



Where Community Connects

**STOCKBRIDGE
PLANNING COMMISSION**

BOARD MEMBERS

Askia Abdullah, Chair

Vacant Vice-Chair

Stanley Dumas

Harold Thibodeaux

David Planchon

Vacant

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
October 27, 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, OCTOBER 27, 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**

Planning Commission Summary Minutes for August 25, 2022

NEW BUSINESS

Item # 1 - COMPREHENSIVE PLAN AMENDMENT CASE #CP-2022-05 - John R. Landers, Jr., applicant and property owner, requests a Comprehensive Plan Amendment to change the future land use designation of Parcel #S27-02021000 (a.k.a. 443 MLK, Sr. Heritage Trail) from 'Medium-Density Residential' to 'Heavy Industrial' to allow for an industrial development. The property contains 1.962 +/- acres and it is located in Land Lot 36 of District 12 within the Stockbridge City Limits.

Presented by: Ryan Anderson

Item # 2 - REZONING CASE #RZ-2022-06 John R. Landers, Jr., applicant and property owner, requests a Rezoning to rezone Parcel #S27-02021000 (a.k.a. 443 MLK, Sr. Heritage Trail) from 'SR' (Suburban Residential) to 'HI' (Heavy Industrial) to allow for an industrial development. The property contains 1.962 +/- acres and it is located in Land Lot 36 of District 12 within the Stockbridge City Limits.

Presented by: Ryan Anderson

Item # 3 - ZONING MODIFICATION CASE #ZM-2022-01 - Eaman Fatemi, Applicant and Member of Pivotal Enterprises, LLC (Owner as Applicant), requests a Zoning Modification to modify the previously-approved Rezoning Case #RZ-03-04 and its Development Agreement (along with two amendments) to allow for the proposed Brush Creek Commons townhome development. The applicant requests various changes to the required amenities and site plan. The property contains 15.895 +/- acres, with frontages on Brush Creek Court and Shields Road. It is located in Land Lots 59 & 70 of District 12 within the Stockbridge City Limits.

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, August 25, 2022 at 6:30 p.m.

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

II. INVOCATION

III. PLEDGE OF ALLEGIANCE

IV. ROLL CALL (6 members):

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

A quorum of board members was achieved.

V. ADOPTION OF THE AGENDA

Stanley Dumas made a motion to adopt the Agenda, and Rodney Hornes seconded the motion. A vote was taken, and the Agenda was unanimously adopted.

VI. APPROVAL OF MINUTES – July 28, 2022 Summary Minutes

David Planchon made a motion to approve the Minutes, and Stanley Dumas seconded the motion. A vote was taken, and the Minutes were unanimously adopted.

VIII. PUBLIC HEARINGS – Eight Cases for Three Projects:

1-A, 1-B, & 1-C; 2-A & 2-B; 3-A, 3-B, & 3-C; As Are Listed Below

To be presented by the Community Development Staff.

1-A. 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: This case was deferred at the July 28, 2022 Planning Commission meeting.

Case Presentations and Comments:

1. Linda Logan--Gave a PowerPoint presentation of the proposed "Southern Crescent" development for the Staff. The Staff recommends Approval.
2. Michele Battle—Gave a PowerPoint presentation for the applicant.

Board Questions and Received Responses:

1. Board Member—Wanted to know the anticipated listing price of the proposed residential units.
2. Ms. Battle—Stated that they would be in the low \$300s.
3. Stanley Dumas—Asked whether the parcel to be annexed is part of the City's annexation proposal for November 8, 2022.
4. Brecca Carter—Said that the parcel is not included.
5. Michele Battle—Stated that the developer wants to have one integrated project with the same public services serving the total development. There is an

existing traumatic brain injury facility on the site. The proposed units would be age-restricted (age 55 and up). A total of 224 townhomes and 52 single-family detached units would be built on the property.

6. David Planchon—Had questions about access to the site.
7. Steve Moore, Engineer with Moore Bass Engineering—Said that access would consist of a right turn in/right turn out at Highway 42 North, which is a State highway. There might be a need for a left turn lane, but Georgia DOT has its own requirements.
8. David Planchon—Asked for assurance that the developer would coordinate with Georgia DOT.
9. Michele Battle—Gave that assurance.

Public Hearing:

David Perry, Business Owner—Owns the adjacent property and business off Technology Parkway (Hydraulic Systems Technology). He said that this is an industrial environment that his business has been there for fifteen (15) years. There are a limited number of industrial properties remaining within the City of Stockbridge. He owns thirteen (13) acres with M-1/LI (Light Industrial) zoning on Technology Parkway/Fluid Drive. His warehouse building has 40,000 square feet and it employs fifty-five (55) employees. A second building was added last year. He owns three (3) lots in that area. He previously asked Georgia DOT for a traffic light at Technology Parkway and Highway 42 North, but it was denied. He thought that it would not be appropriate to have high-density residential next to the existing industrial uses. That would make his business to be a small island.

Board Action:

1. Askia Abdullah—Asked for a motion.
2. Harold Thibodeaux—Made a motion to approve AX-2022-01.
3. Rodney Hornes—Seconded the motion.
4. Askia Abdullah—Asked for a vote to be taken. Then he announced that there was a unanimous approval. This vote was a recommendation to the Mayor and City Council.

1-B. 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) was deferred at the July 28, 2022 Planning Commission meeting.

Case Presentations and Comments:

Linda Logan -- Gave a PowerPoint presentation for the proposed "Southern Crescent" development. The Staff recommends Approval.

Board Questions and Received Responses:

1. Harold Thibodeaux – Had questions about possibly installing a sound barrier next to the existing industrial uses.
2. Michele Battle – Said that there is an existing 30-foot buffer. The Southern Crescent Rehabilitation and Retirement Center has been there for fourteen (14) years, but it has had no problems.

Public Hearing:

1. David Perry, Business Owner – Said that fencing is needed between the proposed residential units and the adjacent industrial properties. He also wanted clarification on what "age-restricted" meant.
2. Michele Battle—Said that Bylaws allow an age restriction for residential units. Usually, it is not a problem to have light industrial uses next to townhomes, and the proposed development would not impact Mr. Perry's property.
3. Steve Moore—Buffering would be provided.

Board Questions and Received Responses:

1. Stanley Dumas---Said that the proposed Comprehensive Plan amendment and rezoning are premature.
2. Brecca Carter—Said that all three cases will go to City Council, and that a recommendation is needed from the Planning Commission members in order for the Council to act.
3. Michele Battle—Said that the annexation may not occur without the Comprehensive Plan amendment and rezoning cases. If one case is denied, then all three cases will be denied.
4. Askia Abdullah—Said that the City is awaiting Henry County's comments on the proposed annexation.

Board Action:

1. Rodney Hornes—Made a motion to approve.
2. Harold Thibodeaux—Seconded the motion.
3. Askia Abdullah—Asked for a vote to be taken. Then he announced that there was a tie vote, 2-2. Rodney Hornes and Harold Thibodeaux voted to approve the motion, while Stanley Dumas and David Planchon vote to deny the motion.
4. Askia Abdullah—Said that he was breaking the tie vote by voting to approve the motion; thus, the motion passed by a 3-2 vote. The recommendation from the Board is therefore approval.

1-C. 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) was deferred at the July 28, 2022 Planning Commission meeting.

Case Presentations and Comments:

1. Linda Logan -- Gave a PowerPoint presentation for the proposed "Southern Crescent" development. The Staff recommends Approval with Conditions.
2. Michele Battle—Stated that she agrees with Staff's five (5) recommended conditions of approval.

Board Questions and Received Responses – None.

Public Hearing—No public comments.

Board Action:

1. Askia Abdullah—Asked for a motion.
2. Harold Thibodeaux—Made a motion to approve.

3. Rodney Hornes—Seconded the motion.
4. Stanley Dumas—Stated that he was opposed.
5. Askia Abdullah—Asked for a vote to be taken. Then he announced that the motion carried by a 4-1 vote.

2-A. REZONING CASE #RZ-2022-03 -- The Stockbridge Planning Commission will hold a public hearing on Thursday, August 25, 2022, at 6:30 P.M., and the Stockbridge City Council will hold a public hearing on Monday, September 12, 2022, at 6:00 P.M in the Stockbridge City Hall, 4640 North Henry Boulevard, Stockbridge, Georgia, to consider a request for a change in zoning from RR (Rural Residential District) to OI (Office-Institutional District) for 0.964 acres at 3884 Walt Stephens Road in Land Lot 25 of Section 12, comprising Parcel #031-02012000. Application by CKC Commercial Properties, LLC, c/o Battle Law, P.C. Interested parties may attend the public hearing.

Case Presentations and Comments:

1. Ryan Anderson -- Gave a PowerPoint presentation for the proposed children's speech therapy center. The Staff recommends Approval Conditions.
2. Michele Battle—Stated that the property has an existing church building, and that it is not adjacent to any residential uses. Parking would be located in front of the building. The rezoning request necessitates the requested three variances.
3. Robert Payne, Applicant representing CKC Commercial Properties, LLC (303 Corporate Center Drive; Stockbridge, GA 30281)—Stated that there would be no additions to the building. Eight (8) children would be served at one time, on average.

Board Questions and Received Responses—None.

Public Hearing—No public comments.

Board Action:

1. David Planchon—Made a motion to approve.
2. Stanley Dumas—Seconded the motion.
3. Askia Abdullah—Asked for a vote to be taken. Then he announced that there was a unanimous vote of approval.

2-B. VARIANCE CASE #VR-2022-02 -- The Stockbridge Planning Commission will hold a public hearing on Thursday, August 25, 2022, at 6:30 P.M., and the Stockbridge City Council will hold a public hearing on Monday, September 12, 2022, at 6:00 P.M in the Stockbridge City Hall, 4640 North Henry Boulevard, Stockbridge, Georgia, to consider a request for (1) a variance to reduce the required minimum lot width of 125 feet to 96.37 feet; (2) a variance to reduce the

buffer on the eastern side from 50 feet to 0 feet; and (3) a variance to reduce the buffer on the western side of the property from 50 feet to 0 feet for 0.964 acres at 3884 Walt Stephens Road in Land Lot 25 of District 12, comprising Parcel #031-02012000. Application by CKC Commercial Properties, LLC, c/o Battle Law, P.C. Interested parties may appear at the public hearing.

Case Presentations and Comments:

1. Ryan Anderson -- Gave a PowerPoint presentation for the three proposed variances. He named the requirements (criteria) for the granting of variances. The Staff recommends Approval.
2. Robert Payne—Stated the need to provide some privacy for the existing cemetery's visitors.
3. Michele Battle—Stated that buffering, landscaping, and fencing would be installed. The property has no abutting residential uses.

Board Questions and Received Responses—None.

Public Hearing—No public comments.

Board Action:

1. Stanley Dumas—Made a motion to approve.
2. Harold Thibodeaux—Seconded the motion.
3. Askia Abdullah—Asked for a vote to be taken. Then he announced that there was a vote of unanimous approval.

3-A. COMPREHENSIVE PLAN AMENDMENT CASE #CP-2022-03 -- The

Stockbridge Planning Commission will hold a public hearing on Thursday, August 25, 2022, at 6:30 PM, and the Stockbridge City Council will hold a public hearing on Monday, September 12, 2022, at 6:00 PM in the Stockbridge City Hall, located at 4640 North Henry Boulevard, Stockbridge, Georgia to consider a request for an amendment to the City of Stockbridge's Comprehensive Future Land Use Plan from Low-Density Vertical Mixed-Use to High Density Residential to allow for a mixed-use residential development. Application by Highway 138/Spivey Road Land Assemblage, LLC, represented by Randy Stamey, the Agent. The property contains 26.5 +/- total acres within twelve (12) parcels in Land Lot 42 of District 12, as are listed below, within the Stockbridge City Limits. Interested parties may attend the public hearing.

1. Parcel #012-02013001—Located on the south side of Highway 138 West / Lake Spivey Parkway, across from Glen Devon Road. Contains 14.01 +/- acres. Zoned 'RR' (Rural Residential).
2. Parcel #012-02009051—Located on Spivey Road, south of Tributary Parkway. Contains 7.40 +/- acres. Zoned 'SR' (Suburban Residential).
3. Parcel #012D01001000—Located at 1225 Highway 138 West, west of Tributary Parkway. Contains 1.444 +/- acres. Zoned 'C-2' (General Commercial).

4. Parcel #012D01012000—Located at the southeast corner of Tributary Parkway and Berkeley Drive. Contains 0.501 +/- acres. Zoned 'C-2' (General Commercial).
5. Parcel #012D01004000—Located at 1300 Berkeley Drive, between Tributary Parkway and Star Creek Drive. Contains 0.475 +/- acres. Zoned 'C-2' (General Commercial).
6. Parcel #012D01005000—Located at the southwest corner of Berkeley Drive and Star Creek Drive. Contains 0.375 +/- acres. Zoned 'C-2' (General Commercial).
7. Parcel #012D01006000—Located at 1660 Starr Circle. Contains 1.018 +/- acres. Zoned 'C-2' (General Commercial).
8. Parcel #012D01007000-- Located at 1600 Starr Circle. Contains 0.731 +/- acres. Zoned 'C-2' (General Commercial).
9. Parcel #012D01008000—Located at 1650 Starr Circle. Contains 0.968 +/- acres. Zoned 'C-2' (General Commercial).
10. Parcel #012D01009000—Located at 1700 Starr Circle. Contains 1.21 acres. Zoned 'C-2' (General Commercial).
11. Parcel #012D01010000-- Located at the northwest corner of Berkeley Drive and Spivey Road. Contains 0.737 +/- acres. Zoned 'C-2' (General Commercial).
12. Parcel #012D01011000—Located at the southeast corner of Berkeley Drive and Starr Circle. Contains 0.799 +/- acres. Zoned 'C-2' (General Commercial).

Case Presentations and Comments:

1. Ryan Anderson -- Gave a PowerPoint presentation for the proposed "Tranquil Trails" development. The Staff recommends Approval.
2. Zach Murray, Applicant—Stated that the adjacent Spivey Commons shopping center building has been vacant for many years, but that all retail spaces have been leased. (He is a resident of the area.) He stated that he will bring a grocer to the building, and he showed a 3-D presentation. The Tranquil Trails development would feature townhomes selling for the mid-\$300s, and apartments with 1-2 bedrooms starting at \$1,500 per month. Trails would be installed. He is bringing a "Nourish and Bloom" grocery store to Spivey Commons (one already exists in Fayetteville). It would include a bistro, and its main entrance would be located off Tributary Parkway.

Board Questions and Received Responses—None at this time.

Public Hearing:

1. Dion Roberts, Resident of Spivey Road—Stated that another major development proposal [Crescent Communities] was just approved by City Council [on June 13, 2022] on the other side of Lake Spivey Parkway. To add this [Tranquil Trails] development would bring too much traffic at one intersection! There would also be an adverse impact on the nearby schools. He wants no more apartments in the area!
2. Robert Payne, Realtor, 303 Corporate Center Drive in Stockbridge—Stated

that he is a realtor. He wants no more apartments. He wondered whether the commercial space at Spivey Commons would actually come through, and he noted that all traffic from the proposed development would need to come through the intersection at Spivey Road.

3. Lisa McShaul, Resident at 506 Creekstone Drive, in the Spivey Glen Subdivision—Stated that there are already some apartments being built nearby [on Mount Zion Road], which will have tremendous impacts on surrounding streets. There is an unfinished hotel [Best Western] next to the liquor store [Highway 138 Package Store], and other vacant buildings nearby.
4. Brecca Carter—Informed the Chairman that he could add more time to the public hearing.
5. Askia Abdullah—Stated that he was allowing five (5) more minutes for the public to speak.
6. Sherry Bivens, Resident at 8173 Master Court in Jonesboro—Stated that there would be additional traffic generated by the proposed commercial uses at Spivey Commons. There needs to be proper growth, such as age-restricted senior housing. Spivey Road has only two lanes.
7. David Murphy, Resident at 2877 Mandy Court in Rex, Georgia—Stated that he previously met the applicant, and that there were some inconsistencies with what he said.
8. Brecca Carter—Informed the Chairman that more time would be needed if the Board wished to extend the public hearing.
9. Askia Abdullah—Announced that the Board voted to approve the extension of time.
10. Loretta Clark, Resident of 124 Spivey Ridge Circle—Stated that the subject property abuts the back of her house.
11. Ryan Anderson—Stated that buffering is required, per the UDC.
12. Nicky Ward, Resident at 205 Reeve Creek—Stated that he is the President of the Spivey Ridge/Spivey Glen HOA. He is opposed to the development of apartments, although the presentation that was made was good.
13. Mr. Wilson, Resident at 118 Spivey Ridge Circle—Stated that a creek is located behind his house. He prayed that the Board would not approve this case.

Board Questions and Received Responses:

1. Askia Abdullah—Closed the public hearing.
2. Zach Murray—Stated that he needs more residential density within the surrounding area in order to be able to lease commercial space within Spivey Commons. The developer is Tellus Partners. There would be a buffer, and the multifamily [apartment] development would be gated.
3. Askia Abdullah—Noted that the citizens oppose the development of apartments, and he wondered whether there could be any compromise.
4. Ryan Anderson—Stated that it would be mandatory for the developer to consult with Georgia DOT since Highway 138 West / Lake Spivey Parkway is a State highway.
5. Ryan Anderson—Stated that personal comments should be excluded from the discussion.

6. Harold Thibodeaux—Asked Mr. Murray whether he tried to work out some issues with the residents.
7. Zach Murphy—Stated that he held a community meeting prior to submit his applications.

Board Action:

1. Askia Abdullah—Asked for a motion.
2. Stanley Dumas—Made a motion to deny this case. He stated that the Board needed to “put the brakes” on this proposed development since the development across the road [Crescent Communities] was just approved by City Council. He was not degrading the project, though. Much of the property can’t be developed due to the presence of the floodplain. But the Board needs to “slow down.”
3. Harold Thibodeaux—Seconded the motion. He asked the developer whether he could meet with the community to negotiate.
4. Askia Abdullah—Asked for a vote to be taken. The he announced that there was a unanimous vote to approve the motion to deny this case.

3-B. REZONING CASE #RZ-2022-04 -- The Stockbridge Planning Commission will hold a public hearing on Thursday, August 25, 2022, at 6:30 PM, and the Stockbridge City Council will hold a public hearing on Monday, September 12, 2022, at 6:00 PM in the Stockbridge City Hall, located at 4640 North Henry Boulevard, Stockbridge, Georgia, to consider a request for a change in zoning for 26.5 +/- total acres from ‘RR’ (Rural Residential), ‘SR’ (Suburban Residential), and ‘C-2’ (General Commercial) to ‘PUD’ (Planned Unit Development) to allow for a mixed use residential development. Application by Highway 138/Spivey Road Land Assemblage, LLC, represented by Randy Stamey, the Agent. The property contains twelve (12) parcels in Land Lot 42 of District 12, as are listed below, within the Stockbridge City Limits. Interested parties may attend the public hearing.

1. Parcel #012-02013001—Located on the south side of Highway 138 West / Lake Spivey Parkway, across from Glen Devon Road. Contains 14.01 +/- acres. Zoned ‘RR’ (Rural Residential).
2. Parcel #012-02009051—Located on Spivey Road, south of Tributary Parkway. Contains 7.40 +/- acres. Zoned ‘SR’ (Suburban Residential).
3. Parcel #012D01001000—Located at 1225 Highway 138 West, west of Tributary Parkway. Contains 1.444 +/- acres. Zoned ‘C-2’ (General Commercial).
4. Parcel #012D01012000—Located at the southeast corner of Tributary Parkway and Berkeley Drive. Contains 0.501 +/- acres. Zoned ‘C-2’ (General Commercial).
5. Parcel #012D01004000—Located at 1300 Berkeley Drive, between Tributary Parkway and Star Creek Drive. Contains 0.475 +/- acres. Zoned ‘C-2’ (General Commercial).
6. Parcel #012D01005000—Located at the southwest corner of Berkeley Drive and Star Creek Drive. Contains 0.375 +/- acres. Zoned ‘C-2’

(General Commercial).

7. Parcel #012D01006000—Located at 1660 Starr Circle. Contains 1.018 +/- acres. Zoned 'C-2' (General Commercial).
8. Parcel #012D01007000-- Located at 1600 Starr Circle. Contains 0.731 +/- acres. Zoned 'C-2' (General Commercial).
9. Parcel #012D01008000—Located at 1650 Starr Circle. Contains 0.968 +/- acres. Zoned 'C-2' (General Commercial).
10. Parcel #012D01009000—Located at 1700 Starr Circle. Contains 1.21
11. Parcel #012D01010000-- Located at the northwest corner of Berkeley Drive and Spivey Road. Contains 0.737 +/- acres. Zoned 'C-2' (General Commercial). Spivey Road. Contains 0.737 +/- acres. Zoned 'C-2' (General Commercial).
12. Parcel #012D01011000—Located at the southeast corner of Berkeley Drive and Starr Circle. Contains 0.799 +/- acres. Zoned 'C-2' (General Commercial).

Case Presentations and Comments:

1. Ryan Anderson -- Gave a PowerPoint presentation for the proposed "Tranquil Trails" development. The Staff recommends Approval With Conditions.
2. Zach Murray—Stated that this would be a mixed residential development, and that he lives in this community.

Board Questions and Received Responses—None at this time.

Public Hearing:

1. Robert Payne, Realtor and Resident of Lake Spivey Subdivision—Stated that he is willing to talk to the applicant. He did not think that townhomes could be sold in this area for \$300,000. He said that the developer, Trellus Partners, buildings mostly single-family developments.
2. Loretta Clark, Resident at 124 Spivey Ridge Circle in Jonesboro—Said that she wanted "peace of mind". She does not want to look outside and see apartments.
3. Lisa McShaul, Resident at 506 Creekstone Circle in Jonesboro—Said that the applicant did hold a meeting with the community, but that focused on the proposed commercial uses to be located in Spivey Commons. She also stated that the applicant lives in McDonough, not in this community.

Board Action:

1. Askia Abdullah—Asked whether the Board had any questions.
2. Stanley Dumas—Made a motion to deny this case.
3. Harold Thibodeaux—Seconded the motion.
4. Askia Abdullah--Asked for a vote to be taken. Then he announced the result. The Board voted unanimously to approve the motion to deny this case.

3-C. RECOMBINATION PLAT CASE #RC-2022-01 -- The Stockbridge Planning Commission will hold a public hearing on Thursday, August 25, 2022, at 6:30 PM, and the Stockbridge City Council will hold a public hearing on Monday, September 12, 2022, at 6:00 PM in the Stockbridge City Hall, located at 4640 North Henry Boulevard, Stockbridge, Georgia, to consider a request for combination plat approval for 26.5 +/- total acres in Land Lot 42 of District 12 within the Stockbridge City Limits. Application by Highway 138/Spivey Road Land Assemblage, LLC, represented by Randy Stamey, the Agent, to assemble twelve (12) parcels of land that are listed below to form a development site for a mixed-use residential development. Interested parties may attend the public hearing.

1. Parcel #012-02013001—Located on the south side of Highway 138 West / Lake Spivey Parkway, across from Glen Devon Road. Contains 14.01 +/- acres. Zoned 'RR' (Rural Residential).
2. Parcel #012-02009051—Located on Spivey Road, south of Tributary Parkway. Contains 7.40 +/- acres. Zoned 'SR' (Suburban Residential).
3. Parcel #012D01001000—Located at 1225 Highway 138 West, west of Tributary Parkway. Contains 1.444 +/- acres. Zoned 'C-2' (General Commercial).
4. Parcel #012D01012000—Located at the southeast corner of Tributary Parkway and Berkeley Drive. Contains 0.501 +/- acres. Zoned 'C-2' (General Commercial).
5. Parcel #012D01004000—Located at 1300 Berkeley Drive, between Tributary Parkway and Star Creek Drive. Contains 0.475 +/- acres. Zoned 'C-2' (General Commercial).
6. Parcel #012D01005000—Located at the southwest corner of Berkeley Drive and Star Creek Drive. Contains 0.375 +/- acres. Zoned 'C-2' (General Commercial).
7. Parcel #012D01006000—Located at 1660 Starr Circle. Contains 1.018 +/- acres. Zoned 'C-2' (General Commercial).
8. Parcel #012D01007000--Located at 1600 Starr Circle. Contains 0.731 +/- acres. Zoned 'C-2' (General Commercial).
9. Parcel #012D01008000—Located at 1650 Starr Circle. Contains 0.968 +/- acres. Zoned 'C-2' (General Commercial).
10. Parcel #012D01009000—Located at 1700 Starr Circle. Contains 1.21 acres. Zoned 'C-2' (General Commercial).
11. Parcel #012D01010000-- Located at the northwest corner of Berkeley Drive and Spivey Road. Contains 0.737 +/- acres. Zoned 'C-2' (General Commercial).
12. Parcel #012D01011000—Located at the southeast corner of Berkeley Drive and Starr Circle. Contains 0.799 +/- acres. Zoned 'C-2' (General Commercial).

Case Presentations and Comments:

1. Ryan Anderson -- Gave a PowerPoint presentation for the proposed "Tranquil Trails" development. He stated that it is necessary to combine the twelve (12) parcels which comprise the subject property. The Staff recommends Approval with Conditions.

2. Zach Murray, Applicant—Confirmed the need to combine the parcels. He said that the schools, roads, infrastructure, and traffic are not ready.

Board Questions and Received Responses—None.

Public Hearing:

1. Resident / Realtor—Stated that the schools, roads, and infrastructure are not ready to accommodate this proposed development—there is not any of this. He knew nothing about a community meeting.
2. Robert Payne, Realtor and Resident of Lake Spivey Subdivision—Stated that townhomes maybe could be acceptable, but not apartments; and that commercial uses could maybe be acceptable. But he was opposed to the assemblage of the site because another developer could develop the property.

Board Action:

1. Askia Abdullah—Asked for a motion.
2. Stanley Dumas—Made a motion to deny this case.
3. Harold Thibodeaux—Seconded the motion.
4. Askia Abdullah—Asked for a vote to be taken. Then he announced that the motion passed and that the case was denied.

IX. PROJECT UPDATES

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

Brecca Carter, Director, stated that there were no project updates at this time.

X. STAFF COMMENTS

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

Brecca Carter, Director, stated that there were no project updates at this time.

XI. BOARD COMMENTS – None.

XII. ADJOURNMENT – The meeting was adjourned at 9:22 p.m.



TO: Planning Commission

FROM: Gordon Linton, Planner I

CC: Brecca Carter, Community Development Director
R. Ryan Anderson, Chief Planner

DATE: October 27, 2022

Subject: #CP-2022-05 For 443 MLK Senior Heritage Trail

I. PURPOSE

Consider a Comprehensive Plan Amendment application to change the future land use designations of certain property from Medium Density Residential to Heavy Industrial to allow for industrial development. Application by John R. Landers, Jr.

II. Background

Proposed Development	The applicant proposes to build a metal building on the existing lot for its purpose of storing business equipment
Site Address	443 MLK Senior Heritage Trail
Parcel Identification	S27-02021000
Parcel Acreage	1.96 +/- acres
Applicant	John R. Landers, Jr. 690 Austin Road Ellenwood, GA, 30294 770-235-7599
Owner	Mark Butler 694 Red Oak Road Stockbridge, GA, 30281
City Land Use Designation	Medium Density Residential
Current Zoning	SR (Suburban Residential)
Current Use	It is currently an area used for storage located at the property.

SURROUNDING LAND USE AND ZONING

Location	Existing Land Use	Existing Zoning
Property to the North	Ready Mix USA Stockbridge Concrete Plant	SR (Suburban Residential)
Property to the South	Memorial Park	LI (Light Industrial District)
Property to the East	Vacant Land	LI (Light Industrial District)
Property to the West	Vacant Land	SR (Suburban Residential)

SURROUNDING LAND USE DESIGNATION

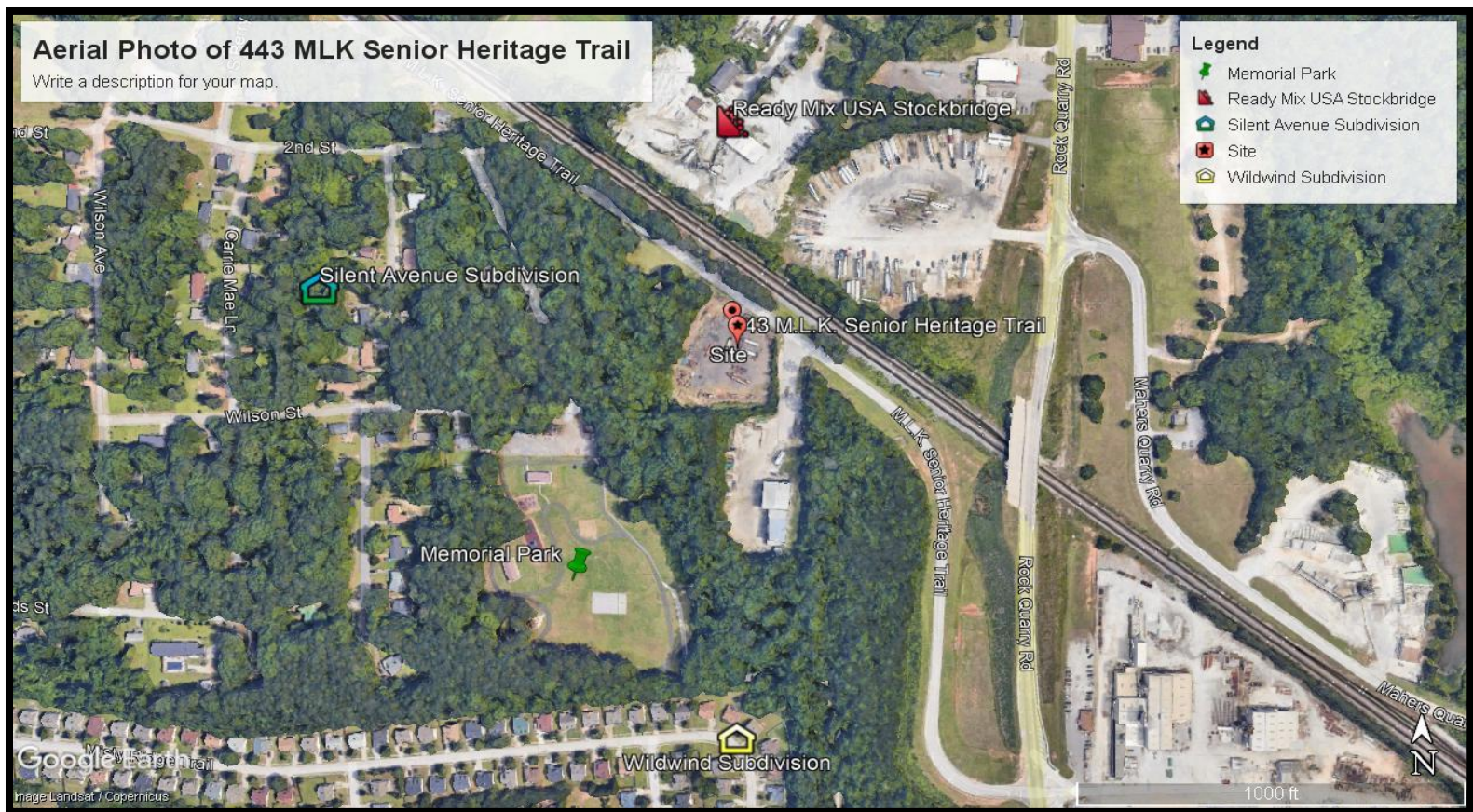
Location	Existing Land Use	Existing Future Land Use Designation
Property to the North	Ready Mix USA Stockbridge Concrete Plant	Light Industrial
Property to the South	Memorial Park	Park/Recreation/Conservation
Property to the East	Vacant Land	Public/Institutional
Property to the West	Vacant Land	Medium Density Residential

III. Finding of Facts—Add 4-5 bullet points about the case

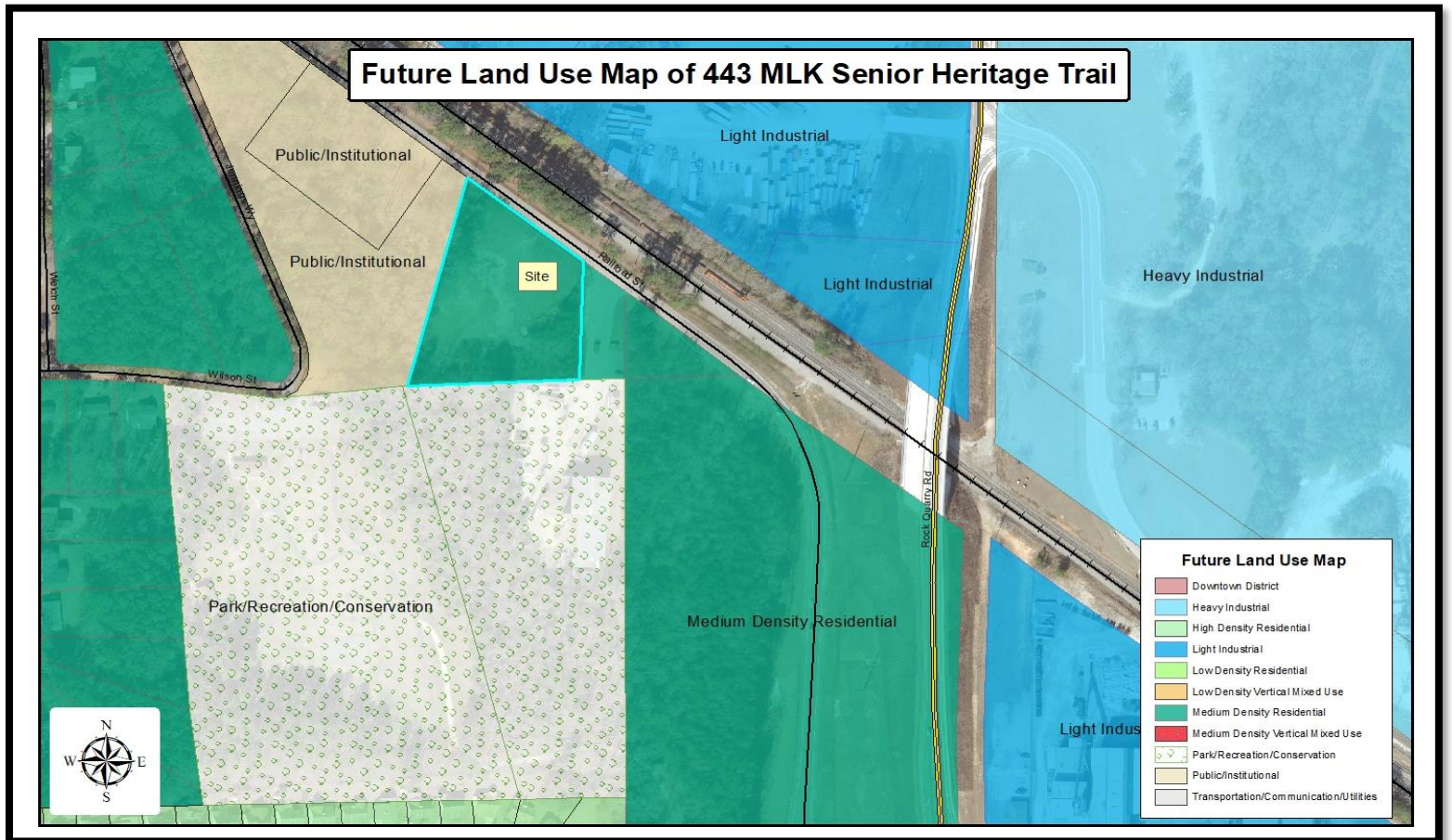
- A. The current zoning of the property is SR (Suburban Residential). The applicant will be seeking a rezoning to change the zoning of the property from SR (Suburban Residential) to HI (Heavy Industrial). The case will be heard concurrently.
- B. The vicinity of the area is mostly industrial to the north and south are primarily industrial and residential. Memorial Park is located to the south.
- C. Currently, the area is mostly used for storing equipment that the applicant uses as part of his business.
- D. The vicinity of the area is mostly 'Heavy Industrial' to the north and east. The current land use designation for Memorial Park is Park/Recreation/Conservation

IV. Maps and Illustrations

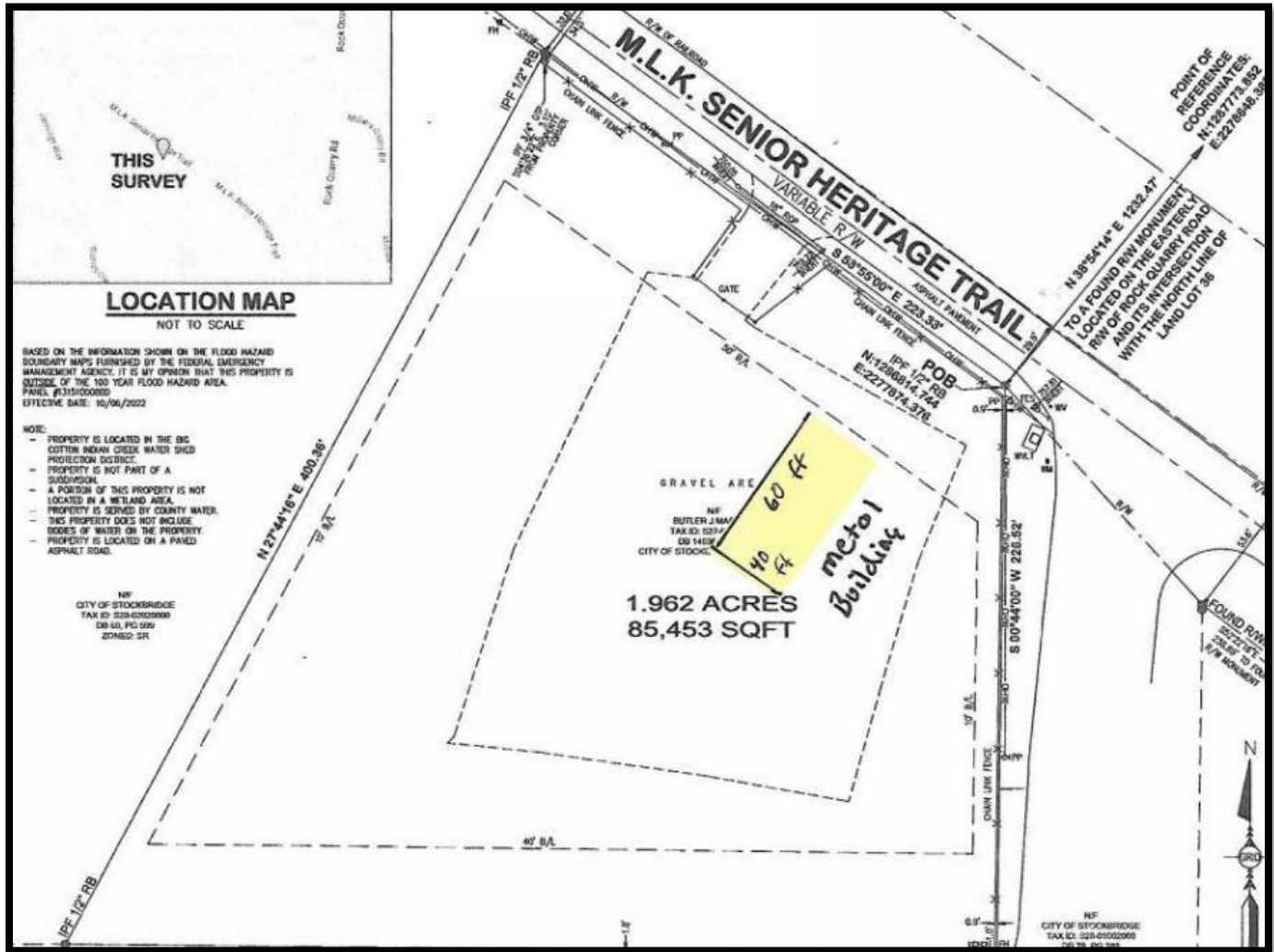
Aerial Photo of 443 MLK Senior Heritage Trail



Future Land Use Map of 443 MLK Senior Heritage Trail



Conceptual Site Plan of 443 MLK Senior Heritage Trail



V. Analysis

Project Description

The applicant proposes a Comprehensive Plan Amendment to change the future land use designations of certain property from Medium Density Residential to Heavy Industrial to allow for the purpose of constructing a metal building for storing the equipment. The Future Land Use Designation Map designates the subject property as Medium Density Residential. However, the current Future Land Use is incompatible with the requested rezoning. Therefore, the applicant is seeking a Comprehensive Plan Amendment to change the Future Land Use Designation from Medium Density Residential to Heavy Industrial.

Staff Analysis

The applicant requests a **Comprehensive Plan Amendment** under the City of Stockbridge Unified Development Code Section (**Sec. 9.2.7**):

ANALYSIS OF REQUEST

1. Consistency with the Comprehensive Plan.

- The proposed development is not consistent with the Comprehensive Plan's future land use designation of Medium Density Residential for the subject property. Therefore, the applicant has requested a Comprehensive Plan amendment via CP-2022-05 to change the property's land use designation to Heavy Industrial which would allow the proposed metal building to be built.

2. Relation to the Zoning of the Property

- The property's requested zoning districts are not compatible with the list of permitted zoning districts that are found in the Comprehensive Plan. To allow for the proposed zoning, the applicant has requested the rezoning of the property from SR (Suburban Residential) to HI (Heavy Industrial) to allow for the building to be built. The rezoning will be heard concurrently with this case.

