reference thereto being more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING, commence at an iron pin set on the Southwestern right-of-way line of S.R. 42/U.S. 23 (80' R/W), said iron pin being 2,721.51 feet Southeasterly as measured along said right-of-way line from its intersection with the Southern right-of-way line of Tunis Drive; thence leaving said right-of-way line South 59 degrees 56 minutes 54 seconds West 447.09 feet to a ½" R.R. found; thence proceeding South 30 degrees 02 minutes 01 second East 100.14 feet to an iron pin set; thence proceeding South 59 degrees 55 minutes 51 seconds West 113.17 feet to an iron pin set; thence proceeding North 30 degrees 04 minutes 09 seconds West 138.00 feet to a ½" R.R. found; thence proceeding South 59 degrees 55 minutes 51 seconds West 320.47 feet to a ½" R.R. found at the TRUE POINT OF BEGINNING; thence proceeding from said true point of beginning South 23 degrees 24 minutes 14 seconds West 71.99 feet to a ½" R.R. found; thence proceeding South 71 degrees 56 minutes 43 seconds West 150.56 feet to a ½" R.R. found; thence proceeding North 65 degrees 57 minutes 01 second West 115.18 feet to a ½" R.R. found; thence proceeding South 88 degrees 21 minutes 41 seconds West 280.93 feet to a ½" R.R. found; thence proceeding South 78 degrees 36 minutes 17 seconds West 311.03 feet to a ½" R.R. found; thence proceeding South 38 degrees 58 minutes 41 seconds West 549.45 feet to a ½" R.R. found on the Eastern right-of-way line of Southern Railway (150' R/W); thence proceeding along the Eastern right-of-way line of Southern Railway North 09 degrees 06 minutes 42 seconds East 1,345.95 feet to an iron pin set; thence leaving the Eastern right-of-way line of Southern Railway South 54 degrees 14 minutes 16 seconds East 932.52 feet to a ½" R.R. found; thence proceeding South 47 degrees 05 minutes 54 seconds East 325.48 feet to a ½" R.R. found at the TRUE POINT OF BEGINNING.

TRACT II: All that tract or parcel of land lying and being in Land Lot 31 of the 7th District of Henry County, Georgia, and being 7.841 acres designated as Tract II on a plat of survey prepared for Davis Development, Inc., prepared by Carlton Rakestraw, Jr. of Carlton Rakestraw & Associates, Ga. R.L.S. #2236, dated July 11, 2003, and last revised September 3, 2003, which said plat of survey is incorporated herein and by reference thereto being more particularly described as follows:

BEGINNING at an iron pin set on the Southwestern right-of-way line of S.R. 42/U.S. 23 (80' R/W), said iron pin being 2,721.51 feet Southeasterly as measured along said right-of-way line from its intersection with the Southern right-of-way line of Tunis Drive; thence proceeding along the Southwestern right-of-way line of S.R. 42/U.S. 23 in a Southeasterly direction and following the curvature thereof to the right along the arc of a curve to the left of a chord having been subtended a distance of 527.58 feet to a point, said arc having a radius of 70,788.22 feet and said chord having a bearing and distance of South 31 degrees 06 minutes 07 seconds East 527.58 feet; thence continuing along said right-of-way line South 30 degrees 04 minutes 50 seconds East 221.42 feet to a ½" R.R. found; thence leaving said right-of-way line North 56 degrees 46 minutes 58 seconds West 185.53 feet to a ½" R.R. found; thence proceeding North 77 degrees 25 minutes 46 seconds West 310.32 feet to a ½" R.R. found; thence proceeding South 89 degrees 44 minutes 18 seconds West 133.15 feet to a point; thence proceeding South 65 degrees 03 minutes 09 seconds West 183.81 feet to a ½" R.R. found; thence proceeding South 68 degrees 42 minutes 10 seconds West 177.27 feet to a point; thence proceeding South 68 degrees 48 minutes 50 seconds West 188.03 feet to a point; thence proceeding North 01 degree 21 minutes 34 seconds East 163.77 feet to an iron pin set; thence proceeding North 64 degrees 51 minutes 15 seconds West 109.25 feet to a ½" R.R. found; thence proceeding North 23 degrees 24 minutes 14 seconds East 71.99 feet to a ½" R.R. found; thence proceeding North 59 degrees 55 minutes 51 seconds East 320.47 feet to a ½" R.R. found; thence proceeding South 30 degrees 04 minutes 09 seconds East 138.00 feet to an iron pin set; thence proceeding North 59 degrees 55 minutes 51 seconds East 113.17 feet to an iron pin set; thence proceeding North 30 degrees 02 minutes 01 second West 100.14 feet to a ½" R.R. found; thence proceeding North 59 degrees 56 minutes 54 seconds East 447.09 feet to an iron pin set on the Southwestern right-of-way line of S.R. 42/U.S.23, said iron pin being the POINT OF BEGINNING.

(Auction #JDA30-7102)



Battle Law

7/20/2022

VIA: Email (bcarter@cityofstockbridge-ga.gov)

2125 Highway 42 North

ATTN: Brecca Carter, City of Stockbridge Community Development Department

Director Carter:

On behalf of the Applicant for case number(s) AX-2022-01 pertaining to property with an address of 2125 Highway 42 North, I hereby request that this matter be deferred from the July 28th Planning Commission meeting to the next hearing cycle.

Prepared By:

Joshua Mahoney

For Battle Law, P.C.

Amendment to the Comprehensive Plan Application



THANK YOU FOR YOUR INTEREST IN THE CITY OF STOCKBRIDGE, GEORGIA. THIS PACKET INCLUDES THE NECESSARY DOCUMENTS THAT ARE NEEDED FOR APPLYING FOR AN AMENDMENT TO THE STOCKBRIDGE COMPREHENSIVE PLAN.

APPLICATION REVIEW PROCESS. COMPREHENSIVE PLAN AMENDMENT APPLICATIONS ARE FIRST REVIEWED BY THE PLANNING AND ZONING STAFF, WHO MAKE RECOMMENDATIONS TO THE PLANNING COMMISSION. THE PLANNING COMMISSION THEN HOLDS A PUBLIC HEARING DURING ONE OF THEIR REGULARLY-SCHEDULED MEETINGS AND MAKES RECOMMENDATIONS TO THE MAYOR AND CITY COUNCIL. FINALLY, THE CASE GOES TO THE STOCKBRIDGE MAYOR AND CITY COUNCIL, WHO HOLD A PUBLIC HEARING DURING ONE OF THEIR REGULARLY-SCHEDULED MEETINGS. THEY MAKE THE FINAL DECISION ON THE APPLICATION.

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

REQUIRED PRE-APPLICATION MEETING—BEFORE SUBMITTING YOUR APPLICATION, PLEASE CONTACT THE PLANNING AND ZONING DIVISION OFFICE TO SCHEDULE A PRE-APPLICATION MEETING. THIS MEETING MUST BE HELD AT LEAST ONE WEEK BEFORE YOU SUBMIT YOUR APPLICATION.

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

FOR ASSISTANCE, YOU MAY CONTACT OUR OFFICE BETWEEN 8:00 AM AND 5:00 PM, MONDAY THROUGH FRIDAY, AT (678) 833-3344.

ALL PUBLIC HEARINGS TAKE PLACE IN THE COUNCIL CHAMBER AT THE STOCKBRIDGE CITY HALL AT 4640 NORTH HENRY BOULEVARD IN STOCKBRIDGE, GEORGIA, 30281, UNLESS THEY ARE HELD VIRTUALLY VIA ZOOM.

CITY OF STOCKBRIDGE Planning and Zoning Division
Application Checklist for Requesting an Amendment to the Comprehensive Plan

APPLICANT/AGENT, PLEASE ENSURE THAT YOU HAVE SUBMITTED ALL OF THE REQUIRED ITEMS THAT ARE LISTED BELOW. AFTER YOU SUBMIT YOUR APPLICATION, THE STAFF WILL UTILIZE THE LAST COLUMN TO CHECK OFF EACH REQUIRED ITEM TO DETERMINE THE COMPLETENESS OF YOUR APPLICATION. PLEASE INCLUDE THE CHECKLIST WITH YOUR APPLICATION.

ALL DOCUMENTS ARE REQUIRED IN ORDER TO ACCEPT AN APPLICATION.

REQUIRED ITEMS	COPIES	PROCEDURE	CHECK / INTIAL
Pre-Application Review Form (Meeting Notes)	1	To be completed by a Staff planner during a Pre-Application Meeting, at least one week before you submit your application.	/
Application Form	1	Signed and notarized by property owner. Or, 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 who are parties to this application. The Form must be notarized .	/
Letter of Ownership	1	Letter stating that the owner is aware of the amendment being requested and owns the subject property.	/
Letter of Intent	1	Must clearly state the proposed amendment to the Comprehensive Plan.	/
Site Plans (11 x 17)	20	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 proposed lot layout.	/
Survey Plat-- Sheet size must be Size 8-1/2" x 11" or 11" x 17".	1	Of the subject property. Must be 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.	/

City of Stockbridge Planning and Zoning Division
Application for an Amendment to the Comprehensive Plan

Name of Applicant S3 Capital Investments, LLC Phone: 678-565-7710 Date: June 1, 2022

Address of Applicant: 2125 Highway 42 North Cell # 678-565-7710

City: McDonough State: Georgia Zip: 30253 E-mail: kelsawi@sctbi.com

Name of Agent Battle Law, P.C. Phone: 404-601-7616 Date: June 1, 2022

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

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

THE PERSONS NAMED ABOVE AFFIRM THAT THEY ARE THE OWNER OR AGENT OF THE OWNER OF THE PROPERTY DESCRIBED BELOW AND REQUESTS THAT THE FOLLOWING AMENDMENT TO THE COMPREHENSIVE PLAN BE GRANTED:

FROM: Light Industrial and Low Density Vertical Mixed-Use, and Mixed Use

To: High Density Mixed Use

Property Address: Grandiflora Drive

Nearest intersection to the property: Highway 42 N and Summit View Drive

Size of Tract: 42 acre(s). Land Lot Number(s): 31+, 31. District(s): 7

Property Tax Parcel Number(s):
071-01034012, 071-01034014 (Required)

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

MB (Acknowledgement)

Witness' Signature Signature of Applicant

Printed Name of Witness S3 Capital Investments, LLC
Printed Name of Applicant

Notary Signature of Agent

Notary Seal:

(For Office Use Only)

Total Amount Paid \$ _____ Check # _____ Credit Card # _____ (FEES ARE NON-REFUNDABLE)

Application checked by: _____ Date: _____

Pre-application meeting: _____ Date: _____

Planning Commission Decision: _____

Mayor/City Council Decision: _____

Planning Director's Signature: _____ Date: _____



Applicant Campaign Disclosure Form

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

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

Yes _____ No X

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

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

We certify that the foregoing information is true and correct, this 20 day of February, 2022

S3 Capital Investments, LLC
Applicant's Name - Printed

Dmar F. Sawi
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 20 day of February, 2022



Tessa J. Davis
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 20 day of February, 2022

Southern Crescent Rehab & Retirement Co Inc

Applicant's Name - Printed

Omar El Sawi

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 20 day of February, 2022.