3. Suitability of the Site's Location.

- The proposed 'Heavy Industrial' land use designation would not be compatible since the other surrounding areas are comprised of light industrial and residential uses. While there are heavy industrial uses in the greater vicinity it is separated distinctly by Rock Quarry Road.

4. Maintaining the Current Land Use Designation.

- Maintaining the current land use would deny the applicant for developing his proposed project. The applicant's proposed rezoning is not feasible and compatible with the surrounding community since the area is primarily light industrial and residential. The proposed comp plan amendment project will result in a negative impact on the overall community because it will introduce heavy industrial uses to an area that is predominantly light industrial and residential. Staff recommends keeping the heavy industrial uses to the east of Rock Quarry Road and not allow such uses to encroach into the area.

Summary of Impacts/Concerns

Code Compliance	No comments provided
Police Department	No comments provided
Fire Marshall	
Henry County Water and Sewer	
Building	No comments provided
Traffic	No comments provided

VI. STAFF RECOMMENDATION

- The staff report has demonstrated that the requested Comprehensive Plan Amendment via CP-2022-05 would not be desirable for the subject property. As a result, Planning and Zoning staff recommends **Denial** of CP-2022-05 to Heavy Industrial land use.
- Staff recommends **Approval with Conditions** of Light Industrial Land Use in conjunction with the requested rezoning of the property via RZ-2022-06 to allow for the applicant's proposed use.

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

Revised on 9/27/22

Name of Applicant John R. Landers Jr. Phone: 770-235-7999 Date: 8/25/22

Address of Applicant: 690 Austin Road Cell # _____

City: Ellenwood State: GA Zip: 30294 E-mail: johnrlandersjr@aol.com

Name of Agent John R. Landers Jr. Phone: 770-235-7999 Date: 8/25/22

Address of Agent: 690 Austin Rd Cell # _____

City: Ellenwood State: GA Zip: 30294 E-mail: johnrlandersjr@aol.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: Medium-Density Residential

TO: Heavy Industrial

Property Address: 443 MLK Sr. Heritage Trail

Nearest intersection to the property: _____

Size of Tract: 1.962 acre(s). Land Lot Number(s): 36 District(s): 12

Property Tax Parcel Number(s): 527-02021000 (Required)

Witness' Signature _____

Signature of Applicant _____

Printed Name of Witness _____

Printed Name of Applicant John R Landers Jr

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: _____

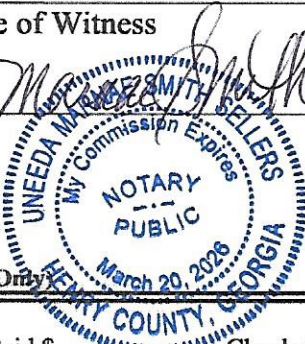
Planning Commission Decision: _____

Mayor/City Council Decision: _____

Planning Director's Signature: _____ Date: _____

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.

(Acknowledgement)



LETTER OF INTENT

John R. Landers Jr.
690 Austin Road
Ellenwood, GA 30294
770-235-7999

8/25/22
Revised on
9/27/22

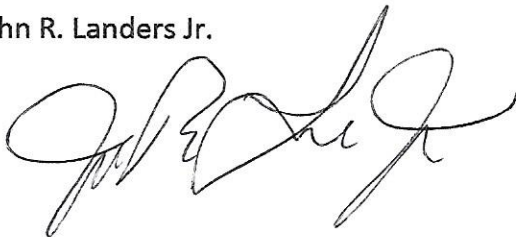
Linda Logan
City of Stockbridge
Planning and Zoning
Municipal Court Building
4602 North Henry Boulevard
Stockbridge, GA 30281

Dear Ms. Logan,

I, John R. Landers Jr. am the Agent for the property owner, J. Mark Butler of the property at 443 MLK Sr. Heritage Trail. The property is 1.962 acres in Land Lot 36 of the 12th District with Tax ID # S27-02021000. We would like to apply to have the property at this address rezoned from (SR) "Suburban Residential" to (HI) "Heavy Industrial." We would like to apply for a Comprehensive Plan Amendment in order to change the property's Future Land Use Designation from "Medium-Density Residential" to "Heavy Industrial." We currently have been using the property to store business equipment for a House Moving and Raising Business for the last five years. The property owner wants to sell the property to me, John R. Landers Jr. and I wanted the property zoned correctly for its proper use before I purchased the property. I want to continue to store my business equipment on the property and eventually have a building built on the property. The property is surrounded by property owned by the City of Stockbridge.

Sincerely,

John R. Landers Jr.



LEGEND

A = ARC LENGTH
BL = BUILDING SETBACK LINE
CL = CENTERLINE
CALC = CALCULATED POINT
CHB = CHORD BEARING
CHL = CHORD LENGTH
D = DELTA ANGLE
DB = DEED BOOK
FES = FLARED END SECTION
FH = FIRE HYDRANT
IPF = IRON PIN FOUND
IPP = IRON PIN PLACED
LLL = APPARENT LAND LOT LINE
LI = LAND LOT
NIF = NOW OR FORMERLY
OHW = OVERHEAD WIRE
OTP = OPEN TOP PIPE
PL = PROPERTY LINE
PB = PLAT BOOK
PG = PAGE
POB = POINT OF BEGINNING
POC = POINT OF COMMENCEMENT
PP = POWER POLE
R = RADIUS
R/W = RIGHT OF WAY
RWM = RIGHT OF WAY MONUMENT

RB = REBAR
RCP = REINFORCED CONCRETE PIPE
SQFT = SQUARE FEET
WM = WATER METER
WV = WATER VALVE
WVLT = WATER VAULT

REFERENCE MATERIALS INCLUDE:
DB 14696, PG 165
DB 70, PG 388
DB 60, PG 599
PB 16, PG 134
PB 16, PG 90
HENRY COUNTY RECORDS
AND GEORGIA DEPARTMENT OF
TRANSPORTATION RIGHT OF WAY
OF PROPOSED ROCK QUARRY
ROAD WIDENING
PROJECT NO. 0015090

SITE ADDRESS: 443 M.L.K. SENIOR HERITAGE TRAIL,
STOCKBRIDGE, GEORGIA 30281

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A
TITLE COMMITMENT, THEREFORE, ALL EASEMENTS AND MATTERS
OF RECORD MAY NOT BE SHOWN HEREON.

THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USES OF THAT
NAME APPEARING IN THE TITLE BLOCK AND IS CERTIFIED TO NO
OTHER PARTY.

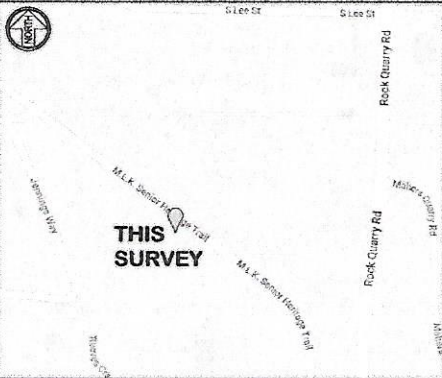
ALL MONUMENTS FOUND AND/OR SET AS NOTED ON THE
SURVEY. ALL CORNERS SET ARE 1/2" REBAR UNLESS
OTHERWISE NOTED.

THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND
IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 268,168 FEET.

BLOCK RESERVED FOR CLERK OF
SUPERIOR COURT

FIELD WORK COMPLETED ON: 07/22/2022
PLAT COMPLETED ON: 07/25/2022

ALL OR A PORTION OF THIS SURVEY WAS
PERFORMED BY GPS. 100% OF THIS SURVEY
WAS PERFORMED BY GPS. TYPE OF GPS USED
WAS REAL TIME KINEMATIC (RTK). THE GPS
EQUIPMENT USED TO PERFORM THIS SURVEY
IS MADE BY LEICA AND IS GPS UNITS GS18
OR GS18T AND ARE MULTI-FREQUENCY
(GNSS) RECEIVERS. THE RELATIVE POSITION
ACCURACY OF THIS SURVEY IS 0.05".



LOCATION MAP

NOT TO SCALE

BASED ON THE INFORMATION SHOWN ON THE FLOOD HAZARD
BOUNDARY MAPS FURNISHED BY THE FEDERAL EMERGENCY
MANAGEMENT AGENCY, IT IS MY OPINION THAT THIS PROPERTY IS
OUTSIDE OF THE 100 YEAR FLOOD HAZARD AREA.
PANEL #13151000892
EFFECTIVE DATE: 10/06/2022

- NOTE:
- PROPERTY IS LOCATED IN THE BIG
COTTON INDIAN CREEK WATER SHED
PROTECTION DISTRICT.
 - PROPERTY IS NOT PART OF A
SUBDIVISION.
 - A PORTION OF THIS PROPERTY IS NOT
LOCATED IN A WETLAND AREA.
 - PROPERTY IS SERVED BY COUNTY WATER.
 - THIS PROPERTY DOES NOT INCLUDE
BODIES OF WATER ON THE PROPERTY.
 - PROPERTY IS LOCATED ON A PAVED
ASPHALT ROAD.

NIF
CITY OF STOCKBRIDGE
TAX ID: 328-01002000
DB 70, PG 109
ZONED: SR

SYMBOL LEGEND

- CONCRETE
- ASPHALT PAVEMENT
- BUILDING OUTLINE
- IRON PIN FOUND
- IRON PIN PLACED (1/2" REBAR)
- BOUNDARY POINT
- IPF CONCRETE MONUMENT
- OHW = OVERHEAD WIRE

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.G.C.A. SECTION 15-6-67.

John Patrick Harris
JOHN PATRICK HARRIS, P.L.S. #2311

07/26/2022
DATE



RETRACEMENT SURVEY FOR JOHN LANDERS

IN LAND LOT 36, DISTRICT 12, HENRY COUNTY, GEORGIA

IronStone
SURVEYING
96 Ernest Biles Drive, Jackson, Georgia 30233
Phone 770-957-4614 / Email office@ironstonesurveying.com

GEORGIA811
www.Georgia811.com

Contact 811 before you dig.
SCALE: 1"=30'

ORIGINAL PLAT DATE: 07/26/2022
SCALE: 1"=30'
DRAWN BY: SJA
CHECKED BY: JPH
ORIGINAL FIELD DATE: 07/22/2022
CREW: KM
FIELD BOOK: FIELD SKETCH
DRAWING NO.: 220263-B

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.G.C.A. SECTION 15-6-67.

LETTER OF INTENT

John R. Landers Jr.
690 Austin Road
Ellenwood, GA 30294
770-235-7999

Linda Logan
City of Stockbridge
Planning and Zoning
Municipal Court Building
4602 North Henry Boulevard
Stockbridge, GA 30281

Dear Ms. Logan,

I, John R. Landers Jr. am the Agent for the property owner, J. Mark Butler of the property at 443 MLK Sr. Heritage Trail. The property is 1.962 acres in Land Lot 36 of the 12th District with Tax ID # S27-02021000. We would like to apply to have the property at this address rezoned from (SR) "Suburban Residential" to (HI) "Heavy Industrial." We would like to apply for a Comprehensive Plan Amendment in order to change the property's Future Land Use Designation from "Public-Institutional" to "Heavy Industrial." We currently have been using the property to store business equipment for a House Moving and Raising Business for the last five years. The property owner wants to sell the property to me, John R. Landers Jr. and I wanted the property zoned correctly for its proper use before I purchased the property. I want to continue to store my business equipment on the property and eventually have a building built on the property. The property is surrounded by property owned by the City of Stockbridge.

Sincerely,

John R. Landers Jr.



CITY OF STOCKBRIDGE | OWNER'S AUTHORIZATION

4640 North Henry Boulevard
Stockbridge, Georgia 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 the applicant in the pursuit of a/an Rezoning for this property [Please fill in one of the following: Rezoning, Variance, Administrative Variance, Annexation, Comprehensive Plan Amendment, Conditional Use Permit, Zoning Modification, Subdivision, Recombination or Other (please state the type of application).]

Name/Company Name of Property Owner MARK BUTLER
Address of Property Owner 694 Red Oak Rd. Stockbridge, GA 30281
Telephone and E-Mail of Property Owner BFASTNER@gmail.com
Name/Company Name of Authorized Applicant John R. Landers Jr.
Address of Authorized Applicant 690 Austin Rd. Ellenwood, GA 30294
Telephone and E-Mail of Authorized Applicant 770-235-7999 johnrlandersjr@aol.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 J. Mark Butler Jr.

Date 8-22-22

Personally appeared before me:

[Signature]

, who swears that the information which is contained in this Owner's Authorization is true and correct to the best of his/her knowledge and belief.

Rhonda Y. Whitehead-Combs
Notary Public's Signature

Rhonda Y. Whitehead-Combs 8/22/2022
Notary Public's Printed Name and Date



From: dmullis@cityofstockbridge-ga.gov,

To: johnrlandersjr@aol.com, LLogan@cityofstockbridge-ga.gov, DAaron@cityofstockbridge-ga.gov,

Cc: johnrlandersjr@aol.com,

Subject: Re: Water Availability Letter 443 MLK Sr. Heritage Trail

Date: Tue, Aug 30, 2022 1:18 pm

Good afternoon,

I have completed site visit of address. There is an 8" water main on the edge of road on the property side. Water service would be accessible for customer once fees are met.

If further information is needed please feel free to reach out.

Thanks,

Get [Outlook for iOS](#)

From: John R. Landers Jr. <johnrlandersjr@aol.com>

Sent: Tuesday, August 30, 2022 1:00:26 PM

To: Donald Mullis <dmullis@cityofstockbridge-ga.gov>

Cc: John R. Landers Jr. <johnrlandersjr@aol.com>

Subject: Water Availability Letter 443 MLK Sr. Heritage Trail

Mr. Mullis,

It was good to talk to you this afternoon. As I have been advised by Linda Logan in the City of Stockbridge Planning and Zoning Department, I need a letter stating that there is water available at 443 MLK Sr. Heritage Trail. This is part of the Rezoning Application Packet that we have to turn into the Planning and Zoning Department.

If you could provide that letter it would be greatly appreciated.

Thank you.

Best regards,

John R. Landers Jr.

770-235-7999



City of Stockbridge
Planning and Zoning Office

Septic System Information for Zoning Requests

4640 North Henry Boulevard; Stockbridge, GA 30281 (770) 389-7900

This form must be completed and submitted to the Planning and Zoning Office with all zoning applications for properties that are not served by public sewer.

Name of Applicant: John R. Landers Jr. Phone: 770 235-7999 Mobile: 770 235 7999
 Applicant Address: 690 Austin Road City, State: Ellenwood, GA Zip: 30294
 Name of Agent: same as above Phone: 770 235 7999 Mobile: _____
 Agent Address: _____ City, State: _____ Zip: _____

Request (Check one):

Rezoning (Current Zoning SR Requested Zoning HI) Conditional Use _____ Variance _____ Zoning Modification _____

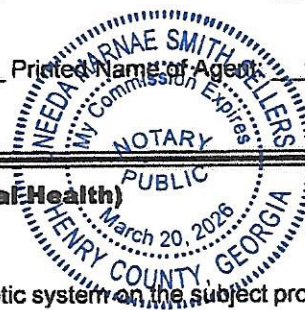
For the Purpose of _____

Property Address: 443 MLK Sr. Heritage Trail Nearest Intersection to property: _____
 Size of Tract: _____ acres Land Lot(s) 3 1/2 District(s): 12th
 Property Tax Parcel Number(s): S27-02021000 Proposed Number of Lots: 1

Signature of Owner: _____ Printed Name of Owner: _____

Signature of Agent: [Signature] Printed Name of Agent: John R. Landers Jr.

Notary: Needa Marnae Smith Sells



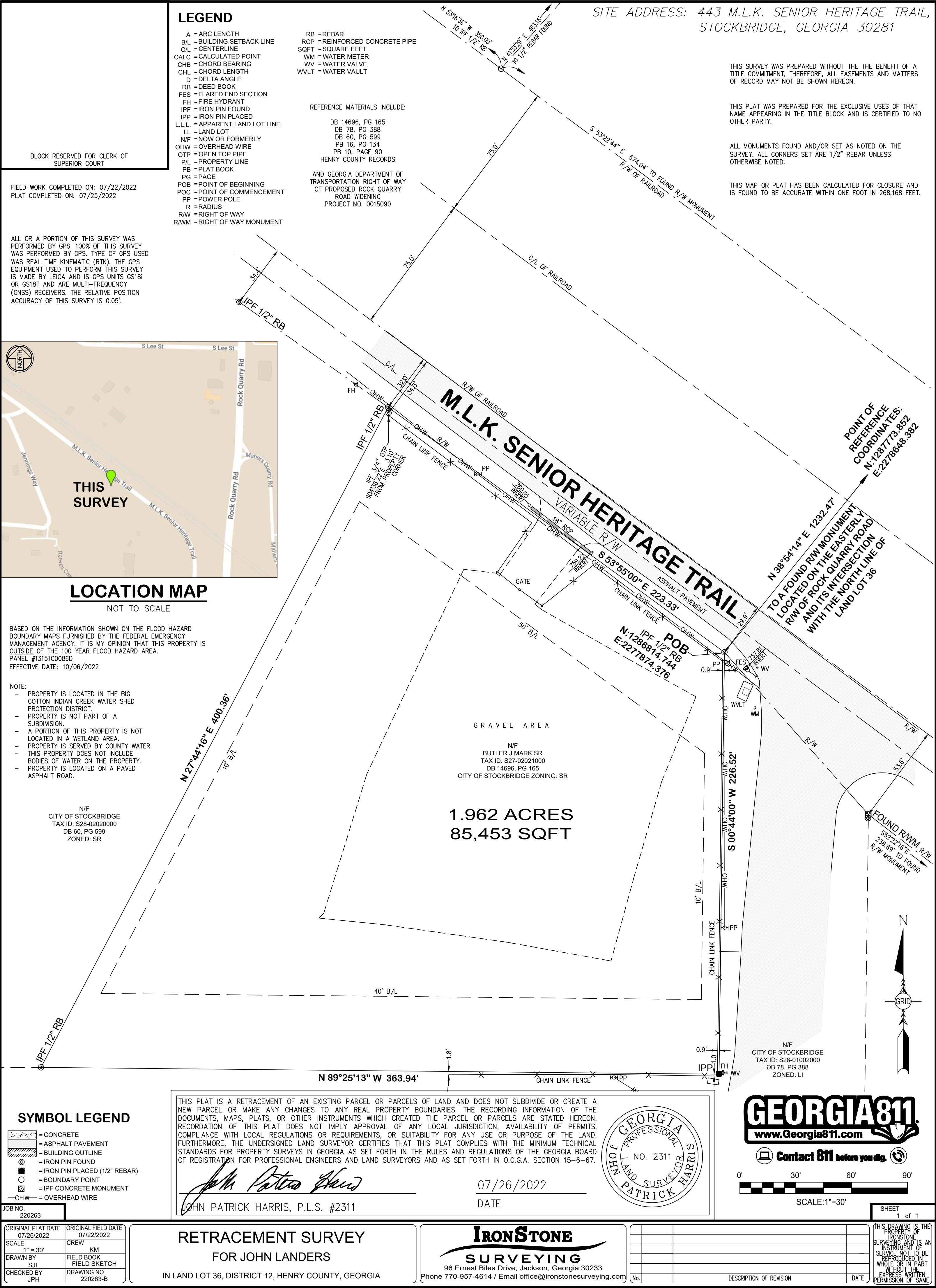
(To be Completed by Henry County Environmental Health)

Check all that apply

- _____ There are suitable soils for the installation of a septic system on the subject property.
- _____ There are not suitable soils for the installation of a septic system on the subject property.
- _____ There is an existing septic system on the subject property.
- _____ The existing septic system will support the proposed development and/or use.
- _____ The existing septic system will not support the proposed development and/or use.

Comments: A level-5 soil report will need to be submitted to this office to determine suitability for development utilizing a septic system. This office has no records of an existing septic system on the subject property.

Name of Person Completing: Todd A. Driver Title: Environmental Health County Manager
 Signature: [Signature] Date: 8-30-22
 E-mail Address: Todd.Driver@dph.ga.gov Phone Number: 470-661-0644



From: melissa collum <melissa.collum@hcwa.com>
Sent: Tuesday, August 30, 2022 1:23 PM
To: fritz jacques <friz.jacques@hcwa.com>
Subject: Water Avail Request: S27-02021000

Fritz,

Good afternoon. Mr. John Landers contacted our office about the following property. He is purchasing the property and is having it rezoned from residential to Commercial. This property is in the City of Stockbridge. The City of Stockbridge told him that he needs a letter from HCWA. Can you assist Mr. Landers?

S27-02021000

John Landers

Phone: 770-235-7999

Thanks,

Melissa Collum | Administrative Assistant, Engineering

Henry County Water Authority

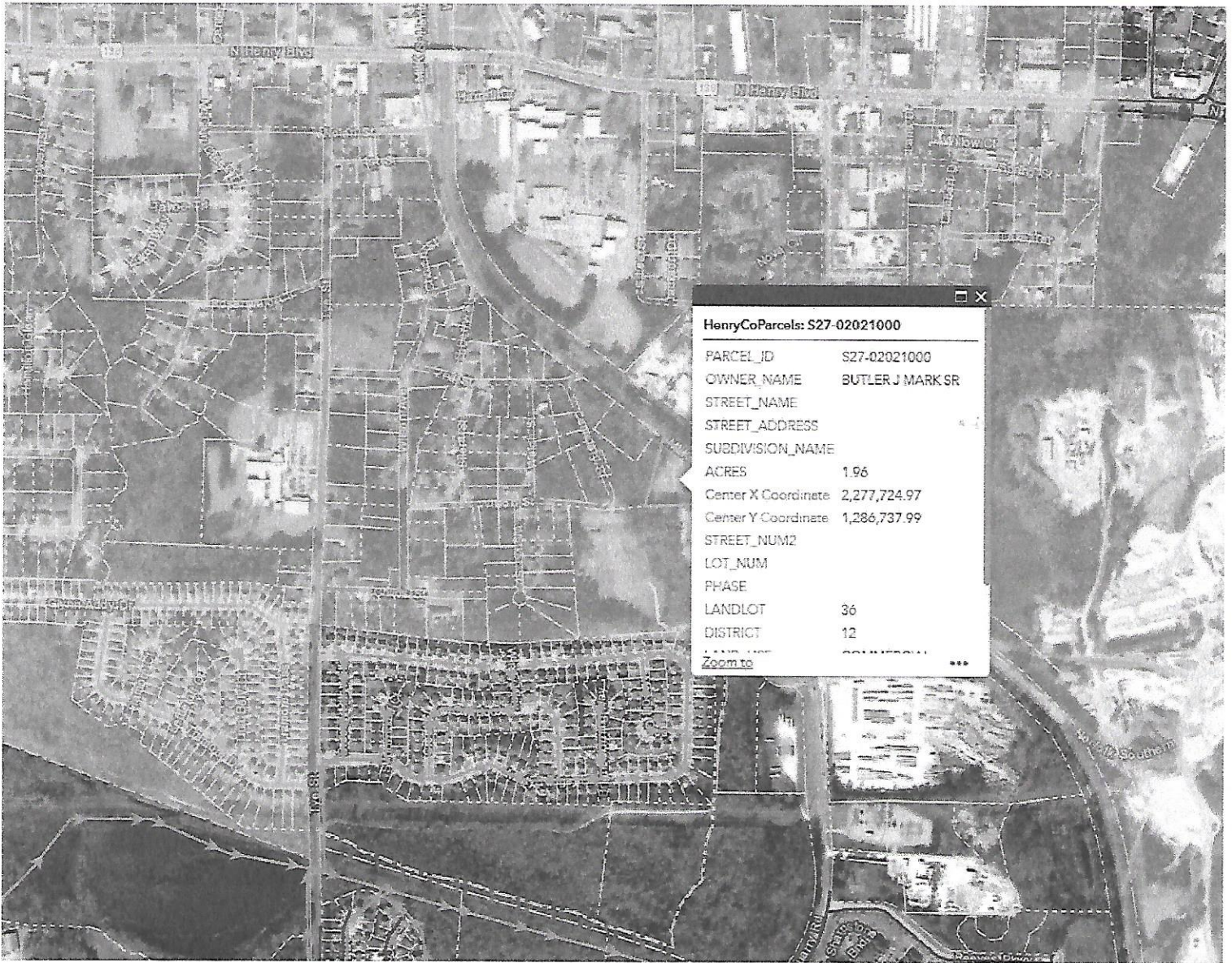
100 Westridge Industrial Blvd | McDonough, GA 30253

P: 678-583-3821

From: fritz.jacques@hcwa.com,
To: johnrlandersjr@aol.com,
Cc: melissa.collum@hcwa.com, permitting@cityofstockbridge-ga.gov,
Subject: RE: Water Avail Request: 443 MLK Sr. Heritage Trl. Parcel No. S27-02021000
Date: Thu, Sep 1, 2022 10:26 am
Attachments:

Mr. Landers,

The above referenced property is within an area designated as City of Stockbridge Service Area. As such, please contact the City of Stockbridge concerning Water & Sewer Availability information.

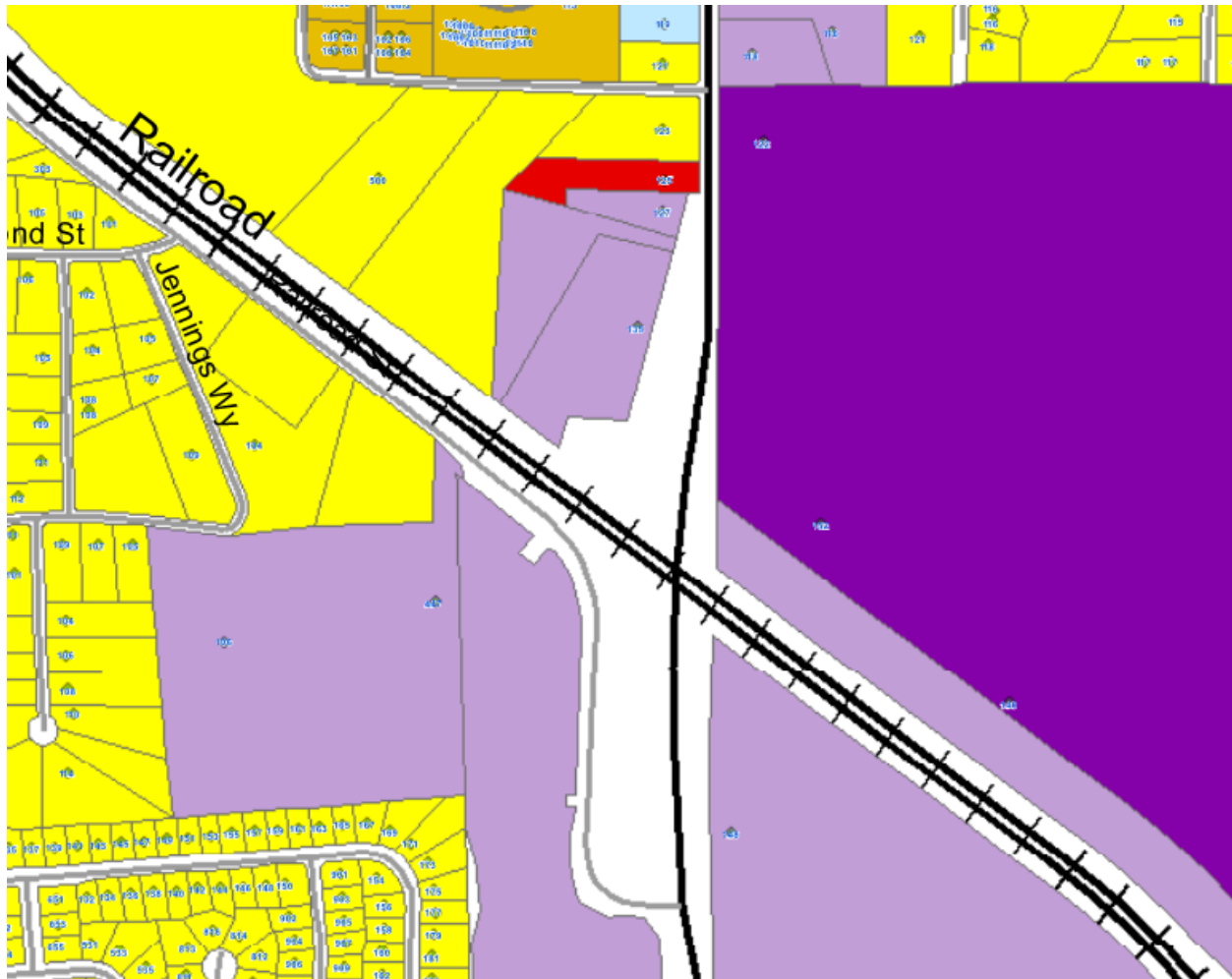


Regards,

Fritz Jacques
Engineering Coordinator
Henry County Water Authority

100 Westridge Industrial Blvd.
McDonough, GA 30253
678-583-3824
770-914-3359 Fax

ZONING MAP EXCERPT FOR 443 M.L.K. SR. HERITAGE TRAIL





TO: Planning Commission

FROM: Gordon Linton, Planner I

CC: Brecca Carter, Community Development Director
R. Ryan Anderson, Chief Planner

DATE: October 27, 2022

Subject: #RZ-2022-06 For 443 MLK Senior Heritage Trail

I. PURPOSE

Consider a request to rezone property from SR (Suburban Residential) to HI (Heavy Industrial) to allow for industrial development. Application by John R. Landers, Jr.

II. Background

Proposed Development	The applicant proposes to build a metal building on the existing lot for the purpose of storing business equipment and vehicles.
Site Address	443 MLK Senior Heritage Trail
Parcel Identification	S27-02021000
Parcel Acreage	1.962 +/- acres
Applicant	John R. Landers, Jr. 690 Austin Road Ellenwood, GA, 30294 770-235-7599
Owner	Mark Butler 694 Red Oak Road Stockbridge, GA, 30281
Historic District	N/A
Current Zoning	SR (Suburban Residential)
Zoning History	N/A

Current Use	Outdoor storage of business equipment and vehicles for a house-moving company.
-------------	--

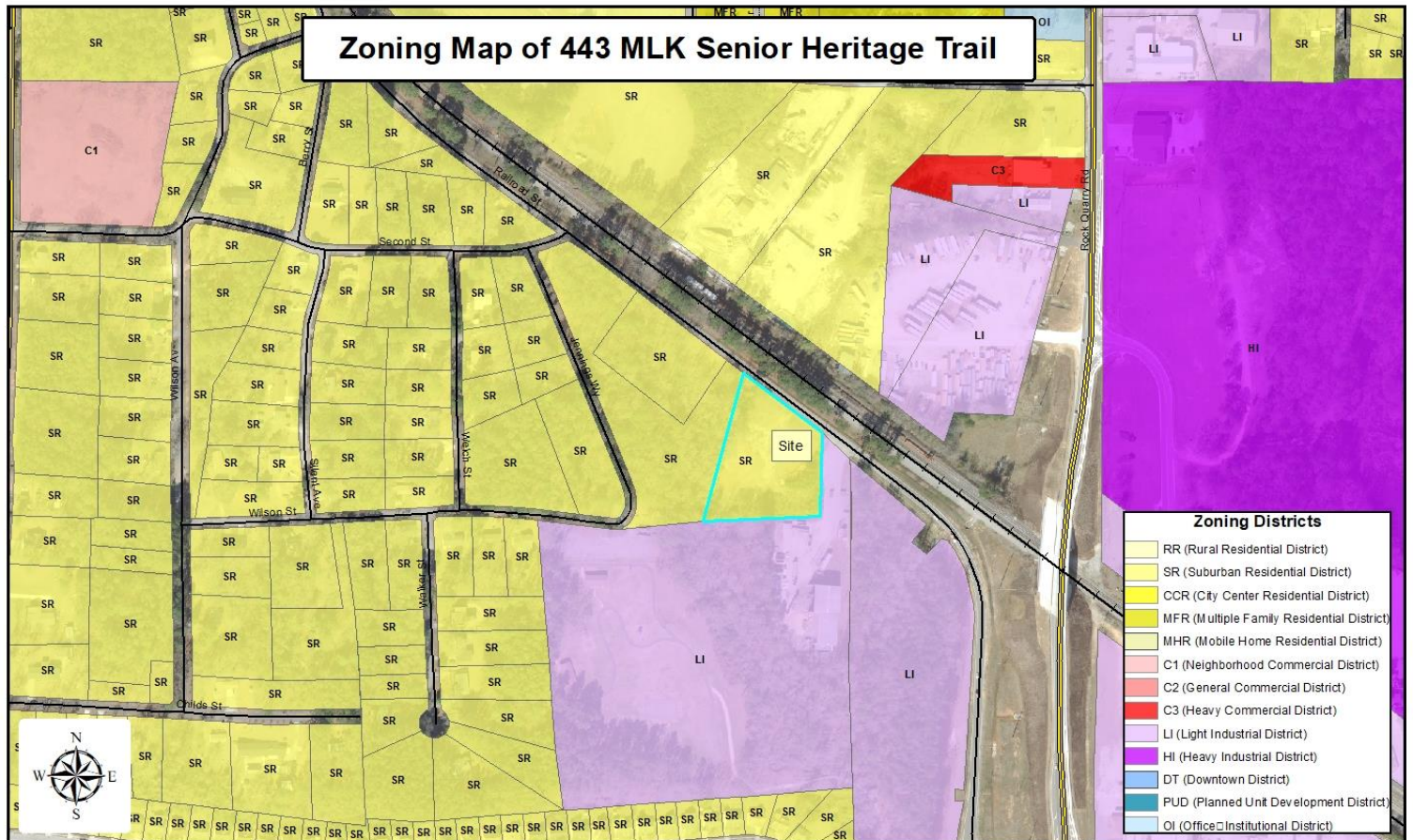
SURROUNDING LAND USE AND ZONING

Location	Existing Land Use	Existing Zoning
Property to the North	Ready Mix USA Stockbridge Concrete Plant	SR (Suburban Residential)
Property to the South	Memorial Park	LI (Light Industrial District)
Property to the East	Vacant Land	LI (Light Industrial District)
Property to the West	Vacant Land	SR (Suburban Residential)

III. Findings of Fact

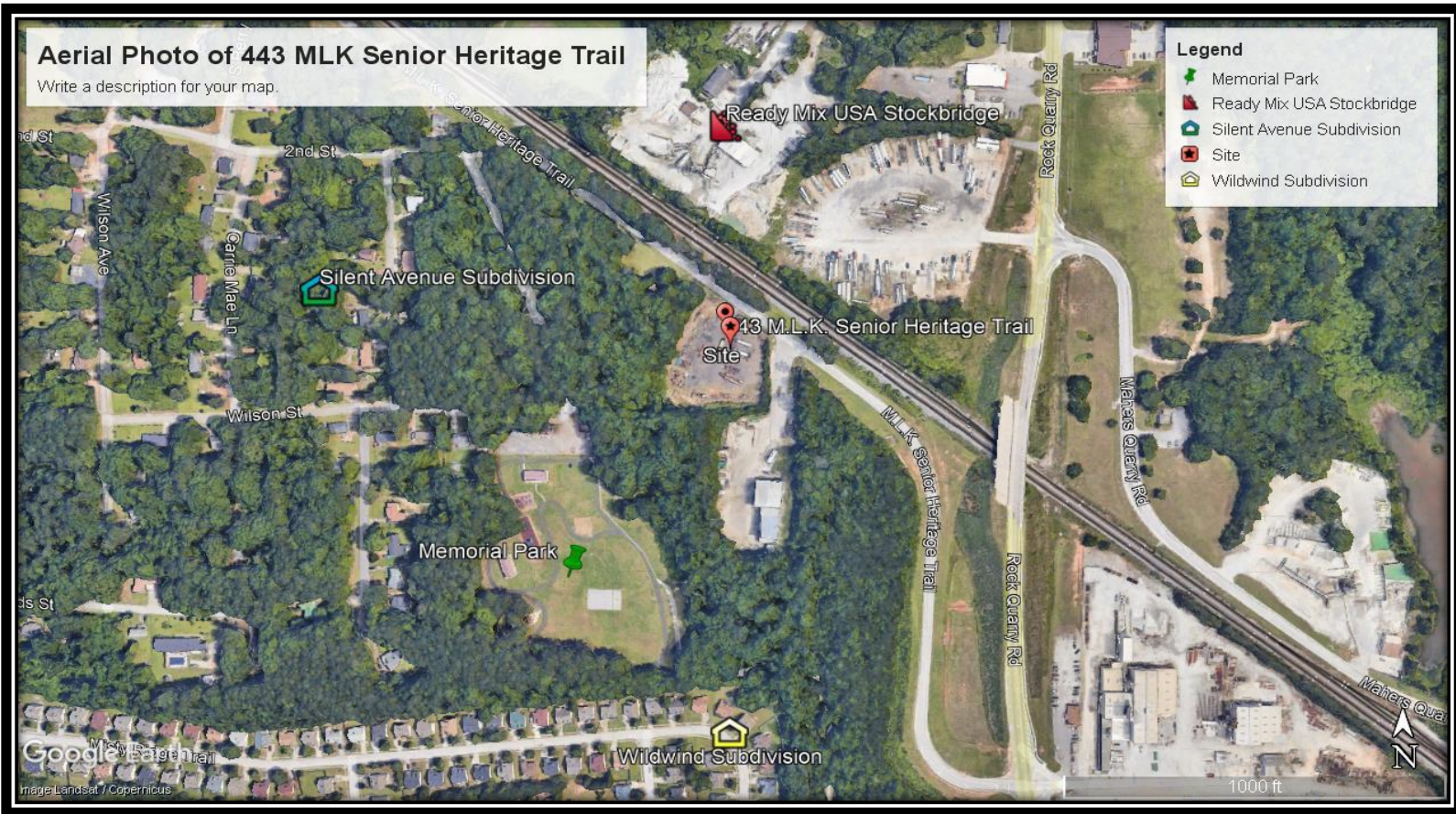
- A. The applicant will be seeking a Comprehensive Plan Amendment to change the future land use designations of certain property from Medium Density Residential to Heavy Industrial.
- B. The subject property is not part of the Parkway Mixed-Use Overlay District.
- C. The existing property is a non-conforming use.

IV. Maps and Illustrations

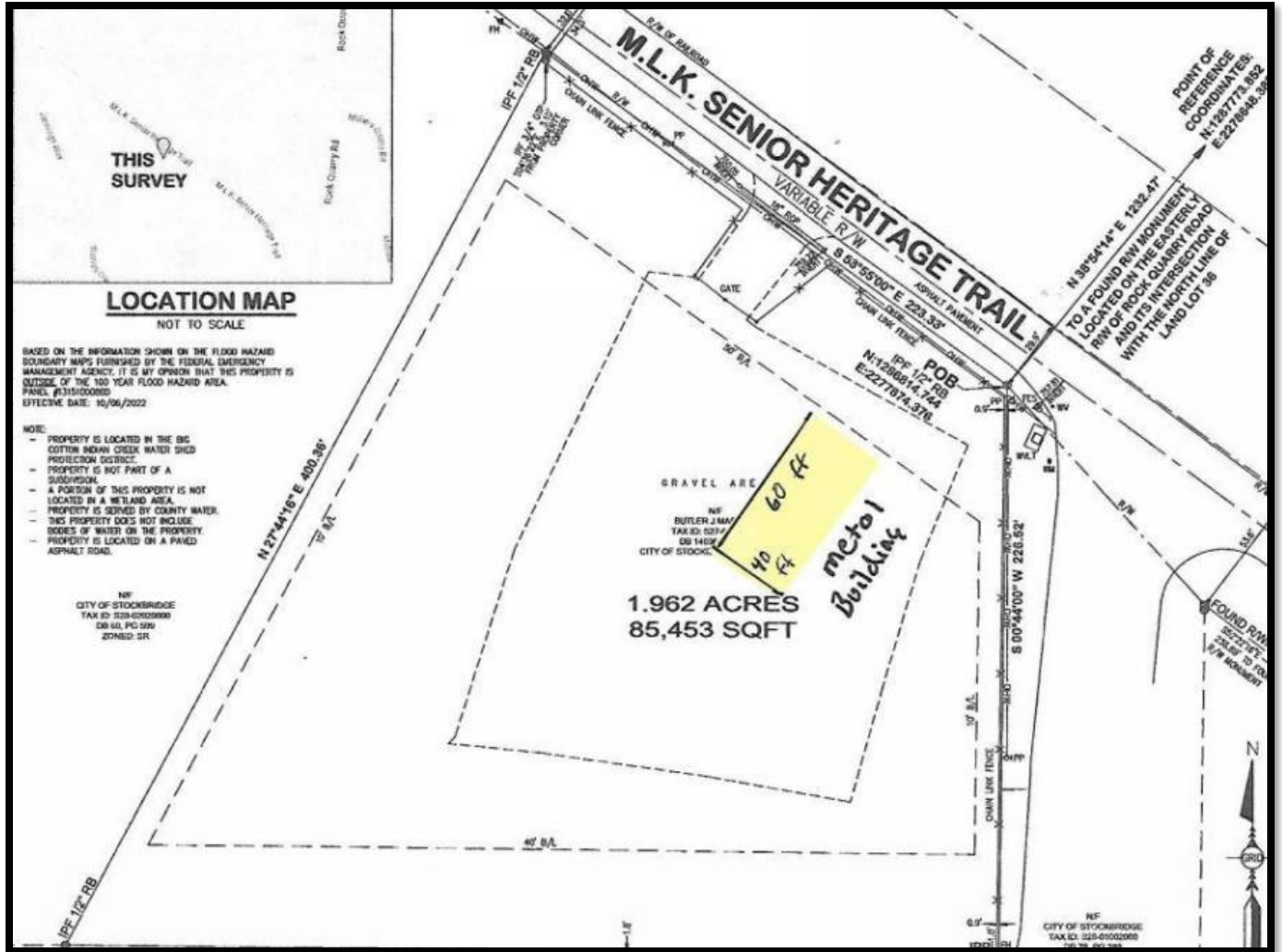


Zoning Map of 443 MLK Senior Heritage Trail

Aerial Photo of 443 MLK Senior Heritage Trail



Conceptual Site Plan of 443 MLK Senior Heritage Trail



V. Analysis

Project Description

The applicant intends to rezone 1.96 acres of 443 MLK Senior Heritage Trail from SR (Suburban Residential) to HI (Heavy Industrial) for the purpose of constructing a metal building for storing the equipment. The requested HI will allow the owner to construct the requested building. The Future Land Use Designation Map designates the subject property as Medium Density Residential. However, the current Future Land Use is incompatible with the requested rezoning. Therefore, the applicant is seeking a Comprehensive Plan Amendment to change the Future Land Use Designation from Medium Density Residential to Heavy Industrial.