Tressa J. Davis

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 1st day of March, 2022

Michele Battle

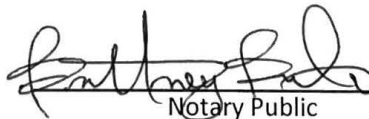
Applicant's Name - Printed

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.


Notary Public



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



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:

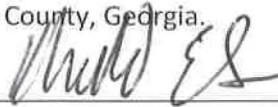
Southern Crescent Rehab & Retirement Co Inc

Property Address: 2125 Highway 42 North McDonough, Georgia 30253

Telephone: (678) 565-7710

Email: kelsawi@sctbi.com

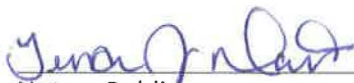
I swear that I am the owner of the property that is the subject matter of the attached application, as it is shown in the records of Henry County, Georgia.

Signature: 

Date: 2/22/22

Personally appeared before me,

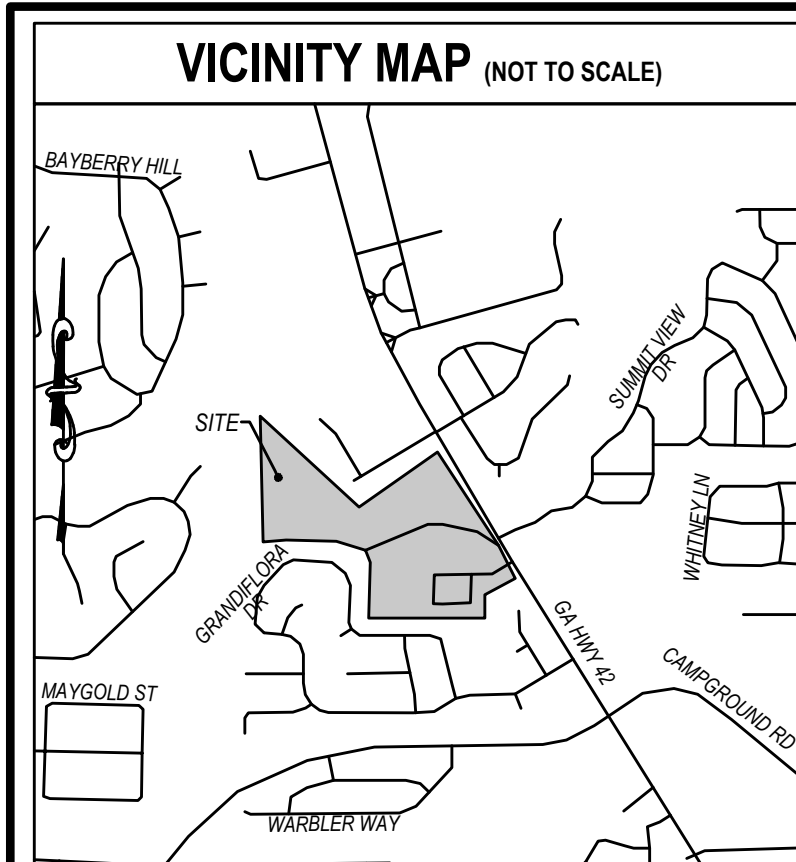
Who swears the information contained in this authorization is true and correct to the best of his/her knowledge and belief.


Notary Public

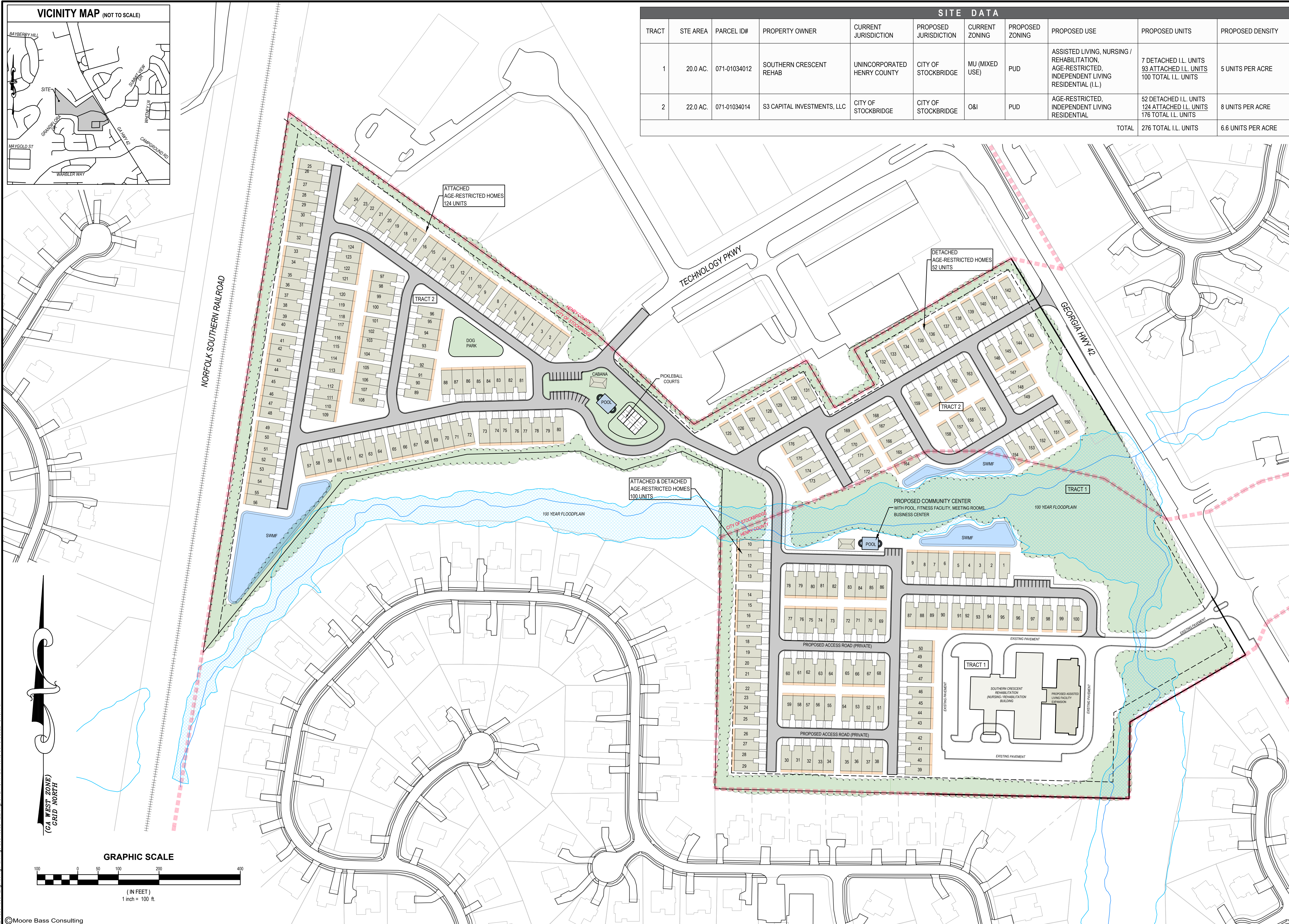
2/20/2022
Date



Print



SITE DATA										
TRACT	STE AREA	PARCEL ID#	PROPERTY OWNER	CURRENT JURISDICTION	PROPOSED JURISDICTION	CURRENT ZONING	PROPOSED ZONING	PROPOSED USE	PROPOSED UNITS	PROPOSED DENSITY
1	20.0 AC.	071-01034012	SOUTHERN CRESCENT REHAB	UNINCORPORATED HENRY COUNTY	CITY OF STOCKBRIDGE	MU (MIXED USE)	PUD	ASSISTED LIVING, NURSING / REHABILITATION, AGE-RESTRICTED, INDEPENDENT LIVING RESIDENTIAL (I.L.)	7 DETACHED I.L. UNITS 93 ATTACHED I.L. UNITS 100 TOTAL I.L. UNITS	5 UNITS PER ACRE
2	22.0 AC.	071-01034014	S3 CAPITAL INVESTMENTS, LLC	CITY OF STOCKBRIDGE	CITY OF STOCKBRIDGE	O&I	PUD	AGE-RESTRICTED, INDEPENDENT LIVING RESIDENTIAL	52 DETACHED I.L. UNITS 124 ATTACHED I.L. UNITS 176 TOTAL I.L. UNITS	8 UNITS PER ACRE
TOTAL									276 TOTAL I.L. UNITS	6.6 UNITS PER ACRE



	
Moore Bass Consulting, Inc.	
- Civil Engineering - Land Surveying - Development Consulting - Landscape Architecture - Environmental Permitting	
www.moorebass.com TALLAHASSEE • ATLANTA	
1350 Keys Ferry Court McDonough, GA 30253 770.914.9394	
PROJECT NAME SOUTHERN CRESCENT INDEPENDENT LIVING	CLIENT NAME S3 CAPITAL INVESTMENTS, LLC
REVISIONS	
A3501.0002-REZ	
DATE	12-15-2021
CONTRACT #	
DRAWN BY	SDM
The Drawings, Specifications and other documents prepared by Moore Bass Consulting, Inc. (MBC) for this Project are instruments of MBC for use solely with respect to this Project and, unless otherwise provided, MBC shall be deemed the author of these documents and shall retain all common law, statutory and other reserved rights, including the copyright.	
1350 KEYS FERRY COURT McDONOUGH, GA 30253 LSC #1173	
SEAL	
SHEET TITLE	
CONCEPTUAL SITE PLAN	
SHEET	
1	

LEGEND

WOODEN POWER POLE ----- ⚡	EX. WATER METER ----- ⌛
EX. OH. POWER LINES ----- E ----- E -----	EX. WATER VALVE ----- ⚙
LIGHT POLE ----- ⚡	SANITARY SEWER MANHOLE ----- ⚙
EX. FENCE ----- x ----- x ----- x ----- x ----- x -----	SEWER CLEAN-OUT ----- ○
POB = POINT OF BEGINNING	STORM HEADWALL ----- ⚡
IPS = IRON PIN SET (#4 REBAR)	EX. SINGLEWING CATCH BASIN ⚡
DB. = DEED BOOK	EX. DOUBLEWING CATCH BASIN ⚡
PB. = PLAT BOOK	JUNCTION BOX ----- ⚙
PG. = PAGE	
N/F = NOW OR FORMERLY	EX. BUILDING ----- ▨
EX. = EXISTING	EX. ASPHALT ----- ▩
RCP = REINFORCED CONCRETE PIPE	EX. CONCRETE ----- ▨
CMP = CORRUGATED METAL PIPE	
CPP = CORRUGATED PLASTIC PIPE	
HANDICAPP PARKING = ♿	
EX. FIRE HYDRANT ----- ⚡	

SHEET: 1 OF 1

RECEIVED IN OFFICE
HENRY COUNTY
CLERK OF SUPERIOR COURT

2014 OCT 22 PM 1:30

BK: 13781 PG: 293-299

Filed and Recorded Oct-23-2014 08:51:45AM

DOC#: D2014-023643

Real Estate Transfer Tax Paid \$110.00

0752014007392

BARBARA A. HARRISON

CLERK OF SUPERIOR COURT Henry County GA.