Staff Analysis

The applicant requests a **Rezoning** under the City of Stockbridge Unified Development Code Section **(Sec. 9.2.1 C)**:

The Planning Commission and the City Council shall consider the following standards in considering any proposal that would result in a change to the text or map of this UDC, giving due weight or priority to those factors that are appropriate to the circumstances of each proposal.

ANALYSIS OF REQUEST

1. Consistency with the Comprehensive Plan.

The request to rezone the subject property to HI (Heavy Industrial) is inconsistent with the Comprehensive Plan. The current Land Use Designation for the subject property is Medium-Density Residential which provides a list of compatible zoning districts which does not include HI. A Comprehensive Plan Amendment has been filed and will be heard concurrently with this case.

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

The proposed rezoning does not meet all the requirements of the minimum development standards of the HI zoning district. In addition, the proposed rezoning is not consistent with the zoning character of the area. A Comprehensive Plan Amendment has been filed and will be heard concurrently with this case. The adjacent and surrounding land uses are light industrial and residential. While there are heavy Industrial uses in the greater vicinity and Rock Quarry Road to the east serves as a distinct boundary between light industrial and heavy industrial. Staff

prefers that the Heavy Industrial remains on the eastern side of Rock Quarry Road. Moreover, staff feels as though Heavy industrial uses should not encroach into the light industrial and residential uses within the immediate vicinity.

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

Although the addition of the proposed metal building could benefit the subject property by providing a visual screening of the applicant's industrial equipment and serving as a protection for the equipment, rezoning the property to heavy industrial would adversely affect the character of the area because it is primarily light industrial and residential. The proposed rezoning would therefore potentially constitute a spot zoning, especially since the subject property is very small (having only 1.962 acres), and it could lead to possible other heavy industrial uses being introduced into the immediate vicinity. This could result in an unwarranted zoning precedent.

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

The site appears to be suitable for the proposed rezoning with an approved Comprehensive Plan Amendment. Issues regarding buffering, topography, drainage, access, size, and shape of the property will be addressed.

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

The possible impact upon the adjacent property owners should the property be rezoned is an increase in traffic from the trucks that will pick up the equipment.

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

There is no impact anticipated. However, Memorial Park is located within close proximity of the subject property and future anticipated an expansion of the park, and this proposed re-zoning could have an adverse impact on those plans.

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

The subject property has frontage on MLK Senior Heritage Trail, which is a local road. There are no sidewalks in the vicinity of the subject property.

8. The merits of the requested change in zoning relative to any other guidelines

and policies for development, which the Planning Commission and City Council may use in furthering the objective of the comprehensive plan.

Approval of the applicant's request to a more suitable zoning district of Light Industrial in concert with an appropriate Comprehensive Plan Amendment would allow the applicant to construct the requested building according to Section 3.2.20 Industrial and Modular Buildings of the UDC. The applicant's request is more in line with this section of code.

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

The subject property is zoned 'SR' (Suburban Residential), but it is currently being used for an industrial operation. The current use is non-conforming, and since other light industrial uses are near the subject property, the continuation of the current industrial use is reasonable. Allowing the property to continue to be used for industrial purposes is reasonable since that would provide stability to the area since the existing use has existed on the property for many years, and because nearby properties are zoned for light industrial uses. Further, since the subject property faces railroad tracks, it is not likely that it would be developed for a single-family residence.

Summary of Impacts/Concerns

Fire Marshal	N/A
Henry County Water and Sewer	Sufficient
Police	N/A
School Board	N/A
Buildings	N/A

VI. STAFF RECOMMENDATIONS

- The planning and zoning staff recommends **denial** of the applicant's request from SR (Suburban Residential) to HI (Heavy Industrial) and recommend **approval with conditions** to LI (Light Industrial). The recommended zoning condition is listed below:
 - The building will be developed in accordance with Section 3.2.20 of the City of Stockbridge Unified Development Code and all other City Code sections regarding site development standards and requirements.

LETTER OF INTENT

John R. Landers Jr.
690 Austin Road
Ellenwood, GA 30294
770-235-7999

8/25/22
Revised on
9/27/22

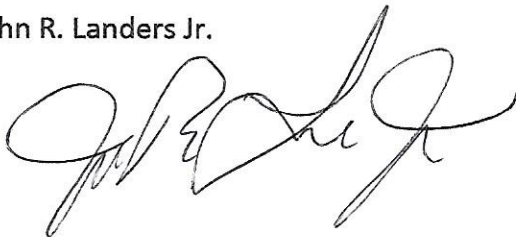
Linda Logan
City of Stockbridge
Planning and Zoning
Municipal Court Building
4602 North Henry Boulevard
Stockbridge, GA 30281

Dear Ms. Logan,

I, John R. Landers Jr. am the Agent for the property owner, J. Mark Butler of the property at 443 MLK Sr. Heritage Trail. The property is 1.962 acres in Land Lot 36 of the 12th District with Tax ID # S27-02021000. We would like to apply to have the property at this address rezoned from (SR) "Suburban Residential" to (HI) "Heavy Industrial." We would like to apply for a Comprehensive Plan Amendment in order to change the property's Future Land Use Designation from "Medium-Density Residential" to "Heavy Industrial." We currently have been using the property to store business equipment for a House Moving and Raising Business for the last five years. The property owner wants to sell the property to me, John R. Landers Jr. and I wanted the property zoned correctly for its proper use before I purchased the property. I want to continue to store my business equipment on the property and eventually have a building built on the property. The property is surrounded by property owned by the City of Stockbridge.

Sincerely,

John R. Landers Jr.



LEGEND

A = ARC LENGTH
BL = BUILDING SETBACK LINE
CL = CENTERLINE
CALC = CALCULATED POINT
CHB = CHORD BEARING
CHL = CHORD LENGTH
D = DELTA ANGLE
DB = DEED BOOK
FES = FLARED END SECTION
FH = FIRE HYDRANT
IPF = IRON PIN FOUND
IPP = IRON PIN PLACED
LLL = APPARENT LAND LOT LINE
LI = LAND LOT
NIF = NOW OR FORMERLY
OHW = OVERHEAD WIRE
OTP = OPEN TOP PIPE
PL = PROPERTY LINE
PB = PLAT BOOK
PG = PAGE
POB = POINT OF BEGINNING
POC = POINT OF COMMENCEMENT
PP = POWER POLE
R = RADIUS
R/W = RIGHT OF WAY
RWM = RIGHT OF WAY MONUMENT

RB = REBAR
RCP = REINFORCED CONCRETE PIPE
SQFT = SQUARE FEET
WM = WATER METER
WV = WATER VALVE
WVLT = WATER VAULT

REFERENCE MATERIALS INCLUDE:
DB 14696, PG 165
DB 70, PG 388
DB 60, PG 599
PB 16, PG 134
PB 16, PG 90
HENRY COUNTY RECORDS
AND GEORGIA DEPARTMENT OF
TRANSPORTATION RIGHT OF WAY
OF PROPOSED ROCK QUARRY
ROAD WIDENING
PROJECT NO. 0015090

SITE ADDRESS: 443 M.L.K. SENIOR HERITAGE TRAIL,
STOCKBRIDGE, GEORGIA 30281

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A
TITLE COMMITMENT, THEREFORE, ALL EASEMENTS AND MATTERS
OF RECORD MAY NOT BE SHOWN HEREON.

THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USES OF THAT
NAME APPEARING IN THE TITLE BLOCK AND IS CERTIFIED TO NO
OTHER PARTY.

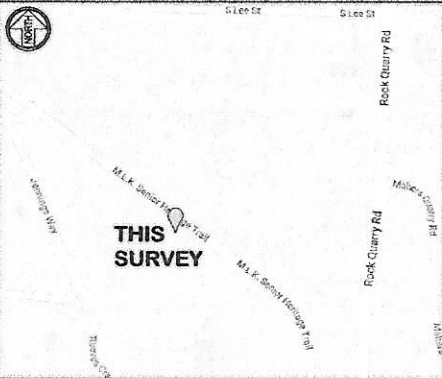
ALL MONUMENTS FOUND AND/OR SET AS NOTED ON THE
SURVEY. ALL CORNERS SET ARE 1/2" REBAR UNLESS
OTHERWISE NOTED.

THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND
IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 268,168 FEET.

BLOCK RESERVED FOR CLERK OF
SUPERIOR COURT

FIELD WORK COMPLETED ON: 07/22/2022
PLAT COMPLETED ON: 07/25/2022

ALL OR A PORTION OF THIS SURVEY WAS
PERFORMED BY GPS. 100% OF THIS SURVEY
WAS PERFORMED BY GPS. TYPE OF GPS USED
WAS REAL TIME KINEMATIC (RTK). THE GPS
EQUIPMENT USED TO PERFORM THIS SURVEY
IS MADE BY LEICA AND IS GPS UNITS GS18
OR GS18T AND ARE MULTI-FREQUENCY
(GNSS) RECEIVERS. THE RELATIVE POSITION
ACCURACY OF THIS SURVEY IS 0.05".



LOCATION MAP

NOT TO SCALE

BASED ON THE INFORMATION SHOWN ON THE FLOOD HAZARD
BOUNDARY MAPS FURNISHED BY THE FEDERAL EMERGENCY
MANAGEMENT AGENCY, IT IS MY OPINION THAT THIS PROPERTY IS
OUTSIDE OF THE 100 YEAR FLOOD HAZARD AREA.
PANEL #13151000892
EFFECTIVE DATE: 10/06/2022

- NOTE:
- PROPERTY IS LOCATED IN THE BIG
COTTON INDIAN CREEK WATER SHED
PROTECTION DISTRICT.
 - PROPERTY IS NOT PART OF A
SUBDIVISION.
 - A PORTION OF THIS PROPERTY IS NOT
LOCATED IN A WETLAND AREA.
 - PROPERTY IS SERVED BY COUNTY WATER.
 - THIS PROPERTY DOES NOT INCLUDE
BODIES OF WATER ON THE PROPERTY.
 - PROPERTY IS LOCATED ON A PAVED
ASPHALT ROAD.

NIF
CITY OF STOCKBRIDGE
TAX ID: 328-01002000
DB 70, PG 109
ZONED: SR

SYMBOL LEGEND

- CONCRETE
- ASPHALT PAVEMENT
- BUILDING OUTLINE
- IRON PIN FOUND
- IRON PIN PLACED (1/2" REBAR)
- BOUNDARY POINT
- IPF CONCRETE MONUMENT
- OHW = OVERHEAD WIRE

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.G.C.A. SECTION 15-6-67.

John Patrick Harris
JOHN PATRICK HARRIS, P.L.S. #2311

07/26/2022
DATE



GEORGIA811
www.Georgia811.com

Contact 811 before you dig.
SCALE: 1"=30'
SHEET 1 of 1

RETRACEMENT SURVEY FOR JOHN LANDERS

IN LAND LOT 36, DISTRICT 12, HENRY COUNTY, GEORGIA

IronStone
SURVEYING
96 Ernest Biles Drive, Jackson, Georgia 30233
Phone 770-957-4614 / Email office@ironstonesurveying.com

NO.	DESCRIPTION OF REVISION	DATE

ORIGINAL PLAT DATE: 07/26/2022
SCALE: 1"=30'
DRAWN BY: SJA
CHECKED BY: JPH
ORIGINAL FIELD DATE: 07/22/2022
CREW: KM
FIELD BOOK: FIELD SKETCH
DRAWING NO.: 220263-B

LETTER OF INTENT

John R. Landers Jr.
690 Austin Road
Ellenwood, GA 30294
770-235-7999

Linda Logan
City of Stockbridge
Planning and Zoning
Municipal Court Building
4602 North Henry Boulevard
Stockbridge, GA 30281

Dear Ms. Logan,

I, John R. Landers Jr. am the Agent for the property owner, J. Mark Butler of the property at 443 MLK Sr. Heritage Trail. The property is 1.962 acres in Land Lot 36 of the 12th District with Tax ID # S27-02021000. We would like to apply to have the property at this address rezoned from (SR) "Suburban Residential" to (HI) "Heavy Industrial." We would like to apply for a Comprehensive Plan Amendment in order to change the property's Future Land Use Designation from "Public-Institutional" to "Heavy Industrial." We currently have been using the property to store business equipment for a House Moving and Raising Business for the last five years. The property owner wants to sell the property to me, John R. Landers Jr. and I wanted the property zoned correctly for its proper use before I purchased the property. I want to continue to store my business equipment on the property and eventually have a building built on the property. The property is surrounded by property owned by the City of Stockbridge.

Sincerely,

John R. Landers Jr.



CITY OF STOCKBRIDGE | OWNER'S AUTHORIZATION

4640 North Henry Boulevard
Stockbridge, Georgia 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 the applicant in the pursuit of a/an Rezoning for this property [Please fill in one of the following: Rezoning, Variance, Administrative Variance, Annexation, Comprehensive Plan Amendment, Conditional Use Permit, Zoning Modification, Subdivision, Recombination or Other (please state the type of application).]

Name/Company Name of Property Owner MARK BUTLER
Address of Property Owner 694 Red Oak Rd. Stockbridge, GA 30281
Telephone and E-Mail of Property Owner BFASTNER@gmail.com
Name/Company Name of Authorized Applicant John R. Landers Jr.
Address of Authorized Applicant 690 Austin Rd. Ellenwood, GA 30294
Telephone and E-Mail of Authorized Applicant 770-235-7999 johnrlandersjr@aol.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 J. Mark Butler Jr.

Date 8-22-22

Personally appeared before me:

, who swears that the information which is contained in this Owner's Authorization is true and correct to the best of his/her knowledge and belief.

Rhonda Y. Whitehead-Combs
Notary Public's Signature

Rhonda Y. Whitehead-Combs 8/22/2022
Notary Public's Printed Name and Date



From: dmullis@cityofstockbridge-ga.gov,

To: johnrlandersjr@aol.com, LLogan@cityofstockbridge-ga.gov, DAaron@cityofstockbridge-ga.gov,

Cc: johnrlandersjr@aol.com,

Subject: Re: Water Availability Letter 443 MLK Sr. Heritage Trail

Date: Tue, Aug 30, 2022 1:18 pm

Good afternoon,

I have completed site visit of address. There is an 8" water main on the edge of road on the property side. Water service would be accessible for customer once fees are met.

If further information is needed please feel free to reach out.

Thanks,

Get [Outlook for iOS](#)

From: John R. Landers Jr. <johnrlandersjr@aol.com>

Sent: Tuesday, August 30, 2022 1:00:26 PM

To: Donald Mullis <dmullis@cityofstockbridge-ga.gov>

Cc: John R. Landers Jr. <johnrlandersjr@aol.com>

Subject: Water Availability Letter 443 MLK Sr. Heritage Trail

Mr. Mullis,

It was good to talk to you this afternoon. As I have been advised by Linda Logan in the City of Stockbridge Planning and Zoning Department, I need a letter stating that there is water available at 443 MLK Sr. Heritage Trail. This is part of the Rezoning Application Packet that we have to turn into the Planning and Zoning Department.

If you could provide that letter it would be greatly appreciated.

Thank you.

Best regards,

John R. Landers Jr.

770-235-7999

City of Stockbridge Planning and Zoning Division
Rezoning Application

Name of Applicant John R. Landers Jr. Phone: 770 235 7999 Date: 8/25/22
Address Applicant: 690 Austin Road Fax _____ Cell # 770 235-7999

City: Ellenwood State: GA Zip: 30294 E-mail: johnrlandersjr@aol.com

Name of Agent John R. Landers Jr. Phone: 770 235 7999 Date: 8/25/22
Address Agent: 690 Austin Rd. Fax _____ Cell # 770 235 7999

City: Ellenwood State: GA Zip: 30294 E-mail: johnrlandersjr@aol.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 rezone property from SR
Suburban Residential to HI Heavy Industrial

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. _____ Acknowledgement

Address of Property: 443 MLK-Sr. Heritage Trail

Nearest intersection to the property: _____

(Street Address)

Size of Tract: 1.962 acre(s), Land Lot Number(s): 36, District(s): 12

Property Tax Parcel Number(s): S27-02021000 (Required)

Witness' Signature _____

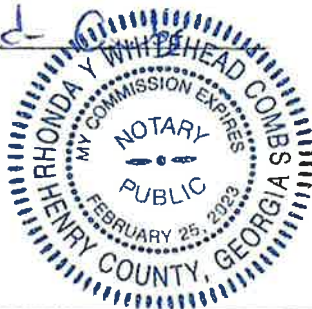
Signature of Applicant _____

Printed Name of Witness _____

Printed Name of Applicant John R Landers Jr

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: _____

LETTER OF INTENT

John R. Landers Jr.
690 Austin Road
Ellenwood, GA 30294
770-235-7999

Linda Logan
City of Stockbridge
Planning and Zoning
Municipal Court Building
4602 North Henry Boulevard
Stockbridge, GA 30281

Dear Ms. Logan,

I, John R. Landers Jr. am the Agent for the property owner, J. Mark Butler of the property at 443 MLK Sr. Heritage Trail. The property is 1.962 acres in Land Lot 36 of the 12th District with Tax ID # S27-02021000. We would like to apply to have the property at this address rezoned from (SR) "Suburban Residential" to (HI) "Heavy Industrial." We would like to apply for a Comprehensive Plan Amendment in order to change the property's Future Land Use Designation from "Public-Institutional" to "Heavy Industrial." We currently have been using the property to store business equipment for a House Moving and Raising Business for the last five years. The property owner wants to sell the property to me, John R. Landers Jr. and I wanted the property zoned correctly for its proper use before I purchased the property. I want to continue to store my business equipment on the property and eventually have a building built on the property. The property is surrounded by property owned by the City of Stockbridge.

Sincerely,

John R. Landers Jr.



CITY OF STOCKBRIDGE | OWNER'S AUTHORIZATION

4640 North Henry Boulevard
Stockbridge, Georgia 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 the applicant in the pursuit of a/an Rezoning for this property [Please fill in one of the following: Rezoning, Variance, Administrative Variance, Annexation, Comprehensive Plan Amendment, Conditional Use Permit, Zoning Modification, Subdivision, Recombination or Other (please state the type of application).]

Name/Company Name of Property Owner MARK BUTLER
Address of Property Owner 694 Red Oak Rd. Stockbridge, GA 30281
Telephone and E-Mail of Property Owner BFASTNER@gmail.com
Name/Company Name of Authorized Applicant John R. Landers Jr.
Address of Authorized Applicant 690 Austin Rd. Ellenwood, GA 30294
Telephone and E-Mail of Authorized Applicant 770-235-7999 johnrlandersjr@aol.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 J. Mark Butler Jr.

Date 8-22-22

Personally appeared before me:

[Signature]

, who swears that the information which is contained in this Owner's Authorization is true and correct to the best of his/her knowledge and belief.

Bronda Y. Whitehead-Combs
Notary Public's Signature

Bronda Y. Whitehead-Combs 8/22/2022
Notary Public's Printed Name and 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 a 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 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 City of Stockbridge Planning and Zoning Division within ten (10) days after this application is first filed:

Planning Commissioner and/or City Council Member Name	Dollar Amount of Campaign Contribution	Description of Gift \$250 or greater, which was given to Board Member

We certify that the foregoing information is true and correct, this 25 day of Aug, 2022

John R. Landers Jr
Applicant's Name - Printed

[Signature]
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 25 day of August, 2022

Uneeda Marnae Smith Sellers
Notary Public



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

LEGEND

A = ARC LENGTH
BL = BUILDING SETBACK LINE
CL = CENTERLINE
CALC = CALCULATED POINT
CHB = CHORD BEARING
CHL = CHORD LENGTH
D = DELTA ANGLE
DB = DEED BOOK
FES = FLARED END SECTION
FH = FIRE HYDRANT
IPF = IRON PIN FOUND
IPF = IRON PIN PLACED
LL = APPARENT LAND LOT LINE
LL = LAND LOT
NIF = NOW OR FORMERLY
OHW = OVERHEAD WIRE
OTF = OPEN TOP PIPE
PL = PROPERTY LINE
PB = PLAT BOOK
PB = PAGE
POB = POINT OF BEGINNING
POC = POINT OF COMMENCEMENT
PP = POWER POLE
R = RADIUS
R/W = RIGHT OF WAY
R/W = RIGHT OF WAY MONUMENT

RB = REBAR
RCP = REINFORCED CONCRETE PIPE
SQFT = SQUARE FEET
WM = WATER METER
WV = WATER VALVE
WVLT = WATER VAULT

REFERENCE MATERIALS INCLUDE:

DB 14698, PG 165
DB 78, PG 308
DB 60, PG 599
PB 16, PG 134
PB 10, PAGE 90
HENRY COUNTY RECORDS
AND GEORGIA DEPARTMENT OF
TRANSPORTATION RIGHT OF WAY
OF PROPOSED ROCK QUARRY
ROAD WIDENING
PROJECT NO. 0015090

SITE ADDRESS: 443 M.L.K., SENIOR HERITAGE TRAIL,
STOCKBRIDGE, GEORGIA 30281

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A
TITLE COMMITMENT. THEREFORE, ALL EASEMENTS AND MATTERS
OF RECORD MAY NOT BE SHOWN HEREON.

THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USES OF THAT
NAME APPEARING IN THE TITLE BLOCK AND IS CERTIFIED TO NO
OTHER PARTY.

ALL MONUMENTS FOUND AND/OR SET AS NOTED ON THE
SURVEY. ALL CORNERS SET ARE 1/2" REBAR UNLESS
OTHERWISE NOTED.

THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND
IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 268,168 FEET.

BLOCK RESERVED FOR CLERK OF
SUPERIOR COURT

FIELD WORK COMPLETED ON: 07/22/2022
PLAT COMPLETED ON: 07/25/2022

ALL OR A PORTION OF THIS SURVEY WAS
PERFORMED BY GPS. 100% OF THIS SURVEY
WAS PERFORMED BY GPS. TYPE OF GPS USED
WAS REAL TIME KINEMATIC (RTK). THE GPS
EQUIPMENT USED TO PERFORM THIS SURVEY
IS MADE BY LEICA AND IS GPS UNITS GS18
OR GS18T AND ARE MULTI-FREQUENCY
(GNSS) RECEIVERS. THE RELATIVE POSITION
ACCURACY OF THIS SURVEY IS 0.05".



LOCATION MAP

NOT TO SCALE

BASED ON THE INFORMATION SHOWN ON THE FLOOD HAZARD
BOUNDARY MAPS FURNISHED BY THE FEDERAL EMERGENCY
MANAGEMENT AGENCY, IT IS MY OPINION THAT THIS PROPERTY IS
OUTSIDE OF THE 100 YEAR FLOOD HAZARD AREA.
PANEL #13151C00880
EFFECTIVE DATE: 10/06/2022

- NOTE:
- PROPERTY IS LOCATED IN THE BIG
COTTON INDIAN CREEK WATER SHED
PROTECTION DISTRICT.
 - PROPERTY IS NOT PART OF A
SUBDIVISION.
 - A PORTION OF THIS PROPERTY IS NOT
LOCATED IN A WETLAND AREA.
 - PROPERTY IS SERVED BY COUNTY WATER.
 - THIS PROPERTY DOES NOT INCLUDE
BODIES OF WATER ON THE PROPERTY.
 - PROPERTY IS LOCATED ON A PAVED
ASPHALT ROAD.

NIF
CITY OF STOCKBRIDGE
TAX ID: 528-0202000
DB 60, PG 599
ZONED: SR

GRAVEL AREA
NIF
BUTLER J MARK SR
TAX ID: 527-02021000
DB 14698, PG 165
CITY OF STOCKBRIDGE ZONING: SR

1.962 ACRES
85,453 SQFT

SYMBOL LEGEND

- CONCRETE
- ASPHALT PAVEMENT
- BUILDING OUTLINE
- IRON PIN FOUND
- IRON PIN PLACED (1/2" REBAR)
- BOUNDARY POINT
- 1/2" CONCRETE MONUMENT
- OHW = OVERHEAD WIRE

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.

JOHN PATRICK HARRIS, P.L.S. #2311

07/26/2022
DATE



GEORGIA811
www.Georgia811.com

Contact 811 before you dig

0' 30' 60' 90'
SCALE: 1"=30'

SUB NO.
220263

ORIGINAL PLAT DATE
07/26/2022

SCALE
1" = 30'

DRAWN BY
S.L.

CHECKED BY
JPH

ORIGINAL FIELD DATE
07/22/2022

CREW
KM

FIELD BOOK
FIELD SKETCH

DRAWING NO.
220263-B

RETRACEMENT SURVEY FOR JOHN LANDERS

IN LAND LOT 36, DISTRICT 12, HENRY COUNTY, GEORGIA

**IRONSTONE
SURVEYING**

96 Ernest Biles Drive, Jackson, Georgia 30233
Phone 770-957-4614 / Email office@ironstonesurveying.com

NO.	DESCRIPTION OF REVISION	DATE

SHEET
1 of 1

THIS SURVEY IS AN
ORIGINAL SURVEY
AND IS NOT A
COPY OF A
PREVIOUS SURVEY
UNLESS SHOWN
OTHERWISE

LEGEND

A = ARC LENGTH
 BL = BUILDING SETBACK LINE
 CL = CENTERLINE
 CALD = CALCULATED POINT
 CHB = CHORD BEARING
 CHL = CHORD LENGTH
 D = DELTA ANGLE
 DB = DEED BOOK
 FES = PLACED END SECTION
 FH = FIRE HYDRANT
 IPF = IRON PIN FOUND
 IPP = IRON PIN PLACED
 LLL = APPARENT LAND LOT LINE
 LL = LAND LOT
 NF = NOW OR FORMERLY
 OHW = OVERHEAD WIRE
 OTP = OPEN TOP PIPE
 PL = PROPERTY LINE
 PB = PLAT BOOK
 PG = PAGE
 POB = POINT OF BEGINNING
 POC = POINT OF COMMENCEMENT
 PP = POWER POLE
 R = RADIUS
 RW = RIGHT OF WAY
 RW/M = RIGHT OF WAY MONUMENT

RB = REBAR
 RCP = REINFORCED CONCRETE PIPE
 SCFT = SQUARE FEET
 WM = WATER METER
 WV = WATER VALVE
 WVL = WATER VAULT

REFERENCE MATERIALS INCLUDE:

DB 14636, PG 185
 DB 78, PG 388
 DB 60, PG 589
 PB 16, PG 134
 PB 10, PAGE 90
 HENRY COUNTY RECORDS
 AND GEORGIA DEPARTMENT OF
 TRANSPORTATION RIGHT OF WAY
 OF PROPOSED ROCK QUARRY
 ROAD IMPROVEMENT
 PROJECT NO. 0015090

SITE ADDRESS: 443 M.L.K. SENIOR HERITAGE TRAIL,
 STOCKBRIDGE, GEORGIA 30281

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A
 TITLE COMMITMENT, THEREFORE, ALL EASEMENTS AND MATTERS
 OF RECORD MAY NOT BE SHOWN HEREON.

THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USES OF THAT
 NAME APPEARING IN THE TITLE BLOCK AND IS CERTIFIED TO NO
 OTHER PARTY.

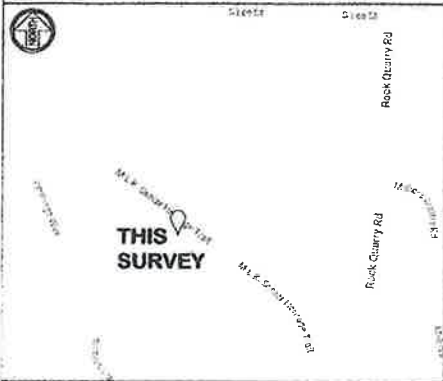
ALL MONUMENTS FOUND AND/OR SET AS NOTED ON THE
 SURVEY. ALL CORNERS SET ARE 1/2" REBAR UNLESS
 OTHERWISE NOTED.

THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND
 IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 269,168 FEET.

BLOCK RESERVED FOR CLERK OF
 SUPERIOR COURT

FIELD WORK COMPLETED ON: 07/22/2022
 PLAT COMPLETED ON: 07/25/2022

ALL OR A PORTION OF THIS SURVEY WAS
 PERFORMED BY GPS. 100% OF THIS SURVEY
 WAS PERFORMED BY GPS. TYPE OF GPS USED
 WAS REAL TIME KINEMATIC (RTK). THE GPS
 EQUIPMENT USED TO PERFORM THIS SURVEY
 IS MADE BY LEICA AND IS GPS UNITS GS18
 OR GS18T AND ARE MULTI-FREQUENCY
 (GNSS) RECEIVERS. THE RELATIVE POSITION
 ACCURACY OF THIS SURVEY IS 0.05.



LOCATION MAP

NOT TO SCALE

BASED ON THE INFORMATION SHOWN ON THE FLOOD HAZARD
 BOUNDARY MAPS FURNISHED BY THE FEDERAL EMERGENCY
 MANAGEMENT AGENCY, IT IS MY OPINION THAT THIS PROPERTY IS
 OUTSIDE OF THE 100 YEAR FLOOD HAZARD AREA.
 PANEL F13151000200
 EFFECTIVE DATE: 10/06/2022

- NOTE:
- PROPERTY IS LOCATED IN THE BIG
 COTTON INDIAN CREEK WATER SHED
 PROTECTION DISTRICT.
 - PROPERTY IS NOT PART OF A
 SUBDIVISION.
 - A PORTION OF THIS PROPERTY IS NOT
 LOCATED IN A WETLAND AREA.
 - PROPERTY IS SERVED BY COUNTY WATER.
 - THIS PROPERTY DOES NOT INCLUDE
 BODIES OF WATER ON THE PROPERTY.
 - PROPERTY IS LOCATED ON A PAVED
 ASPHALT ROAD.

NF
 CITY OF STOCKBRIDGE
 TAX ID: 328-61022000
 DB 60, PG 529
 ZONED: SR

GRAVEL ARE
 NF
 BUTLER J MAY
 TAX ID: 327-
 DB 14636
 CITY OF STOCKBRIDGE

1.962 ACRES
 85,453 SQFT

meto1
 Building

POINT OF
 REFERENCE
 COORDINATES:
 N: 287773.982
 E: 227898.982

TO A FOUND RW MONUMENT
 LOCATED ON THE EASTERLY
 RW OF ROCK QUARRY ROAD
 WITH THE NORTH LINE OF
 LAND LOT 38

FOUND RW/M
 SETTING
 238.69 TO FOUND
 RW MONUMENT

NF
 CITY OF STOCKBRIDGE
 TAX ID: 328-61022000
 DB 78, PG 388
 ZONED: LI

SYMBOL LEGEND

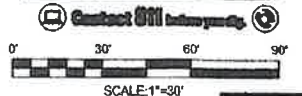
- CONCRETE
- ASPHALT PAVEMENT
- BUILDING OUTLINE
- IRON PIN FOUND
- IRON PIN PLACED (1/2" REBAR)
- BOUNDARY POINT
- IPF CONCRETE MONUMENT
- OVERHEAD WIRE

2023 NO.	220263
ORIGINAL PLAT DATE	07/25/2022
SCALE	1" = 30'
DRAWN BY	JLH
FIELD BOOK	FIELD SKETCH

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.

JOHN PATRICK HARRIS, P.L.S. #2311

07/26/2022
 DATE



RETRACEMENT SURVEY

FOR JOHN LANDERS

IRONSTONE
 SURVEYING
 261 Forest River Drive, Jackson, Georgia 30233

1 of 1
DATE: 07/26/2022
BY: JLH
CHECKED BY: JLH
APPROVED BY: JLH

From: dmullis@cityofstockbridge-ga.gov,

To: johnrlandersjr@aol.com, LLogan@cityofstockbridge-ga.gov, DAaron@cityofstockbridge-ga.gov,

Cc: johnrlandersjr@aol.com,

Subject: Re: Water Availability Letter 443 MLK Sr. Heritage Trail

Date: Tue, Aug 30, 2022 1:18 pm

Good afternoon,

I have completed site visit of address. There is an 8" water main on the edge of road on the property side. Water service would be accessible for customer once fees are met.

If further information is needed please feel free to reach out.

Thanks,

Get [Outlook for iOS](#)

From: John R. Landers Jr. <johnrlandersjr@aol.com>

Sent: Tuesday, August 30, 2022 1:00:26 PM

To: Donald Mullis <dmullis@cityofstockbridge-ga.gov>

Cc: John R. Landers Jr. <johnrlandersjr@aol.com>

Subject: Water Availability Letter 443 MLK Sr. Heritage Trail

Mr. Mullis,

It was good to talk to you this afternoon. As I have been advised by Linda Logan in the City of Stockbridge Planning and Zoning Department, I need a letter stating that there is water available at 443 MLK Sr. Heritage Trail. This is part of the Rezoning Application Packet that we have to turn into the Planning and Zoning Department.

If you could provide that letter it would be greatly appreciated.

Thank you.

Best regards,

John R. Landers Jr.
770-235-7999

From: melissa collum <melissa.collum@hcwa.com>
Sent: Tuesday, August 30, 2022 1:23 PM
To: fritz jacques <friz.jacques@hcwa.com>
Subject: Water Avail Request: S27-02021000

Fritz,

Good afternoon. Mr. John Landers contacted our office about the following property. He is purchasing the property and is having it rezoned from residential to Commercial. This property is in the City of Stockbridge. The City of Stockbridge told him that he needs a letter from HCWA. Can you assist Mr. Landers?

S27-02021000

John Landers

Phone: 770-235-7999

Thanks,

Melissa Collum | Administrative Assistant, Engineering

Henry County Water Authority

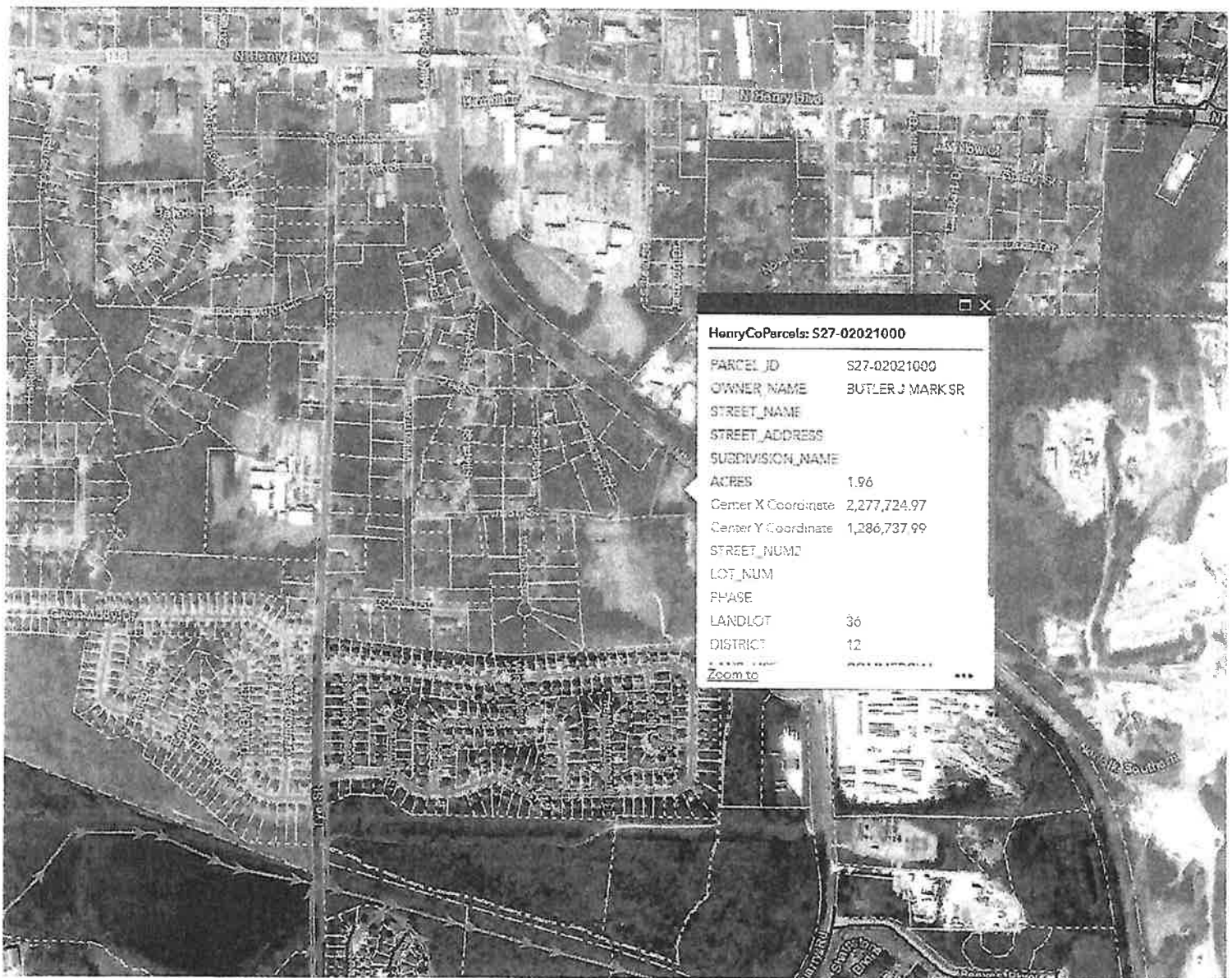
100 Westridge Industrial Blvd | McDonough, GA 30253

P: 678-583-3821

From: fritz.jacques@hcwa.com,
To: johnrlandersjr@aol.com,
Cc: melissa.collum@hcwa.com, permitting@cityofstockbridge-ga.gov,
Subject: RE: Water Avail Request: 443 MLK Sr. Heritage Trl. Parcel No. S27-02021000
Date: Thu, Sep 1, 2022 10:26 am
Attachments:

Mr. Landers,

The above referenced property is within an area designated as City of Stockbridge Service Area. As such, please contact the City of Stockbridge concerning Water & Sewer Availability information.



Regards,

Fritz Jacques
Engineering Coordinator
Henry County Water Authority

100 Westridge Industrial Blvd.
McDonough, GA 30253
678-583-3824
770-914-3359 Fax



City of Stockbridge
Planning and Zoning Office

Septic System Information for Zoning Requests

4640 North Henry Boulevard, Stockbridge, GA 30281 (770) 389-7900

This form must be completed and submitted to the Planning and Zoning Office with all zoning applications for properties that are not served by public sewer.

Name of Applicant: John R. Landers Jr. Phone: 770 235-7999 Mobile: 770 235 7999
 Applicant Address: 690 Austin Road City, State: Ellenwood, GA Zip: 30294
 Name of Agent: same as above Phone: 770 235 7999 Mobile: _____
 Agent Address: _____ City, State: _____ Zip: _____

Request (Check one):

Rezoning (Current Zoning SR Requested Zoning HI) Conditional Use _____ Variance _____ Zoning Modification _____

For the Purpose of _____

Property Address: 443 N. Heritage Trail Nearest Intersection to property: _____
 Size of Tract: _____ acres Land Lot(s): 3/4 District(s): 12th
 Property Tax Parcel Number(s): S27-02021000 Proposed Number of Lots: 1

Signature of Owner: _____ Printed Name of Owner: _____

Signature of Agent: [Signature] Printed Name of Agent: John R. Landers Jr.

Notary: Wanda Marnae Smith Sells



(To be Completed by Henry County Environmental Health)

Check all that apply

- _____ There are suitable soils for the installation of a septic system on the subject property.
- _____ There are not suitable soils for the installation of a septic system on the subject property.
- _____ There is an existing septic system on the subject property.
- _____ The existing septic system will support the proposed development and/or use.
- _____ The existing septic system will not support the proposed development and/or use.

Comments: A level-3 soil report will need to be submitted to this office to determine suitability for development utilizing a septic system. This office has no records of an existing septic system on the subject property.