Return to:
LANE & KARLO, LLP
1827 Powers Ferry Road
Building Five
Atlanta, Georgia 30339

File No: LK144911
Auction #JDA30-7102

LIMITED WARRANTY DEED

STATE OF GEORGIA

COUNTY OF COBB

THIS INDENTURE, made and entered into this 16th day of October, in the year two thousand fourteen, by and between

HARVEST POINT UNITED METHODIST CHURCH, INC.

of the County of Henry, and State of Georgia, as party or parties of the first part, hereinafter called Grantor, and

S3 CAPITAL INVESTMENTS, LLC

as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits.)

WITNESSETH that: Grantor, for and in consideration of the sum of TEN AND NO/100 (\$10.00) DOLLARS in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, convey and confirm unto the said Grantee, the following described property, to-wit:

All those tracts or parcels of land lying and being in Land Lots 31, 32 and 33, 7th District, Henry County, Georgia, and being more particularly described in Exhibit A, attached hereto and made a part hereof.

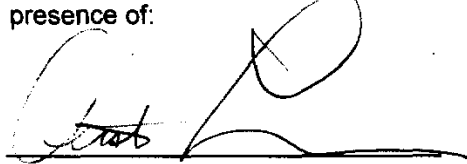
This conveyance is made and authorized in accordance with and pursuant to *The Book of Discipline of the United Methodist Church (2012)*, as set forth and confirmed in and by that certain Certification and Consent, attached hereto and made a part hereof.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in FEE SIMPLE.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons claiming by, through or under Grantor herein.

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed as of the day and year above written.

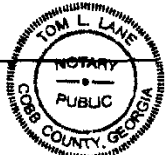
Signed, sealed and delivered in the presence of:



Witness

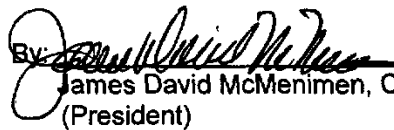


Notary Public



My Commission Expires
October 2, 2018

HARVEST POINT UNITED METHODIST
CHURCH, INC.

By:  (SEAL)
James David McMenimen, Chairman
(President)

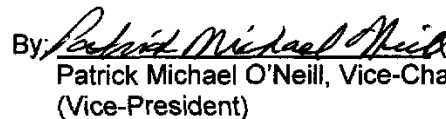
By:  (SEAL)
Patrick Michael O'Neill, Vice-Chairman
(Vice-President)

EXHIBIT A

TRACT I: All that tract or parcel of land lying and being in Land Lots 31, 32 and 33 of the 7th District of Henry County, Georgia, and being 14.169 acres designated as Tract I on a plat of survey prepared for Davis Development, Inc., prepared by Carlton Rakestraw, Jr. of Carlton Rakestraw & Associates, Ga. R.L.S. #2236, dated July 11, 2003, and last revised September 3, 2003, which said plat of survey is incorporated herein and by reference thereto being more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING, commence at an iron pin set on the Southwestern right-of-way line of S.R. 42/U.S. 23 (80' R/W), said iron pin being 2,721.51 feet Southeasterly as measured along said right-of-way line from its intersection with the Southern right-of-way line of Tunis Drive; thence leaving said right-of-way line South 59 degrees 56 minutes 54 seconds West 447.09 feet to a ½" R.R. found; thence proceeding South 30 degrees 02 minutes 01 second East 100.14 feet to an iron pin set; thence proceeding South 59 degrees 55 minutes 51 seconds West 113.17 feet to an iron pin set; thence proceeding North 30 degrees 04 minutes 09 seconds West 138.00 feet to a ½" R.R. found; thence proceeding South 59 degrees 55 minutes 51 seconds West 320.47 feet to a ½" R.R. found at the TRUE POINT OF BEGINNING; thence proceeding from said true point of beginning South 23 degrees 24 minutes 14 seconds West 71.99 feet to a ½" R.R. found; thence proceeding South 71 degrees 56 minutes 43 seconds West 150.56 feet to a ½" R.R. found; thence proceeding North 65 degrees 57 minutes 01 second West 115.18 feet to a ½" R.R. found; thence proceeding South 88 degrees 21 minutes 41 seconds West 280.93 feet to a ½" R.R. found; thence proceeding South 78 degrees 36 minutes 17 seconds West 311.03 feet to a ½" R.R. found; thence proceeding South 38 degrees 58 minutes 41 seconds West 549.45 feet to a ½" R.R. found on the Eastern right-of-way line of Southern Railway (150' R/W); thence proceeding along the Eastern right-of-way line of Southern Railway North 09 degrees 06 minutes 42 seconds East 1,345.95 feet to an iron pin set; thence leaving the Eastern right-of-way line of Southern Railway South 54 degrees 14 minutes 16 seconds East 932.52 feet to a ½" R.R. found; thence proceeding South 47 degrees 05 minutes 54 seconds East 325.48 feet to a ½" R.R. found at the TRUE POINT OF BEGINNING.

TRACT II: All that tract or parcel of land lying and being in Land Lot 31 of the 7th District of Henry County, Georgia, and being 7.841 acres designated as Tract II on a plat of survey prepared for Davis Development, Inc., prepared by Carlton Rakestraw, Jr. of Carlton Rakestraw & Associates, Ga. R.L.S. #2236, dated July 11, 2003, and last revised September 3, 2003, which said plat of survey is incorporated herein and by reference thereto being more particularly described as follows:



Battle Law

STATEMENT OF INTENT

and

Other Material Required by
City of Stockbridge Zoning Ordinance

For

Annexation, Rezoning, and Future Land Use Map Amendment

of

**S3 Capital Investments, LLC
c/o Battle Law, P.C.**

for

19.995 +/- Acres located at PIN #071-01034012, 071-01034014
Highway 42 and Summit View Drive

Submitted for Applicant by:

Michèle L. Battle, Esq.
Battle Law, P.C.
Habersham at Northlake, Building J, Suite 100
Tucker, Georgia 30084
(404) 601-7616 Phone
(404) 745-0045 Facsimile
mlb@battlelawpc.com



I. LETTER OF INTENT

S3 Capital Investments, LLC (the “Applicant”) is requesting annexation into the Incorporated City of Stockbridge for the rezoning of 19.995 acres of land, which is further described as parcel 071-01034012. The subject property is currently developed under the unincorporated Henry County Office and Institutional and Mixed-Use zoning districts. The applicant is requesting to be rezoned from OI, LI and MU to PUD a companion Future Land Use Map Amendment request to change the land use designation from Light Industrial to High Density Residential.

The subject property will be adjacent to the Southern Crescent Rehabilitation Center, which is zoned Mixed Use. S3 Capital Investments’ proposal includes 52 detached housing units and 124 attached units for an age-restricted independent living community. The applicant is requesting the petition of zoning and other applicable zoning actions to obtain approval and acceptance of the annexation of both parcels of land which will include a total of 276 total units, which 100 of the units will be provided as part of the South Crescent tract that is designated for assisted living, nursing and rehabilitation.

STE AREA	PARCEL ID#	PROPERTY OWNER	CURRENT JURISDICTION	PROPOSED JURISDICTION	CURRENT ZONING	PROPOSED ZONING	PROPOSED USE	PROPOSED UNITS
20.0 AC.	071-01034012	SOUTHERN CRESCENT REHAB	UNINCORPORATED HENRY COUNTY	CITY OF STOCKBRIDGE	MU (MIXED USE)	PUD	ASSISTED LIVING, NURSING / REHABILITATION, AGE-RESTRICTED, INDEPENDENT LIVING RESIDENTIAL (I.L.)	7 DETACHED I.L. UNITS 93 ATTACHED I.L. UNITS 100 TOTAL I.L. UNITS
22.0 AC.	071-01034014	S3 CAPITAL INVESTMENTS, LLC	CITY OF STOCKBRIDGE	CITY OF STOCKBRIDGE	O&I	PUD	AGE-RESTRICTED, INDEPENDENT LIVING RESIDENTIAL	52 DETACHED I.L. UNITS 124 ATTACHED I.L. UNITS 176 TOTAL I.L. UNITS
TOTAL								276 TOTAL I.L. UNITS

The applicant currently has a list of conditions for the proposed development that is being revised for the transition into the City of Stockbridge. This document is currently being drafted and will be submitted as an attachment to this application.

This document is submitted as a Statement of Intent with regard to this Application, preservation of the Applicant’s constitutional rights, and an application of the criteria provided in the Steinberg



Battle Law

Act to provide a rigorous analysis of the proposed rezoning and land use amendment. A surveyed plat and conceptual site plan of the Subject Property has been filed contemporaneously with the Application, along with other required materials.

II. REVIEW CRITERIA FOR JUSTIFICATION

- A. 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 the adjacent and nearby property.

The Subject Property is abutted by a residential neighborhood to the south. There are commercial-zoned parcels adjacent east and north of the property. The Southern Crescent site is currently developed and the adjacent tract, which is referenced as tract 2 is currently undeveloped with heavy tree coverage throughout the parcel. The proposed use appears to be suitable in view of the surrounding properties as a residential addition to the Highway 42 corridor.

- B. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property** The land use amendment and zoning proposal will not adversely affect the existing use or usability of adjacent or nearby property.

The proposed land use amendment and zoning proposal will allow the Applicant to improve upon the area surrounding the Subject Property by bringing high-quality architectural design, road access through the Subject Property, jobs, and senior services that are in high demand according to the regional market.

- C. Whether the property will be affected by the zoning proposal has a reasonable economic use as currently zoned.**



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The Subject Property does have a reasonable economic use as zoned. However, the land-use amendment and zoning proposal will not change this fact. There is an annexation request which will allow this development to be added to the City of Stockbridge. We believe that this project would best benefit from the regulations established within the City of Stockbridge Zoning Ordinance.

D. Whether the zoning proposal will result in a use that will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities or schools.

The land use amendment and zoning proposal will not result in a use which will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities or schools.

E. Whether the zoning proposal is in conformity with the policy and intent of the land-use plan. The land use amendment and zoning proposal is in conformity with the policy and intent of the land-use plan.

The zoning proposal is appropriate for the simultaneous land use amendment because the assigned land use designation is not compatible as industrial land use. The proposed site will be residential with a low-density yield. The requested change appears to be more conforming with the area given that there are existing residential land uses adjacent to the subject property.

F. Whether there are 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 aware of the conditions that were assigned by Henry County's staff. The applicant intends to carry some of the conditions with some alterations in the



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language that will best suit the development regulations and policies of the City of Stockbridge.



III. NOTICE OF CONSTITUTIONAL ALLEGATIONS AND PRESERVATION OF APPLICANT'S CONSTITUTIONAL RIGHTS

The portions of the City of Stockbridge Ordinance, facially and as applied to the Subject Property, which restricts 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



Battle Law

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 Council/ Commission 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 the 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 herein above.

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.

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 City an opportunity to revise the Property to a constitutional classification. If action is not



Battle Law

taken by the City to rectify this unconstitutional land use designation and/or zoning classification within a reasonable time, the Applicant is hereby placing the City on notice that it may elect to file a claim in the Superior Court of Henry 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.

The portions of the City of Stockbridge Ordinance, facially and as applied to the Subject Property, which restricts 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



Battle Law

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 to allow the special land use permit in question 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

IV. Conclusion

Thank you for your consideration for this project. The applicant is more than willing to provide any additional documents and supporting details. For the foregoing reasons, the Applicant respectfully requests that the simultaneous Annexation, Land Use Amendment, and Rezoning application at issue be approved. The Applicant also invites and welcomes any comments from Staff or other officials of the City of Stockbridge so that such recommendations or input might be incorporated as conditions of approval of this Application.

This 1st day of June 2022.

Respectfully submitted,

Michele L. Battle, Esq. Attorney for the Applicant

c/o Tyler McSwain, Senior Urban Planner





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 <i>within the last five years</i> 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 <i>(Only needed if property is not on sewer)</i> .	/

City of Stockbridge Planning and Zoning Division
Rezoning Application

Name of Applicant S3 Capital Investments, LLC Phone: 678-565-7710 Date: November 10, 2021
Address Applicant: 2125 Highway 42 North Fax _____ Cell # 678-565-7710

City: McDonough State: Georgia Zip: 30253 E-mail: kelsawi@sctbi.com
Name of Agent Battle Law, P.C. Phone: 404-601-7616 Date: November 10, 2021
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 OI, LI and MU to PUD for
an age-restricted 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: Grandiflora Drive

Nearest intersection to the property: Highway 42 N and Summit View Drive
(Street Address)

Size of Tract: 42 acre(s), Land Lot Number(s): 31+, 31, District(s): 7

Property Tax Parcel Number(s): 071-01034012, 071-01034014 (Required)

Witness' Signature

Signature of Applicant

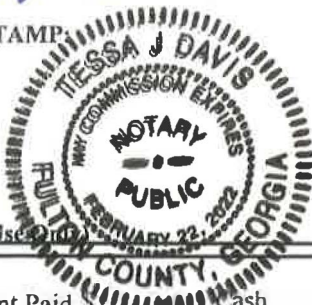
Printed Name of Witness

S3 Capital Investments, LLC
Printed Name of Applicant

Notary

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 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 20 day of February, 2022

S3 Capital Investments, LLC
Applicant's Name - Printed

Dmar F. Sawi
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 20 day of February, 2022



Tessa J. Davis
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 20 day of February, 2022

Southern Crescent Rehab & Retirement Co Inc

Applicant's Name - Printed

Omar El Sawi

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 20 day of February, 2022.



Tressa J. Davis

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 1st day of March, 2022

Michele Battle

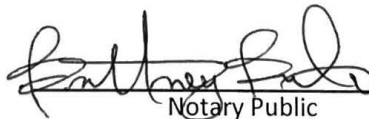
Applicant's Name - Printed

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.


Notary Public



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



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:

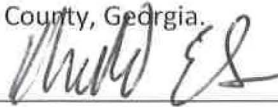
Southern Crescent Rehab & Retirement Co Inc

Property Address: 2125 Highway 42 North McDonough, Georgia 30253

Telephone: (678) 565-7710

Email: kelsawi@sctbi.com

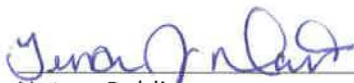
I swear that I am the owner of the property that is the subject matter of the attached application, as it is shown in the records of Henry County, Georgia.

Signature: 

Date: 2/22/22

Personally appeared before me,

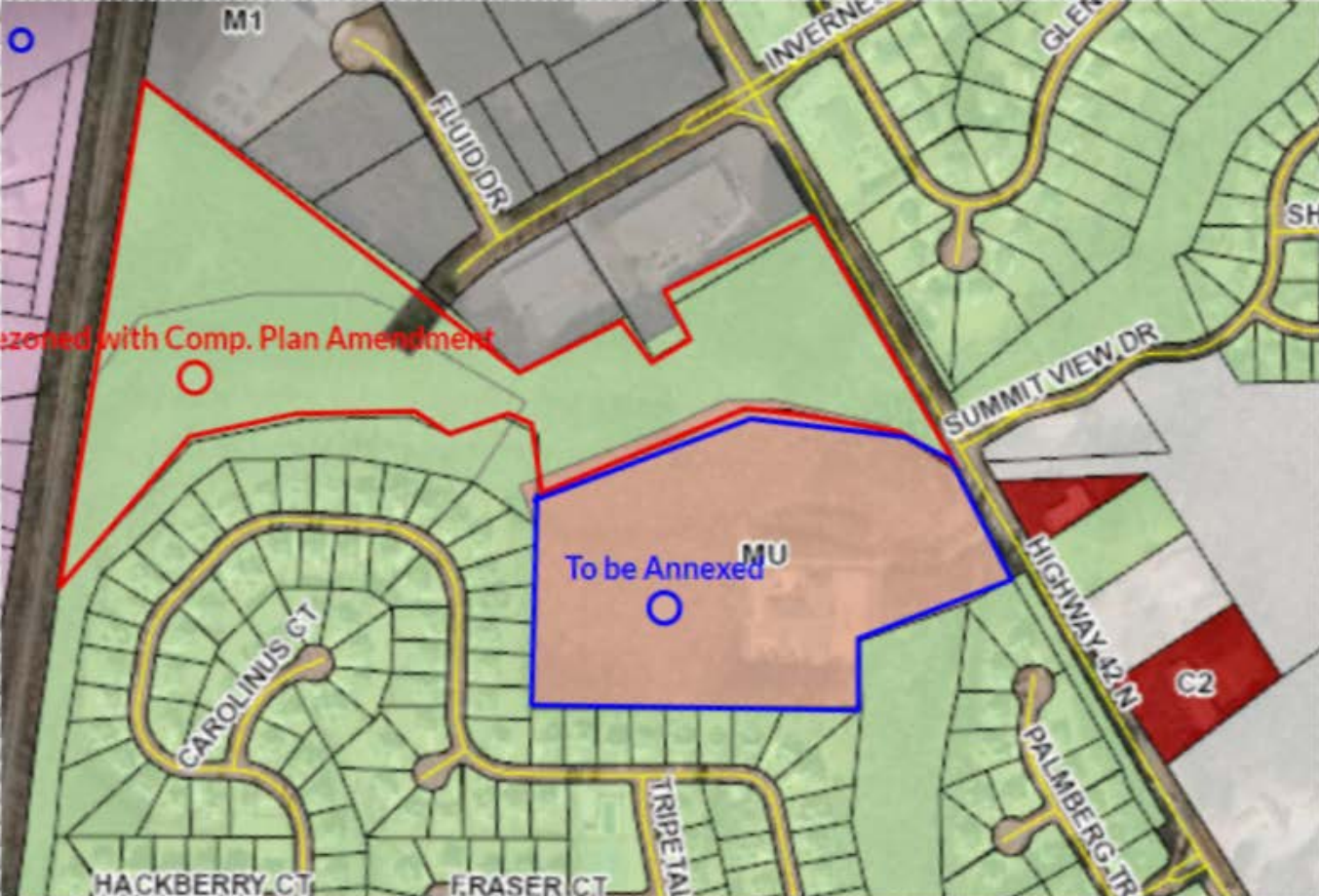
Who swears the information contained in this authorization is true and correct to the best of his/her knowledge and belief.