Name of Person Completing: Todd A. Driver Title: Environmental Health County Manager
 Signature: [Signature] Date: 8-30-22
 E-mail Address: Todd.Driver@ph.ga.gov Phone Number: 470-661-0644

STANDARD SALES CONTRACT

The undersigned Purchaser, and Purchaser's heirs and assigns, agrees to buy, and the undersigned Seller, and Seller's heirs and assigns, agrees to sell through themselves directly, with no Broker, property commonly known as 443 MLK Sr. Heritage Trail, Stockbridge. Georgia, Henry County, Georgia and being more particularly described as follows:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 36 OF THE 12TH DISTRICT OF HENRY COUNTY, GEORGIA, BEING A 1.96 ACRE TRACT AS DESCRIBED IN DEED BOOK 14696, PAGE 165, HENRY COUNTY, GEORGIA RECORDS, WHICH PLAT IS INCORPORATED HEREIN AND MADE A PART HEREOF BY THIS REFERENCE. TAX ID #S27-02021000.

including all lighting fixtures attached thereto, and all heating, water heating, and plumbing equipment therein; also all plants, trees and shrubbery now on the premises.

The purchase price of said property shall be: **ONE HUNDRED TWENTY THOUSAND AND 00/100 (\$120,000.00) DOLLARS**, to be paid as follows: **ALL CASH AT CLOSING.**

Purchaser will deposit to the escrow agent (Dixon Law Group, P.C.), **TWENTY THOUSAND AND 00/100 (\$20,000.00) DOLLARS**, as earnest money within 3 business days from the date of acceptance, which earnest money is to be applied as part payment of purchase price of said property at the time sale is consummated. If buyer does not close on purchase, the earnest money shall be returned to buyer.

Sellers warrants that they presently have title to said property, and at the time the sale is consummated, they agree to convey good and marketable title to said property to Purchaser by general warranty deed subject to standard Title Exceptions.

The Purchaser shall have ten (10) days after the acceptance date of this Contract in which to examine title and in which to furnish Seller with a written statement of objections affecting the marketability of said title. Sellers shall have ten (10) days from the receipt of such objections to satisfy the same. If Sellers is unable or unwilling to satisfy such valid objections within said ten (10) day period, Purchaser may at its option declare the contract null and void and be entitled to a full refund of any Earnest Money paid. Notwithstanding the foregoing, Purchaser may at the expiration of said ten (10) day period elect to proceed with the purchase of property. Objections relating to the payment of monies for the satisfaction of Deeds to Secure Debt, open taxes, liens of any kind and all other title objections which may be cleared by the payment of money, may be cleared by paying the same at closing.

Sellers and Purchasers agree that such papers as may be legally necessary to carry out the terms of this Contract shall be executed and delivered by such parties at time sale is consummated.

TIME IS OF THE ESSENCE OF THIS CONTRACT.

This Contract constitutes the sole and entire agreement between the parties hereto and no modification of this Contract shall be binding unless attached hereto and signed by all parties to this agreement. No representation, promise, or inducement not included in this Contract shall be binding upon any party hereto.

The following stipulations shall, if conflicting with printed matter, control:

SPECIAL STIPULATIONS

1. Real estate taxes on said property shall be prorated as of the date of closing.
2. This transaction shall be closed on or before October 30, 2022 or on such other date as may be agreed to by the parties in writing, provided, if there are valid title objections, Buyers or Sellers may, by notice to the other party (which notice must be received on or before the closing date), extend this Agreement's closing date up to seven (7) days from the above-stated closing date. Buyers agree to allow Sellers to retain possession of the Property until and through closing.
3. Seller shall pay State of Georgia property transfer tax.
4. Purchaser shall pay all closing costs.
5. Inspection. Buyer and/or Buyer's representatives shall have the right to enter the Property at Buyer's expense and at reasonable times (including immediately prior to closing) to thoroughly inspect, examine, test and survey the Property. This shall include the right to inspect and test for lead-based paint and lead-based paint hazards for not less than ten (10) days from the Binding Agreement Date. The Buyer agrees to hold the Seller and all Brokers harmless from all claims, injuries and damages arising out of or related to the exercise of these rights.
6. PROPERTY SOLD "AS IS". All parties agree that the Property is being sold "as is" with all faults including, but not limited to lead-based paint and lead-based paint hazards and damage from termites and other wood destroying organisms. The Seller shall have no obligation to make repairs to the Property.
7. Purchase is contingent upon the property being rezoned from SR Suburban Residential to Light Industrial. Buyer shall have 60 days to get rezoning in place. Seller agrees to assist Buyer with rezoning efforts.
8. Both parties agree that said loan closing will take place at Dixon Law Group, P.C., 175 Corporate Center Drive, Stockbridge, Georgia, (678) 759-2211.
9. Purchaser shall take possession of said property on the day of closing.

This instrument shall be regarded as an offer by the Purchaser or Seller who first signs to the other and is open for acceptance by the other until _____ o'clock ____ .m., on the ____ day of



City of Stockbridge
Planning and Zoning Office

Septic System Information for Zoning Requests

4640 North Henry Boulevard; Stockbridge, GA 30281 (770) 389-7900

This form must be completed and submitted to the Planning and Zoning Office with all zoning applications for properties that are not served by public sewer.

Name of Applicant: John R. Landers Jr. Phone: 770 235-7999 Mobile: 770 235 7999
 Applicant Address: 690 Austin Road City, State: Ellenwood, GA Zip: 30294
 Name of Agent: same as above Phone: 770 235 7999 Mobile: _____
 Agent Address: _____ City, State: _____ Zip: _____

Request (Check one):

Rezoning (Current Zoning SR Requested Zoning HI) Conditional Use _____ Variance _____ Zoning Modification _____

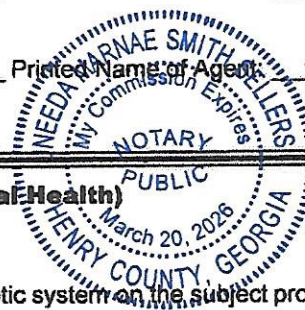
For the Purpose of _____

Property Address: 443 MLK Sr. Heritage Trail Nearest Intersection to property: _____
 Size of Tract: _____ acres Land Lot(s): 3 1/2 District(s): 12th
 Property Tax Parcel Number(s): S27-02021000 Proposed Number of Lots: 1

Signature of Owner: _____ Printed Name of Owner: _____

Signature of Agent: [Signature] Printed Name of Agent: John R. Landers Jr

Notary: Needa Marnae Smith Sells



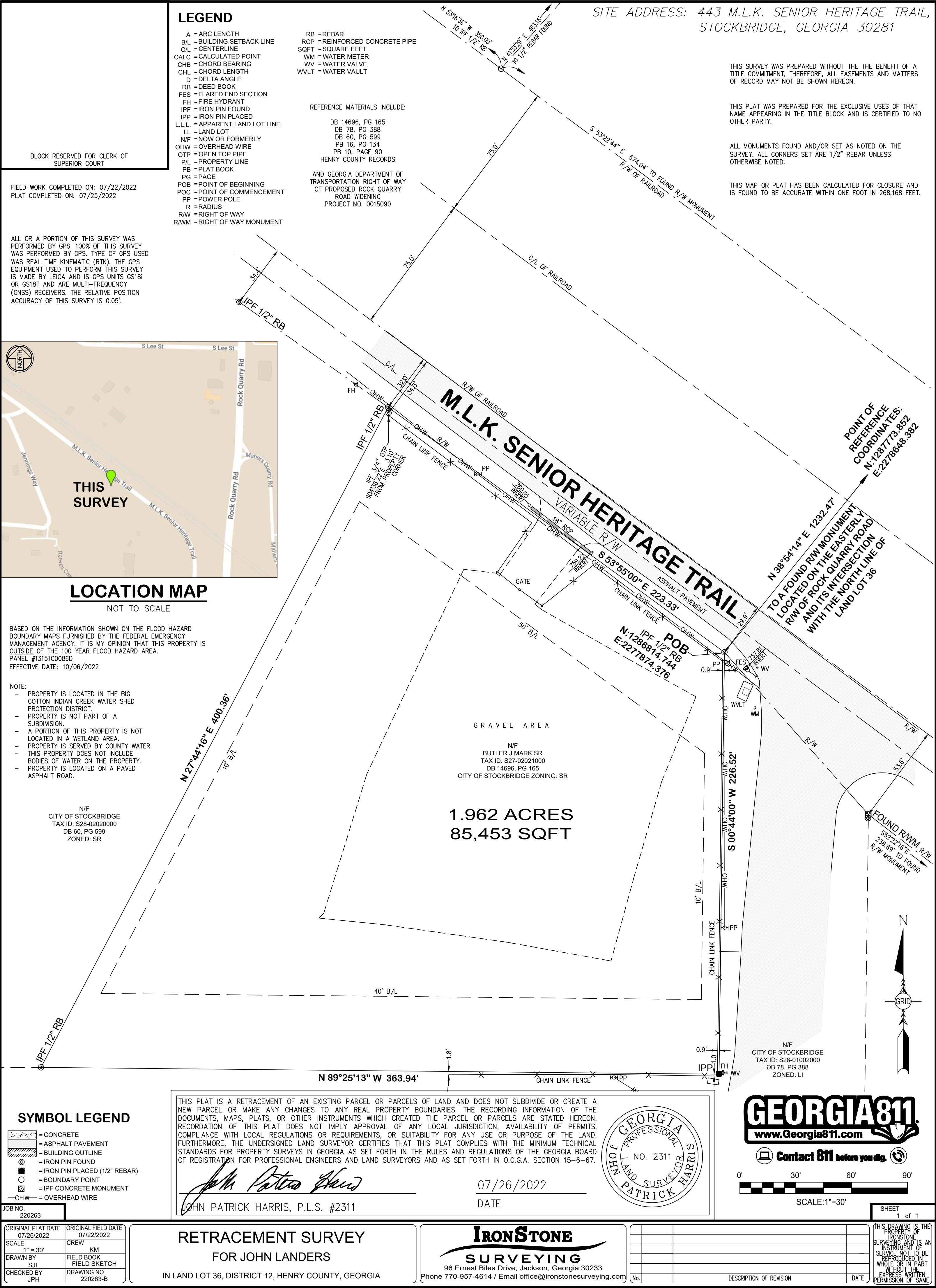
(To be Completed by Henry County Environmental Health)

Check all that apply

- _____ There are suitable soils for the installation of a septic system on the subject property.
- _____ There are not suitable soils for the installation of a septic system on the subject property.
- _____ There is an existing septic system on the subject property.
- _____ The existing septic system will support the proposed development and/or use.
- _____ The existing septic system will not support the proposed development and/or use.

Comments: A level-5 soil report will need to be submitted to this office to determine suitability for development utilizing a septic system. This office has no records of an existing septic system on the subject property.

Name of Person Completing: Todd A. Driver Title: Environmental Health County Manager
 Signature: [Signature] Date: 8-30-22
 E-mail Address: Todd.Driver@dph.ga.gov Phone Number: 470-661-0644



From: melissa collum <melissa.collum@hcwa.com>
Sent: Tuesday, August 30, 2022 1:23 PM
To: fritz jacques <friz.jacques@hcwa.com>
Subject: Water Avail Request: S27-02021000

Fritz,

Good afternoon. Mr. John Landers contacted our office about the following property. He is purchasing the property and is having it rezoned from residential to Commercial. This property is in the City of Stockbridge. The City of Stockbridge told him that he needs a letter from HCWA. Can you assist Mr. Landers?

S27-02021000

John Landers

Phone: 770-235-7999

Thanks,

Melissa Collum | Administrative Assistant, Engineering

Henry County Water Authority

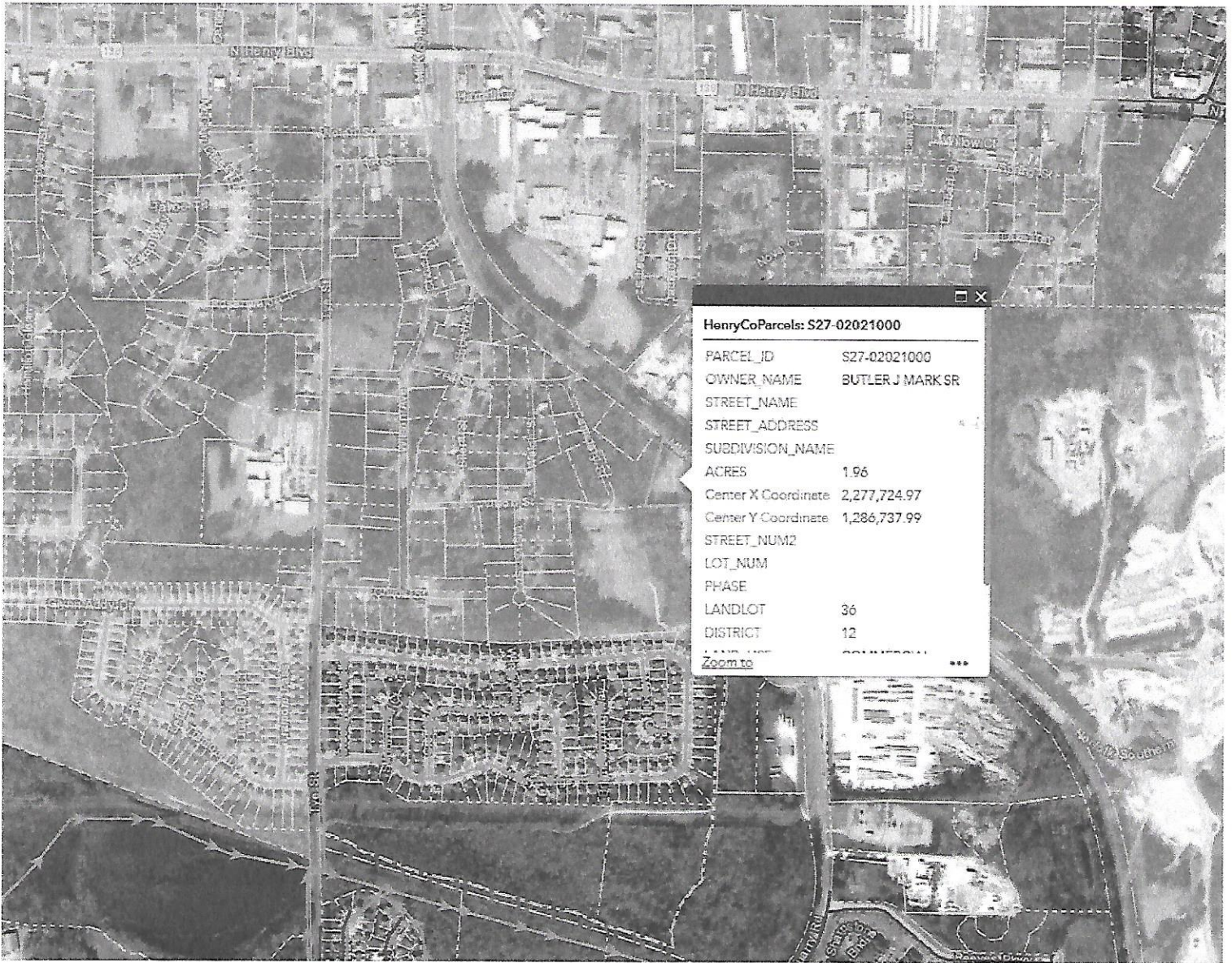
100 Westridge Industrial Blvd | McDonough, GA 30253

P: 678-583-3821

From: fritz.jacques@hcwa.com,
To: johnrlandersjr@aol.com,
Cc: melissa.collum@hcwa.com, permitting@cityofstockbridge-ga.gov,
Subject: RE: Water Avail Request: 443 MLK Sr. Heritage Trl. Parcel No. S27-02021000
Date: Thu, Sep 1, 2022 10:26 am
Attachments:

Mr. Landers,

The above referenced property is within an area designated as City of Stockbridge Service Area. As such, please contact the City of Stockbridge concerning Water & Sewer Availability information.

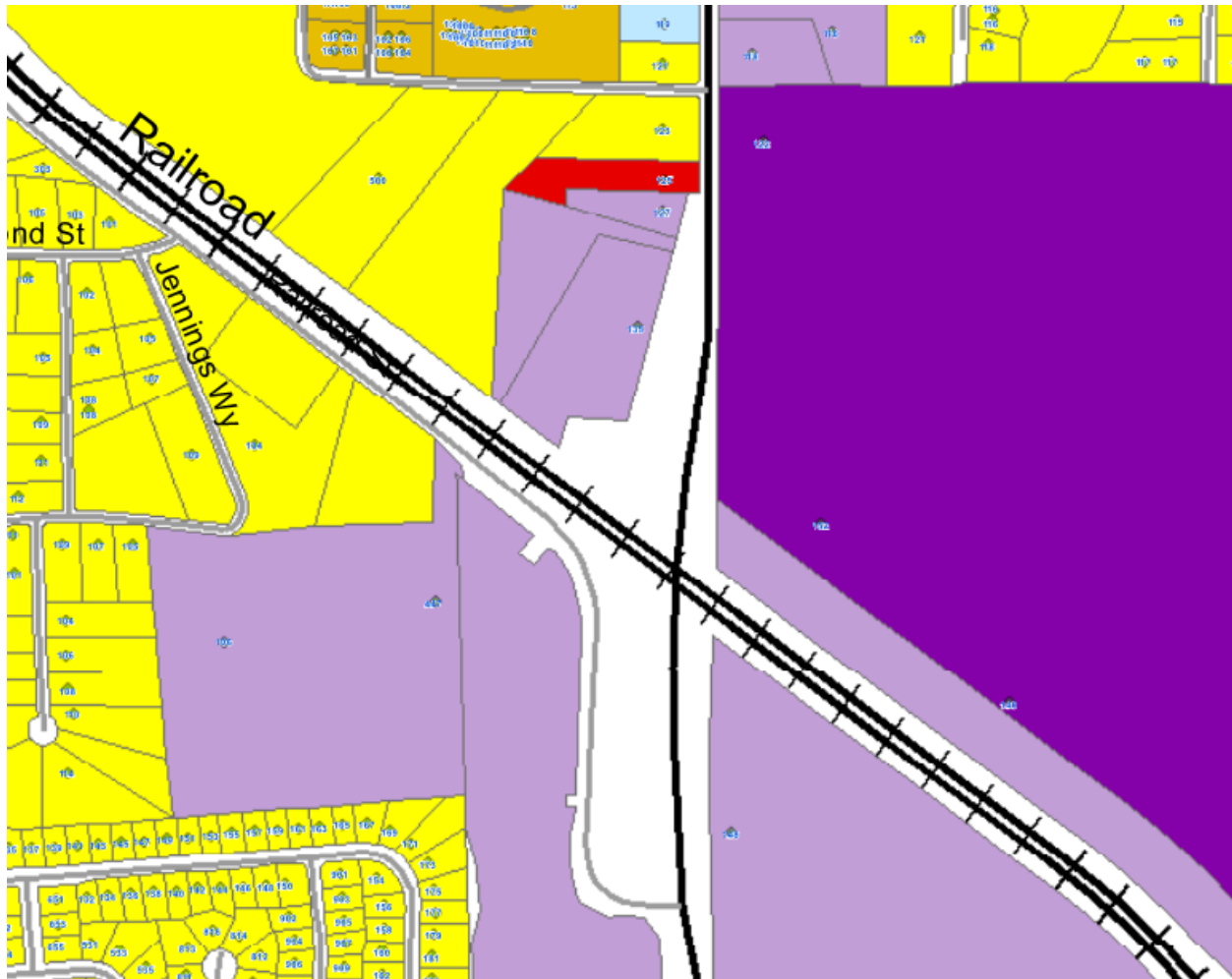


Regards,

Fritz Jacques
Engineering Coordinator
Henry County Water Authority

100 Westridge Industrial Blvd.
McDonough, GA 30253
678-583-3824
770-914-3359 Fax

ZONING MAP EXCERPT FOR 443 M.L.K. SR. HERITAGE TRAIL





STAFF REPORT

TO: Mayor and City Council
Planning Commission

FROM: Linda M. Logan, Senior Planner, Planning and Zoning Division

CC: Brecca Carter, Community Development Director
R. Ryan Anderson, Chief Planner

DATE: October 27, 2022

**SUBJECT: Zoning Modification Case #ZM-2022-01 for Brush Creek Commons
(Parcel #S07-01006005)**

I. PURPOSE

Consider a request for a Zoning Modification to allow amenity and site plan changes to the approved Development Conditions from a previously approved rezoning and Development Agreement for the proposed "Brush Creek Commons" townhome development. The property was rezoned on July 14, 2003 via Case #RZ-03-04, from R-2 (Single-Family Residential) to RM-2 (Residential Multifamily--Townhomes). Along with the rezoning was an approved Development Agreement, followed by two amendments. Altogether, they included fourteen (14) Development Conditions. Subparagraph #N of the First Amendment listed the specific amenities which the developer was required to provide. The development was to contain a maximum of forty-one (41) townhome units. Although the developer installed a street, Brush Creek Court, to serve the development, no buildings have been constructed. A locked gate is present today at the site's entrance off North Henry Boulevard, which is flanked by a QuikTrip station and a Waffle House Restaurant. Brush Creek traverses the rear of the property through a floodplain, and the property has rear frontage on Shields Road.

The rezoning and development agreements were approved based on the original applicant's site plan, and now the current applicant requests changes in the number, type, and locations of the amenities, which are shown by his revised site plan. The property has 18.895 +/- acres, but 5.459 acres are designated as "restricted use" by the Henry County Tax Assessors due to the presence of floodplains and wetlands. The applicant cites this as being one of the reasons why some of the required amenities cannot be installed. Other reasons include anticipated high HOA maintenance costs and impractical locations.

If the requested zoning modification is granted, the developer would still be required to comply with the remaining zoning conditions of the approved rezoning and development agreements. The current UDC does not list required amenities for multifamily projects.

II. BACKGROUND DATA

Proposed Development	Development of 41 townhomes, with a requested modification in the number, type, and locations of amenities to be provided from the previously approved rezoning and development agreements.
Parcel Identification (no address)	S07-01006005 in Land Lots 59 & 71 of District 12.
Parcel Acreage	15.895 +/- acres, of which 5.459 acres are designated as “restricted use” due to floodplain.
Environmental Conditions	Property access exists via a 30-foot Access Easement off North Henry Boulevard to Brush Creek Court, across from Sheperd Drive. Floodplains and wetlands exist at the rear of the property.
Applicant	Eaman Fatemi, Member, as Applicant
Owner	Eaman Fatemi, Member, Pivotal Enterprises, LLC
Current City Zoning	MFR (Multiple Family Residential). Property is not located in the Parkway Mixed-Use Overlay District.
Surrounding Zoning	• <u>North</u>—MHR (Mobile Home Residential) and SR (Suburban Residential) districts. • <u>South</u>—C-2 (General Commercial), MFR (Multiple Family Residential), and SR (Suburban Residential) districts. • <u>East</u>—SR (Suburban Residential) district. • <u>West</u>—C-3 (Heavy Commercial) and C-2 (General Commercial) districts.
Future Land Use Designation	Medium-Density and Low-Density Residential.
Current Use	Existing Brush Creek Court was previously installed to serve the development, but no buildings have been constructed.
Surrounding Land Uses	• <u>North</u>—Two mobile home parks (Owned by Stockbridge MHC, LLC) and Meadow Ridge Subdivision. • <u>South</u>—Commercial uses (QuikTrip and Waffle House) and an apartment community. • <u>East</u>—Meadow Ridge Subdivision and individual single-family residences. • <u>West</u>—Commercial uses.

III. MAPS AND ILLUSTRATIONS TO FOLLOW:

A. Aerial Photograph

B. Boundary Survey

C. Zoning Map

A. AERIAL PHOTOGRAPH

Parcel #S07-01006005

Frontages on Brush Creek Court and Shields Road
Accessed from North Henry Boulevard

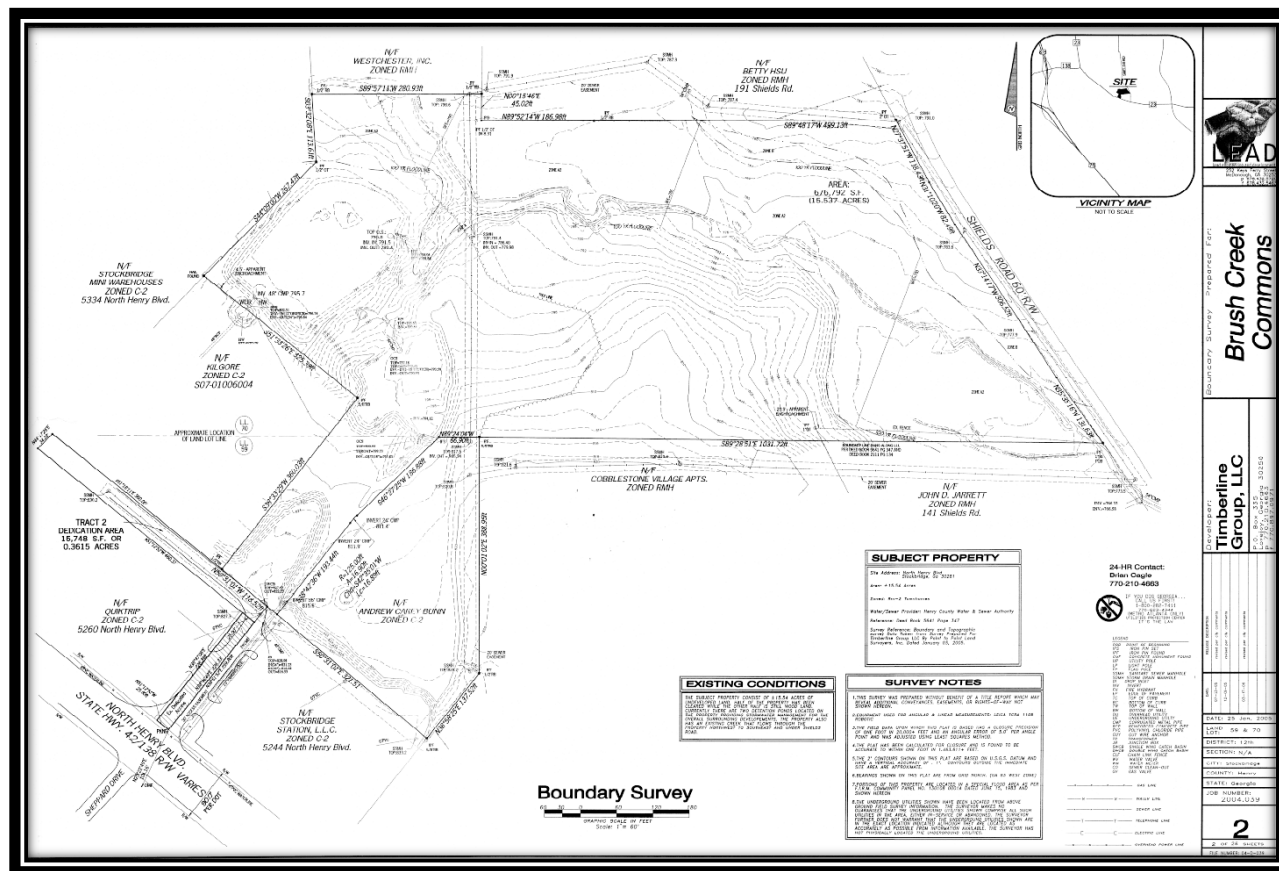


LEGEND

Flood Map

- X - 500 Year Flood
- 0.2 - Areas of 0.2% annual chance flood
- A - 100 Year Flood Area - Areas of 1% annual chance flood also known as the base flood. Base Flood Elevations (BFE) have not been determined.
- AE - 100 Year Flood Area - Areas of 1% annual chance flood also known as the base flood. Determined by detailed methods with Base Flood Elevations (BFE).
- AO - Areas subject to inundation by 1-percent-annual-chance shallow flooding, average depths 1-3 feet

B. BOUNDARY SURVEY



IV. ZONING AND DEVELOPMENT HISTORY

A. Overview. The subject property was rezoned in 2003 from R-2 (Single-Family Residential) to RM-2 (Residential Multifamily for Townhomes) with twelve (12) conditions (none for amenities) by the Stockbridge City Council, and a Development Agreement was adopted soon thereafter. In 2004, an amendment to the Development Agreement was adopted, and the Second Amendment was adopted in 2007. Each amendment included multiple conditions of approval, as are identified in the paragraphs below. In particular, the First Amendment included a list of required amenities under Subparagraph 'N', based on an adopted schematic site plan dated October 7, 2004, which was included with the Second Amendment.

Following the adoption of the Second Amendment, a set of “Site Development Plans for Brush Creek Commons”, dated January 25, 2005, was prepared and stamped for approval by the former zoning and community development director for Henry County on April 18, 2006. At that time, Henry County was providing zoning and plan review services to the City of Stockbridge because the City did not have its own staff to perform those services. Included within the plans was a detailed “Preliminary Plat”, which showed 41 proposed townhomes and various amenities. Additional site plans were later prepared. Although letters from the City indicated the approval of a February 22, 2008 site plan, to date, that site plan has not been located.

C. ZONING MAP

Legend:

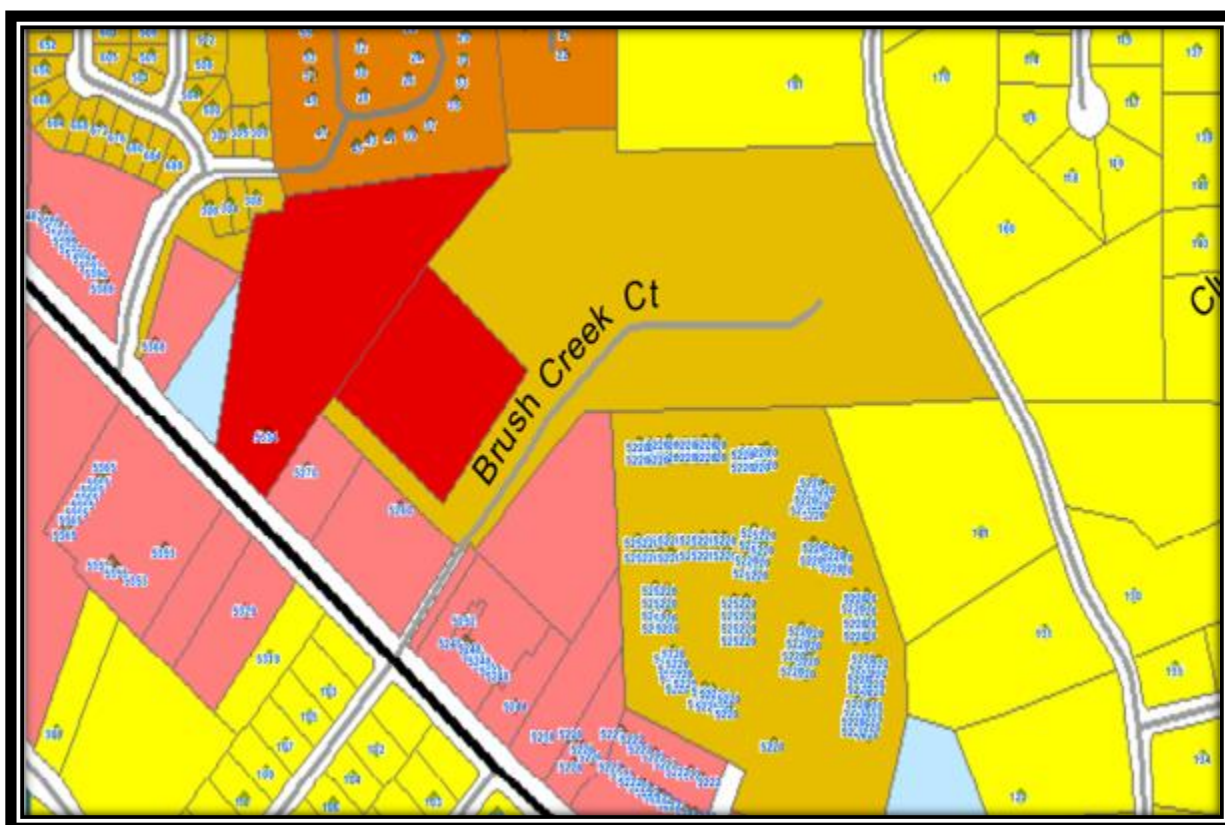
Gold (subject property)—MFR (Multiple Family Residential District)

Red—C-3 (Heavy Commercial District)

Orange—MHR (Mobile Home Residential District)

Medium Pink—C-2 (General Commercial District)

Yellow—SR (Suburban Residential) District)



Letters from the City of Stockbridge in 2007 and 2008 to the Henry County Building and Plan Review Department indicated the City's approval of updated site plans. In particular, a letter from the City of Stockbridge dated March 10, 2008 acknowledges the City's approval of Site Development Plans dated February 22, 2008, which showed various changes to the amenities, landscaping, and detention pond. In addition, those plans may have been the basis for the issuance of a land disturbance permit (LDP) for the installation of Brush Creek Court, which exists today. However, to date, those plans have not been located.

B. Rezoning Case #RZ-03-04—A rezoning application was filed with Henry County Planning and Zoning by Royce Grant on behalf of the original developer of the subject property, Timberline Group, LLC, who wanted to build 75 townhomes on the property. The applicant requested to rezone 15.96 +/- acres from 'R-2' (Single-Family Residential) and 'C-2' (General Commercial) to 'RM-2' (Residential-Multifamily). The two lots which were zoned 'C-2' were later left out of the rezoning request, and the number of units to be built was reduced to 48. The

developer agreed to provide the amenities which were required by the RM-2 district; to provide paved alleyways; and to provide a 200-foot-wide buffer along Shields Road. The Henry County Planning Commission subsequently recommended the approval of RZ-03-04, with eleven (11) conditions.

Then the Stockbridge City Council approved the rezoning via Rezoning Ordinance #03-152 on July 14, 2003 with twelve (12) conditions which comprised Exhibit "C." None of them pertained to the provision of amenities.

V. MAPS AND ILLUSTRATIONS TO FOLLOW:

D. List of Approved Zoning Conditions per Exhibit "C" from Rezoning Ordinance No. 03-152 (July 14, 2003) for Rezoning Case #RZ-03-04 (originated from Henry County).

D. LIST OF APPROVED ZONING CONDITIONS PER EXHIBIT "C" FROM REZONING ORDINANCE NO. 13-152 (JULY 14, 2003) FOR REZONING CASE #RZ-03-04 (ORIGINATED FROM HENRY COUNTY)

- A. Revise site plan to adhere to all City of Stockbridge RM-2 Ordinance requirements. (Note that approval of this rezoning is not an approval of the site plan submitted to the Henry County Planning and Zoning Department.)
- B. Maximum building height shall be shown on the site plan.
- C. All townhouses shall have a mixture of front facade consisting of covered entryway, porches, bay windows and balconies. Garages shall be accentuated with variations of
- D. Developer shall submit elevations of the building to be approved by the Planning and Zoning Department. (Note that approval of this rezoning is not an approval of the site plan submitted to the City Council.)
- E. Each unit elevation per building shall be separate and distinct from the other. To include variations in rooflines which may be accomplished with the use of dormers, gables and/or fireplaces.
- F. Each unit shall have different brick, stucco and masonry theme from the other attached units. No vinyl siding will be allowed.
- G. Developer shall install street trees along all streets to be placed between the sidewalk and the front property lines, have a minimum two and one-half inch (2.5") caliber (d.b.h), shall have a minimum twenty-four foot (24 sq. ft.) planting area and shall be spaced an average of forty-five

feet (45') apart. Consisting of ginko (non-fruit bearing), Japanese zelkova and/or oak family type.

- H. Developer shall install street trees along all streets to be placed between the sidewalk and the front property lines, have a minimum two and one-half inch (2.5") caliber (d.b.h), shall have a minimum twenty-four foot (24 sq. ft.) planting area and shall be spaced an average of forty-five feet (45') apart. Consisting of ginko (non-fruit bearing), Japanese zelkova and/or oak family type.
- I. The Building Department shall not issue a building permit until such time as the Director of the Building Department has certified that for each prospective phase of development, sewer capacity is sufficient to accommodate the additional sewage that would be generated by the proposed development.
- J. A street scaping plan shall be submitted to and approved by the Henry County Planning and Zoning Department to include sidewalks, street trees, landscaping, street lighting and street furniture.
- K. Any flood plain alteration be supported by a certified engineer at the plan review stage.
- L. The Applicant shall submit, to the City Clerk and City Attorney, an updated legal description and plat, certified by an engineer or surveyor licensed in the State of Georgia, of the Property.
- M. This rezoning is subject to the property owner's and developers execution of a Development Agreement which will embody these conditions.

C. Original Development Agreement—This was approved by the Stockbridge City Council on July 21, 2003. It listed thirteen (13) "Development Conditions", but none of them pertained to amenities. The first ten conditions were the same as the zoning conditions that were listed in Rezoning Ordinance #03-152. In particular, Development Condition #1a reiterates that the site plan which was submitted to Henry County Planning and Zoning was not approved by the rezoning, but rather that the developer would need to revise the site plan. Three more development conditions were added, which specified the following:

- That no entrance or exit would be constructed on Shields Road.
- That a 200-foot buffer would be maintained between the proposed development and Shields Road
- That the rezoning would not apply to adjacent properties which were zoned for commercial use.

D. First Amendment to the Development Agreement – This was approved by the Stockbridge City Council on December 13, 2004. Article V amended the Original Development Agreement by adding a list of required amenities. It also stated as follows: "Owner shall be bound by the amenity representations made in its October 7, 2004 proposed site plan attached hereto as Exhibit "A", submitted to the City Council and on file with the City Clerk."

The approved changes to the First Amendment included the following:

- Limited the number of townhome units to forty-one (41) from the previous forty-eight (48) units due to the presence of floodplains and wetlands on the property.
- Specified that all building facades must consist of brick.
- Prohibited any road entrance or exit to the site off Shields Road.
- Not allowing the developer to apply for any variances to the 200-foot-wide buffer along Shields Road.
- Added “Subparagraph N” as the fourteenth (14th) condition, which had a list of eleven (11) requirements for amenities to be provided within the proposed development, as follows:
 1. A 1,300-square foot clubhouse with a full kitchen and a fireplace.
 2. Two age-specific playgrounds—a fenced “tot lot” adjacent to the clubhouse and another playground for older children nearby.
 3. A covered pavilion with a fireplace.
 4. A volleyball court.
 5. A sodded sports area.
 6. A putting green.
 7. A lighted, enclosed tennis court with two basketball goals.
 8. Walking trails of at least 1,400 feet in length and three feet wide.
 9. A bird sanctuary with bird feeders, bird houses, and benches.
 10. A gazebo at the project entrance to serve as a school bus waiting area.
 11. Compliance with a proposed site plan by the developer, Timberline Group, LLC, dated October 7, 2004, per Exhibit ‘A’. Although a copy of the site plan was not included in the document for the first amendment, Staff has located a separate four-page document with a cover sheet dated October 7, 2004, followed by three pages comprising “Exhibit I” which was later referenced and included with the Second Amendment to the Development Agreement. Exhibit I presented a schematic site plan for “Brush Creek Park” (the site’s amenity area) and a list of amenities comprising the “Brush Creek Commons Amenity Package.” It also included townhome renderings and a floor plan.
- Increased the number of allowable units per building from five to six.
- Reduced the required distance between buildings from 40 feet to 20 feet.
- Allowed buffer reductions from 30 feet to 10 feet near the entrance of the property.
- Allowed individual residential garbage pickup.

E. Second Amendment to the Development Agreement—This was approved by Stockbridge City Council on August 13, 2007. It required the compliance by the developer, Timberline Group, LLC, with the three pages comprising Exhibit I, which included a schematic site plan (not a detailed scaled drawing) named “Brush Creek Park”, an “Amenity Package” with a list of required amenities, a floor plan for a six-unit townhome building, and townhome renderings. Specifications were made on the floor plan for architectural design, including “offsets” for bays and porches (to meeting zoning conditions) and a 10-foot front yard setback variance “to achieve necessary Living and Dining Space.” An enlarged townhome rendering provided “Elevations Information” and specified the use of brick, stone, hardi-siding, and hardi-shake as exterior construction materials.

The approved changes within the Second Amendment included the following:

- Reduced the required front setbacks for buildings to 10 feet (identified as a variance).
- Eliminated the required provision of tennis courts.
- Required the provision of a soccer field in the original location of the tennis courts, and it specified the enlargement of a second playground.
- Required types of playground facilities.
- Required floorplans and elevations, which were shown on the first two pages of Exhibit I.
- Required the developer's compliance with the specifications of amenity types and locations, which were listed as "Brush Creek Amenity Package" and shown on a schematic site plan entitled "Brush Creek Park", comprising Page 3 of Exhibit I. The specifications of the Brush Creek Amenity Package included the following amenities:
 - ~ A gazebo at the project entrance, which would serve as a waiting area for school bus pickup.
 - ~ A Sodded Sports Area adjacent to the gazebo.
 - ~ A 1,300-square-foot Clubhouse with a full kitchen and fitness equipment.
 - ~ A Fenced Tot Lot for ages 2-5 located adjacent to the Clubhouse.
 - ~ Brush Creek Park, to include the following amenities:
 1. Covered Pavilion with a Picnic Area and Fireplace.
 2. Regulation 60' X 30' Beach Volleyball Court
 3. Regulation 60' X 90' 3-on-3 Soccer Field with Goals.
 4. Putting Green with multiple holes and sand trap.
 5. Upgraded and enlarged, commercial quality Playground to include:
 - 2-Bay, 4-Station Swing Set with Buckets and Belts.
 - Climbing Station: "Monkey Bars", Ring Climbers, Chin-up Bar, and Balance Beam.
 - Free-Standing Wave Slide with 5' Deck.
 - 2 Commercial Quality Park Benches.
 6. Over 1,400 feet of Walking Trail.
 7. Bird Sanctuary with Feeders, Houses, and Benches for observation.