Notary Public

2/20/2022
Date



Print



M1

FLUID DR

INVERNE

GLEN

SH

zoned with Comp. Plan Amendment

SUMMIT VIEW DR

To be Annexed

MU

C2

HIGHWAY 42 N

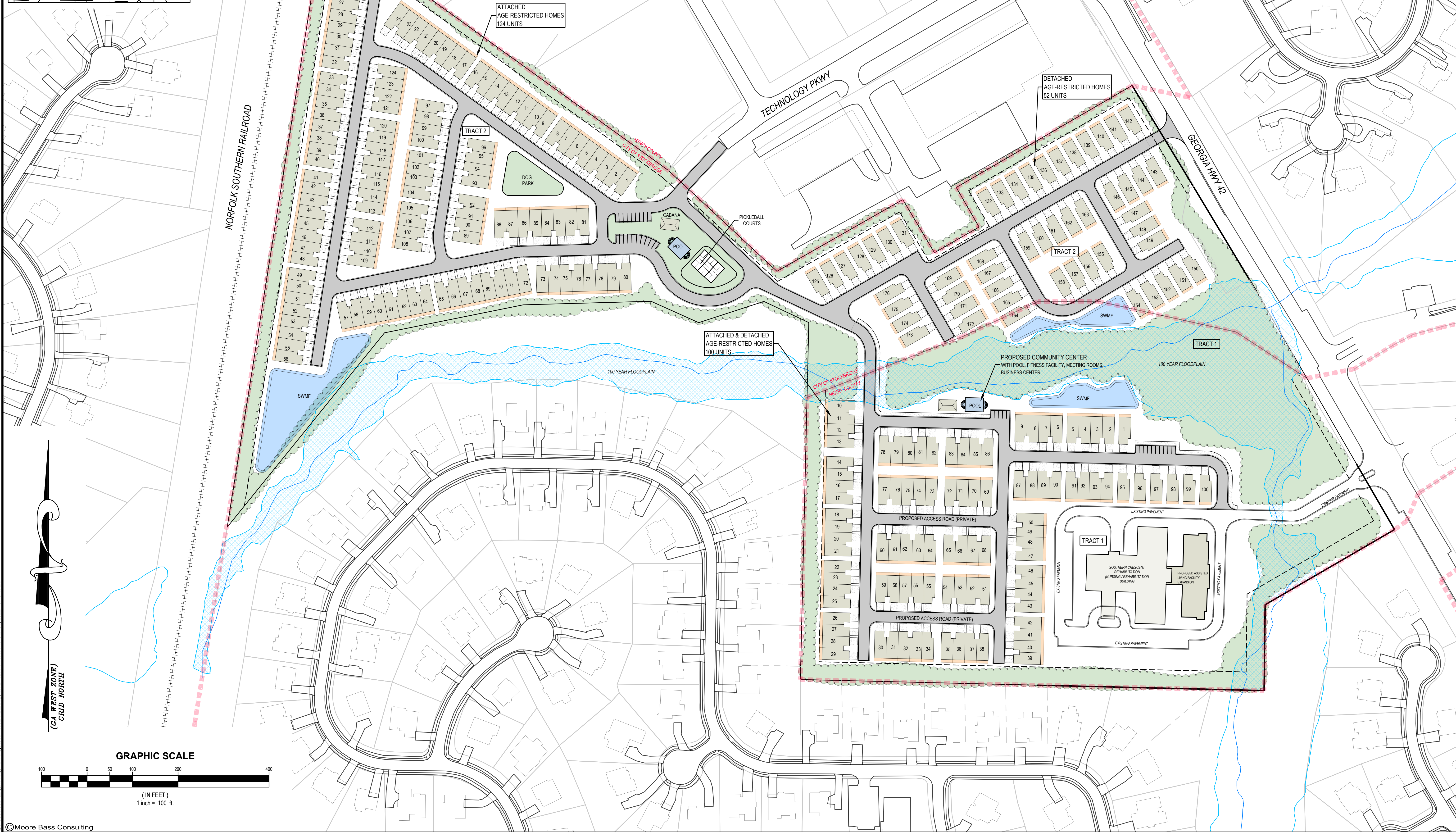
CAROLINUS CT

HACKBERRY CT

FRASER CT

TRIPLE TAIL

PALMBERG TR



The logo for Moore Bass Consulting, Inc. is located in the top left corner. It features a large, stylized blue 'MB' monogram within a blue square border. Below the monogram, the company name 'Moore Bass Consulting, Inc.' is written in a bold, black, sans-serif font. Underneath the name is a list of services: Civil Engineering, Land Surveying, Development Consulting, Landscape Architecture, and Environmental Permitting, each preceded by a black dot.

1350 Keys Ferry Court
McDonough, GA 30253
770.914.9394

[illegible]

DRAWN BY **SDM**

The Drawings, Specifications and other documents prepared by Moore Bass Consulting, Inc. (MB) for this Project are instruments of MB for use solely with respect to this Project and, unless otherwise provided, MB shall be deemed the author of these documents and shall retain all common law, statutory and other reserved rights, including the copyright.

SHEET
1

RESERVED FOR CLERK OF THE SUPERIOR COURT

THIS PROPERTY IS SUBJECT TO ALL RIGHT OF WAYS AND EASEMENTS SHOWN OR NOT SHOWN, RECORDED OR UNRECORDED.

THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF A TITLE REPORT WHICH COULD REVEAL ENCUMBRANCES NOT SHOWN.

UTILITIES SHOWN ARE LOCATION VISIBLE AT TIME OF SURVEY. ADDITIONAL UTILITIES MAY EXIST ABOVE OR BELOW GROUND. THE SURVEYOR ACCEPTS NO RESPONSIBILITY FOR THE COMPLETENESS OF THIS DATA.

SURVEY ORDERED BY: KHALED EL-SAWI
FIELDWORK COMPLETED ON: 4-28-2021
A SEARCH WAS MADE FOR NGS MONUMENTS AND NONE WERE FOUND WITHIN 500' OF SITE.

This plat is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plats, or other instruments which created the parcel or parcels are stated hereon. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.



Tim L. Miller GA. RLS # 3150 Date: 4-29-2021

SURVEYORS CERTIFICATION:

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 47,985 FEET AND AN ANGULAR ERROR OF 0.01" PER ANGLE POINT AND WAS ADJUSTED USING THE COMPASS RULE.
THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND WAS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 100,000 FEET.
EQUIPMENT USED: TOPCON GTS-313.

AS PER OFFICIAL FLOOD INSURANCE MAPS BY THE F.E.M.A., A PORTION OF THIS PROPERTY IS LOCATED IN A FLOOD HAZARD AREA (ZONE A) AS PER COMMUNITY - PANEL NUMBER 13151C0156D DATED: OCTOBER 6, 2016

SURVEYOR'S CERTIFICATION:
I HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE ON THE GROUND BY ME OR UNDER MY SUPERVISION, AND THAT THE MONUMENTS REFERENCED HEREON, EXIST AND THEIR SIZES, LOCATIONS AND MATERIALS ARE CORRECTLY SHOWN.

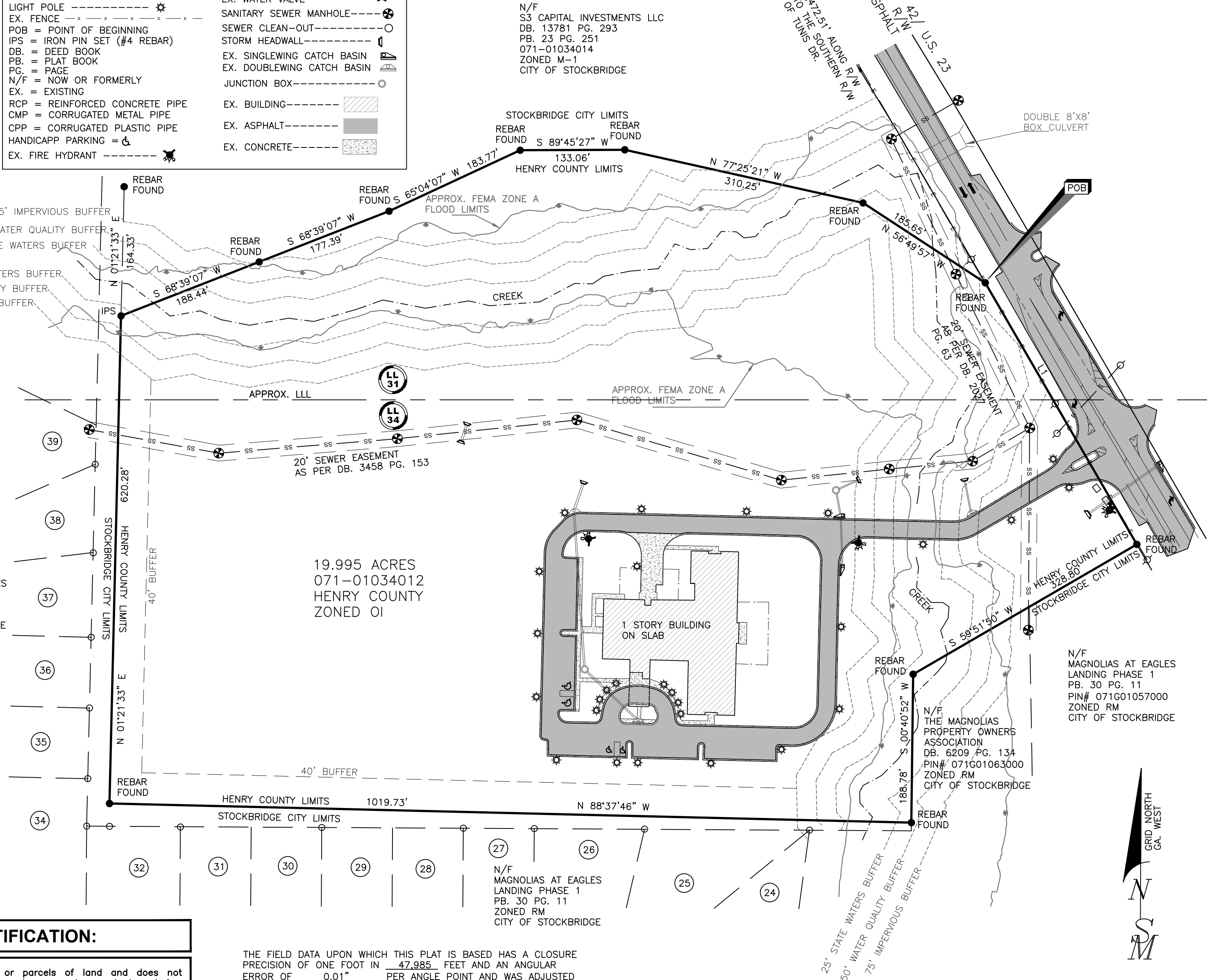
GENERAL NOTES:

AREA: 19.995 ACRES
PARCEL: 071-01034012
ZONED OI
MINIMUM LOT AREA= 10,000 SQ.FT. (COUNTY WATER & SEWER)
MINIMUM LOT WIDTH=125'
FRONT SETBACK----- 50'
REAR SETBACK----- 20'
SIDE SETBACK:----- 15'
SEWER AS PER HCWA.
WATER AS PER HCWA



LEGEND	
WOODEN POWER POLE	---
EX. OH POWER LINES	---
LIGHT POLE	---
EX. FENCE	---
POB = POINT OF BEGINNING	
IPS = IRON PIN SET (#4 REBAR)	
DB. = DEED BOOK	
PB. = PLAT BOOK	
PG. = PAGE	
N/F = NOW OR FORMERLY	
EX. = EXISTING	
RCP = REINFORCED CONCRETE PIPE	
CMP = CORRUGATED METAL PIPE	
CPP = CORRUGATED PLASTIC PIPE	
HANDICAPP PARKING	
EX. FIRE HYDRANT	
EX. WATER METER	
EX. WATER VALVE	
SANITARY SEWER MANHOLE	
SEWER CLEAN-OUT	
STORM HEADWALL	
EX. SINGLEWING CATCH BASIN	
EX. DOUBLEWING CATCH BASIN	
JUNCTION BOX	
EX. BUILDING	
EX. ASPHALT	
EX. CONCRETE	

LINE CALL CHART		
LINE	BEARING	DISTANCE
L1	S 30°04'30" E	384.49'



BOUNDARY SURVEY
S3 CAPITAL INVESTMENTS LLC
TRACT 2 19.995 ACRES
LAND LOTS 31, & 34,
7th. DISTRICT
HENRY COUNTY, GEORGIA

SIBLEY-MILLER
SURVEYING & PLANNING INC.
*CIVIL ENGINEERING
*TOPOGRAPHICAL SURVEYS
*LAND DEVELOPMENT DESIGN
*CONSTRUCTION LAYOUT
*LAND PLANNING
*LAND SURVEYING
212 WEST CAMPGROUND RD
McDONOUGH, GA. 30253
PHONE: (770) 320-7555
FAX: (770) 320-7333
www.sibleysurveying.com

PROJECT #: **B15008**
BOUNDARY SURVEY
19.995 ACRES

DRAWN BY: TLM
SCALE: 1" = 100'
DATE: 04/29/2021

RECEIVED IN OFFICE
HENRY COUNTY
CLERK OF SUPERIOR COURT

2014 OCT 22 PM 1:30

BK: 13781 PG: 293-299
Filed and Recorded Oct-23-2014 08:51:45AM
DOC#: D2014-023643
Real Estate Transfer Tax Paid \$110.00
0752014007392
BARBARA A. HARRISON
CLERK OF SUPERIOR COURT Henry County GA.

Return to:
LANE & KARLO, LLP
1827 Powers Ferry Road
Building Five
Atlanta, Georgia 30339

File No: LK144911
Auction #JDA30-7102

LIMITED WARRANTY DEED

STATE OF GEORGIA

COUNTY OF COBB

THIS INDENTURE, made and entered into this 16th day of October, in the year two thousand fourteen, by and between

HARVEST POINT UNITED METHODIST CHURCH, INC.

of the County of Henry, and State of Georgia, as party or parties of the first part, hereinafter called Grantor, and

S3 CAPITAL INVESTMENTS, LLC

as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits.)

WITNESSETH that: Grantor, for and in consideration of the sum of TEN AND NO/100 (\$10.00) DOLLARS in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, convey and confirm unto the said Grantee, the following described property, to-wit:

All those tracts or parcels of land lying and being in Land Lots 31, 32 and 33, 7th District, Henry County, Georgia, and being more particularly described in Exhibit A, attached hereto and made a part hereof.

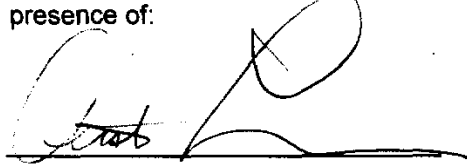
This conveyance is made and authorized in accordance with and pursuant to *The Book of Discipline of the United Methodist Church (2012)*, as set forth and confirmed in and by that certain Certification and Consent, attached hereto and made a part hereof.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in FEE SIMPLE.

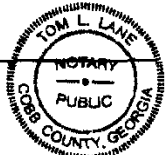
AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons claiming by, through or under Grantor herein.

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed as of the day and year above written.

Signed, sealed and delivered in the presence of:

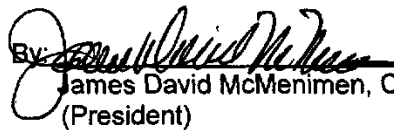

Witness


Notary Public



My Commission Expires
October 2, 2018

HARVEST POINT UNITED METHODIST
CHURCH, INC.

By:  (SEAL)
James David McMenimen, Chairman
(President)

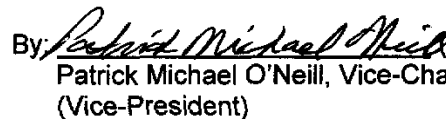
By:  (SEAL)
Patrick Michael O'Neill, Vice-Chairman
(Vice-President)

EXHIBIT A

TRACT I: All that tract or parcel of land lying and being in Land Lots 31, 32 and 33 of the 7th District of Henry County, Georgia, and being 14.169 acres designated as Tract I on a plat of survey prepared for Davis Development, Inc., prepared by Carlton Rakestraw, Jr. of Carlton Rakestraw & Associates, Ga. R.L.S. #2236, dated July 11, 2003, and last revised September 3, 2003, which said plat of survey is incorporated herein and by reference thereto being more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING, commence at an iron pin set on the Southwestern right-of-way line of S.R. 42/U.S. 23 (80' R/W), said iron pin being 2,721.51 feet Southeasterly as measured along said right-of-way line from its intersection with the Southern right-of-way line of Tunis Drive; thence leaving said right-of-way line South 59 degrees 56 minutes 54 seconds West 447.09 feet to a ½" R.R. found; thence proceeding South 30 degrees 02 minutes 01 second East 100.14 feet to an iron pin set; thence proceeding South 59 degrees 55 minutes 51 seconds West 113.17 feet to an iron pin set; thence proceeding North 30 degrees 04 minutes 09 seconds West 138.00 feet to a ½" R.R. found; thence proceeding South 59 degrees 55 minutes 51 seconds West 320.47 feet to a ½" R.R. found at the TRUE POINT OF BEGINNING; thence proceeding from said true point of beginning South 23 degrees 24 minutes 14 seconds West 71.99 feet to a ½" R.R. found; thence proceeding South 71 degrees 56 minutes 43 seconds West 150.56 feet to a ½" R.R. found; thence proceeding North 65 degrees 57 minutes 01 second West 115.18 feet to a ½" R.R. found; thence proceeding South 88 degrees 21 minutes 41 seconds West 280.93 feet to a ½" R.R. found; thence proceeding South 78 degrees 36 minutes 17 seconds West 311.03 feet to a ½" R.R. found; thence proceeding South 38 degrees 58 minutes 41 seconds West 549.45 feet to a ½" R.R. found on the Eastern right-of-way line of Southern Railway (150' R/W); thence proceeding along the Eastern right-of-way line of Southern Railway North 09 degrees 06 minutes 42 seconds East 1,345.95 feet to an iron pin set; thence leaving the Eastern right-of-way line of Southern Railway South 54 degrees 14 minutes 16 seconds East 932.52 feet to a ½" R.R. found; thence proceeding South 47 degrees 05 minutes 54 seconds East 325.48 feet to a ½" R.R. found at the TRUE POINT OF BEGINNING.

TRACT II: All that tract or parcel of land lying and being in Land Lot 31 of the 7th District of Henry County, Georgia, and being 7.841 acres designated as Tract II on a plat of survey prepared for Davis Development, Inc., prepared by Carlton Rakestraw, Jr. of Carlton Rakestraw & Associates, Ga. R.L.S. #2236, dated July 11, 2003, and last revised September 3, 2003, which said plat of survey is incorporated herein and by reference thereto being more particularly described as follows:



Henry County Water Authority
Engineering Division

May 23, 2022

Re: Water and Sewer Services - Availability

Proposed Development: **Age Restricted Residential Development**
Property Information: **2125 Hwy 42 North Parcel Nos. 071-01034012, 071-01034014**
LLs 31, 32, 33 & 34; District 7; 42.0+/- acres
Zoning: **PUD**
Sewer Basin: **Walnut Creek**
Watershed Basin: **Big Cotton Indian**

TO WHOM IT MAY CONCERN:

You have requested that this Authority provide you with information concerning the present availability of water and sewer services to the above-described property. This letter is being provided for informational purposes only and will not act to reserve water capacity to you or the property and will not create any liability to the Authority. The information contained in this letter will remain in effect for a period of **365** days from the date of this letter unless subsequently notified in writing by the Authority. The information provided herein is based upon the above-stated zoning of the property. Any deviation in zoning that would increase density or usage above that evaluated by the Authority will automatically void the information provided herein and will require a separate re-evaluation by this Authority.

Water service is available to the property described above. A fire flow test calculated in the area revealed the following data:

Static:	108	psi
Residual:	98	psi
Flow	1570	gpm
Calculated Flow @ 20 psi:	5080	gpm

As shown, these results are above the minimum adopted standards of 20 psi residual pressure at 1000 gpm for said proposed conditional use as established by the Henry County Board of Commissioners.

Sewage treatment and sewer line capacity are available for the property. ***Please note that the proposed layout for the project is in conflict with an existing 8-inch sewer line; consequently, the sewer will have to be relocated at the developer's expense. Additionally, an easement will be required to access the sewer line from Hwy 42 North.***

The Authority provides water and sewer services where capacity is available on a first-come, first served basis. Each customer, developer, and property owner must also comply with the rules, regulations, and ordinances of the Authority.

The Authority will reevaluate the availability of water and sewer services to the property at the time that the development plans are submitted. If there are any additional requirements, or if water or sewer capacity is not available, you will be notified in writing.

This letter was prepared with information submitted to HCWA on a Conceptual Site Plan dated 05/17/22 prepared by Moore Bass Consulting, Inc.

Scott Sage, P. E.
Engineering Division Manager
Henry County Water Authority



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STATEMENT OF INTENT

and

Other Material Required by
City of Stockbridge Zoning Ordinance

For

Annexation, Rezoning, and Future Land Use Map Amendment

of

**S3 Capital Investments, LLC
c/o Battle Law, P.C.**

for

19.995 +/- Acres located at PIN #071-01034012, 071-01034014
Highway 42 and Summit View Drive

Submitted for Applicant by:

Michèle L. Battle, Esq.
Battle Law, P.C.
Habersham at Northlake, Building J, Suite 100
Tucker, Georgia 30084
(404) 601-7616 Phone
(404) 745-0045 Facsimile
mlb@battlelawpc.com



I. LETTER OF INTENT

S3 Capital Investments, LLC (the “Applicant”) is requesting annexation into the Incorporated City of Stockbridge for the rezoning of 19.995 acres of land, which is further described as parcel 071-01034012. The subject property is currently developed under the unincorporated Henry County Office and Institutional and Mixed-Use zoning districts. The applicant is requesting to be rezoned from OI, LI and MU to PUD a companion Future Land Use Map Amendment request to change the land use designation from Light Industrial to High Density Residential.

The subject property will be adjacent to the Southern Crescent Rehabilitation Center, which is zoned Mixed Use. S3 Capital Investments’ proposal includes 52 detached housing units and 124 attached units for an age-restricted independent living community. The applicant is requesting the petition of zoning and other applicable zoning actions to obtain approval and acceptance of the annexation of both parcels of land which will include a total of 276 total units, which 100 of the units will be provided as part of the South Crescent tract that is designated for assisted living, nursing and rehabilitation.

STE AREA	PARCEL ID#	PROPERTY OWNER	CURRENT JURISDICTION	PROPOSED JURISDICTION	CURRENT ZONING	PROPOSED ZONING	PROPOSED USE	PROPOSED UNITS
20.0 AC.	071-01034012	SOUTHERN CRESCENT REHAB	UNINCORPORATED HENRY COUNTY	CITY OF STOCKBRIDGE	MU (MIXED USE)	PUD	ASSISTED LIVING, NURSING / REHABILITATION, AGE-RESTRICTED, INDEPENDENT LIVING RESIDENTIAL (I.L.)	7 DETACHED I.L. UNITS 93 ATTACHED I.L. UNITS 100 TOTAL I.L. UNITS
22.0 AC.	071-01034014	S3 CAPITAL INVESTMENTS, LLC	CITY OF STOCKBRIDGE	CITY OF STOCKBRIDGE	O&I	PUD	AGE-RESTRICTED, INDEPENDENT LIVING RESIDENTIAL	52 DETACHED I.L. UNITS 124 ATTACHED I.L. UNITS 176 TOTAL I.L. UNITS
TOTAL								276 TOTAL I.L. UNITS

The applicant currently has a list of conditions for the proposed development that is being revised for the transition into the City of Stockbridge. This document is currently being drafted and will be submitted as an attachment to this application.