VI. MAPS AND ILLUSTRATIONS TO FOLLOW:

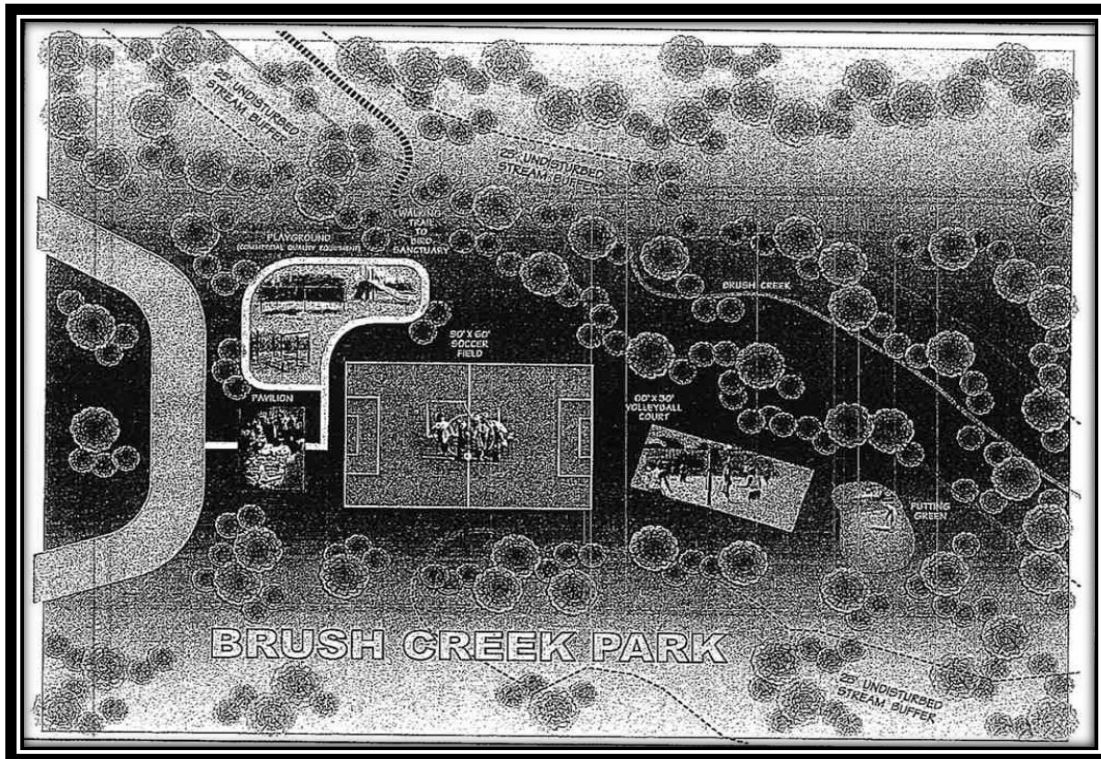
E. Approved Plat from Site Development Plans Dated January 25, 2005

F. Enlargement of Amenity Area from 2005 Approved Plat

G. Brush Creek Park and Amenity Package from Second Amendment to the Development Agreement (August 13, 2007)

(NOTE: Site Plan from the RZ-03-04 rezoning was NOT approved.)

G. BRUSH CREEK PARK AND AMENITY PACKAGE FROM THE SECOND AMENDMENT TO THE DEVELOPMENT AGREEMENT



Brush Creek Commons Amenity Package

- Gazebo at entrance of development to serve as a waiting area for school bus pickup
- Sodded Sports Area adjacent to Gazebo
- 1300 Square Foot Clubhouse with Full Kitchen and Fitness Equipment
- Fenced Tot Lot (Ages: 2 - 5) located adjacent to Clubhouse
- Brush Creek Park
 1. Covered Pavilion with Picnic Area and Fireplace
 2. Regulation 60' X 30' Beach Volleyball Court
 3. Regulation 60' X 90' 3 on 3 Soccer Field with Goals
 4. Putting Green with multiple holes and sand trap
 5. Upgraded and Enlarged, commercial quality playground:
 - 2 Bay, 4 Station Swing Set with Buckets and Belts
 - Climbing Station: "Monkey Bars", Ring Climbers, Chin-up Bar, and Balance Beam
 - Free Standing Wave Slide with 5' Deck
 - 2 Commercial Quality Park Benches
 7. Over 1400 Ft. of Walking Trail
 8. Bird Sanctuary with Feeders, Houses, and Benches for observation

VII. PROPOSED DEVELOPMENT

A. Tentative Site Plan. The applicant seeks to complete the previously-approved townhome development by modifying the number, type, and locations of the amenities to be included. He has submitted a proposed rendering and tentative site plan which has been prepared by using the January 25, 2005 plat (prepared by Land Engineering and Development, LLC (LEAD), which was previously approved by Henry County on behalf of the City of Stockbridge. It shows the applicant's proposed amenity changes in red.

VIII. MAPS AND ILLUSTRATIONS TO FOLLOW:

H. Proposed Rendering for ZM-2022-01

I. List of Applicant's Requested Amenity Changes for ZM-2022-01

J. Table 1—Summary of Proposed Amenity Changes

K. Tentative Site Plan Proposal for ZM-2022-01: Full Site

L. Tentative Site Plan Proposal for ZM-2022-01: Enlargement

H. PROPOSED RENDERING FOR ZM-2022-01



I. LIST OF APPLICANT'S REQUESTED AMENITY CHANGES FOR ZM-2022-01:

1. Keep the following:

- Clubhouse.
- Pavilion.
- Gazebo.
- Monument sign.

2. Remove the following:

- Soccer field.
- Volleyball court.
- Walking trail.
- Parking spaces (extras to serve the amenities to be removed).
- Three (3) wooden bridges over Brush Creek.

3. Change the following:

- Reduce the number of playgrounds from two to one by having a combined playground rather than a separate "tot lot" and playground for older children.
- Move the putting green to a new location near the playground.
- Move the bird sanctuary to the opposite side of the creek to improve access.

4. Provide the following:

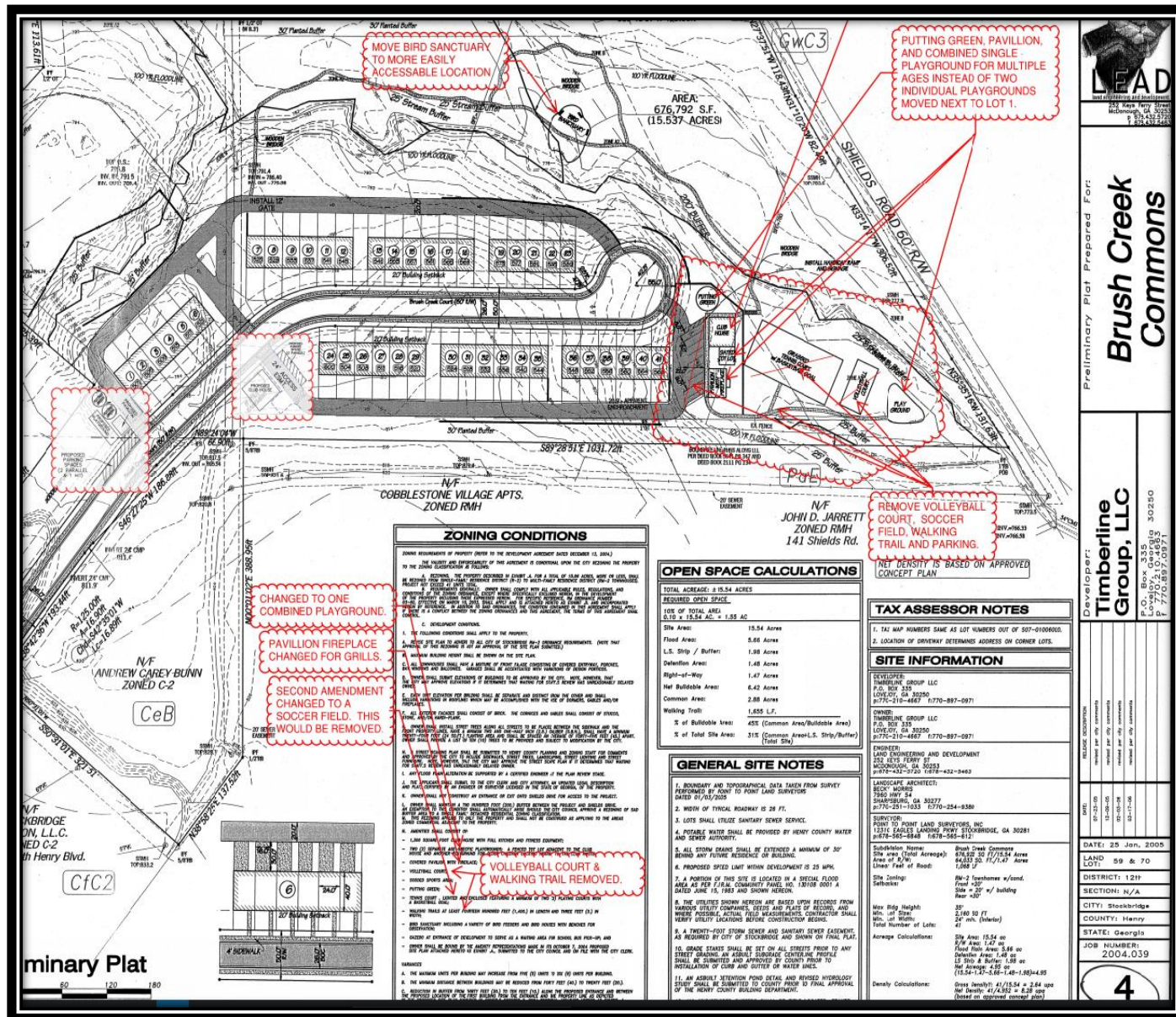
- Provide a gym and workout space inside the clubhouse.
 - Provide grills and benches next to the clubhouse.
 - Extend the sidewalk to interconnects to neighborhood developed commercial spaces.
 - Provide a sidewalk stubout for future interconnectivity to neighboring lots.
-

J. TABLE 1 -- SUMMARY OF PROPOSED AMENITY CHANGES

AMENITY OR FACILITY	PROPOSED CHANGE FOR ZM-2022-01
Soccer Field	To be removed.
Volleyball Court	To be removed.
Walking Trail	To be removed.
Parking Spaces Near Removed Amenities	To be removed.
Sodded Sports Area	To be removed.
Wooden Bridges Over Creek	To be removed.
Playground for Toddlers	To be replaced by a single combined playground.
Playground for Adolescents	To be replaced by a single combined playground.
Putting Green	To be relocated near the playground.
Bird Sanctuary	To be relocated on the opposite side of the creek for better access.
Grills and Benches Next to Pavilion	To be added.
Gym with Workout Space	To be added inside the Clubhouse.



L. SITE PLAN PROPOSAL FOR ZM-2022-01: ENLARGEMENT



B. Letter of Intent. The applicant's Letter of Intent cites three reasons why all of the required amenities cannot be constructed in the manner which was previously designated:

1. Costs--Certain high-maintenance amenities would be too costly for an HOA serving only 41 units, resulting in high fees to the townhome unit owners.
2. Environmental Conditions--The property's various physical attributes make the installation of certain amenities impossible or undesirable.
3. Locations--The designated locations of certain required amenities would be impractical.

In particular, the applicant identifies the following problems with three of the required amenities:

- Soccer Field and Volleyball Court—Designated for a ditch location, surrounded by hills and tall trees, which would cut off sunlight, be subject to flooding. The grass on the soccer field would not grow properly and the volleyball court would be filled with debris.
- Walking Trail with Three Bridges—Designated for a heavily-forested floodplain location, where the ground is often soggy and snakes may be present.

The applicant also proposes to install only one playground instead of the required two (one for toddlers and one for adolescents), and to move the bird-watching station to a more accessible location.

IX. ANALYSIS OF REQUEST

The last known City Council approval to take place for the subject property occurred on August 13, 2007 with the adoption of the Second Amendment to the Development Agreement, and no development has occurred on the property since then, other than the installation of an internal street, Brush Creek Court. The previous developer, Timberline Group, LLC, encountered various environmental problems on the property and had several different site plans prepared, including the February 22, 2008 site plan that was approved by Henry County (on behalf of the City), but later apparently abandoned the project. Now, the current applicant has requested the granting of a Major Zoning Modification to the previously approved rezoning and development agreements for the proposed Brush Creek Commons townhome development. Specifically, he is requesting the elimination or alteration of several of the required amenities (plus some other changes). He has cited three reasons for doing so, as are listed below. The Planning and Zoning Staff have analyzed the applicant's request on the basis of the reasonableness of the cited reasons, their suitability for the proposed development, and their effects on surrounding properties.

1. Costs--Certain high-maintenance amenities would be too costly for an HOA serving only 41 units, resulting in high fees to the townhome unit owners.
2. Environmental Conditions--The property's various physical attributes make the installation of certain amenities impossible or undesirable.

3. Locations--The designated locations of certain required amenities would be impractical.

A. Reasonableness of Applicant's Request. The number of amenities that were required by the City's previous Zoning Code for this relatively small development may be high, especially since the City's current Unified Development Code does not have any specific requirement in the number of amenities to be provided within multifamily developments. Further, the reduction in the number of units from 48 to 41 (approved by the First Amendment to the Development Agreement) results in a smaller number of homeowners who will need to bear the HOA costs for maintaining all of the amenities to be installed in the development. Therefore, the requested amenity changes regarding costs are reasonable.

The subject property contains various floodplains and wetlands which comprise 5.459 acres of "restricted use", according to the Henry County Tax Assessors. Because of this, the applicant has found that the provision of certain required amenities, including the soccer field, volleyball court, and sodded sports area, to be impossible, difficult, or impractical, resulting in flooding, blockage of sunlight in forested areas, and the inability of grass to grow on the soccer field. These are physical limitations of the site, and they are reasonable hindrances to these amenities. The elimination of some parking spaces to serve these facilities is also reasonable.

The applicant has also made minor changes in the locations of some of the required amenities to improve their accessibility, functionality, and desirability for the homeowners of the development. These changes seem reasonable.

B. Suitability for the Proposed Development. The granting of the applicant's requested changes in the number and type of amenities to be provided, as are shown by the submitted Conceptual Site Plan, would benefit the homeowners of the proposed development by enabling them to have reduced HOA fees due to the anticipated reduction in maintenance costs. Although there would be fewer amenities, the applicant still proposes to provide a significant number of them to create an attractive development. While there would be only one playground rather than the required two playgrounds, the developer would install playground facilities for both toddlers and older children in that playground. Further, the relocation of some of the amenities on the site to more practical locations should promote their greater attractiveness and usability to the homeowners.

C. Effects on Surrounding Properties and Infrastructure. Since the proposed changes to the amenities and site plan would not involve any alterations to the proposed townhomes, site access, utilities, or buffering, no adverse effects on surrounding properties are anticipated.

X. MAPS AND ILLUSTRATIONS TO FOLLOW:

M. Table 2--Comparison of Amenities: Required Versus Proposed

N. Table 3--Analysis of Requested Amenity and Site Plan Changes

**M. TABLE 2: COMPARISON OF AMENITIES:
REQUIRED VERSUS PROPOSED**

#	REQUIRED AMENITIES	PROPOSED AMENITIES	COMPARISON	REQUESTED VIA ZM-2022-01?
1	1,300 SF Clubhouse, Fully Furnished, with Exercise Equipment	1,300 SF Clubhouse, Partially Furnished, with Exercise Equipment	Proposed clubhouse would have fewer furnishings.	Yes.
2	Covered Pavilion with a Fireplace	Covered pavilion (15' X 20') with no fireplace	Fireplace would be eliminated.	Yes.
3	Gazebo for Bus Stop	Gazebo for Bus Stop	Same.	No.
4	Sodded Sports Area	Sodded Sports Area	To be eliminated.	No.
5	Putting Green	Putting Green	Same.	No.
6	Bird-Watching Station	Bird-Watching Station, moved to a more accessible location	Same, but in a different location.	Yes.
7	Playground for Toddlers	None.	To be replaced by a single playground.	Yes.
8	Playground for Adolescents	None.	To be replaced by a single playground.	Yes.
9	Tennis Court with Basketball Goals	None.	Eliminated, but approved by Second Amendment to Dev. Agreement.	No.
10	Soccer Field	None.	To be eliminated.*	Yes.
11	Volleyball Court	None.	To be eliminated.*	Yes.
12	1,400 LF Walking Trails with Three Bridges Over Creek	None.	To be eliminated.*	Yes.
13	N/A	Grills Next to Pavilion	To be added.	No.

* Applicant has provided reasons for these eliminations in his Letter of Intent.

**N. TABLE 3—ANALYSIS OF REQUESTED AMENITY
AND SITE PLAN CHANGES**

AMENITY OR FACILITY	PROPOSED CHANGE VIA ZM-2022-01	ACCEPTABILITY / COMMENT
Soccer Field	To be removed.	Acceptable due to presence of floodplain.
Volleyball Court	To be removed.	Acceptable due to presence of floodplain.
Walking Trail and Bridges over Creek	To be removed.	Suggest the provision of a short path from the Clubhouse to the creek instead.
Parking Spaces Near Removed Amenities	To be removed.	Acceptable. Not needed if removed amenities are not present.
Tennis Court with Basketball Goals	To be removed.	Acceptable due to likely flooding otherwise.
Sodded Sports Area	To be removed.	Acceptable due to likely flooding.
Wooden Bridges Over Creek	To be removed.	Acceptable due to high costs.
Playground for Toddlers	To be replaced by a single playground.	Acceptable since toddler and adolescent facilities would be provided in one playground.
Playground for Adolescents	To be replaced by a single playground.	Acceptable since toddler and adolescent facilities would be provided in one playground.
Bird Sanctuary	To be relocated for better access.	Acceptable.
Sidewalk Extension and Interconnection	To be provided in southwest area of site.	Acceptable. Would facilitate access to nearby businesses.
Sidewalk Stubout	To be provided near Clubhouse.	Acceptable.
Grills Next to Pavilion	To be added.	Acceptable and desirable.

D. Basis of Comparison. In order to properly evaluate the applicant's request, a comparison needs to be made between the last site plan that was officially approved by the City of Stockbridge and a new site plan which has been prepared and proposed by the applicant. It is not clear as to which site plan should be used as the basis of evaluation, due to the following:

- a. October 7, 2004 Site Plan – This site plan was approved per the Amended Development Agreement, dated August 13, 2007, but it is only a schematic drawing rather than a detailed, scaled site plan.
- b. January 25, 2005 Site Plan – This site plan was stamped for approval by Henry County Plan Review on behalf of the City, but other revisions were later made.
- c. February 22, 2008 Site Plan – This site plan was mentioned as being approved in a letter from the City to the County, dated March 10, 2008, but it has not been located.

E. Applicant's Tentative Site Plan – Per the recommendation of the Planning and Zoning Staff, the applicant has submitted a tentative site plan by using the January 25, 2005 previously-approved site plan as a base, on which he has shown his proposed amenity changes in red. Yet, there remain two issues with this:

- a. The applicant has not submitted a clean, proposed new site plan showing the amenities which he plans to provide.
- b. If the February 22, 2008 site plan is later located, the City may require that the applicant submits a new site plan by using the February 22, 2008 site plan as a base.

XI. STAFF RECOMMENDATION

This Staff Report has demonstrated that the applicant's proposed amenity and site plan changes would be acceptable. The Staff recommends **APPROVAL WITH CONDITIONS** of this zoning modification request, with the following four zoning conditions:

- 1. The applicant shall prepare a clean, final site plan by using the previously-approved plat, dated January 25, 2005 (as part of the Site Development Plans that were prepared for Timberline Group, LLC by Land Engineering and Development) as a base, and showing all of the currently-proposed amenities.
- 2. The Planning and Zoning Staff shall review the accuracy of the new site plan, and upon its approval, the developer shall be bound by it.
- 3. No other substantial changes in the number, type, or location of amenities or other facilities shall be allowed.
- 4. The developer shall comply with all other requirements of the approved rezoning case (RZ-03-04 via Rezoning Ordinance No. 03-152, which included the required compliance with the specifications of the RM-2 zoning district), the original Development Agreement, the first amendment to the Development Agreement (dated December 13, 2004), and the Second Amendment to the Development Agreement (dated August 13, 2007).

AERIAL PHOTOGRAPH OF PARCEL #S07-01006005 FOR THE PROPOSED "BRUSH CREEK COMMONS" TOWNHOME DEVELOPMENT



Overview



Legend

- Parcels
- Roads
- Land Lots

Flood Map

- X - 500 Year Flood
- 0.2 - Areas of 0.2% annual chance flood
- A - 100 Year Flood Area - Areas of 1% annual chance flood also known as the base flood. Base Flood Elevations (BFE) have not been determined.
- AE - 100 Year Flood Area - Areas of 1% annual chance flood also known as the base flood. Determined by detailed methods with Base Flood Elevations (BFE).
- AO - Areas subject inundation by 1-percent-annual-chance shallow flooding, average depths 1-3 feet
- Wetlands

Parcel ID	S07-01006005	Class	C	Owner	PIVOTAL ENTERPRISES	Land	\$413,000			
Property	SHIELDS RD	Acreage	15.895	Address	LLC	Value:		Last 2 Sales		
Address					1705 ENTERPRISE WAY	Building	\$0	Date	Price	Reason
District	City/Stockbridge				STE S-100	Value:		3/22/2021	\$387,000	MULTI
					MARIETTA GA 30067	Misc	\$0			PARCEL
						Value:		2/29/2012	\$28,000	PART
						Total	\$413,000			INT
						Value:				U

GENERAL NOTES

1. SITE AREA: ±15.54 ACRES
PROPERTY IS ZONED RM-2 TOWNHOMES W/CONDITIONS
2. USAGE: TOWNHOMES
3. SURVEY REFERENCE: BOUNDARY AND TOPOGRAPHIC SURVEY DATA TAKEN FROM SURVEY PREPARED FOR TIMBERLINE GROUP LLC BY POINT TO POINT LAND SURVEYORS, INC. DATED JANUARY 03, 2005.
4. CONTRACTOR SHALL NOTIFY INSPECTOR A MINIMUM OF 24 HOURS PRIOR TO BEGINNING CONSTRUCTION.
5. CONTRACTOR SHALL DISPLAY ALL APPLICABLE PERMITS ON SITE AT ALL TIMES DURING CONSTRUCTION AND IN PLAIN VIEW FROM A PUBLIC ROAD OR STREET.
6. CONTRACTOR SHALL COMPLY WITH ALL LOCAL BUILDING CODES AND REGULATIONS WHICH ARE PRESENTLY IN EFFECT.
7. CONTRACTOR SHALL ASSURE THAT ALL FINAL INSPECTIONS ARE MADE.
8. NO CERTIFICATE OF OCCUPANCY WILL BE ISSUED UNTIL ALL SITE IMPROVEMENTS HAVE BEEN COMPLETED.
9. SIGNS ARE NOT APPROVED UNDER THIS PERMIT. A SEPARATE PERMIT IS REQUIRED FOR EACH SIGN.
10. ALL CONSTRUCTION TRAILERS SHALL BE PERMITTED THRU THE BUILDING AND CONSTRUCTION DEPARTMENT.
11. CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGE THAT MAY OCCUR TO ANY ADJACENT STRUCTURES THAT ARE TO REMAIN.
12. A COPY OF THE APPROVED LAND DISTURBANCE PLAN AND PERMIT SHALL BE PRESENT ON THE JOB SITE THROUGHOUT THE CONSTRUCTION PROJECT.
13. APPROVAL OF THESE PLANS DOES NOT CONSTITUTE THE APPROVAL OF ANY LAND DISTURBING ACTIVITIES WITHIN WETLAND AREAS. IT IS THE RESPONSIBILITY OF THE DEVELOPER TO CONTACT THE APPROPRIATE REGULATORY AGENCY FOR APPROVAL OF ANY WETLAND AREA DISTURBANCE.
14. RETAINING WALLS SHALL BE PORED IN PLACE CONCRETE OR MODULAR DESIGN TO BE SUBMITTED SEPARATELY BY CONTRACTOR. SEE REQUIREMENTS ON SHEET 13.
15. AN AS BUILT DETENTION POND AND A REVISED HYDROLOGY STUDY SHALL BE SUBMITTED TO HENRY COUNTY PRIOR TO THE FINAL PLAT APPROVAL OF THIS DEVELOPMENT.
16. ALL RADII ARE SHOWN AS BACK OF CURB UNLESS OTHERWISE DESIGNATED.

GRADING NOTES

1. CONTRACTOR SHALL REMOVE ANY ROCK AND/OR UNSUITABLE MATERIAL TO A DEPTH OF TWO FEET BELOW THE FINISHED GRADE OR AS DIRECTED BY THE SOILS ENGINEER OR BY THE DEVELOPER.
2. EARTHWORK IN PERMANENT STRUCTURE AREAS SHALL BE COMPLETED TO A MINIMUM OF 95% OF THE STANDARD PROCTOR MAXIMUM DRY DENSITY (ASTM D-998) OR AS DIRECTED BY THE SOILS ENGINEER.
3. ALL FILL SHALL BE PLACED IN LIFTS NOT EXCEEDING 8". ALL FILL AREAS SHALL BE PROOF ROLLED.
4. MAXIMUM CUT OR FILL SLOPE IS 2:1.

EROSION CONTROL NOTES

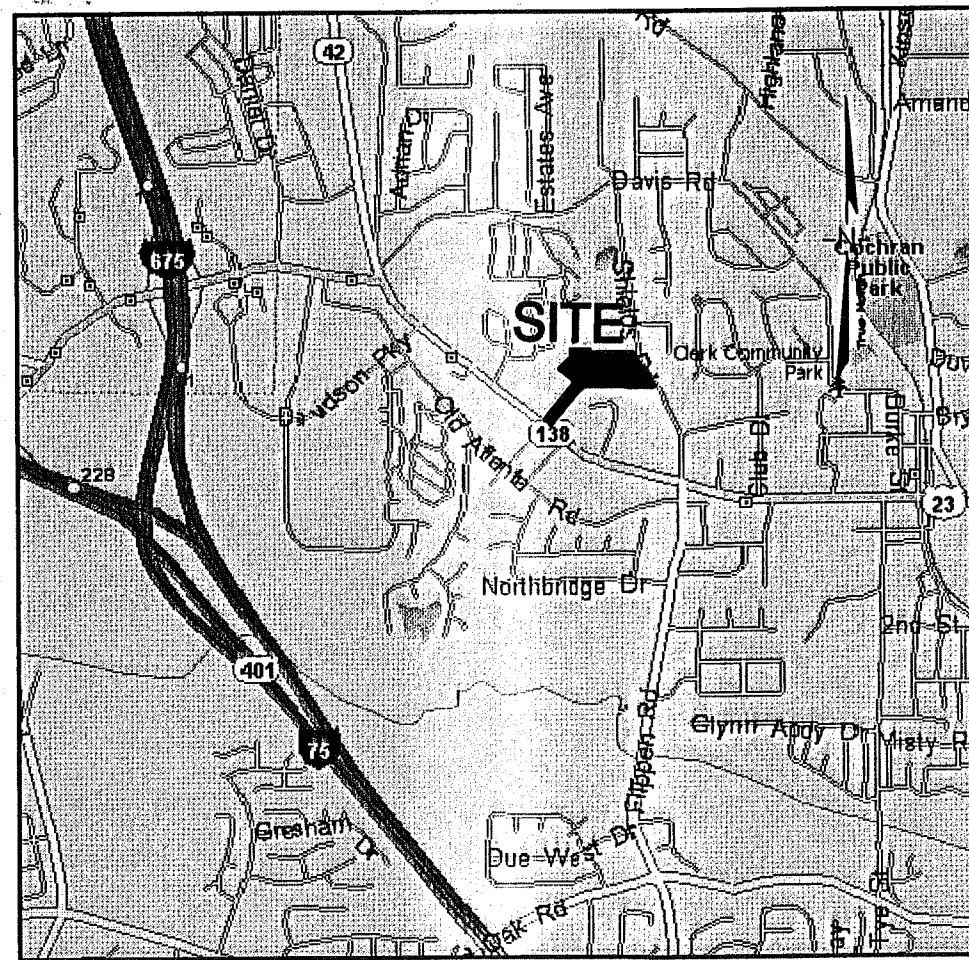
1. EROSION CONTROL DEVICES SHALL BE INSTALLED, INSPECTED AND FULLY OPERATIONAL PRIOR TO CLEARING AND SHALL BE MAINTAINED DAILY THROUGHOUT CONSTRUCTION AND UNTIL PERMANENT GROUND COVER IS ESTABLISHED.
2. ALL EROSION CONTROL MEASURES SHALL CONFORM TO THE STANDARDS SET FORTH IN THE MANUAL FOR EROSION AND SEDIMENT CONTROL IN GEORGIA.
3. EROSION CONTROL MEASURES INDICATED ON THESE PLANS MEET THE MINIMUM REQUIREMENTS. ADDITIONAL REQUIREMENTS MAY BE NECESSARY AS DETERMINED BY FIELD CONDITIONS OR BY THE INSPECTOR. CHANGES AND REINFORCEMENT IS REQUIRED WHEN FAILURE OF THE EROSION CONTROL MEASURES PERSISTS.
4. CONTRACTOR SHALL PROVIDE DUST CONTROL AND SHALL PROTECT ADJACENT STREETS FROM ACCUMULATION OF SOIL.
5. CONTRACTOR IS RESPONSIBLE FOR MONITORING DOWNSTREAM CONDITIONS THROUGHOUT THE CONSTRUCTION PERIOD AND CLEARING ANY DEBRIS AND/OR SEDIMENT CAUSED BY THE CONSTRUCTION.
6. CONTRACTOR SHALL MAINTAIN ALL EROSION CONTROL MEASURES AT ALL TIMES. CONTRACTOR SHALL INSPECT AND REPAIR ALL EROSION CONTROL MEASURES AT THE END OF EACH DAY AND AFTER EACH RAIN EVENT.
7. CONTRACTOR SHALL CLEAN OUT ALL EROSION CONTROL MEASURES BEFORE THEY ARE HALF FULL OR AS SPECIFIED BY THE INSPECTOR OR ENGINEER.
8. DISTURBED AREAS SHALL BE STABILIZED WITH MULCH WHERE SLOPES EXCEED 3%. MULCH SHALL BE ANCHORED ON SLOPES THAT ARE 4:1 OR GREATER.
9. CONTRACTOR IS RESPONSIBLE FOR REMOVING ANY DIRT OR MUD FROM THE TIRES OF ANY CONSTRUCTION VEHICLES PRIOR TO THEIR LEAVING THE SITE.
10. THE ESCAPE OF SEDIMENT FROM THE SITE SHALL BE PREVENTED BY THE INSTALLATION OF EROSION CONTROL MEASURES AND PRACTICES PRIOR TO, OR CONCURRENT WITH, LAND DISTURBING ACTIVITIES.
11. EROSION CONTROL MEASURES WILL BE MAINTAINED AT ALL TIMES. IF FULL IMPLEMENTATION OF THE APPROVED PLAN DOES NOT PROVIDE FOR EFFECTIVE EROSION CONTROL, ADDITIONAL EROSION CONTROL MEASURES SHALL BE IMPLEMENTED TO CONTROL OR TREAT THE SEDIMENT SOURCE.
12. NO LAND-DISTURBING ACTIVITIES SHALL BE CONDUCTED WITHIN A BUFFER AND A BUFFER SHALL REMAIN IN ITS NATURAL UNDISTURBED STATE OF VEGETATION UNTIL ALL LAND-DISTURBING ACTIVITIES ON THE CONSTRUCTION SITE ARE COMPLETED. ONCE THE FINAL STABILIZATION OF THE SITE IS ACHIEVED, A BUFFER MAY BE THINNED OR TRIMMED OF VEGETATION AS LONG AS A PROTECTIVE VEGETATION COVER REMAINS TO PROTECT WATER QUALITY AND AQUATIC HABITAT AND A NATURAL CANOPY IS LEFT IN SUFFICIENT QUANTITY TO KEEP SHADE ON THE STREAM BED; PROVIDED, HOWEVER, THAT ANY PERSON CONSTRUCTING A SINGLE-FAMILY RESIDENCE, WHEN SUCH RESIDENCE IS CONSTRUCTED BY OR UNDER CONTRACT WITH THE OWNER FOR HIS OR HER OWN OCCUPANCY, MAY THIN OR TRIM VEGETATION IN A BUFFER AT ANY TIME AS LONG AS PROTECTIVE VEGETATIVE COVER REMAINS TO PROTECT WATER QUALITY AND AQUATIC HABITAT AND A NATURAL CANOPY IS LEFT IN SUFFICIENT QUANTITY TO KEEP SHADE ON THE STREAM BED.
13. ALL SLOPES GREATER THAN 3:1 OR 10" IN HEIGHT MUST BE STABILIZED WITH GEOTEXTILE OR ORGANIC FIBER EROSION CONTROL BLANKETS AS SOON AS GRADING OPERATIONS ARE COMPLETED.
14. ALL S22 SHALL BE TYPE "F" UNTIL CURB AND GUTTER AND CATCH BASIN TOPS ARE INSTALLED. TYPE "P" WILL BE INSTALLED AFTER THE INSTALLATION OF THE CATCH BASIN TOPS.
15. ANY AREAS LEFT IDLE FOR 14 DAYS SHALL BE TEMPORARILY GRASSED OR MULCHED.

BUFFER NOTES

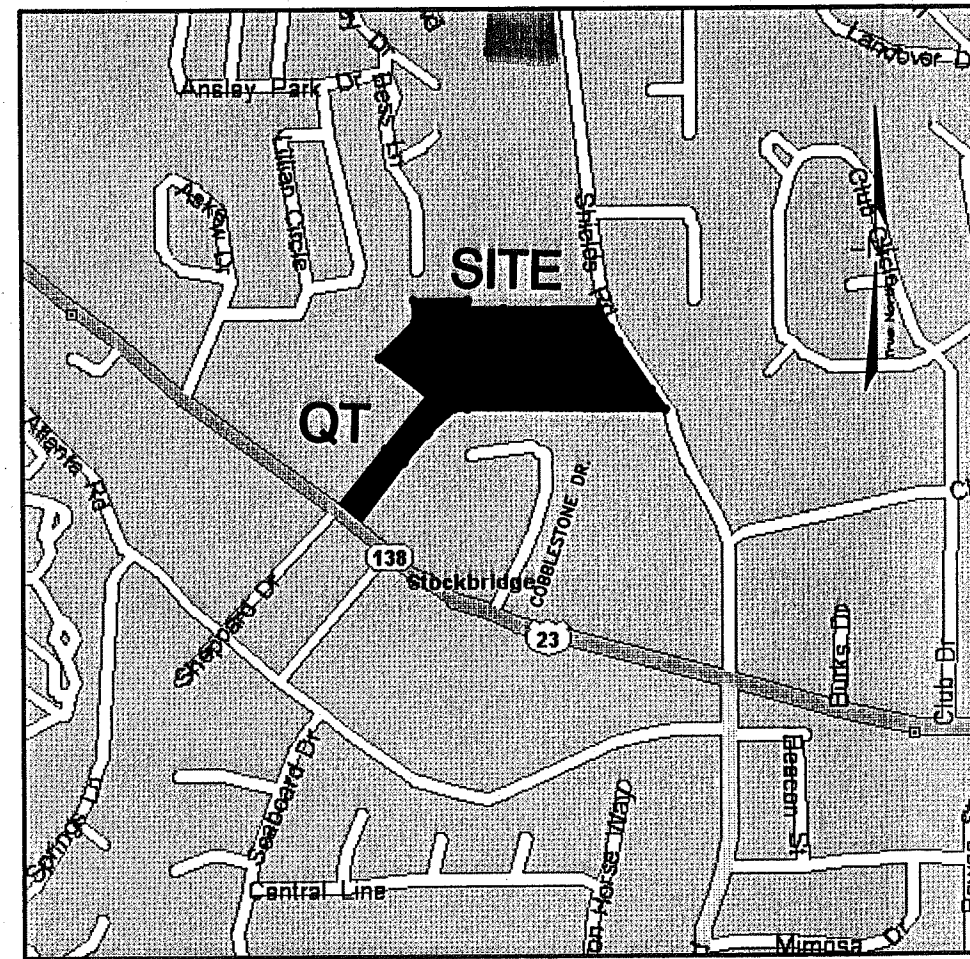
1. ALL UNDISTURBED BUFFERS SHALL BE FIELD LOCATED, STAKED, OR FLAGGED, OR MARKED WITH "TENSAR" (OR SIMILAR TYPE FENCING), AND SHALL BE SUBMITTED TO THE CITY FOR APPROVAL PRIOR TO GRADING.
2. EXISTING VEGETATION SHALL BE PRESERVED WITHIN ALL BUFFER AREAS AND REPLANTED WHERE SPARSELY VEGETATED.
3. BUFFER AREAS ARE NOT TO BE DISTURBED BY GRADING, PROPERTY IMPROVEMENTS, OR CONSTRUCTION ACTIVITIES. ANY CONTEMPLATED DISTURBANCES SHALL BE FIRST BROUGHT TO THE ATTENTION OF THE DEPARTMENT OF COMMUNITY DEVELOPMENT AND FORMAL APPROVAL SECURED PRIOR TO INITIATING ACTIVITY WITHIN THE REQUIRED BUFFER AREAS.

THERE ARE WETLANDS LOCATED WITHIN THE LIMITS OF THE SUBJECT PROPERTY.
PORTIONS OF THIS SITE ARE LOCATED IN A SPECIAL FLOOD AREA AS PER F.I.R.M. COMMUNITY PANEL NO. 130108 0001 A DATED JUNE, 15 1983

SITE DEVELOPMENT PLANS FOR BRUSH CREEK COMMONS

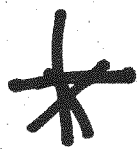


VICINITY MAP
N.T.S.

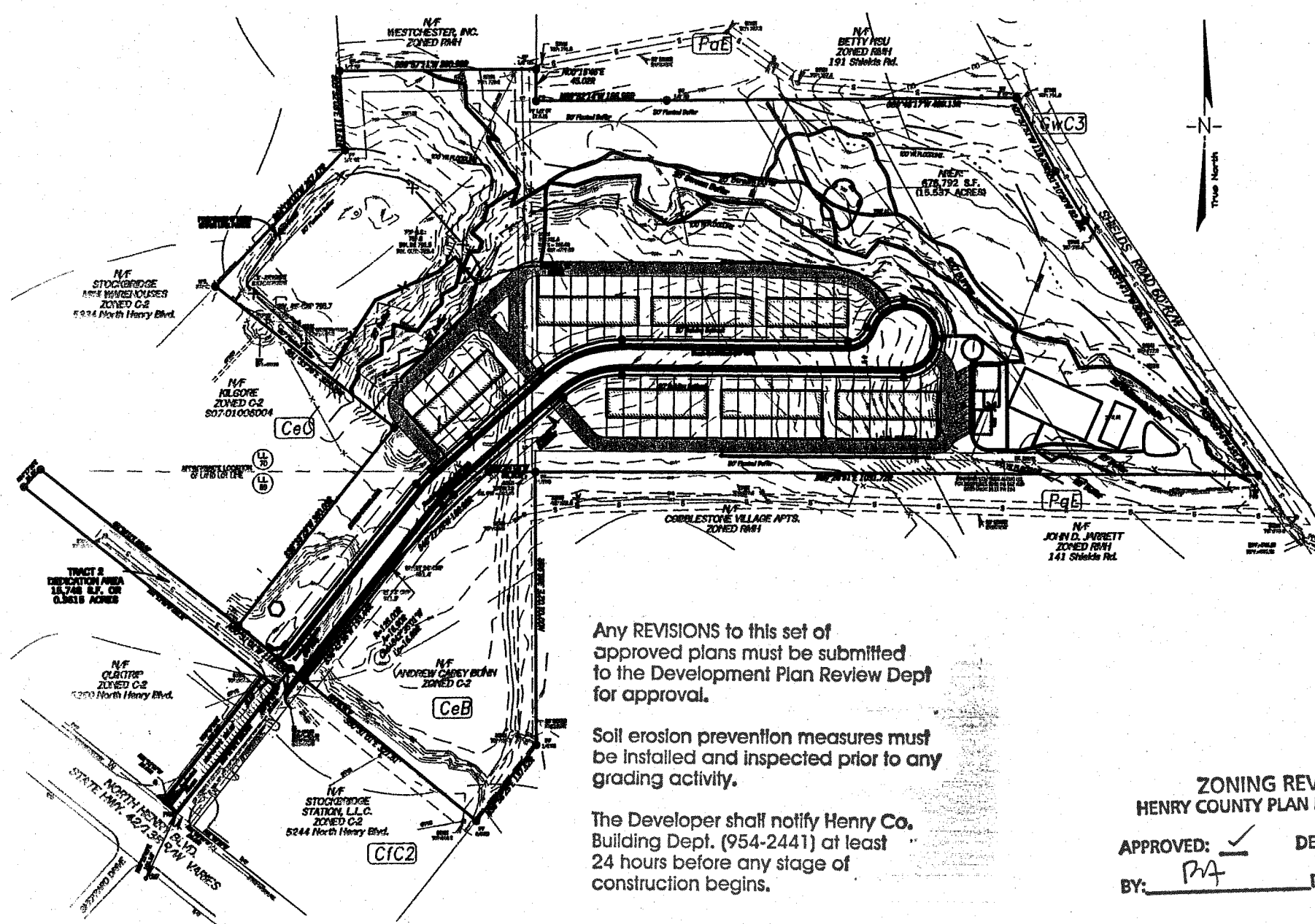


LOCATION MAP
N.T.S.