This document is submitted as a Statement of Intent with regard to this Application, preservation of the Applicant’s constitutional rights, and an application of the criteria provided in the Steinberg



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Act to provide a rigorous analysis of the proposed rezoning and land use amendment. A surveyed plat and conceptual site plan of the Subject Property has been filed contemporaneously with the Application, along with other required materials.

II. REVIEW CRITERIA FOR JUSTIFICATION

- A. 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 the adjacent and nearby property.

The Subject Property is abutted by a residential neighborhood to the south. There are commercial-zoned parcels adjacent east and north of the property. The Southern Crescent site is currently developed and the adjacent tract, which is referenced as tract 2 is currently undeveloped with heavy tree coverage throughout the parcel. The proposed use appears to be suitable in view of the surrounding properties as a residential addition to the Highway 42 corridor.

- B. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property** The land use amendment and zoning proposal will not adversely affect the existing use or usability of adjacent or nearby property.

The proposed land use amendment and zoning proposal will allow the Applicant to improve upon the area surrounding the Subject Property by bringing high-quality architectural design, road access through the Subject Property, jobs, and senior services that are in high demand according to the regional market.

- C. Whether the property will be affected by the zoning proposal has a reasonable economic use as currently zoned.**



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The Subject Property does have a reasonable economic use as zoned. However, the land-use amendment and zoning proposal will not change this fact. There is an annexation request which will allow this development to be added to the City of Stockbridge. We believe that this project would best benefit from the regulations established within the City of Stockbridge Zoning Ordinance.

D. Whether the zoning proposal will result in a use that will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities or schools.

The land use amendment and zoning proposal will not result in a use which will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities or schools.

E. Whether the zoning proposal is in conformity with the policy and intent of the land-use plan. The land use amendment and zoning proposal is in conformity with the policy and intent of the land-use plan.

The zoning proposal is appropriate for the simultaneous land use amendment because the assigned land use designation is not compatible as industrial land use. The proposed site will be residential with a low-density yield. The requested change appears to be more conforming with the area given that there are existing residential land uses adjacent to the subject property.

F. Whether there are 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 aware of the conditions that were assigned by Henry County's staff. The applicant intends to carry some of the conditions with some alterations in the



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language that will best suit the development regulations and policies of the City of Stockbridge.



III. NOTICE OF CONSTITUTIONAL ALLEGATIONS AND PRESERVATION OF APPLICANT'S CONSTITUTIONAL RIGHTS

The portions of the City of Stockbridge Ordinance, facially and as applied to the Subject Property, which restricts 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



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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 Council/ Commission 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 the 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 herein above.

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.

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 City an opportunity to revise the Property to a constitutional classification. If action is not



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taken by the City to rectify this unconstitutional land use designation and/or zoning classification within a reasonable time, the Applicant is hereby placing the City on notice that it may elect to file a claim in the Superior Court of Henry 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.

The portions of the City of Stockbridge Ordinance, facially and as applied to the Subject Property, which restricts 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



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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 to allow the special land use permit in question 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

IV. Conclusion

Thank you for your consideration for this project. The applicant is more than willing to provide any additional documents and supporting details. For the foregoing reasons, the Applicant respectfully requests that the simultaneous Annexation, Land Use Amendment, and Rezoning application at issue be approved. The Applicant also invites and welcomes any comments from Staff or other officials of the City of Stockbridge so that such recommendations or input might be incorporated as conditions of approval of this Application.

This 1st day of June 2022.

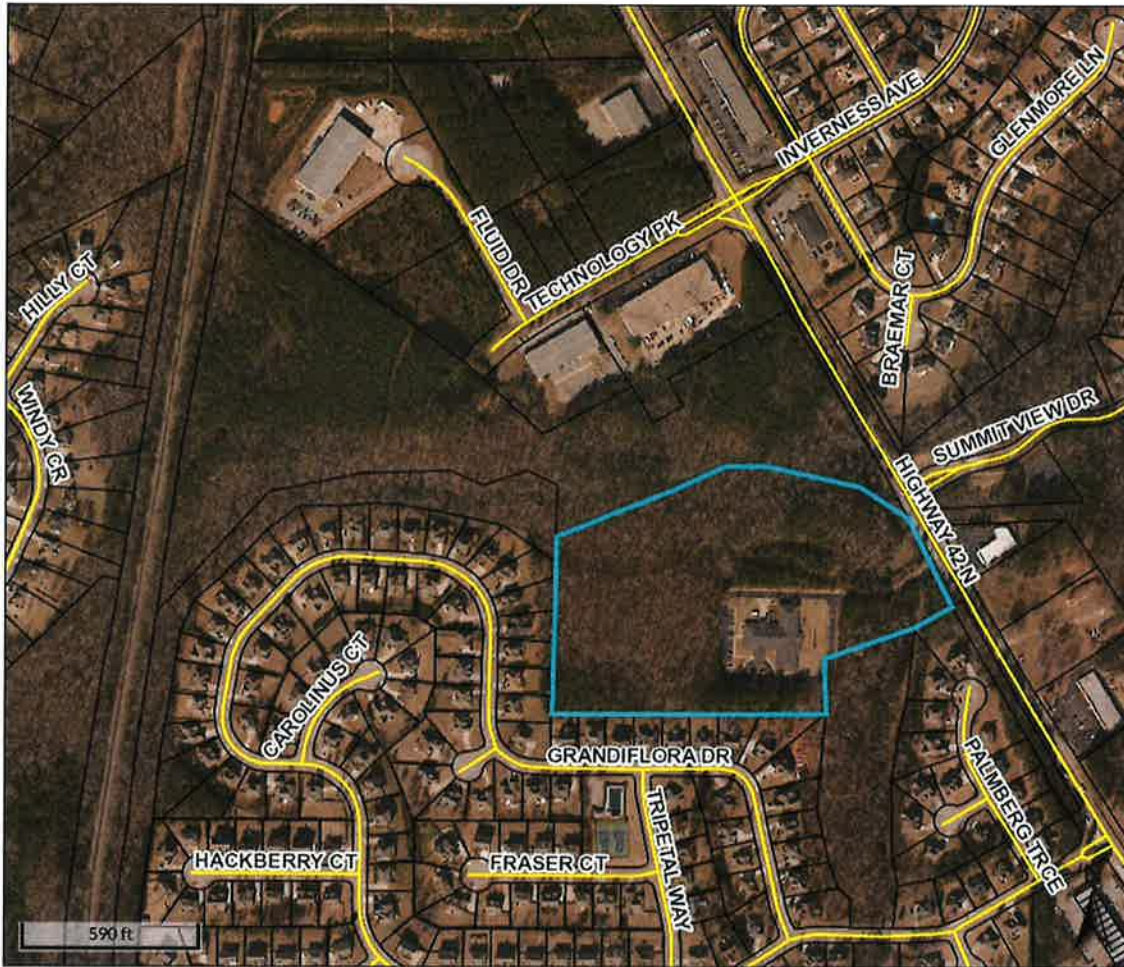
Respectfully submitted,

Michele L. Battle, Esq. Attorney for the Applicant

c/o Tyler McSwain, Senior Urban Planner







Overview



Legend

-  Parcels
-  Roads

Parcel ID	071-01034012	Class	C	Owner	SOUTHERN CRESCENT	Land					
Property	2125 HIGHWAY	Acreage	20	Address	REHAB &	Value:	\$1,500,000				
Address	42 N					Building	\$2,093,300	Last 2 Sales			
District	County/UnIncorp					Value:		Date	Price	Reason	Qual
						Misc	\$40,500	11/1/2000	\$0	n/a	U
						Value:		10/17/1997	\$475,000	n/a	Q
						Total	\$3,633,800				
						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: 5/31/2022

Last Data Uploaded: 5/31/2022 1:51:04 AM

Developed by  **Schneider**
GEOSPATIAL



Overview



Legend

- Parcels
- Roads

Parcel ID	071-01034014	Class	I	Owner	S3 CAPITAL	Land					
Property		Acreage	22.01	Address	INVESTMENTS LLC	Value:	\$649,400				
Address					2125 HIGHWAY 42 N	Building	\$0	Last 2 Sales			
District	City/Stockbridge				MCDONOUGH GA	Value:		Date	Price	Reason	Qual
					30253	Misc	\$0	10/16/2014	\$110,000	OTHER	U
						Value:		5/19/2014	\$0	FAMLY/GIFT	U
						Total	\$649,400				
						Value:					
								Last 2 Sales			
								Date	Price	Reason	Qual
								10/16/2014	\$110,000	OTHER	U
								5/19/2014	\$0	FAMLY/GIFT	U

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: 5/31/2022

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Developed by  **Schneider**
GEOSPATIAL

RESERVED FOR CLERK OF THE SUPERIOR COURT

LEGEND

WOODEN POWER POLE	EX. WATER METER
EX. OH POWER LINES	EX. WATER VALVE
LIGHT POLE	SANITARY SEWER MANHOLE
EX. FENCE	SEWER CLEAN-OUT
POB = POINT OF BEGINNING	STORM HEADWALL
IPS = IRON PIN SET (#4 REBAR)	EX. SINGLEWING CATCH BASIN
DB = DEED BOOK	EX. DOUBLEWING CATCH BASIN
PB = PLAT BOOK	JUNCTION BOX
PG = PAGE	EX. BUILDING
N/F = NOW OR FORMERLY	EX. ASPHALT
EX. = EXISTING	EX. CONCRETE
RCP = REINFORCED CONCRETE PIPE	
CMP = CORRUGATED METAL PIPE	
CPP = CORRUGATED PLASTIC PIPE	
HANDICAPP PARKING	
EX. FIRE HYDRANT	

N/F
S3 CAPITAL INVESTMENTS LLC
DB, 13781 PG. 293
PB, 23 PG. 251
071-01034014
ZONED M-1
CITY OF STOCKBRIDGE

LINE CALL CHART

LINE	BEARING	DISTANCE
LT	S 30°04'30" E	384.49'

THIS PROPERTY IS SUBJECT TO ALL RIGHT OF WAYS AND EASEMENTS SHOWN OR NOT SHOWN, RECORDED OR UNRECORDED.

THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF A TITLE REPORT WHICH COULD REVEAL ENCUMBRANCES NOT SHOWN.

UTILITIES SHOWN ARE LOCATION VISIBLE AT TIME OF SURVEY. ADDITIONAL UTILITIES MAY EXIST ABOVE OR BELOW GROUND. THE SURVEYOR ACCEPTS NO RESPONSIBILITY FOR THE COMPLETENESS OF THIS DATA.

SURVEY ORDERED BY: KHALED EL-SAWI
FIELDWORK COMPLETED ON: 4-28-2021
A SEARCH WAS MADE FOR NGS MONUMENTS
AND NONE WERE FOUND WITHIN 500' OF SITE.

SURVEYORS CERTIFICATION:

This plat is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plats, or other instruments which created the parcel or parcels are stated hereon. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.