IT'S THE LAW!
CALL BEFORE YOU DIG 800-282-7411
UTILITIES PROTECTION CENTER
72 HOURS NOTICE REQUIRED



NOTE: The HC Water Authority still has unresolved sewer capacity issues in this area, which are currently being studied. The Developer may proceed with this project at his own risk.

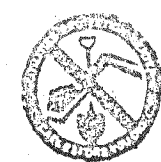


FOR GRAPHICAL REPRESENTATION ONLY

200 100 0 200 400 600
GRAPHIC SCALE IN FEET
Scale: 1" = 200'

LOCATED IN THE
City of Stockbridge, Georgia

January 2005



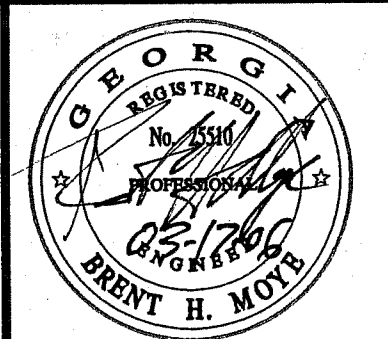
IT'S THE LAW!
CALL BEFORE YOU DIG 800-282-7411
UTILITIES PROTECTION CENTER
72 HOURS NOTICE REQUIRED



IF YOU DIG GEORGIA...
CALL US FIRST!
1-800-282-7411
770-623-4944
(METRO ATLANTA ONLY)
UTILITIES PROTECTION CENTER
IT'S THE LAW

DRAWING LIST

- 1 COVER SHEET
- 2 BOUNDARY SURVEY
- 3 JURISDICTIONAL AREA LOCATION MAP
- 4 PRELIMINARY PLAT
- 5 DEMOLITION & TREE PROTECTION PLAN
- 6 GRADING AND DRAINAGE PLAN
- 7 EROSION CONTROL PLAN
- 8 EROSION SEDIMENTATION & POLLUTION CONTROL
- 9 SANITARY SEWER PLAN
- 10 WATER PLAN
- 11 LANDSCAPE PLAN
- 12 ROAD PROFILES
- 13 WALL PROFILES
- 14 STORM SEWER PROFILES
- 15 SANITARY SEWER PROFILES
- 16 FLOOD PLAIN CROSS SECTIONS
- 17 DEVELOPED DRAINAGE AREA PLAN
- 18-24 CONSTRUCTION DETAILS
- 25 EROSION CONTROL DETAILS
- 26 DOT SIGN AND MARKING PLAN



land engineering and development
252 Keys Ferry Street
McDonough, GA 30250
P. 678.432.5720
F. 678.432.5453

Conceptual Site Plan Prepared For:

Brush Creek
Commons

Developer:

Timberline
Group, LLC

P.O. Box 335
Loye, Georgia 30250
P. 770.210.4663
F. 770.897.0971

5tk (Approved)

ENGINEERS FLOOD PLAIN CERTIFICATION

I, BRENT H. MOYE, P.E., a registered Professional Engineer in the State of Georgia, hereby certify that in my opinion the fill place in the flood plain of BRUSH CREEK as shown on the approved construction plans for the project titled:
BRUSH CREEK COMMONS
dated Jan. 25, 2005, last revision March 17, 2006, prepared by Land Engineering and Development, and located in Land lot 59 & 70 of the 12th District, Henry County, Ga. will not result in any change in the flood level or decrease in the floodway width whenever the 100 year frequency storm occurs. This 17th Day of March 2006.
Brent H. Moye, P.E.
Ga. Registration No. 25510

ENGINEERS CERTIFICATE STORM WATER RUN-OFF

I, BRENT H. MOYE, P.E., a registered Professional Engineer in the State of Georgia, hereby certify that the grading and drainage plans for the project know as:
BRUSH CREEK COMMONS
Lying in Land Lot (s) 59 & 70, of the 12th district, Henry County have been prepared under my supervision, and state that in my opinion, the construction of said project will not produce drainage conditions that will cause damage or adversely affect the surrounding properties.
This 17th Day of March 2006.
Brent H. Moye, P.E.
Ga. Registration No. 25510

UTILITY NOTES

1. THE CONTRACTOR IS SPECIFICALLY CAUTIONED ABOUT THE LOCATION AND/OR ELEVATIONS OF THE EXISTING UTILITIES SHOWN ON THIS DRAWING. THEY ARE BASED UPON RECORDS FROM VARIOUS UTILITY COMPANIES, DEEDS AND PLATS OF RECORD, AND WHERE POSSIBLE, ACTUAL FIELD MEASUREMENTS. THIS INFORMATION IS NOT TO BE TAKEN AS EXACT OR COMPLETE. THE CONTRACTOR MUST CALL THE UTILITIES PROTECTION CENTER AND THE APPROPRIATE UTILITY COMPANIES AT LEAST 24 HOURS PRIOR TO ANY EXCAVATION TO REQUEST THE EXACT FIELD LOCATIONS OF RESPECTIVE UTILITIES. IT SHALL BE THE CONTRACTORS RESPONSIBILITY TO FIELD VERIFY THE EXACT LOCATION OF THE EXISTING UTILITIES WHICH MAY CONFLICT WITH PROPOSED IMPROVEMENTS. UPC # 1-800-282-7411
2. CONTRACTOR SHALL COORDINATE WITH THE POWER COMPANY FOR PROVIDING TEMPORARY SERVICE FOR CONSTRUCTION FACILITIES DURING CONSTRUCTION.
3. CONTRACTOR SHALL COORDINATE WITH ALL UTILITY COMPANIES FOR INSTALLATION OF ALL UTILITY SERVICE CONNECTIONS.
4. ALL NEW UTILITY SERVICE ON PRIVATE PROPERTY MUST BE PLACED UNDERGROUND IN ACCORDANCE WITH CITY OF STOCKBRIDGE, CODE OF ORDINANCE.
5. ALL CONSTRUCTION WITHIN THE CITY OF STOCKBRIDGE RIGHT OF WAY MUST COMPLY WITH THE AMERICANS' WITH DISABILITIES ACT (ADA) PER CITY OF STOCKBRIDGE, CODE OF ORDINANCE.
6. FLOW TEST VALID FOR 6 MONTHS AND ONLY APPLIES TO A SINGLE PHASE/UNIT OF THIS PROJECT.
7. PLAN APPROVAL VALID FOR 12 MONTHS WITHOUT BEGINNING CONSTRUCTION. PLANS SUBJECT TO FURTHER REVIEW AND APPROVAL IF 12 MONTHS EXPIRE.
8. THE CITY OF STOCKBRIDGE UTILITIES WILL NOT BE RESPONSIBLE FOR ANY BUILDING BUILT TOO LOW TO BE SERVED NOR FOR ANY SERVICE COVERED BY CONSTRUCTION.
9. AS-BUILTS ARE REQUIRED TO BE SUBMITTED UPON COMPLETION OF CONSTRUCTION.
10. EXISTING CITY ROADS SHALL NOT BE OPEN CUT UNLESS PERMISSION GRANTED BY THE GEORGIA DOT, OR THE CITY OF STOCKBRIDGE PUBLIC WORKS. SUBMITTAL OF AUTHORIZATION LETTER FROM GEORGIA DOT OR CITY OF STOCKBRIDGE PUBLIC WORKS, ETC. IS ACCEPTABLE.
11. IF WORK IS PERFORMED ON A GEORGIA DOT OR A CITY OF STOCKBRIDGE RIGHT-OF-WAY, A LETTER FROM THE GOVERNING AGENCY IS REQUIRED TO BE SUBMITTED AFTER CONSTRUCTION IS COMPLETE STATING THAT GRASSING, CLEAN-UP, DRAINAGE, ETC. IS ACCEPTABLE.
12. PRE-CONSTRUCTION CONFERENCE IS REQUIRED WITH HENRY COUNTY WATER AND SEWERAGE AUTHORITY PRIOR TO WATER/SEWER LINE CONSTRUCTION.
13. CONTRACTOR FOR WATER/SEWER LINE MUST HAVE A STATE APPROVED LICENSE AND BE ON THE APPROVED LIST FOR HENRY COUNTY WATER AND SEWERAGE AUTHORITY.
14. WATER AND SEWER SERVICES WILL BE PROVIDED BY CITY OF STOCKBRIDGE.

FACILITY DEVELOPER/OWNER

OWNER: Timberline Group, LLC
P.O. Box 335
Loye, GA. 30250
Ph. 770-845-8431

24-HR
CONTACT: Brian Cagle
770-210-4663

PROJECT IDENTIFICATION

SITE NAME: Brush Creek Commons
SITE ADDRESS: North Henry Blvd
Stockbridge, GA 30224

PROPERTY INFORMATION

LAND LOT: 59 & 70
DISTRICT: 12th
SECTION: N/A
COUNTY: Henry
TAX ID #: 507-01008000

ZONING INFORMATION

ZONING JURISDICTION: City of Stockbridge
ZONING: RM-2 Townhomes w/ Conditions

DATE: 25 Jan, 2005

LAND LOT: 59 & 70

DISTRICT: 12th

SECTION: N/A

CITY: Stockbridge

COUNTY: Henry

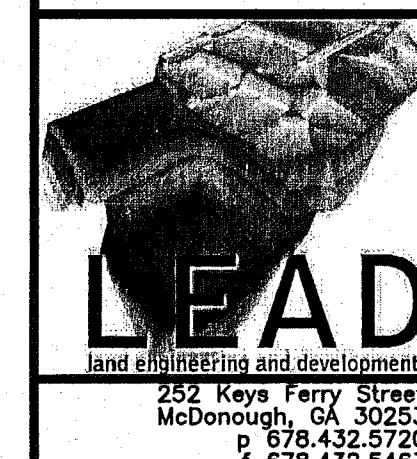
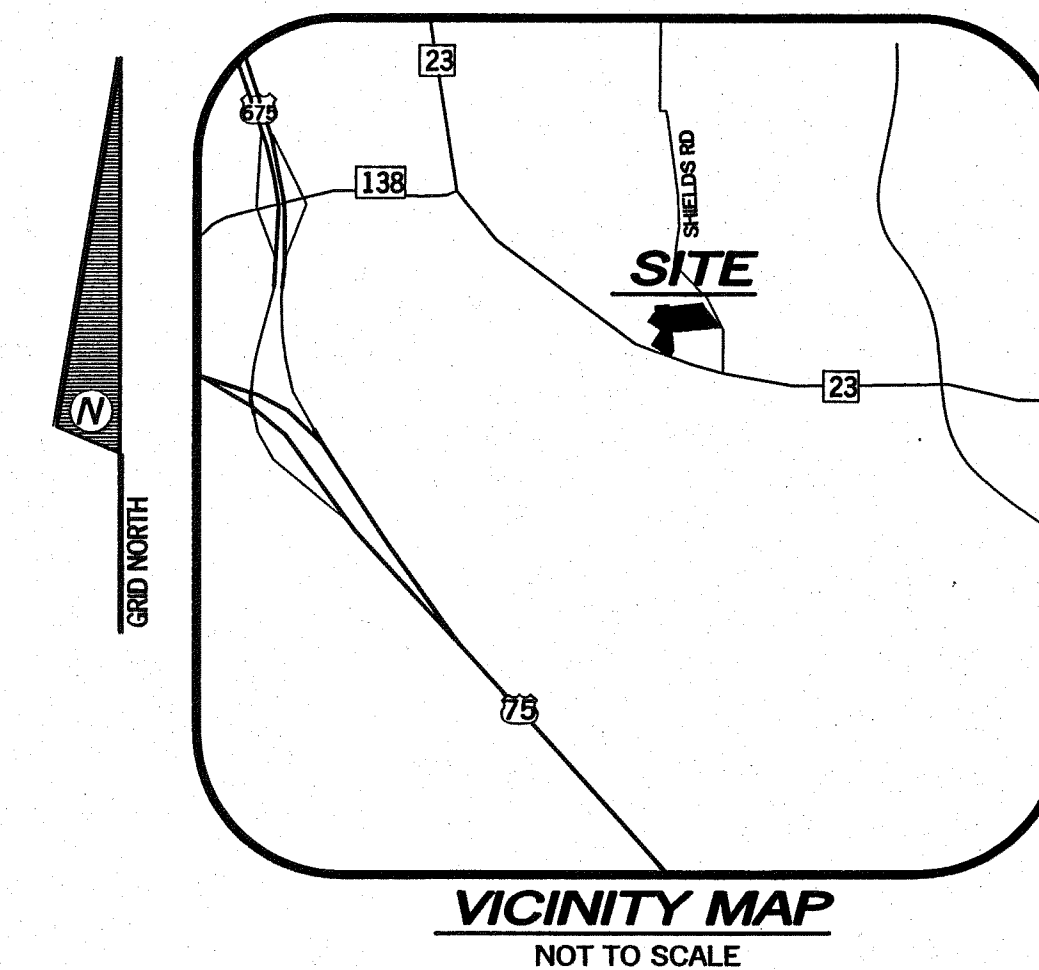
STATE: Georgia

JOB NUMBER: 2004.039

SHEET NUMBER: 1

1 OF 26 SHEETS

FILE NUMBER: 04-D-039

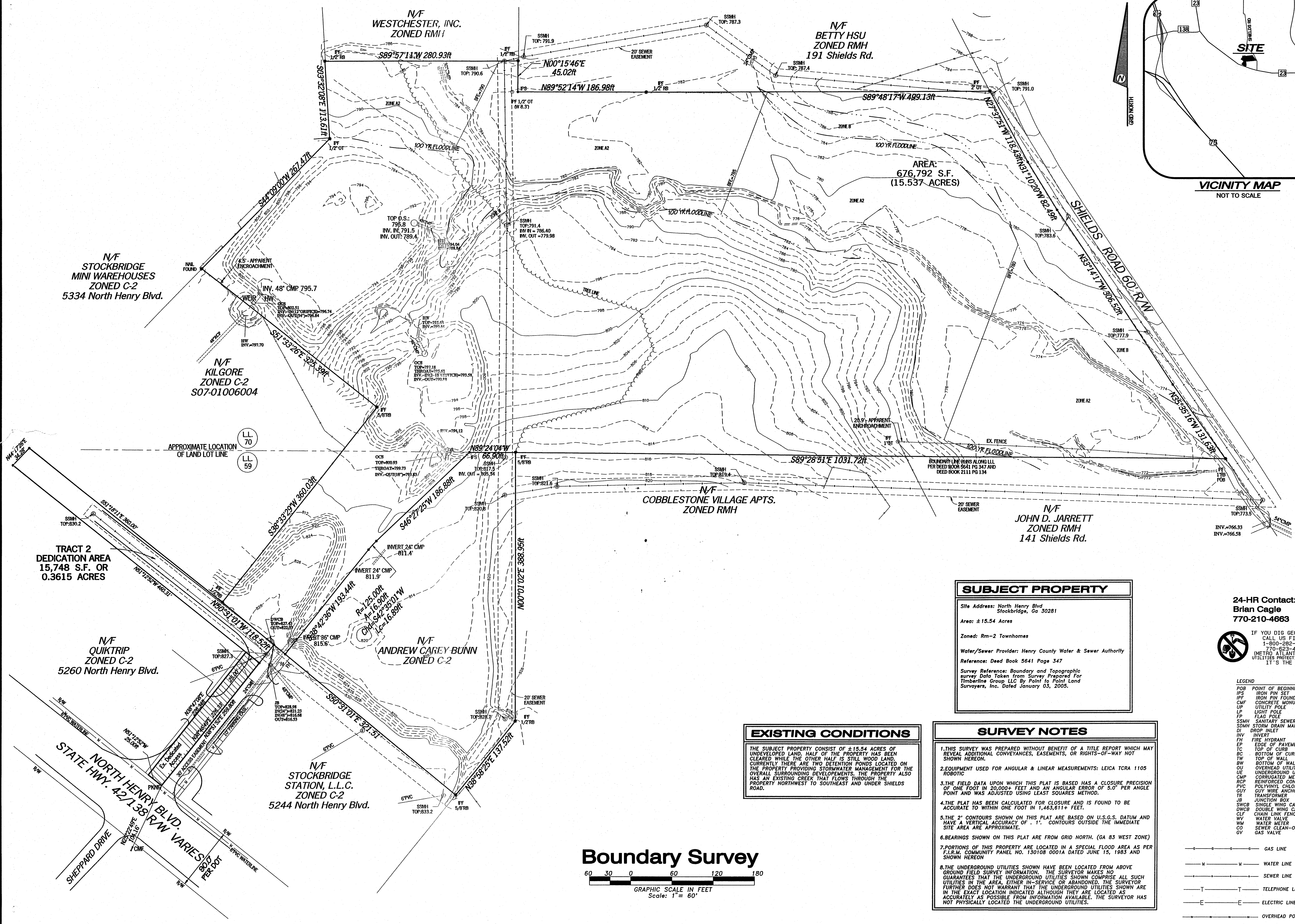


Boundary Survey Prepared For:

**Brush Creek
Commons**

Developer:
**Timberline
Group, LLC**

P.O. Box 335
Lovejoy, Georgia 30250
p 770.210.4663
f 770.897.0971



SUBJECT PROPERTY

Site Address: North Henry Blvd
Stockbridge, Ga 30281

Area: ±15.54 Acres

Zoned: Rm-2 Townhomes

Water/Sewer Provider: Henry County Water & Sewer Authority

Reference: Deed Book 5641 Page 347

Survey Reference: Boundary and Topographic
Survey Data Taken from Survey Prepared for
Timberline Group LLC by Point to Point Land
Surveyors, Inc. Dated January 03, 2005.

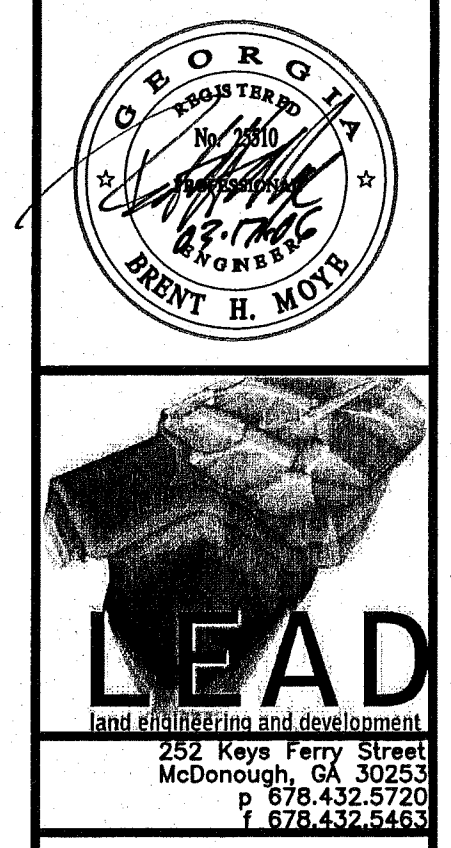
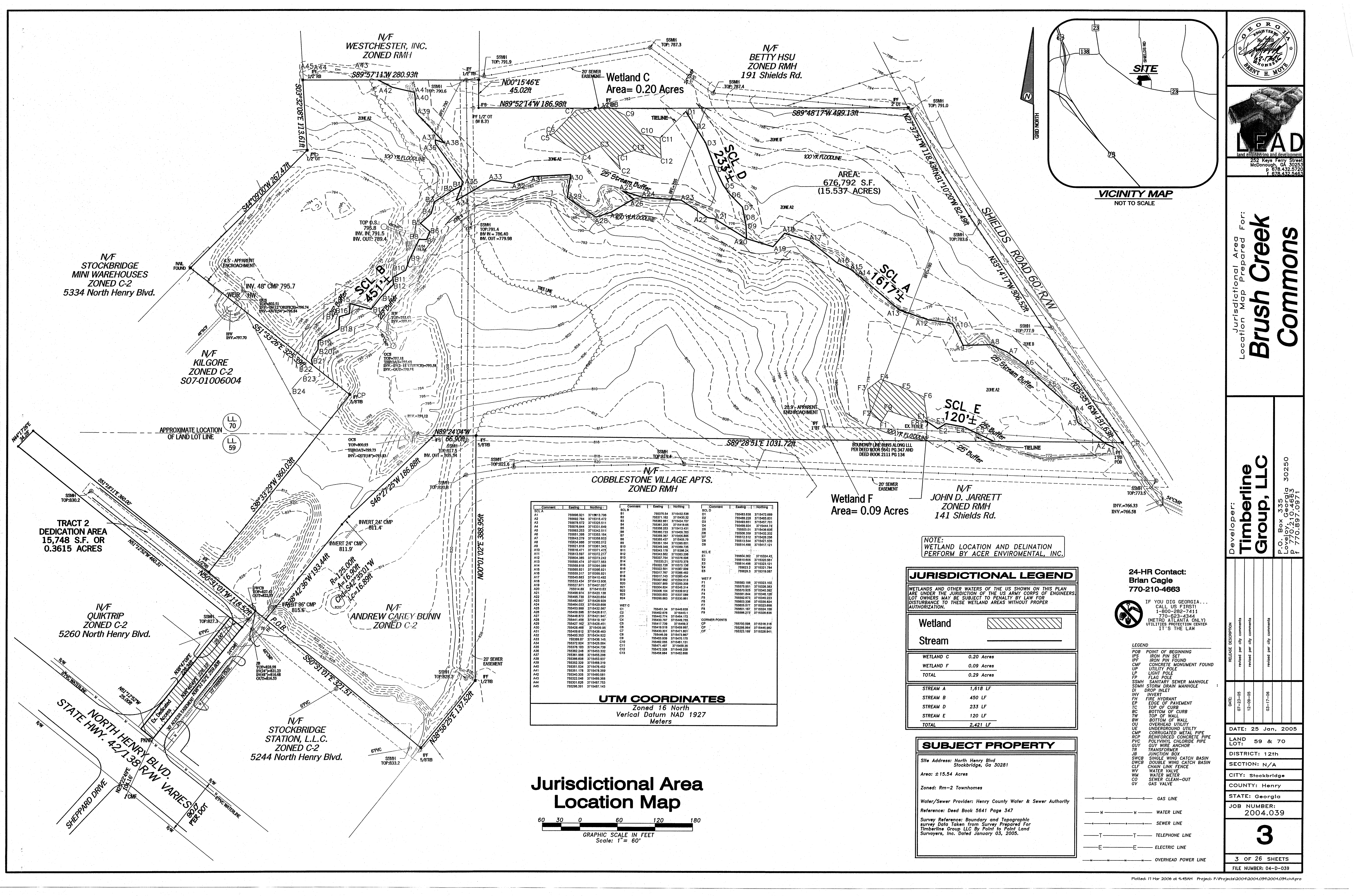
**24-HR Contact:
Brian Cagle
770-210-4663**



LEGEND	
POP	POINT OF BEGINNING
IPS	IRON PIN SET
IPF	IRON PIN FOUND
CP	CONCRETE FOUNDMENT FOUND
UP	UTILITY POLE
LP	LIGHT POLE
FP	FLAG POLE
SSMH	SANITARY SEWER MANHOLE
SDMH	STORM DRAIN MANHOLE
D	DROP
INV	INVERT
FI	FIELD
FD	FIELD HYDRANT
TC	TOP OF CURB
CB	CURB BOTTOM
TW	TOP OF WALL
BW	BOTTOM OF WALL
OU	OVERHEAD UTILITY
UG	UNDERGROUND UTILITY
UR	UNDERGROUND METAL PIPE
PCP	REINFORCED CONCRETE PIPE
PVC	POLYVINYL CHLORIDE PIPE
CU	CUPROUS
QW	QUARRY
TR	TRANSFORMER
JB	JUNCTION BOX
SWC	SEWER WATER CATCH BASIN
DWC	DOUBLE WING CATCH BASIN
LC	LIGHT CATCH FENCE
WV	WATER VALVE
WM	WATER METER
SC	SEWER CLEAN-OUT
GV	GAS VALVE

DATE	RELEASE DESCRIPTION
07-23-05	revised per city comments
12-09-05	revised per city comments
03-17-06	revised per city comments
DATE: 25 Jan, 2005	
LAND LOT: 59 & 70	
DISTRICT: 12th	
SECTION: N/A	
CITY: Stockbridge	
COUNTY: Henry	
STATE: Georgia	
JOB NUMBER: 2004-039	
2 2 OF 26 SHEETS	
FILE NUMBER: 04-D-039	

Plotted: 17 Mar 2006 at 9:43AM Project: F:\Projects\2004\2004.039\2004.039.cml.pr



Jurisdictional Area
Location Map Prepared For:
Brush Creek Commons

Developer:
Timberline Group, LLC
P.O. Box 335
Lapeer, Georgia 30250
P 770-367-0971

JURISDICTIONAL LEGEND			
WETLANDS AND OTHER WATERS OF THE U.S. SHOWN ON THIS PLAN ARE UNDER THE JURISDICTION OF THE U.S. ARMY CORPS OF ENGINEERS. LOT OWNERS MAY BE SUBJECT TO PENALTY BY LAW FOR DISTURBANCE TO THESE WETLAND AREAS WITHOUT PROPER AUTHORIZATION.			
Wetland			
Stream			
WETLAND C	0.20 Acres		
WETLAND F	0.09 Acres		
TOTAL	0.29 Acres		
STREAM A	1,618 LF		
STREAM B	450 LF		
STREAM D	233 LF		
STREAM E	120 LF		
TOTAL	2,421 LF		

SUBJECT PROPERTY	
Site Address: North Henry Blvd Stockbridge, Ga 30281	
Area: ±15.54 Acres	
Zoned: Rm-2 Townhomes	
Water/Sewer Provider: Henry County Water & Sewer Authority	
Reference: Deed Book 5641 Page 347	
Survey Reference: Boundary and Topographic survey Data Taken from Survey Prepared For Timberline Group LLC By Point to Point Land Surveyors, Inc. Dated January 03, 2005.	

24-HR Contact:
Brian Cagle
770-210-4663

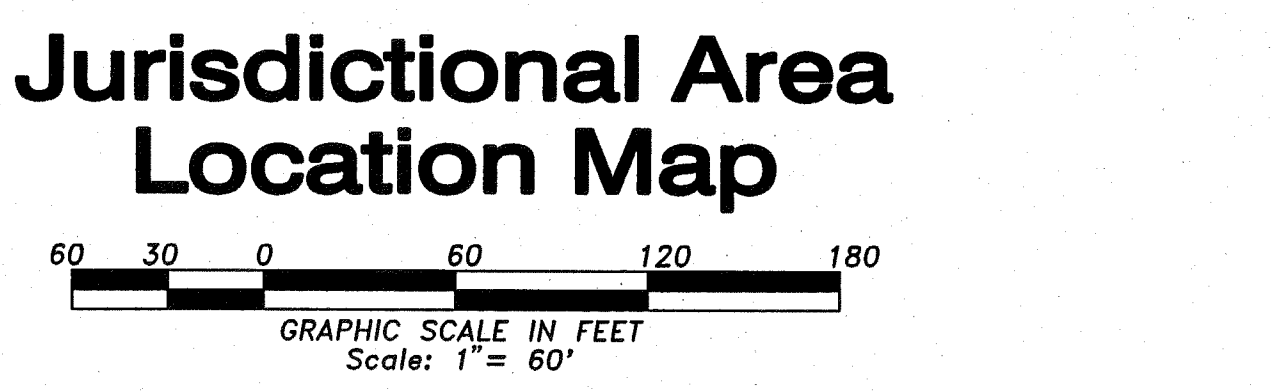
IF YOU DIG GEORGIA...
CALL US FIRST!
1-800-282-7411
770-623-4344
(METRO ATLANTA ONLY)
UTILITIES PROTECTION CENTER
IT'S THE LAW

LEGEND	
POB	POINT OF BEGINNING
IPF	IRON PIN FOUND
CMF	CONCRETE MONUMENT FOUND
UP	UTILITY POLE
LP	LIGHT POLE
FP	FLAG POLE
SSMH	SANITARY SEWER MANHOLE
SDMH	STORM DRAIN MANHOLE
DI	DROP INLET
INV	INVERT
FH	FIRE HYDRANT
EP	EDGE OF PAVEMENT
TC	TOP OF CURB
BC	BOTTOM OF CURB
TW	TOP OF WALL
BW	BOTTOM OF WALL
OU	OVERHEAD UTILITY
UE	UNDERGROUND UTILITY
CMP	CORRUGATED METAL PIPE
RCP	REINFORCED CONCRETE PIPE
PVC	POLYVINYL CHLORIDE PIPE
GUY	GUY WIRE ANCHOR
TR	TRANSFORMER
JB	JUNCTION BOX
SWCB	SINGLE WING CATCH BASIN
DWCB	DOUBLE WING CATCH BASIN
CLF	CHAIN LINK FENCE
WV	WATER VALVE
WM	WATER METER
WFO	SEWER CLEAN-OUT
GV	GAS VALVE

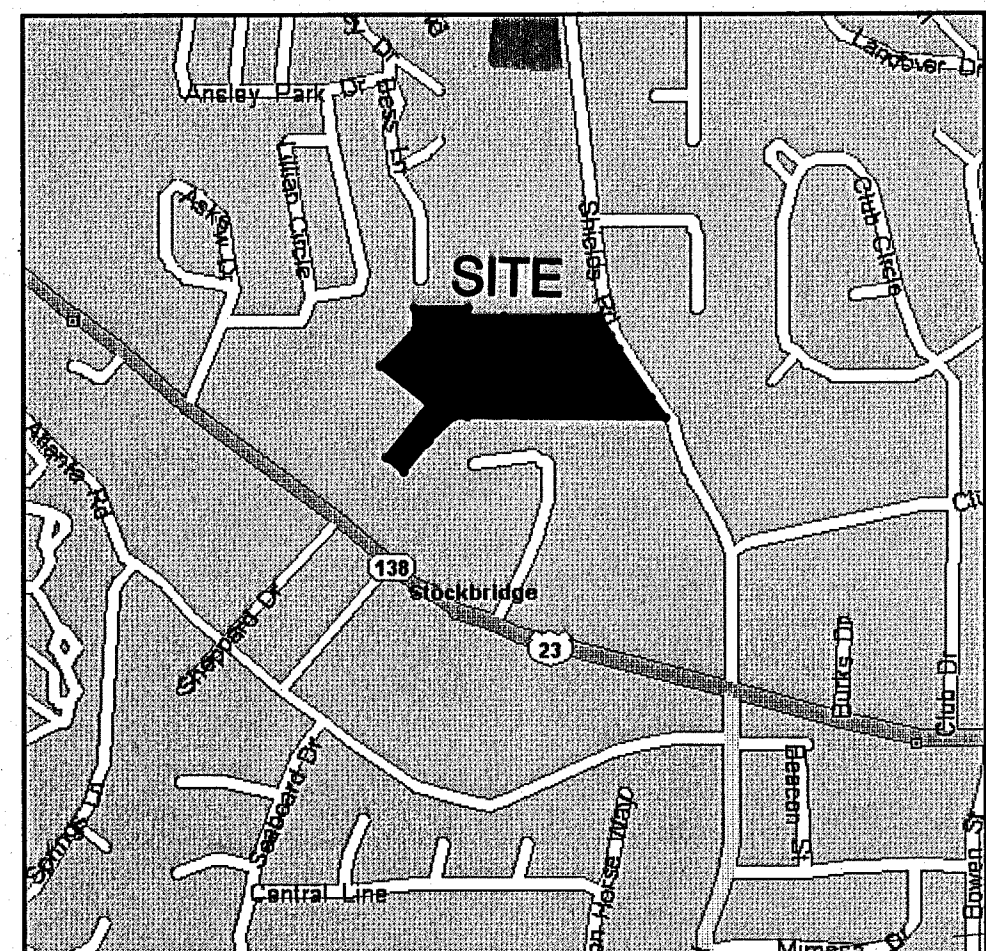
— — — — —	GAS LINE
— — — — —	WATER LINE
— — — — —	SEWER LINE
— — — — —	TELEPHONE LINE
— — — — —	ELECTRIC LINE
— — — — —	OVERHEAD POWER LINE

Comment	East	North	Comment	East	North	Comment	East	North
SCL A	755996.921	3719813.798	SCL B	755970.64	3719432.838	SCL D	755483.838	3719472.889
A1	755992.784	3719310.472	B1	755971.02	3719432.32	D1	755483.838	3719472.889
A2	755978.872	3719325.511	B2	755971.02	3719432.32	D2	755483.838	3719472.889
A3	755978.872	3719325.511	B3	755978.872	3719325.511	D3	755483.838	3719472.889
A4	755978.872	3719325.511	B4	755978.872	3719325.511	D4	755483.838	3719472.889
A5	755978.872	3719325.511	B5	755978.872	3719325.511	D5	755483.838	3719472.889
A6	755978.872	3719325.511	B6	755978.872	3719325.511	D6	755483.838	3719472.889
A7	755978.872	3719325.511	B7	755978.872	3719325.511	D7	755483.838	3719472.889
A8	755978.872	3719325.511	B8	755978.872	3719325.511	D8	755483.838	3719472.889
A9	755978.872	3719325.511	B9	755978.872	3719325.511	D9	755483.838	3719472.889
A10	755978.872	3719325.511	B10	755978.872	3719325.511	D10	755483.838	3719472.889
A11	755978.872	3719325.511	B11	755978.872	3719325.511	D11	755483.838	3719472.889
A12	755978.872	3719325.511	B12	755978.872	3719325.511	D12	755483.838	3719472.889
A13	755978.872	3719325.511	B13	755978.872	3719325.511	D13	755483.838	3719472.889
A14	755978.872	3719325.511	B14	755978.872	3719325.511	D14	755483.838	3719472.889
A15	755978.872	3719325.511	B15	755978.872	3719325.511	D15	755483.838	3719472.889
A16	755978.872	3719325.511	B16	755978.872	3719325.511	D16	755483.838	3719472.889
A17	755978.872	3719325.511	B17	755978.872	3719325.511	D17	755483.838	3719472.889
A18	755978.872	3719325.511	B18	755978.872	3719325.511	D18	755483.838	3719472.889
A19	755978.872	3719325.511	B19	755978.872	3719325.511	D19	755483.838	3719472.889
A20	755978.872	3719325.511	B20	755978.872	3719325.511	D20	755483.838	3719472.889
A21	755978.872	3719325.511	B21	755978.872	3719325.511	D21	755483.838	3719472.889
A22	755978.872	3719325.511	B22	755978.872	3719325.511	D22	755483.838	3719472.889
A23	755978.872	3719325.511	B23	755978.872	3719325.511	D23	755483.838	3719472.889
A24	755978.872	3719325.511	B24	755978.872	3719325.511	D24	755483.838	3719472.889
A25	755978.872	3719325.511	B25	755978.872	3719325.511	D25	755483.838	3719472.889
A26	755978.872	3719325.511	B26	755978.872	3719325.511	D26	755483.838	3719472.889
A27	755978.872	3719325.511	B27	755978.872	3719325.511	D27	755483.838	3719472.889
A28	755978.872	3719325.511	B28	755978.872	3719325.511	D28	755483.838	3719472.889
A29	755978.872	3719325.511	B29	755978.872	3719325.511	D29	755483.838	3719472.889
A30	755978.872	3719325.511	B30	755978.872	3719325.511	D30	755483.838	3719472.889
A31	755978.872	3719325.511	B31	755978.872	3719325.511	D31	755483.838	3719472.889
A32	755978.872	3719325.511	B32	755978.872	3719325.511	D32	755483.838	3719472.889
A33	755978.872	3719325.511	B33	755978.872	3719325.511	D33	755483.838	3719472.889
A34	755978.872	3719325.511	B34	755978.872	3719325.511	D34	755483.838	3719472.889
A35	755978.872	3719325.511	B35	755978.872	3719325.511	D35	755483.838	3719472.889
A36	755978.872	3719325.511	B36	755978.872	3719325.511	D36	755483.838	3719472.889
A37	755978.872	3719325.511	B37	755978.872	3719325.511	D37	755483.838	3719472.889
A38	755978.872	3719325.511	B38	755978.872	3719325.511	D38	755483.838	3719472.889
A39	755978.872	3719325.511	B39	755978.872	3719325.511	D39	755483.838	3719472.889
A40	755978.872	3719325.511	B40	755978.872	3719325.511	D40	755483.838	3719472.889
A41	755978.872	3719325.511	B41	755978.872	3719325.511	D41	755483.838	3719472.889
A42	755978.872	3719325.511	B42	755978.872	3719325.511	D42	755483.838	3719472.889
A43	755978.872	3719325.511	B43	755978.872	3719325.511	D43	755483.838	3719472.889
A44	755978.872	3719325.511	B44	755978.872	3719325.511	D44	755483.838	3719472.889
A45	755978.872	3719325.511	B45	755978.872	3719325.511	D45	755483.838	3719472.889

UTM COORDINATES
Zoned 16 North
Vertical Datum NAD 1927
Meters



Jurisdictional Area Location Map



LOCATION MAP

N.T.S. STOCKBRIDGE
MINI WAREHOUSES
ZONED C-2
5334 North Henry Blvd.

PROPOSED 8' HIGH
CHAIN LINK FENCE

N/F
KILGORE
ZONED C-2
S07-01006004

APPROXIMATE LOCATION
OF LAND LOT LINE

TRACT 2
DEDICATION AREA
15,748 S.F. OR
0.3615 ACRES

N/F
QUICKTRIP
ZONED C-2
5260 North Henry Blvd.

INSTALL "STOP" SIGN
PER GA DOT DETAIL R1-1

STATE NORTH HENRY BLVD.
421138 RW VARIATION
PER GA DOT

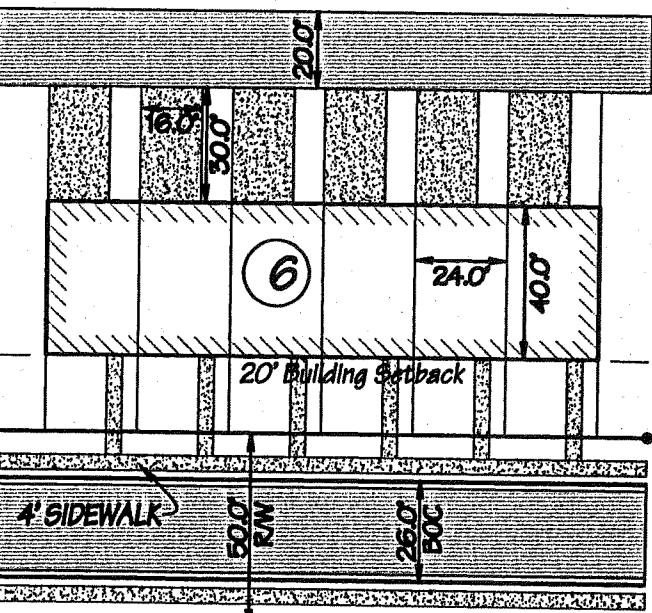
24-HR Contact:
Brian Cagle
770-210-4663

IF YOU DIG GEORGIA...
CALL US FIRST!
1-800-282-7411
770-623-4344
(METRO ATLANTA ONLY)
UTILITIES PROTECTION CENTER
IT'S THE LAW

LEGEND
POB POINT OF BEGINNING
IFS IRON PIN SET
IFF IRON PIN FOUND
CMF CONCRETE MONUMENT FOUND
LP LIGHT POLE
FP FLAG POLE
SSMH STORM DRAIN MANHOLE
DIW DRAIN INLET
INW INVERT
FH FIRE HYDRANT
EP EDGE OF PAVEMENT
TC TOP OF CURB
BC BOTTOM OF CURB
TW TOP OF WALL
BW BOTTOM OF WALL
OU OVERHEAD UTILITY
UE UNDERGROUND UTILITY
CPC CORRUGATED METAL PIPE
RCP REINFORCED CONCRETE PIPE
PVC POLYVINYL CHLORIDE PIPE
GUY GUY WIRE ANCHOR
TR TRANSFORMER
JB JUNCTION BOX
SWCB SINGLE WING CATCH BASIN
DWCB DOUBLE WING CATCH BASIN
CLF CHAIN LINK FENCE
WV WATER VALVE
WM WATER METER
CO SEWER CLEAN-OUT
GV GAS VALVE

Preliminary Plat

GRAPHIC SCALE IN FEET
Scale: 1" = 60'



TYPICAL LOT (REAR ENTRY)
SCALE: 1" = 50'

ZONING CONDITIONS

ZONING REQUIREMENTS OF PROPERTY (REFER TO THE DEVELOPMENT AGREEMENT DATED DECEMBER 13, 2004.)