Tim L. Miller GA, RLS # 3150 Date: 4-29-2021

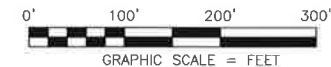
THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 47,985 FEET AND AN ANGULAR ERROR OF 0.01" PER ANGLE POINT AND WAS ADJUSTED USING THE COMPASS RULE.
THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND WAS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 100,000 FEET.
EQUIPMENT USED: TOPCON GTS-313.

AS PER OFFICIAL FLOOD INSURANCE MAPS BY THE F.E.M.A., A PORTION OF THIS PROPERTY IS LOCATED IN A FLOOD HAZARD AREA (ZONE A)
AS PER COMMUNITY - PANEL NUMBER 1315100156D
DATED: OCTOBER 6, 2016

SURVEYOR'S CERTIFICATION:
I HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE ON THE GROUND BY ME OR UNDER MY SUPERVISION, AND THAT THE MONUMENTS REFERENCED HEREON, EXIST AND THEIR SIZES, LOCATIONS AND MATERIALS ARE CORRECTLY SHOWN.

GENERAL NOTES:

AREA: 19.995 ACRES
PARCEL: 071-01034012
ZONED OI
MINIMUM LOT AREA=10,000 SQ.FT. (COUNTY WATER & SEWER)
MINIMUM LOT WIDTH=125'
FRONT SETBACK----- 50'
REAR SETBACK----- 20'
SIDE SETBACK----- 15'
SEWER AS PER HCWA
WATER AS PER HCWA



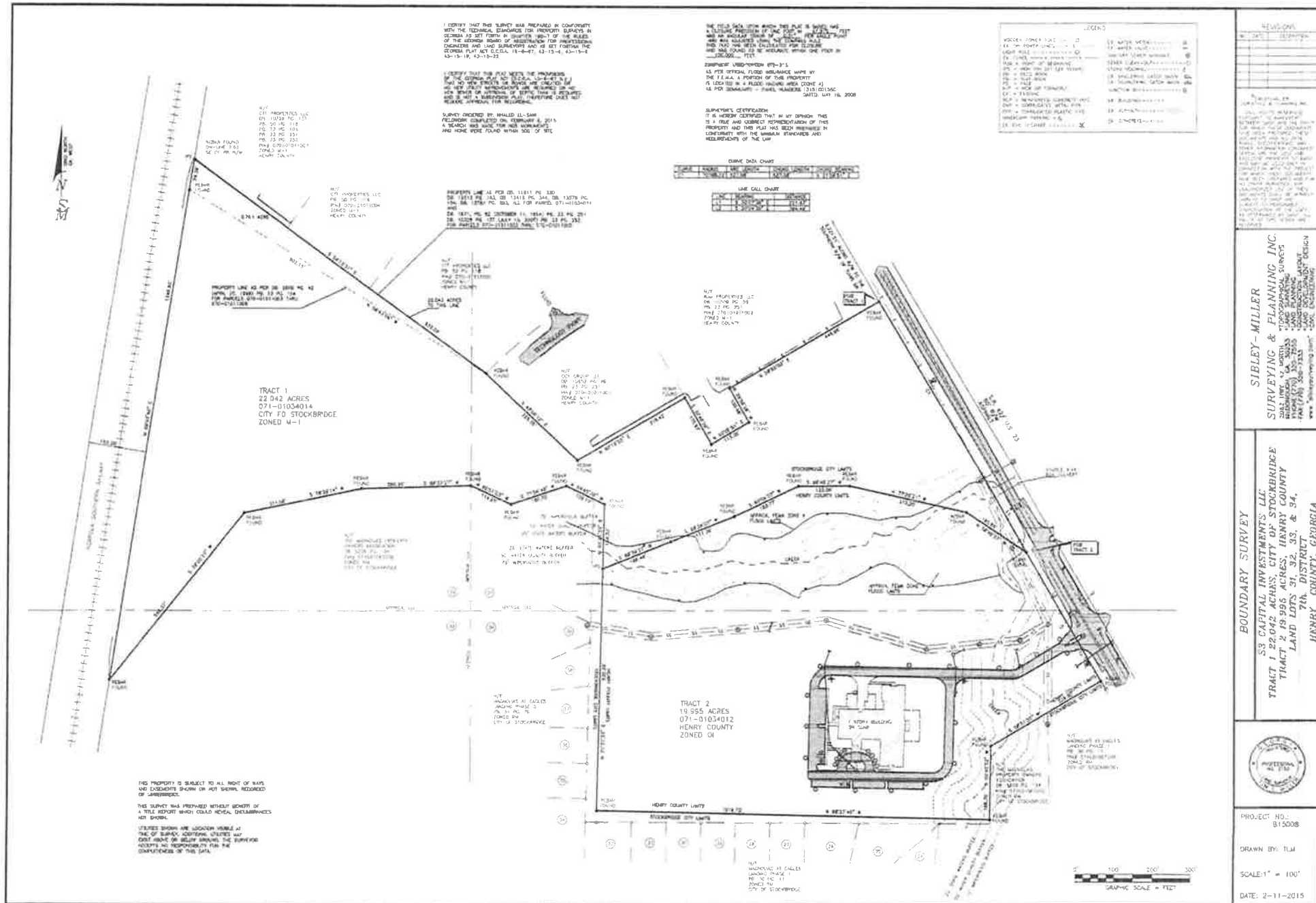
BOUNDARY SURVEY
S3 CAPITAL INVESTMENTS LLC
TRACT 2 19.995 ACRES
LAND LOTS 31, & 34,
7th. DISTRICT
HENRY COUNTY, GEORGIA

SIBLEY-MILLER
SURVEYING & PLANNING INC.
212 WEST CAMPGROUND RD
MCDONOUGH, GA 30253
PHONE: (770) 320-7555
FAX: (770) 320-7333
www.sibleysurveying.com
*CIVIL ENGINEERING
*TOPOGRAPHICAL SURVEYS
*LAND DEVELOPMENT DESIGN
*CONSTRUCTION LAYOUT
*LAND PLANNING
*LAND SURVEYING

PROJECT #: B15008
BOUNDARY SURVEY
19.995 ACRES

DRAWN BY: TLM
SCALE: 1" = 100'
DATE: 04/29/2021

SHEET: 1 OF 1

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SIBLEY-MILLER
SURVEYING & PLANNING INC.
2042 HWY. 42, NORTH
PIEDMONT, ALA. 35295
PHONE (205) 353-7550
FAX (205) 358-1333
*** Sibley-Miller Surveying, Inc. ***

BOUNDARY SURVEY
S3 CAPITAL INVESTMENTS LLC
TRACT 1 22.042 ACRES, CITY OF STOCKBRIDGE
TRACT 2 19.995 ACRES, HENRY COUNTY
LAND LOTS 31, 32, 33, & 34,
7TH DISTRICT
HENRY COUNTY, GEORGIA

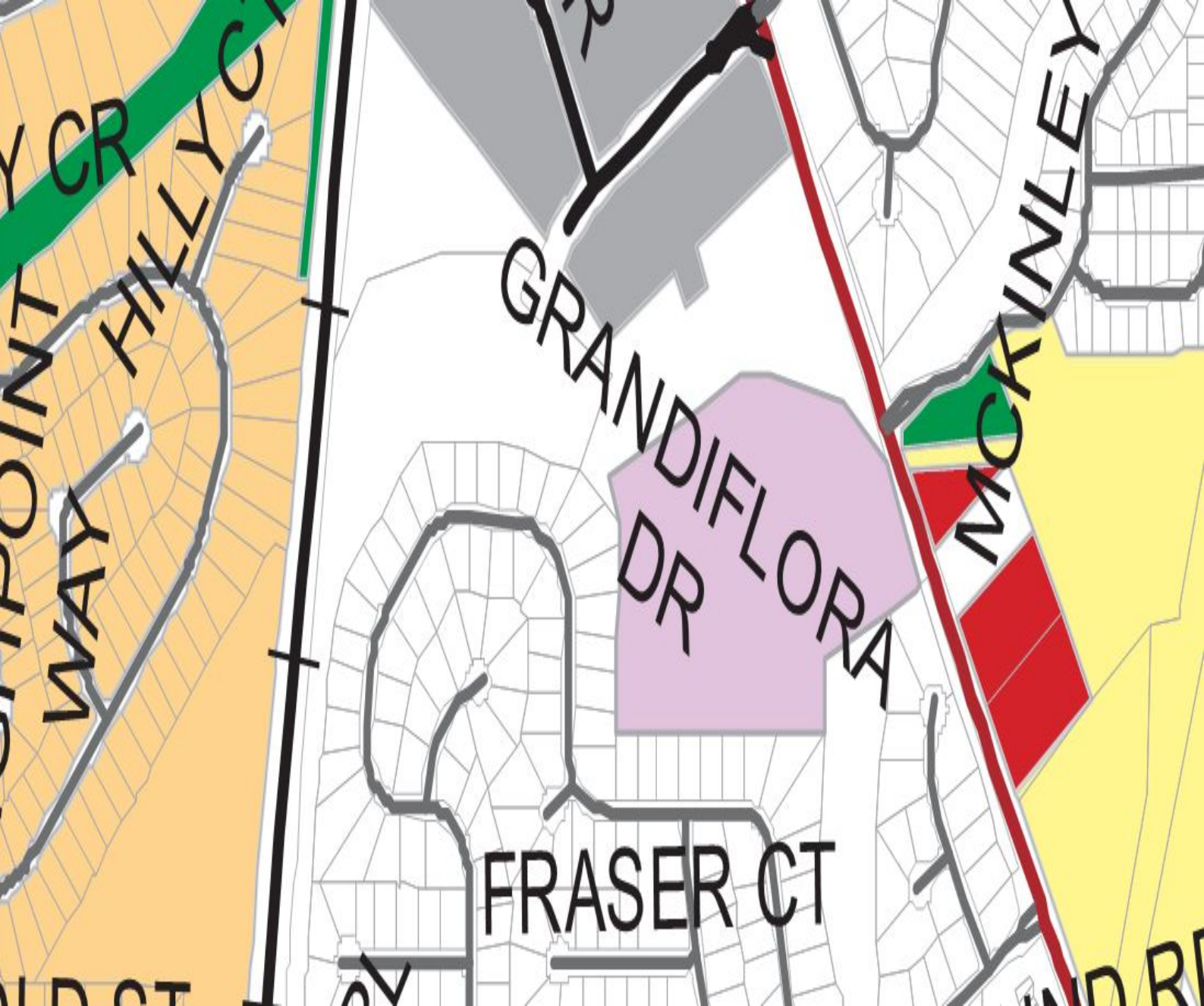


PROJECT NO.: B15008

DRAWN BY: TLM

SCALE: 1" = 100'

DATE: 2-11-2015



POINT WAY
HILLY CR
GRANDIFLORA DR
FRASER CT
MCKINLEY