THE VALIDITY AND ENFORCEABILITY OF THIS AGREEMENT IS CONDITIONAL UPON THE CITY REZONING THE PROPERTY TO THE ZONING CLASSIFICATION AS FOLLOWS:

A. REZONING. THE PROPERTY DESCRIBED IN EXHIBIT A, FOR A TOTAL OF 15.56 ACRES, MORE OR LESS, SHALL BE REZONED FROM SINGLE-FAMILY RESIDENCE DISTRICT (R-2) TO MULTI-FAMILY RESIDENCE DISTRICT (RMH-2 TOWNHOMES). PROJECT NOT EXCEED 4 UNITS TOTAL. OWNER SHALL COMPLY WITH ALL APPLICABLE RULES, REGULATIONS, AND ORDINANCES OF THE ZONING DISTRICT, EXCEPT WHERE SPECIFICALLY EXCLUDED HEREIN. IN THE EVENT OF A CONFLICT BETWEEN THE ZONING ORDINANCES AND THE DEVELOPMENT AGREEMENT, THE DEVELOPMENT AGREEMENT SHALL CONTROL. THIS AGREEMENT SHALL BE INCORPORATED INTO THE CITY RECORDS AND SHALL BE A PART OF THE CITY RECORDS. THE CITY SHALL NOT BE BOUND BY THIS AGREEMENT IF IT IS IN CONFLICT WITH ANY CITY ORDINANCE, RULE, REGULATION, OR RESOLUTION. IF THERE IS A CONFLICT BETWEEN THE ZONING ORDINANCES AND THIS AGREEMENT, THE TERMS OF THIS AGREEMENT SHALL CONTROL.

C. DEVELOPMENT CONDITIONS.

1. THE FOLLOWING CONDITIONS SHALL APPLY TO THE PROPERTY.

A. REVISE SITE PLAN TO ADHERE TO ALL CITY OF STOCKBRIDGE RMH-2 ORDINANCE REQUIREMENTS. (NOTE THAT APPROVAL OF THIS REZONING IS NOT AN APPROVAL OF THE SITE PLAN SUBMITTED.)

B. MAXIMUM BUILDING HEIGHT SHALL BE SHOWN ON THE SITE PLAN.

C. ALL TOWNHOMES SHALL HAVE A MIXTURE OF FRONT FACADES CONSISTING OF COVERED ENTRYWAYS, PORCHES, PATIOS, PORCHES AND BALCONIES. GARAGES SHALL BE ACCENTUATED WITH VARIATIONS OF DESIGN PORTICOES.

D. OWNER SHALL SUBMIT ELEVATIONS OF BUILDINGS TO BE APPROVED BY THE CITY. NOTE, HOWEVER, THAT THE CITY MAY APPROVE ELEVATIONS IF IT DETERMINES THAT WAITING FOR STAFF'S REVIEW HAS UNREASONABLY DELAYED OWNER.

E. EACH UNIT ELEVATION PER BUILDING SHALL BE SEPARATE AND DISTINCT FROM THE OTHER AND SHALL INCLUDE VARIATIONS IN ROOFLINES WHICH MAY BE ACCOMPLISHED WITH THE USE OF DORMERS, GABLES AND/OR FIREPLACES.

F. ALL EXTERIOR FACADES SHALL CONSIST OF BRICK. THE CORNICES AND GABLES SHALL CONSIST OF STUCCO, STONE, AND/OR HARD-PLANK.

G. OWNER SHALL INSTALL STREET TREES ALONG ALL STREETS TO BE PLACED BETWEEN THE SIDEWALK AND THE FRONT PROPERTY LINES. HAVE A MINIMUM TWO AND ONE-HALF INCH (2.5) CALIBER (D.B.M.), SHALL HAVE A MINIMUM TWENTY-FOUR (24) INCH (24) DBH. AND SHALL BE SPACED AN AVERAGE OF FORTY-FOUR (44) FEET APART. OWNER SHALL PROVIDE A LIST OF TEN (10) TREES TO BE PROVIDED AND SUBJECT TO MODIFICATION BY THE CITY.

H. A STREET SCAPING PLAN SHALL BE SUBMITTED TO HENRY COUNTY PLANNING AND ZONING STAFF FOR COMMENTS AND APPROVED BY THE CITY TO INCLUDE SIDEWALKS, STREET TREES, LANDSCAPING, STREET LIGHTING AND STREET FURNITURE. NOTE, HOWEVER, THAT THE CITY MAY APPROVE THE STREET SCAPING PLAN IF IT DETERMINES THAT WAITING FOR STAFF'S REVIEW HAS UNREASONABLY DELAYED OWNER.

I. ANY FLOOD PLAN ALTERNATE BE SUPPORTED BY A CERTIFIED ENGINEER AT THE PLAN REVIEW STAGE.

J. THE APPLICANT SHALL SUBMIT TO THE CITY CLERK AND CITY ATTORNEY, AN ATTACHED RESOLUTION AND PLAT, CERTIFIED BY AN ENGINEER OR SURVEYOR LICENSED IN THE STATE OF GEORGIA, OF THE PROPERTY.

K. OWNER SHALL NOT CONSTRUCT AN ENTRANCE OR EXIT ONTO SHIELDS DRIVE FOR ACCESS TO THE PROJECT.

L. OWNER SHALL MAINTAIN A TWO HUNDRED FOOT (200) BUFFER BETWEEN THE PROJECT AND SHIELDS DRIVE. AN EXCEPTION TO THIS CONDITION SHALL AUTOMATICALLY ARISE SHOULD THE PROJECT BE REZONED TO A SINGLE FAMILY DETACHED RESIDENTIAL ZONING CLASSIFICATION.

M. THIS REZONING APPLIES TO ONLY THE PROPERTY AND SHALL NOT BE CONSTRUED AS APPLYING TO THE AREAS ZONED COMMERCIAL ADJACENT TO THE PROPERTY.

N. AMENITIES SHALL CONSIST OF:

- 1,300 SQUARE FOOT CLUB HOUSE WITH FULL KITCHEN AND FITNESS EQUIPMENT;
- TWO (2) SEPARATE ARE-SPECIFIC PLAYROOMS: A FENCED YOUT LOU ADJACENT TO THE CLUB HOUSE AND ANOTHER PLAYROOM FOR CHILDREN LOCATED NEARBY TO THE CLUB HOUSE;
- COVERED PAVILION WITH FIREPLACE;
- VOLLEYBALL COURT;
- SOODED SPORTS AREA;
- PUTTING GREEN;
- TENNIS COURT - LIGHTED AND ENCLOSED FEATURING A MINIMUM OF TWO (2) PLAYING COURTS WITH A BASKETBALL GOAL;
- WALKING TRAILS AT LEAST FOUR HUNDRED FEET (1,400) IN LENGTH AND THREE FEET (3) IN WIDTH;
- BIRD SANCTUARY INCLUDING A VARIETY OF BIRD FEEDERS AND BIRD HOUSES WITH BENCHES FOR OBSERVATION;
- GAZEBO AT ENTRANCE OF DEVELOPMENT TO SERVE AS A WAITING AREA FOR SCHOOL BUS PICK-UP, AND
- OWNER SHALL BE BOUND BY THE AMENITY REPRESENTATIONS MADE IN ITS OCTOBER 7, 2004 PROPOSED SITE PLAN ATTACHED HERETO AS EXHIBIT A, SUBMITTED TO THE CITY COUNCIL AND ON FILE WITH THE CITY CLERK.

VARIANCES

A. THE MAXIMUM UNITS PER BUILDING MAY INCREASE FROM FIVE (5) UNITS TO SIX (6) UNITS PER BUILDING.

B. THE MINIMUM DISTANCE BETWEEN BUILDINGS MAY BE REDUCED FROM FORTY FEET (40) TO TWENTY FEET (20).

C. REDUCTION IN BUFFER FROM THIRTY FEET (30) TO TEN FEET (10) ALONG THE PROPOSED ENTRANCE AND BETWEEN THE PROPOSED LOCATION OF THE FIRST SIDEWALK AND THE PROPOSED ENTRANCE LINE AS SHOWN IN THE PROPOSED SITE PLAN INCLUDED IN OWNER'S OCTOBER 7, 2004 PROPOSAL ATTACHED HERETO AS EXHIBIT A, SUBMITTED TO THE CITY COUNCIL AND ON FILE WITH THE CITY CLERK.

D. INDIVIDUAL RESIDENTIAL GARBAGE PICK-UP MAY BE PERMITTED.

OPEN SPACE CALCULATIONS

TOTAL ACREAGE: ±15.54 ACRES	
REQUIRED OPEN SPACE	
10% OF TOTAL AREA	0.10 x 15.54 AC. = 1.55 AC
Site Area:	15.54 Acres
Flood Area:	5.66 Acres
L.S. Strip / Buffer:	1.98 Acres
Detention Area:	1.48 Acres
Right-of-Way	1.47 Acres
Net Buildable Area:	6.42 Acres
Common Area:	2.88 Acres
Walking Trail:	1,655 L.F.
% of Buildable Area:	45% (Common Area/Buildable Area)
% of Total Site Area:	31% (Common Area+L.S. Strip/Buffer) (Total Site)

GENERAL SITE NOTES

1. BOUNDARY AND TOPOGRAPHICAL DATA TAKEN FROM SURVEY PERFORMED BY POINT TO POINT LAND SURVEYORS DATED 01/05/2005
2. WIDTH OF TYPICAL ROADWAY IS 26 FT.
3. LOTS SHALL UTILIZE SANITARY SEWER SERVICE.
4. POTABLE WATER SHALL BE PROVIDED BY HENRY COUNTY WATER AND SEWER AUTHORITY.
5. ALL STORM DRAINS SHALL BE EXTENDED A MINIMUM OF 30' BEHIND ANY FUTURE RESIDENCE OR BUILDING.
6. PROPOSED SPEED LIMIT WITHIN DEVELOPMENT IS 25 MPH.
7. A PORTION OF THIS SITE IS LOCATED IN A SPECIAL FLOOD AREA AS PER F.I.R.M. COMMUNITY PANEL NO. 130108 0001 A DATED JUNE 15, 1983 AND SHOWN HEREON.
8. THE UTILITIES SHOWN HEREON ARE BASED UPON RECORDS FROM VARIOUS UTILITY COMPANIES, DEEDS AND PLATS OF RECORD, AND WHERE POSSIBLE, ACTUAL FIELD MEASUREMENTS. CONTRACTOR SHALL VERIFY UTILITY LOCATIONS BEFORE CONSTRUCTION BEGINS.
9. A TWENTY-FOOT STORM SEWER AND SANITARY SEWER EASEMENT, AS REQUIRED BY CITY OF STOCKBRIDGE AND SHOWN ON FINAL PLAT.
10. GRADE STAKES SHALL BE SET ON ALL STREETS PRIOR TO ANY STREET GRADING. AN ASBUILT SUBGRADE CENTERLINE PROFILE SHALL BE SUBMITTED AND APPROVED BY COUNTY PRIOR TO INSTALLATION OF CURB AND GUTTER OR WATER LINES.
11. AN ASBUILT DETENTION POND DETAIL AND REVISED HYDROLOGY STUDY SHALL BE SUBMITTED TO COUNTY PRIOR TO FINAL APPROVAL OF THE HENRY COUNTY BUILDING DEPARTMENT.
12. ALL UNDISTURBED BUFFERS SHALL BE FIELD LOCATED; STAKED AND FLAGGED OR MARKED WITH "TENZAR" (OR SIMILAR TYPE FENCING); AND SHALL BE SUBMITTED TO THE COUNTY FOR APPROVAL PRIOR TO GRADING.

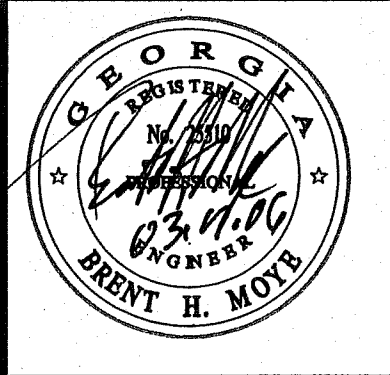
NET DENSITY IS BASED ON APPROVED CONCEPT PLAN

TAX ASSESSOR NOTES

1. TAX MAP NUMBERS SAME AS LOT NUMBERS OUT OF S07-01006000.
2. LOCATION OF DRIVEWAY DETERMINES ADDRESS ON CORNER LOTS.

SITE INFORMATION

DEVELOPER: TIMBERLINE GROUP LLC P.O. BOX 335 LOVEJOY, GA 30250 P:770-210-4667 F:770-897-0971	
OWNER: TIMBERLINE GROUP LLC P.O. BOX 335 LOVEJOY, GA 30250 P:770-210-4667 F:770-897-0971	
ENGINEER: LAND ENGINEERING AND DEVELOPMENT 252 KEYS FERRY ST MCDONOUGH, GA 30253 P:678-432-5720 F:678-432-5463	
LANDSCAPE ARCHITECT: BECKY MORRIS 7960 HWY 54 SHARPSBURG, GA 30277 P:770-251-1033 F:770-254-9380	
SURVEYOR: POINT TO POINT LAND SURVEYORS, INC 1231C EAGLES LANDING PKWY STOCKBRIDGE, GA 30281 P:678-565-6848 F:678-565-6121	
Subdivision Name:	Brush Creek Commons
Site Area (Total Acreage):	676,922 SQ. FT./15.54 Acres
Area of R/W:	64,033 SQ. FT./1.47 Acres
Linear Feet of Road:	1,068 LF
Site Zoning:	RMH-2 Townhomes w/cond.
Setbacks:	Front -20' Side = 20' w/ building Rear =30'
Max Bldg Height:	35'
Min. Lot Size:	2,160 SQ FT
Min. Lot Width:	24' min. (interior)
Total Number of Lots:	41
Acres Calculations:	Site Area: 15.54 ac R/W Area: 1.47 ac Flood Plain Area: 5.66 ac Detention Area: 1.48 ac L.S. Strip & Buffer: 1.98 ac Net Acreage: 4.95 ac (15.54-1.47-5.66-1.48-1.98)=4.95
Density Calculations:	Gross Density: 41/15.54 = 2.64 upa Net Density: 41/4.952 = 8.28 upa (based on approved concept plan)
Min. Heated Space:	1,344 sf/two-story/2 car garage 1,600 sf/two-story/2 car garage

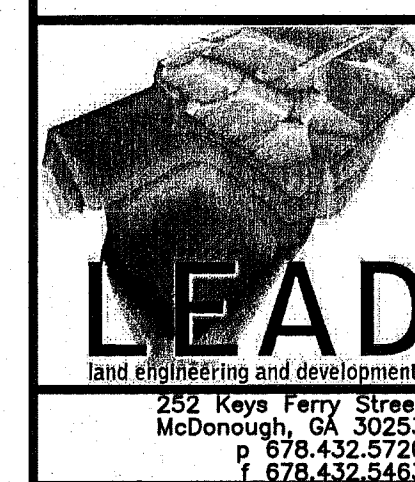
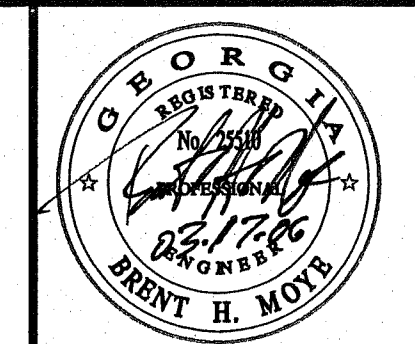


252 Keys Ferry Street
McDonough, GA 30253
P: 678-432-5463
F: 678-432-5463

Preliminary Plat Prepared For:
Brush Creek Commons

Developer:
Timberline Group, LLC
P.O. Box 335
Lovejoy, GA 30250
P: 770-210-4667
F: 770-897-0971

DATE	RELEASE DESCRIPTION
07-23-05	revised per city comments
12-09-05	revised per city comments
02-03-06	revised per city comments
03-17-06	revised per city comments
DATE: 25 Jan, 2005	
LAND LOT: 59 & 70	
DISTRICT: 12th	
SECTION: N/A	
CITY: Stockbridge	
COUNTY: Henry	
STATE: Georgia	
JOB NUMBER: 2004.039	
4 OF 26 SHEETS	
FILE NUMBER: 04-D-039	



Boundary Survey Prepared For:

Brush Creek Commons

Developer:

Timberline Group, LLC

P.O. Box 335
Lovelock, Georgia 30250
P 770.837.0971

DATE	RELEASE DESCRIPTION
07-23-05	revised per city comments
12-09-05	revised per city comments
03-17-06	revised per city comments

DATE: 25 Jan, 2005

LAND LOT: 59 & 70

DISTRICT: 12th

SECTION: N/A

CITY: Stockbridge

COUNTY: Henry

STATE: Georgia

JOB NUMBER: 2004.039

5

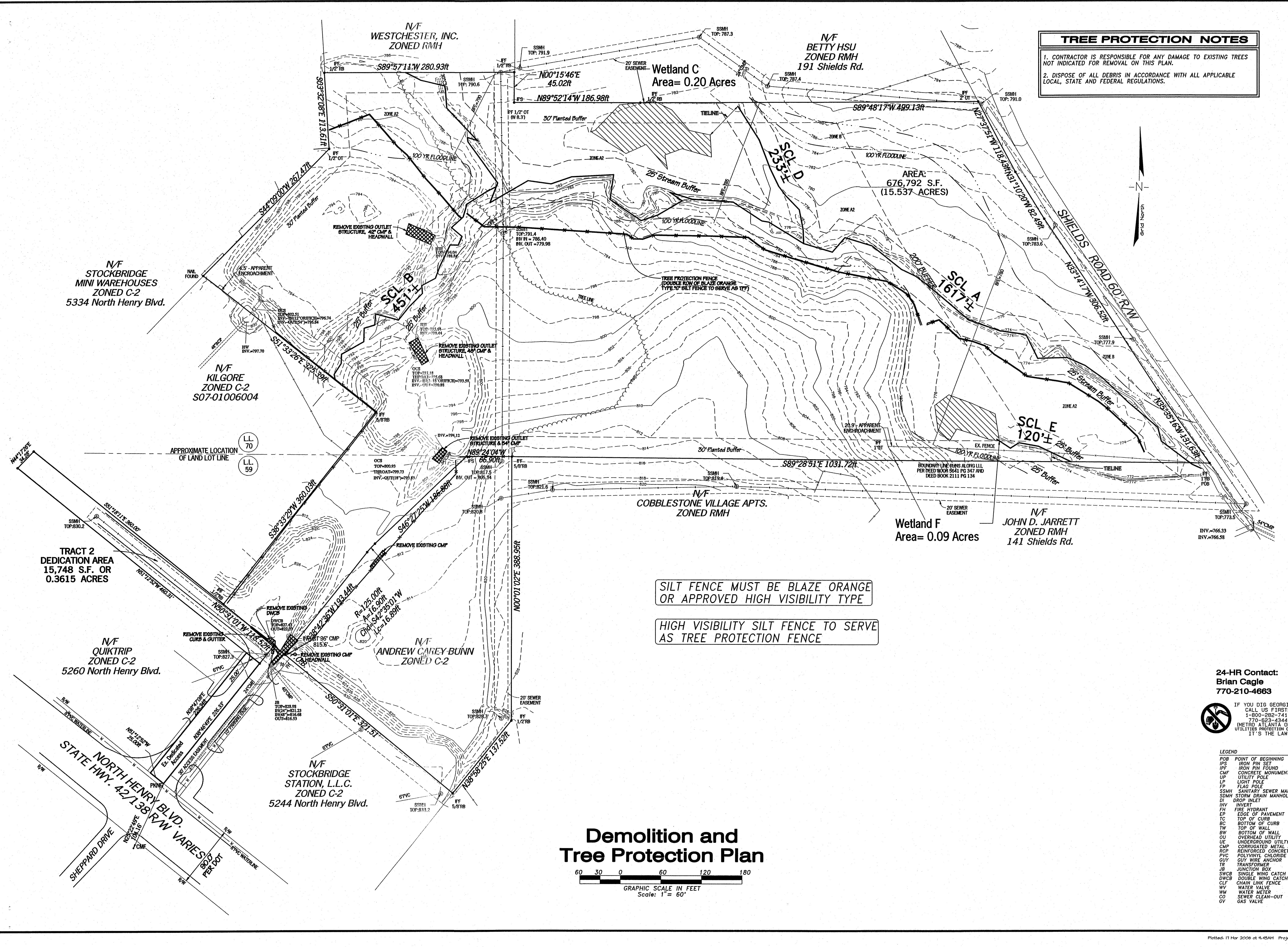
5 OF 26 SHEETS

FILE NUMBER: 04-D-039

TREE PROTECTION NOTES

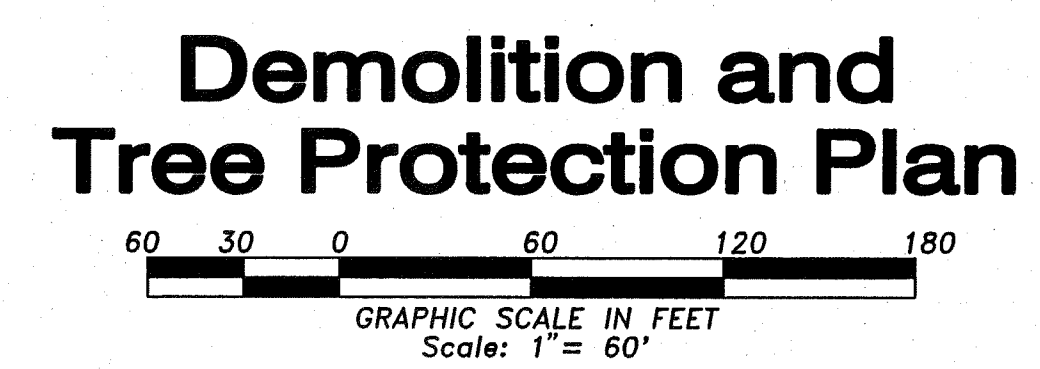
1. CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGE TO EXISTING TREES NOT INDICATED FOR REMOVAL ON THIS PLAN.

2. DISPOSE OF ALL DEBRIS IN ACCORDANCE WITH ALL APPLICABLE LOCAL, STATE AND FEDERAL REGULATIONS.



SILT FENCE MUST BE BLAZE ORANGE OR APPROVED HIGH VISIBILITY TYPE

HIGH VISIBILITY SILT FENCE TO SERVE AS TREE PROTECTION FENCE



24-HR Contact:
Brian Cagle
770-210-4663



IF YOU DIG GEORGIA...
CALL US FIRST!
1-800-282-7411
1-770-837-4344
(METRO ATLANTA ONLY)
UTILITIES PROTECTION CENTER
IT'S THE LAW

- LEGEND
- POB POINT OF BEGINNING
 - IPS IRON PIN SET
 - IPF IRON PIN FOUND
 - CMF CONCRETE MONUMENT FOUND
 - UP UTILITY POLE
 - LP LIGHT POLE
 - FP FLAG POLE
 - SSMH SANITARY SEWER MANHOLE
 - SSMH STORM DRAIN MANHOLE
 - DI DROP INLET
 - INV INVERT
 - FH FIRE HYDRANT
 - EP EDGE OF PAVEMENT
 - TC TOP OF CURB
 - BC BOTTOM OF CURB
 - TW TOP OF WALL
 - BW BOTTOM OF WALL
 - OU OVERHEAD UTILITY
 - UE UNDERGROUND UTILITY
 - CMP CORRUGATED METAL PIPE
 - RCP REINFORCED CONCRETE PIPE
 - PVC POLYVINYL CHLORIDE PIPE
 - GUY GUY WIRE ANCHOR
 - TR TRANSFORMER
 - JB JUNCTION BOX
 - SWCB SINGLE WING CATCH BASIN
 - DWCB DOUBLE WING CATCH BASIN
 - CLF CHAIN LINK FENCE
 - WV WATER VALVE
 - WM WATER METER
 - CO SEWER CLEAN-OUT
 - GV GAS VALVE

GRADING PLAN NOTES

1. DISTURBED AREA = 18.47 ACRES
2. SEE SHEET 14 FOR STORM SEWER PROFILES.
3. SEE SHEET 15 FOR SANITARY SEWER PROFILES.
4. MAINTENANCE OF THE STORMWATER MANAGEMENT FACILITIES SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNER AND SHALL BE MAINTAINED AND/OR REPAIRED WHEN NEEDED OR AS REQUIRED BY CITY OF STOCKBRIDGE.
5. THERE ARE WETLANDS LOCATED WITHIN THE LIMITS OF THE SUBJECT PROPERTY.
6. SEE SHEET 17 FOR DEVELOPED DRAINAGE AREA PLAN AND POND CROSS SECTION

SITE INFORMATION

OWNER/DEVELOPER:
TIMBERLINE GROUP LLC
P.O. BOX 335
LOVEJOY, GA. 30250

SITE AREA (TOTAL ACRES): 15.54 ACRES

SITE ZONING: RM-2 TOWNHOMES

SETBACKS:
FRONT = 20'
SIDE = 20' b/w Buildings
REAR = 30'

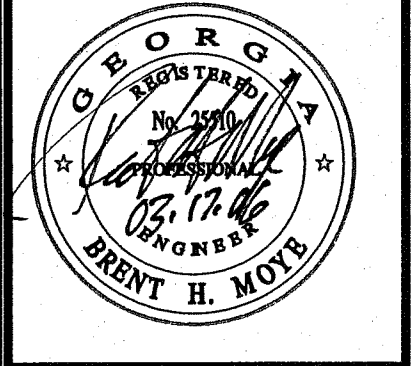
LANDSCAPE STRIP:
FRONT = 00'
SIDE = 00'
REAR = 00'

EARTHWORK

Disturbed Area: 369,154 SQ FT
Cut Volume: 26,556 CY
Fill Volume: 36,466 CY
Road Subgrade: 1813 CY
Net Difference: 8,097 CY Borrow
(9,910-1,813=8,097)

GENERAL NOTES

1. SITE AREA: 15.54 ACRES
PROPERTY IS ZONED RM-2 TOWNHOMES W/CONDITIONS
2. USAGE: TOWNHOMES
3. SURVEY REFERENCE: BOUNDARY AND TOPOGRAPHIC SURVEY DATA TAKEN FROM SURVEY PREPARED FOR TIMBERLINE GROUP LLC BY POINT TO POINT LAND SURVEYERS, INC. DATED JANUARY 03, 2005.
4. CONTRACTOR SHALL NOTIFY INSPECTOR A MINIMUM OF 24 HOURS PRIOR TO BEGINNING CONSTRUCTION.
5. CONTRACTOR SHALL DISPLAY ALL APPLICABLE PERMITS ON SITE AT ALL TIMES DURING CONSTRUCTION AND IN PLAIN VIEW FROM A PUBLIC ROAD OR STREET.
6. CONTRACTOR SHALL COMPLY WITH ALL LOCAL BUILDING CODES AND REGULATIONS WHICH ARE PRESENTLY IN EFFECT.
7. CONTRACTOR SHALL ASSURE THAT ALL FINAL INSPECTIONS ARE MADE.
8. NO CERTIFICATE OF OCCUPANCY WILL BE ISSUED UNTIL ALL SITE IMPROVEMENTS HAVE BEEN COMPLETED.
9. SIGNS ARE NOT APPROVED UNDER THIS PERMIT. A SEPARATE PERMIT IS REQUIRED FOR EACH SIGN.
10. ALL CONSTRUCTION TRAILERS SHALL BE PERMITTED THRU THE BUILDING AND CONSTRUCTION DEPARTMENT.
11. CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGE THAT MAY OCCUR TO ANY ADJACENT STRUCTURES THAT ARE TO REMAIN.
12. A COPY OF THE APPROVED LAND DISTURBANCE PLAN AND PERMIT SHALL BE PRESENT ON THE JOB SITE THROUGHOUT THE CONSTRUCTION PROJECT.
13. APPROVAL OF THESE PLANS DOES NOT CONSTITUTE THE APPROVAL OF ANY LAND DISTURBING ACTIVITIES WITHIN WETLAND AREAS. IT IS THE RESPONSIBILITY OF THE DEVELOPER TO CONTACT THE APPROPRIATE REGULATORY AGENCY FOR APPROVAL OF ANY WETLAND AREA DISTURBANCE.
14. RETAINING WALLS SHALL BE PORED IN PLACE CONCRETE OR MODULAR DESIGN TO BE SUBMITTED SEPARATELY BY CONTRACTOR. SEE REQUIREMENTS ON SHEET 13.
15. AN AS BUILT DETENTION POND AND A REVISED HYDROLOGY STUDY SHALL BE SUBMITTED TO HENRY COUNTY PRIOR TO THE FINAL PLAT APPROVAL OF THIS DEVELOPMENT.
16. ALL RADII ARE SHOWN AS BACK OF CURB UNLESS OTHERWISE DESIGNATED.



252 Keys Ferry Street
McDonough, GA 30253
P 678-432-5720
F 678-432-5463

Grading and Drainage Plan
Prepared For:
Brush Creek Commons

Developer:
Timberline Group, LLC
P.O. Box 335
Lovejoy, Georgia 30250
P 770-210-4663
F 770-6897-0971

DATE	RELEASE DESCRIPTION	REVISED PER CITY COMMENTS
07-23-05		
12-09-05		
02-03-06		
03-17-06		

DATE: 25 Jan, 2005

LAND LOT: 59 & 70

DISTRICT: 12th

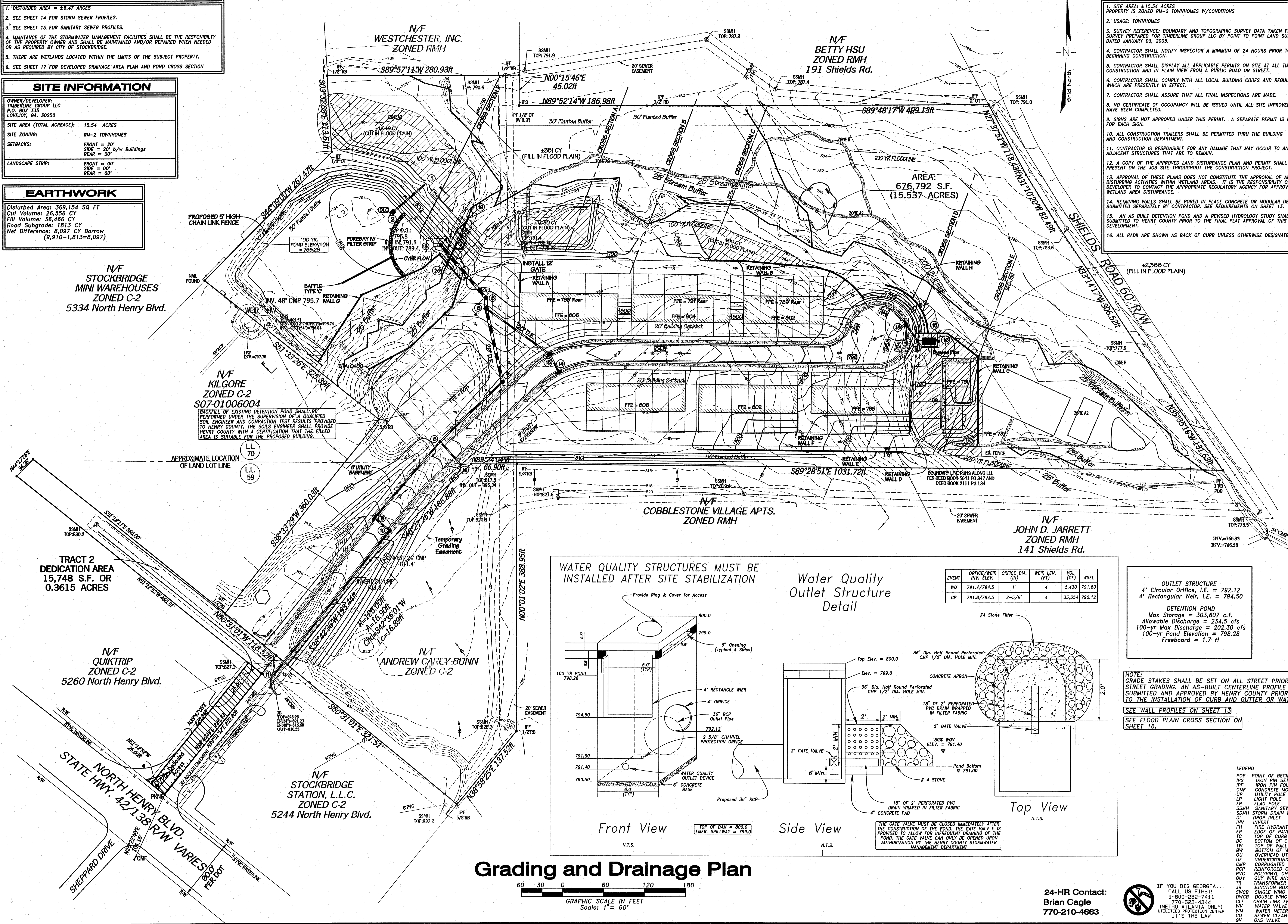
SECTION: N/A

CITY: Stockbridge

COUNTY: Henry

STATE: Georgia

JOB NUMBER: 2004.039



WATER QUALITY STRUCTURES MUST BE INSTALLED AFTER SITE STABILIZATION

Water Quality Outlet Structure Detail

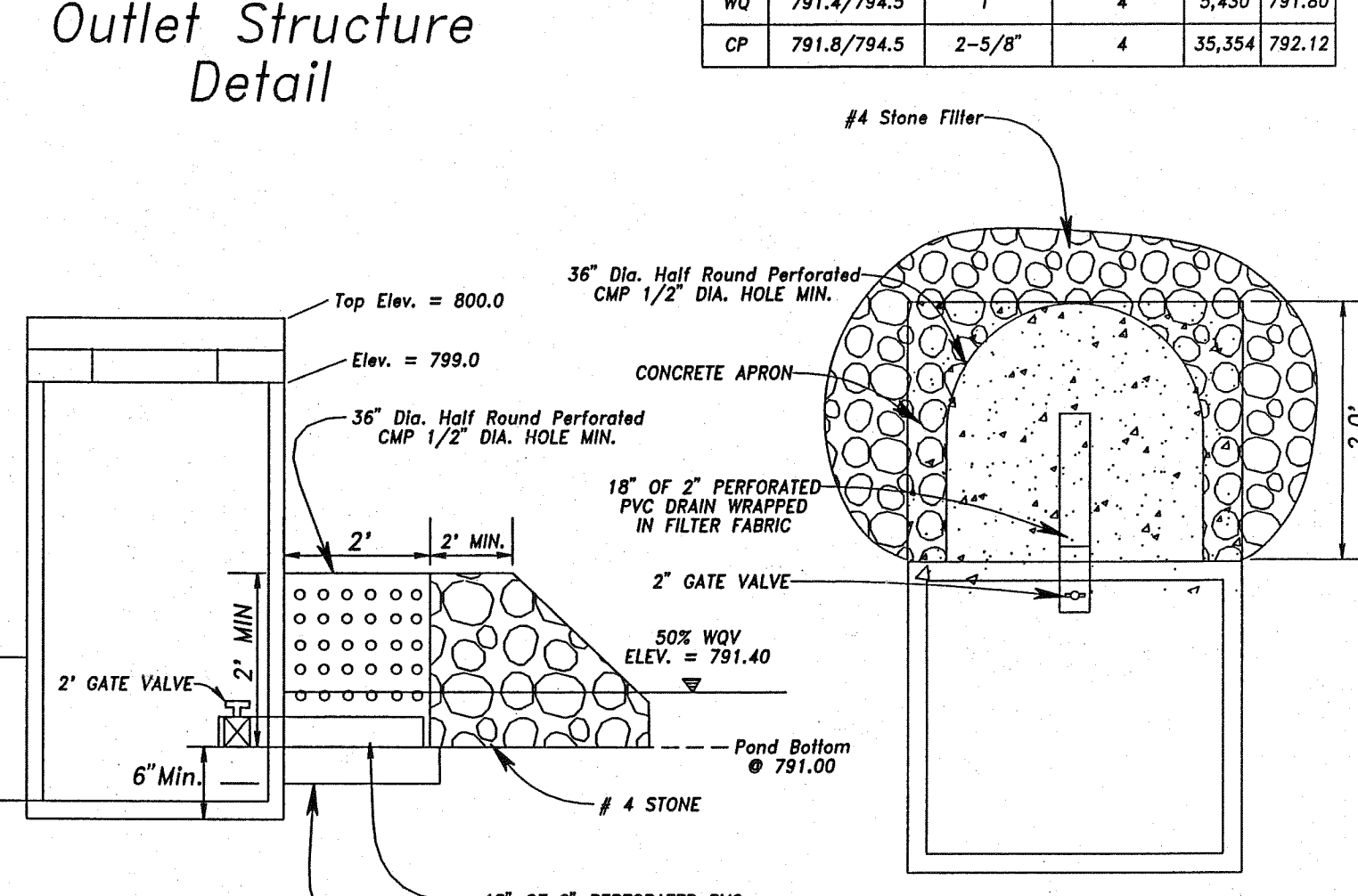
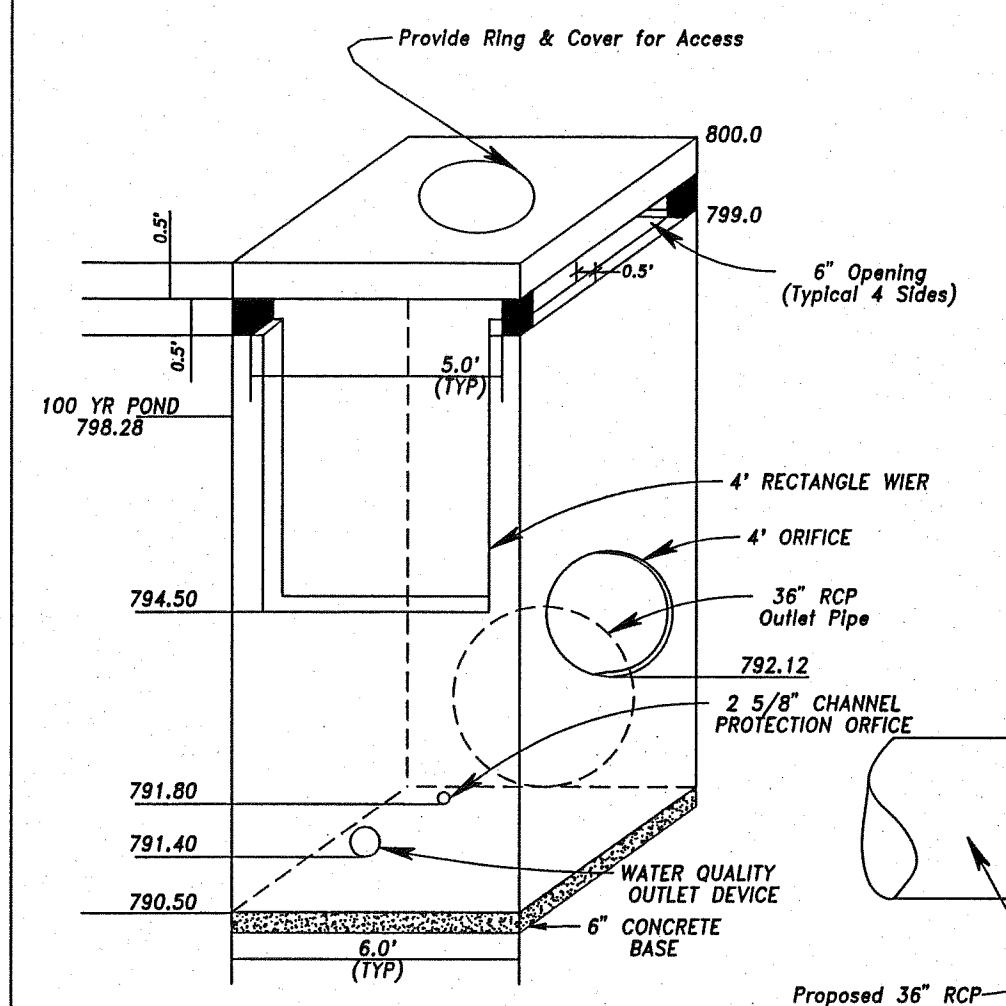
EVENT	OFFICE/WEIR INV. ELEV.	OFFICE DIA. (IN)	WEIR LEN. (FT)	VOL. (CF)	WSEL
WO	791.4/794.5	1"	4	5,430	791.80
CP	791.8/794.5	2-5/8"	4	35,354	792.12

OUTLET STRUCTURE
4' Circular Office, I.E. = 792.12
4' Rectangular Weir, I.E. = 794.50

DETENTION POND
Max Storage = 303,607 c.f.
Allowable Discharge = 234.5 cfs
100-yr Max Discharge = 202.30 cfs
100-yr Pond Elevation = 798.28
Freeboard = 1.7 ft

NOTE: GRADE STAKES SHALL BE SET ON ALL STREET PRIOR TO ANY STREET GRADING. AN AS-BUILT CENTERLINE PROFILE SHALL BE SUBMITTED AND APPROVED BY HENRY COUNTY PRIOR TO THE INSTALLATION OF CURB AND GUTTER OR WATERLINES.

SEE WALL PROFILES ON SHEET 13
SEE FLOOD PLAIN CROSS SECTION ON SHEET 16.

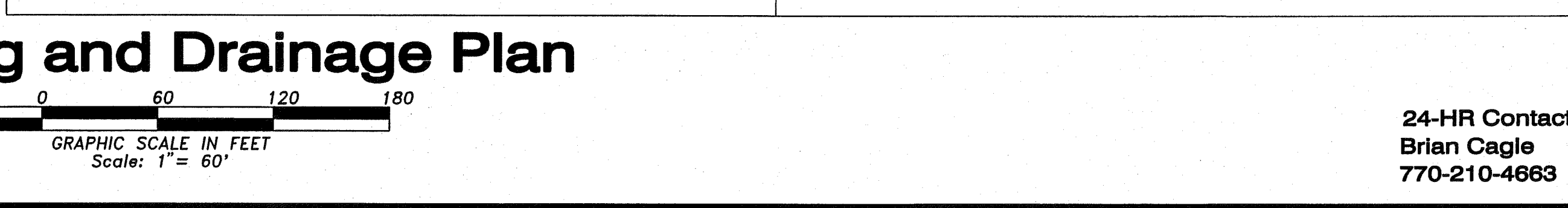


Front View
N.T.S.

TOP OF DAM = 800.0
EMER. SPILLWAY = 799.9

Side View
N.T.S.

THE GATE VALVE MUST BE CLOSED IMMEDIATELY AFTER THE CONSTRUCTION OF THE POND. THE GATE VALVE IS PROVIDED TO ALLOW FOR INFREQUENT DRAINING OF THE POND. THE GATE VALVE CAN ONLY BE OPENED UPON AUTHORIZATION BY THE HENRY COUNTY STORMWATER MANAGEMENT DEPARTMENT

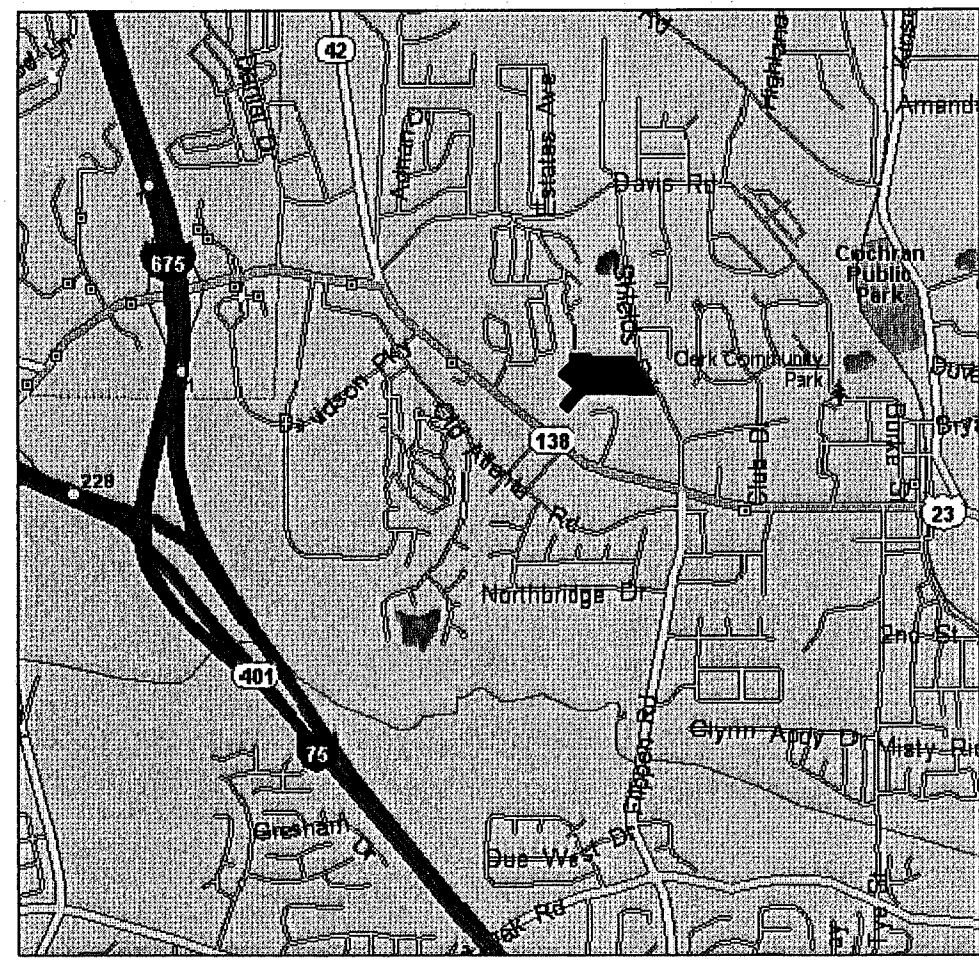


24-HR Contact:
Brian Cagle
770-210-4663



IF YOU DIG GEORGIA...
CALL US FIRST!
1-800-282-7411
770-623-4344
(METRO ATLANTA ONLY)
UTILITIES PROTECTION CENTER
ET S. THE LAW

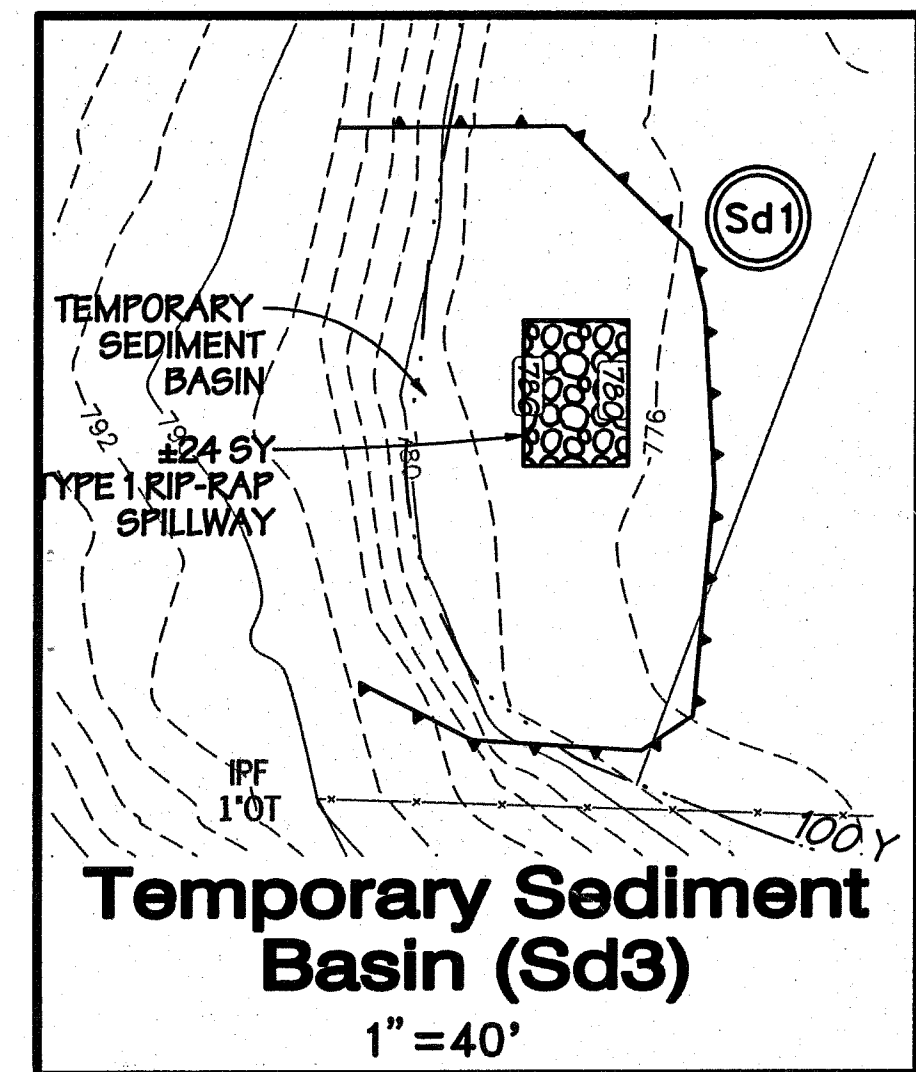
- LEGEND
- POB POINT OF BEGINNING
 - IPS IRON PIN SET
 - IPF IRON PIN FOUND
 - CMF CONCRETE MONUMENT FOUND
 - UPF UTILITY POLE
 - LP LIGHT POLE
 - FP FLAG POLE
 - SSMH SANITARY SEWER MANHOLE
 - SDMH STORM DRAIN MANHOLE
 - DI DROP INLET
 - INV INVERT
 - FP FIRE HYDRANT
 - EP EDGE OF PAVEMENT
 - TC TOP OF CURB
 - BC BOTTOM OF CURB
 - TW TOP OF WALL
 - BW BOTTOM OF WALL
 - OU OVERHEAD UTILITY
 - UE UNDERGROUND UTILITY
 - CMF CORRUGATED METAL PIPE
 - RCP REINFORCED CONCRETE PIPE
 - PVC POLYVINYL CHLORIDE PIPE
 - GUY GUY WIRE ANCHOR
 - TR TRANSFORMER
 - JB JUNCTION BOX
 - SWCB SINGLE WING CATCH BASIN
 - DWCB DOUBLE WING CATCH BASIN
 - CLF CHAIN LINK FENCE
 - WV WATER VALVE
 - WM WATER METER
 - CO SEWER CLEAN-OUT
 - GV GAS VALVE



VICINITY MAP

N.T.S.

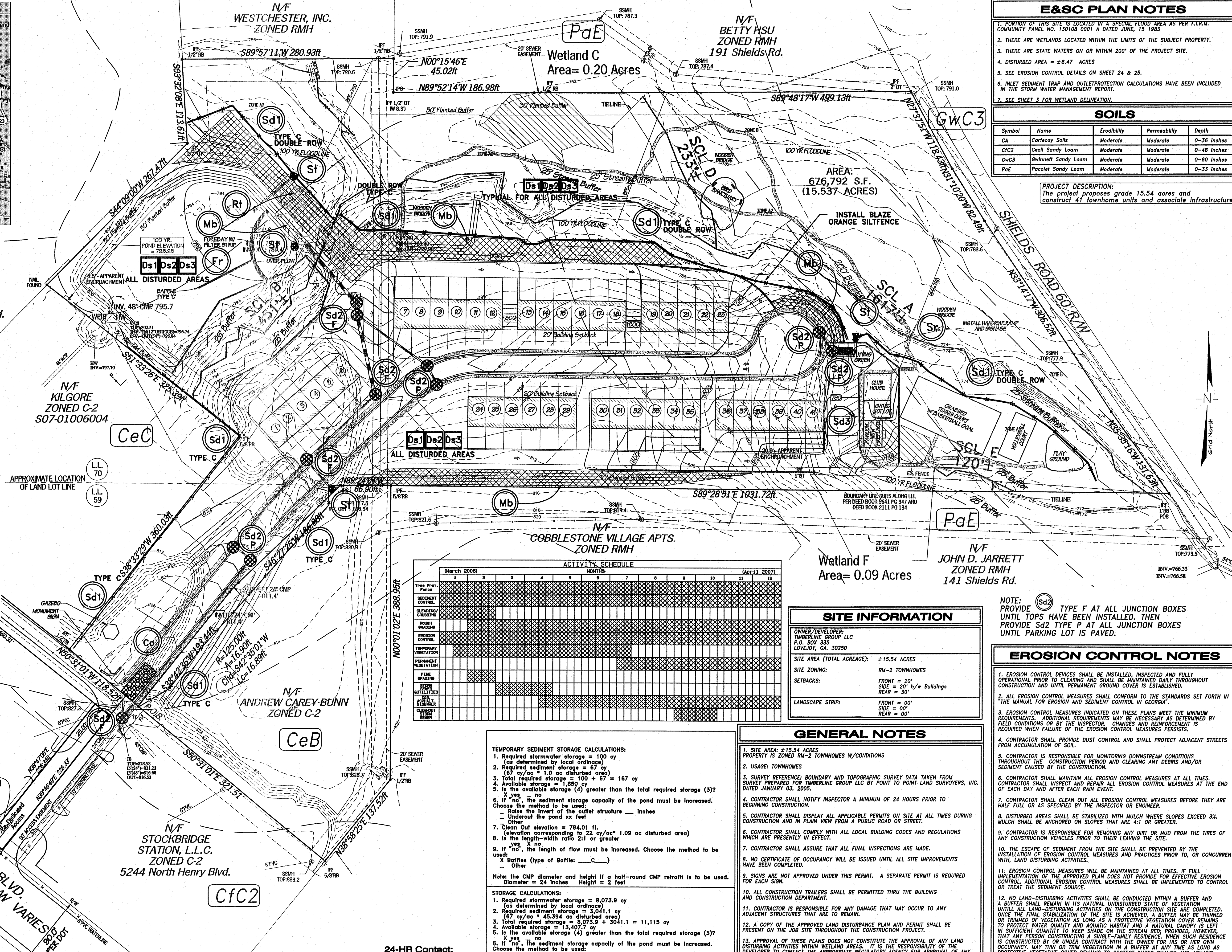
N/F
STOCKBRIDGE
MINI WAREHOUSES
ZONED C-2
5334 North Henry Blvd.



Temporary Sediment Basin (Sd3)

1"=40'

- NOTES:
1. ALL STORM DRAINS SHALL BE EXTENDED A MINIMUM OF 30' BEHIND ANY FUTURE RESIDENCE OR BUILDING.
 2. GRADE STAKES SHALL BE SET ON ALL STREETS PRIOR TO ANY STREET GRADING. AN AS-BUILT SUBGRADE CENTERLINE PROFILE SHALL BE SUBMITTED AND APPROVED BY HENRY COUNTY PRIOR TO THE INSTALLATION OF CURB AND GUTTER OR WATERLINES.
 3. AN AS BUILT DETENTION POND DETAIL AND REVISED HYDRO STUDY SHALL BE SUBMITTED TO CITY OF STOCKBRIDGE PRIOR TO THE FINAL PLAN APPROVAL OF THIS DEVELOPMENT.
 4. A 5' UTILITY EASEMENT EXISTS ALONG AND OUTSIDE OF THE RIGHT OF WAY OF THE PROPOSED STREET.



Erosion Control Plan

GRAPHIC SCALE IN FEET
Scale: 1" = 60'



24-HR Contact:
Brian Cagle
770-210-4663

IF YOU DIG GEORGIA...
CALL US FIRST!
1-800-292-7411
770-823-4344
METRO ATLANTA (ONLY)
UTILITIES PROTECTION CENTER
IT'S THE LAW

TEMPORARY SEDIMENT STORAGE CALCULATIONS:

1. Required stormwater storage = 100 cy (as determined by local ordinance)
2. Required sediment storage = 87 cy (67 cy/ac * 1.0 ac disturbed area)
3. Total required storage = 100 + 87 = 187 cy
4. Available storage = 1,850 cy
5. Is the available storage (4) greater than the total required storage (3)?
X yes
K no
6. If "no", the sediment storage capacity of the pond must be increased. Choose the method to be used:
Raise the invert of the outlet structure _____ inches
Undercut the pond xx feet
Other _____
7. Clean Out elevation = 784.01 ft. (elevation corresponding to 22 cy/ac * 1.09 ac disturbed area)
8. Is the length-width ratio 2:1 or greater?
X yes
K no
9. If "no", the length of flow must be increased. Choose the method to be used:
X Baffles (type of Baffle: _____)
Other _____

Note: the CMP diameter and height if a half-round CMP retrofit is to be used.
Diameter = 24 inches Height = 2 feet

STORAGE CALCULATIONS:

1. Required stormwater storage = 8,073.9 cy (as determined by local ordinance)
2. Required sediment storage = 3,041.1 cy (67 cy/ac * 45.39 ac disturbed area)
3. Total required storage = 8,073.9 + 3,041.1 = 11,115 cy
4. Available storage = 13,407.7 cy
5. Is the available storage (4) greater than the total required storage (3)?
X yes
K no
6. If "no", the sediment storage capacity of the pond must be increased. Choose the method to be used:
Raise the invert of the outlet structure _____ inches
Undercut the pond xx feet
Other _____
7. Clean Out elevation = 793.5 ft. (elevation corresponding to 22 cy/ac * 45.39 ac disturbed area)
8. Is the length-width ratio 2:1 or greater?
X yes
K no
9. If "no", the length of flow must be increased. Choose the method to be used:
X Baffles (type of Baffle: _____)
Other _____

Note: the CMP diameter and height if a half-round CMP retrofit is to be used.
Diameter = 24 inches Height = 2 feet

SITE INFORMATION

OWNER/DEVELOPER:
TIMBERLINE GROUP LLC
P.O. BOX 335
LOVEJOY, GA 30250

SITE AREA (TOTAL ACREAGE): ±15.54 ACRES

SITE ZONING: RM-2 TOWNHOMES

SETBACKS:
FRONT = 20'
SIDE = 20' b/w Buildings
REAR = 30'

LANDSCAPE STRIP:
FRONT = 00'
SIDE = 00'
REAR = 00'

GENERAL NOTES

1. SITE AREA: ±15.54 ACRES
PROPERTY IS ZONED RM-2 TOWNHOMES W/CONDITIONS
2. USAGE: TOWNHOMES
3. SURVEY REFERENCE: BOUNDARY AND TOPOGRAPHIC SURVEY DATA TAKEN FROM SURVEY PREPARED FOR TIMBERLINE GROUP LLC BY POINT TO POINT LAND SURVEYORS, INC. DATED JANUARY 03, 2005.
4. CONTRACTOR SHALL NOTIFY INSPECTOR A MINIMUM OF 24 HOURS PRIOR TO BEGINNING CONSTRUCTION.
5. CONTRACTOR SHALL DISPLAY ALL APPLICABLE PERMITS ON SITE AT ALL TIMES DURING CONSTRUCTION AND IN PLAIN VIEW FROM A PUBLIC ROAD OR STREET.
6. CONTRACTOR SHALL COMPLY WITH ALL LOCAL BUILDING CODES AND REGULATIONS WHICH ARE PRESENTLY IN EFFECT.
7. CONTRACTOR SHALL ASSURE THAT ALL FINAL INSPECTIONS ARE MADE.
8. NO CERTIFICATE OF OCCUPANCY WILL BE ISSUED UNTIL ALL SITE IMPROVEMENTS HAVE BEEN COMPLETED.
9. SIGNS ARE NOT APPROVED UNDER THIS PERMIT. A SEPARATE PERMIT IS REQUIRED FOR EACH SIGN.
10. ALL CONSTRUCTION TRAILERS SHALL BE PERMITTED THRU THE BUILDING AND CONSTRUCTION DEPARTMENT.
11. CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGE THAT MAY OCCUR TO ANY ADJACENT STRUCTURES THAT ARE TO REMAIN.
12. A COPY OF THE APPROVED LAND DISTURBANCE PLAN AND PERMIT SHALL BE PRESENT ON THE JOB SITE THROUGHOUT THE CONSTRUCTION PROJECT.
13. APPROVAL OF THESE PLANS DOES NOT CONSTITUTE THE APPROVAL OF ANY LAND DISTURBING ACTIVITIES WITHIN WETLAND AREAS. IT IS THE RESPONSIBILITY OF THE DEVELOPER TO CONTACT THE APPROPRIATE REGULATORY AGENCY FOR APPROVAL OF ANY WETLAND AREA DISTURBANCE.
14. RETAINING WALLS SHALL BE POURED IN PLACE CONCRETE OR MODULAR DESIGN TO BE SUBMITTED SEPARATELY BY CONTRACTOR SEE REQUIREMENT ON SHEET 13.
15. AN AS BUILT DETENTION POND AND A REVISED HYDROLOGY STUDY SHALL BE SUBMITTED TO HENRY COUNTY PRIOR TO THE FINAL PLAN APPROVAL OF THIS DEVELOPMENT.
16. ALL RADII ARE SHOWN AS BACK OF CURB UNLESS OTHERWISE DESIGNATED.

E&SC PLAN NOTES

1. PORTION OF THIS SITE IS LOCATED IN A SPECIAL FLOOD AREA AS PER F.I.R.M. COMMUNITY PANEL NO. 130108 0001 A DATED JUNE, 15 1983
2. THERE ARE WETLANDS LOCATED WITHIN THE LIMITS OF THE SUBJECT PROPERTY.
3. THERE ARE STATE WATERS ON OR WITHIN 200' OF THE PROJECT SITE.
4. DISTURBED AREA = ±8.47 ACRES
5. SEE EROSION CONTROL DETAILS ON SHEET 24 & 25.
6. INLET SEDIMENT TRAP AND OUTLET PROTECTION CALCULATIONS HAVE BEEN INCLUDED IN THE STORM WATER MANAGEMENT REPORT.
7. SEE SHEET 3 FOR WETLAND DELINEATION.

SOILS

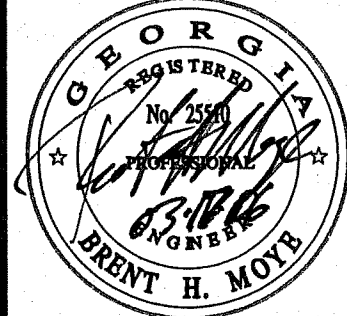
Symbol	Name	Erodibility	Permeability	Depth
CA	Carleay Soils	Moderate	Moderate	0-36 Inches
CIC2	Cecil Sandy Loom	Moderate	Moderate	0-48 Inches
GwC3	Gwinnett Sandy Loom	Moderate	Moderate	0-60 Inches
PaE	Pacolet Sandy Loom	Moderate	Moderate	0-33 Inches

PROJECT DESCRIPTION:
The project proposes grade 15.54 acres and construct 41 townhome units and associate infrastructure.

NOTE: (Sd2) TYPE F AT ALL JUNCTION BOXES UNTIL TOPS HAVE BEEN INSTALLED. THEN PROVIDE Sd2 TYPE P AT ALL JUNCTION BOXES UNTIL PARKING LOT IS PAVED.

EROSION CONTROL NOTES

1. EROSION CONTROL DEVICES SHALL BE INSTALLED, INSPECTED AND FULLY OPERATIONAL PRIOR TO CLEARING AND SHALL BE MAINTAINED DAILY THROUGHOUT CONSTRUCTION AND UNTIL PERMANENT GROUND COVER IS ESTABLISHED.
2. ALL EROSION CONTROL MEASURES SHALL CONFORM TO THE STANDARDS SET FORTH IN THE MANUAL FOR EROSION AND SEDIMENT CONTROL IN GEORGIA.
3. EROSION CONTROL MEASURES INDICATED ON THESE PLANS MEET THE MINIMUM REQUIREMENTS. ADDITIONAL REQUIREMENTS MAY BE NECESSARY AS DETERMINED BY FIELD CONDITIONS OR BY THE INSPECTOR. CHANGES AND REINFORCEMENT IS REQUIRED WHEN FAILURE OF THE EROSION CONTROL MEASURES PERSISTS.
4. CONTRACTOR SHALL PROVIDE DUST CONTROL AND SHALL PROTECT ADJACENT STREETS FROM ACCUMULATION OF SOIL.
5. CONTRACTOR IS RESPONSIBLE FOR MONITORING DOWNSTREAM CONDITIONS THROUGHOUT THE CONSTRUCTION PERIOD AND CLEARING ANY DEBRIS AND/OR SEDIMENT CAUSED BY THE CONSTRUCTION.
6. CONTRACTOR SHALL MAINTAIN ALL EROSION CONTROL MEASURES AT ALL TIMES. CONTRACTOR SHALL INSPECT AND REPAIR ALL EROSION CONTROL MEASURES AT THE END OF EACH DAY AND AFTER EACH RAIN EVENT.
7. CONTRACTOR SHALL CLEAN OUT ALL EROSION CONTROL MEASURES BEFORE THEY ARE HALF FULL OR AS SPECIFIED BY THE INSPECTOR OR ENGINEER.
8. DISTURBED AREAS SHALL BE STABILIZED WITH MULCH WHERE SLOPES EXCEED 3%. MULCH SHALL BE ANCHORED ON SLOPES THAT ARE 4:1 OR GREATER.
9. CONTRACTOR IS RESPONSIBLE FOR REMOVING ANY DIRT OR MUD FROM THE TIRES OF ANY CONSTRUCTION VEHICLES PRIOR TO THEIR LEAVING THE SITE.
10. THE ESCAPE OF SEDIMENT FROM THE SITE SHALL BE PREVENTED BY THE INSTALLATION OF EROSION CONTROL MEASURES AND PRACTICES PRIOR TO, OR CONCURRENT WITH, LAND DISTURBING ACTIVITIES.
11. EROSION CONTROL MEASURES WILL BE MAINTAINED AT ALL TIMES. IF FULL IMPLEMENTATION OF THE APPROVED PLAN DOES NOT PROVIDE EFFECTIVE EROSION CONTROL, ADDITIONAL EROSION CONTROL MEASURES SHALL BE IMPLEMENTED TO CONTROL OR TREAT THE SEDIMENT SOURCE.
12. NO LAND-DISTURBING ACTIVITIES SHALL BE CONDUCTED WITHIN A BUFFER AND A BUFFER SHALL REMAIN IN ITS NATURAL UNDISTURBED STATE OF VEGETATION UNTIL ALL LAND-DISTURBING ACTIVITIES ON THE CONSTRUCTION SITE ARE COMPLETED. ONCE THE FINAL STABILIZATION OF THE SITE IS ACHIEVED, A BUFFER MAY BE THINNED OR TRIMMED OF VEGETATION AS LONG AS A PROTECTIVE VEGETATION COVER REMAINS TO PROTECT WATER QUALITY AND AQUATIC HABITAT AND A NATURAL CANOPY IS LEFT IN SUFFICIENT QUANTITY TO KEEP SHADE ON THE STREAM BED. HOWEVER, THAT ANY PERSON CONSTRUCTING A SINGLE-FAMILY RESIDENCE, WHEN SUCH RESIDENCE IS CONSTRUCTED BY OR UNDER CONTRACT WITH THE OWNER FOR HIS OR HER OWN OCCUPANCY, MAY TWIN OR TRIM VEGETATION IN A BUFFER AT ANY TIME AS LONG AS PROTECTIVE VEGETATIVE COVER REMAINS TO PROTECT WATER QUALITY AND AQUATIC HABITAT AND A NATURAL CANOPY IS LEFT IN SUFFICIENT QUANTITY TO KEEP SHADE ON THE STREAM BED.
13. ALL SLOPES GREATER THAN 3:1 OR 10' IN HEIGHT MUST BE STABILIZED WITH GEOTEXTILE OR ORGANIC FIBER EROSION CONTROL BLANKETS AS SOON AS GRADING OPERATIONS ARE COMPLETED.
14. ALL Sd2 SHALL BE TYPE "F" UNTIL CURB AND GUTTER AND CATCH BASIN TOPS ARE INSTALLED. TYPE "P" WILL BE INSTALLED AFTER THE INSTALLATION OF THE CATCH BASIN TOPS.
15. ANY AREAS LEFT IDLE FOR 14 DAYS SHALL BE TEMPORARILY GRASSED OR MULCHED



LEAD
land engineering and development
252 Keys Ferry Street
McDonough, GA 30250
P 770.432.5262
F 770.432.5463

Erosion & Sediment Control Plan
Prepared For:

Brush Creek Commons

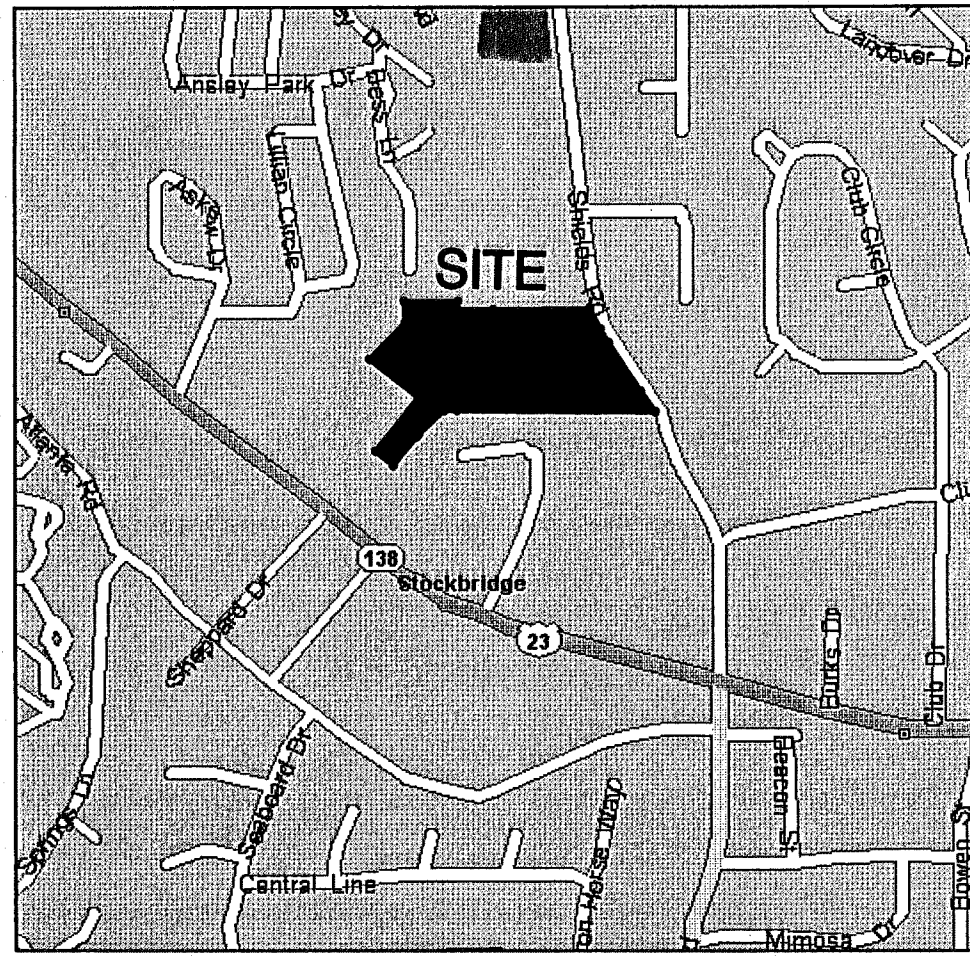
Developer:
Timberline Group, LLC

P.O. Box 335
Lovejoy, GA 30250
P 770.210.4663
F 770.897.0971

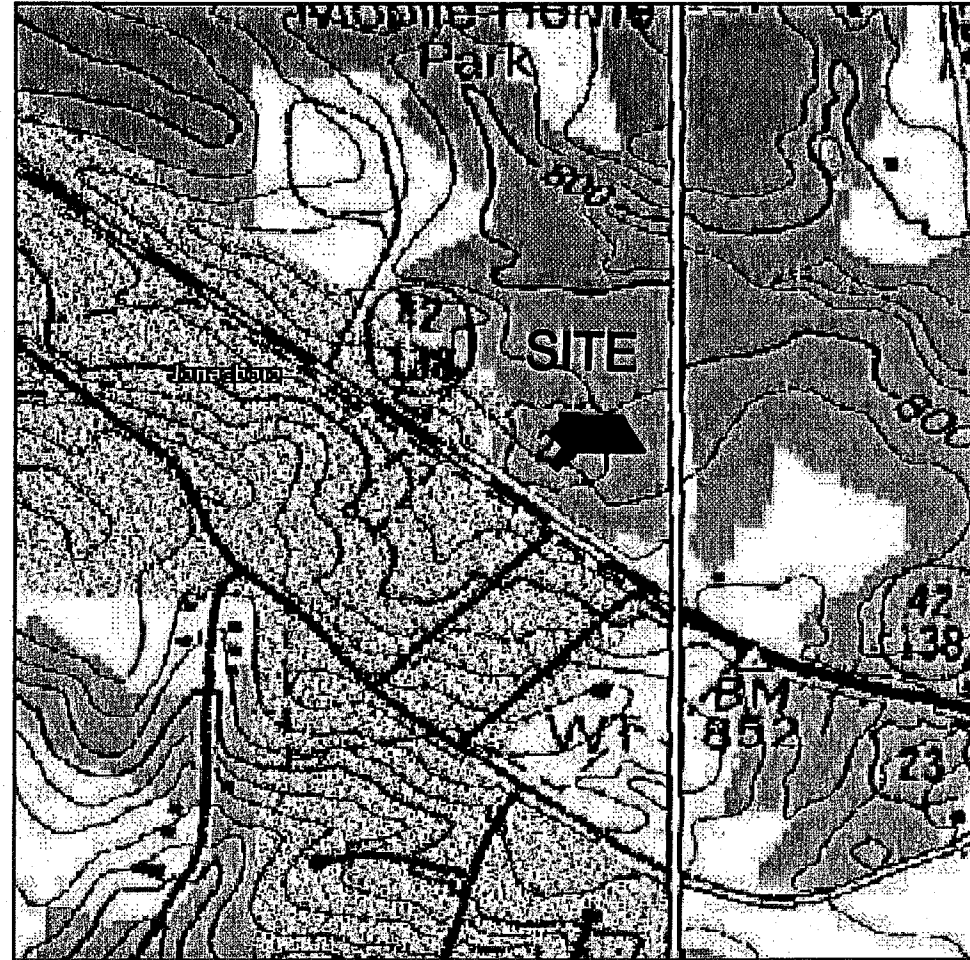
RELEASE DESCRIPTION	DATE	DATE	DATE	DATE
revised per city comments	07-23-05	revised per city comments	12-09-05	revised per city comments
revised per city comments	02-03-06	revised per city comments	03-17-06	
DATE: 25 Jan, 2005				
LAND LOT: 59 & 70				
DISTRICT: 12th				
SECTION: N/A				
CITY: Stockbridge				
COUNTY: Henry				
STATE: Georgia				
JOB NUMBER: 2004.039				

7

7 OF 26 SHEETS
FILE NUMBER: 04-D-039



LOCATION MAP
N.T.S.



RECEIVING
WATERS MAP
N.T.S.

NOTE TO PERMITTEE

Owner/Operator shall be responsible for the National Pollution Discharge Elimination System (NPDES) Permit that is required when one (1) or more acres are disturbed at a site. The Owner/Operator shall complete and submit by return receipt certified mail (or similar service) a Notice of Intent (N.O.I.) at least 14 days prior to the commencement of any construction activities. A Notice of Termination (N.O.T.) shall be submitted by the Owner/Operator only after all construction activities have ceased, final stabilization has been implemented (by the Primary and any Secondary Permittees), and the site is in compliance with the permit. All notices shall be sent to the following:

Mountain District - Atlanta Satellite
Georgia Environmental Protection Division
4244 International Parkway - Suite 114
Atlanta, Georgia 30354-3906
404-363-2671

(Clayton, Coweta, DeKalb, Fayette, Gwinnett, Heard, Henry, Rockdale, & Spalding Counties)

NOTE TO CONTRACTOR

1. Contractor shall be responsible for adhering to and maintaining the requirements of the Erosion Sedimentation Pollution Control Plan (ESPCP) as shown on the drawings and included in the General Permit Document No. GAR 100001. Permit documents can be obtained from the address above.

2. Owner/Operator shall notify the engineer of the starting date of construction. The engineer is required to inspect the installation of the erosion control measures (BMPs) as shown on the drawings and in the ESPCP within one week after initial construction activities commence.

EROSION SEDIMENTATION POLLUTION CONTROL PLAN

I. GENERAL NOTES:

1. The ESPCP must be completed prior to start of any land disturbance activity.
2. The plan shall be based on and adhere to (at a minimum) the practices contained in the "Manual for Erosion and Sediment Control in Georgia".
3. A copy of the ESPCP shall be kept at the construction site at all times.
4. The ESPCP shall be revised to reflect any construction changes that could effect the potential for discharge of pollutants into adjacent State waters.
5. The ESPCP shall incorporate the Erosion Control Plan, which shall be referred to herein.

II. SITE DESCRIPTION:

1. The project proposes to mass grade 8.47 acres and construct 41 townhome units and associated infrastructure.
2. Construction Activity and Sequence:
Installation of erosion control measures, clearing & grubbing, grading (cut/fill), installation of temporary ground cover (for stabilization), installation of sanitary sewer, installation of storm drainage systems, installation of water lines, installation of curb & gutter, installation of utilities, installation of base and pavement, installation of landscaping and final ground cover.
3. Total Site Area= 15.54 acres. Total Disturbed Area= 8.47 acres
4. Soils in this area consist of CeB-Cecil Sand Loam and CeC-Cecil Sandy Loam. Most of the stormwater runoff will drain through a pipe system to the proposed detention pond. The Predeveloped site has a peak runoff of 235.5 cfs for the 100 year storm event. The Developed site will have a peak discharge of 147 cfs for the 100 year storm event.
5. Site Maps: Refer to Location Map on this sheet and Erosion Control Plan (Sheet 6), for location of BMPs and to Grading Plan (Sheet 5) for drainage patterns and slopes.

III. CONTROLS

1. EROSION AND SEDIMENT CONTROLS

- A. Stabilization Practices:
1. All steep embankments shall receive temporary grass cover upon completion.
2. Records shall be kept that will include dates of major grading activities, when temporary stabilization measures are initiated.
3. Stabilization measures shall be initiated as soon as practical in portions of the site where construction activities have temporarily or permanently ceased, but in no case more than 14 days after the construction activity in that portion of the site has temporarily or permanently ceased.
4. The stabilization measures are shown on the Erosion Control Plan (Sheet 6) and include temporary and permanent seeding.

B. Structural Practices:

1. All structural measures to be used shall be installed prior to the start of any grading, when practical.
2. Silt fence shall be installed at the downside perimeter of all sloped areas.
3. A stone filter base shall be used at the prime construction entrance(s) to provide a means to filter out sediment and reduce the amount of dirt that will be deposited on the adjacent road areas.
4. The storm runoff from the site will be handled by an underground pipe system.
5. The proposed detention pond has been design to function as a sediment basin for the site.

2. STORM WATER MANAGEMENT:

- a. Storm runoff from the site will route through the proposed detention pond before discharging into an existing 18" CMP through and existing drainage easement.
- b. The proposed detention pond will reduce the developed flows to less than the pre-developed conditions for the 2 year, 5 year, 10 year, 25 year, 50 year, and 100 year storm events.

3. OTHER CONTROLS:

- a. Building construction material shall not be disposed of on site and shall not be allowed to be dumped into any adjacent state waters.
- b. Vehicle tracking of sediment and dust will be controlled by the continuous maintenance of the gravel construction entrance(s).
- c. The ESPCP shall incorporate and adhere to all local and state waste disposal and sanitary sewer system regulations.

4. APPROVED STATE AND LOCAL PLANS:

- a. The ESPCP shall incorporate all requirements that are stipulated in any state and local permits issued pertaining to the control and management of storm water from the construction site.
- b. The ESPCP shall be revised to reflect any changes to protect surface waters that are brought about by written notice from local or state agencies having jurisdiction. The permittee must certify that the ESPCP has been modified to address such changes.

IV. MAINTENANCE

Refer to Erosion Control Notes shown on the Erosion Control Plan (Sheet 6).

V. INSPECTIONS

1. Each day of construction, the contractor's qualified personnel shall inspect:
 - a. All areas where petroleum products are stored, used, or handled for spills and leaks.
 - b. All locations at the site where vehicles enter or exit the site for evidence of off-site tracking.
 - c. Measure rainfall once each 24 hours until N.O.T. is submitted.

2. Qualified personnel shall inspect at least once every seven (7) calendar days and within 24 hours of the end of a storm that is 1/2 inch or greater the following items:
 - a. Disturbed areas of the site that have not undergone final stabilization.
 - b. Areas of storage of materials that are exposed to precipitation that have not undergone final stabilization.
 - c. Structural control measures, Erosion and sediment control measures identified on the plan shall be inspected to determine effectiveness at preventing significant impacts to receiving waters. Continue inspections until N.O.T. is submitted.

3. Qualified personnel shall inspect at least once per month (until N.O.T.) the areas of the site that have undergone final stabilization. These areas shall be inspected for evidence or potential for pollutants entering the drainage system and receiving waters. E&SC measures identified on the plan shall be observed to ensure they are operating correctly. Accessible discharge points shall be inspected to determine effectiveness at preventing significant impacts to receiving waters.

4. Based on the results of each inspection, the site description and the control measures shall be revised as appropriate—not later than 7 calendar days after each inspection.

5. A report summarizing the scope of each inspection and the name(s) of personnel making each inspection, the inspection dates, major observations relating to the implementation of the ES&PC plan and actions taken to revise control measures (see above bullet) shall be made & retained at the site. Identify any incidents of non-compliance; if no incidents of non-compliance occur, qualified personnel shall certify in report that the site is in compliance with the ESPCP and permit NO.GAR100001. Continue reports until N.O.T.

EROSION SEDIMENTATION POLLUTION CONTROL PLAN

VI. SAMPLING REQUIREMENTS

1. Nephelometric Turbidity shall be monitored in receiving water(s) or outfalls in accordance with Permit NO. GAR100001. Refer to section IV.D.5.a thru IV.D.5.d. for monitoring criteria, and section IV.E for reporting criteria.

VII. NON-STORM WATER DISCHARGES

1. Sources of non-storm water that are combined with storm water discharges associated with construction activity, shall be identified.
2. Appropriate pollution prevention measures for the above mentioned non-storm water discharges shall be identified and implemented.

VIII. CERTIFICATION STATEMENT

"I certify that the permittee's erosion, sedimentation and pollution control plan provides for an appropriate and comprehensive system of best management practices required by the Georgia Water Quality Control Act and the Document Manual for Erosion and Sediment Control in Georgia, published by the State Soil and Water Conservation Commission as of January 1 of the year in which the land-disturbing activity was permitted, provides for the sampling of the receiving water(s) or the sampling of the receiving water(s) or the sampling of the storm water outfalls and that the designed system of best management practices and sampling methods is expected to meet the requirements contained in the general NPDES Permit NO. GAR100001."

[Signature]
ENGINEER

ALL CERTIFICATIONS MUST BE KEPT BY THE PERMITTEE WITH ALL FACILITY RECORDS ON SITE.

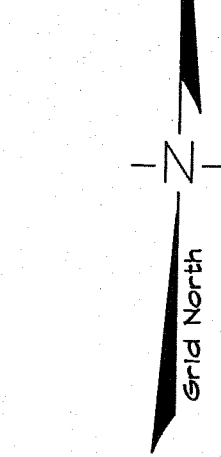
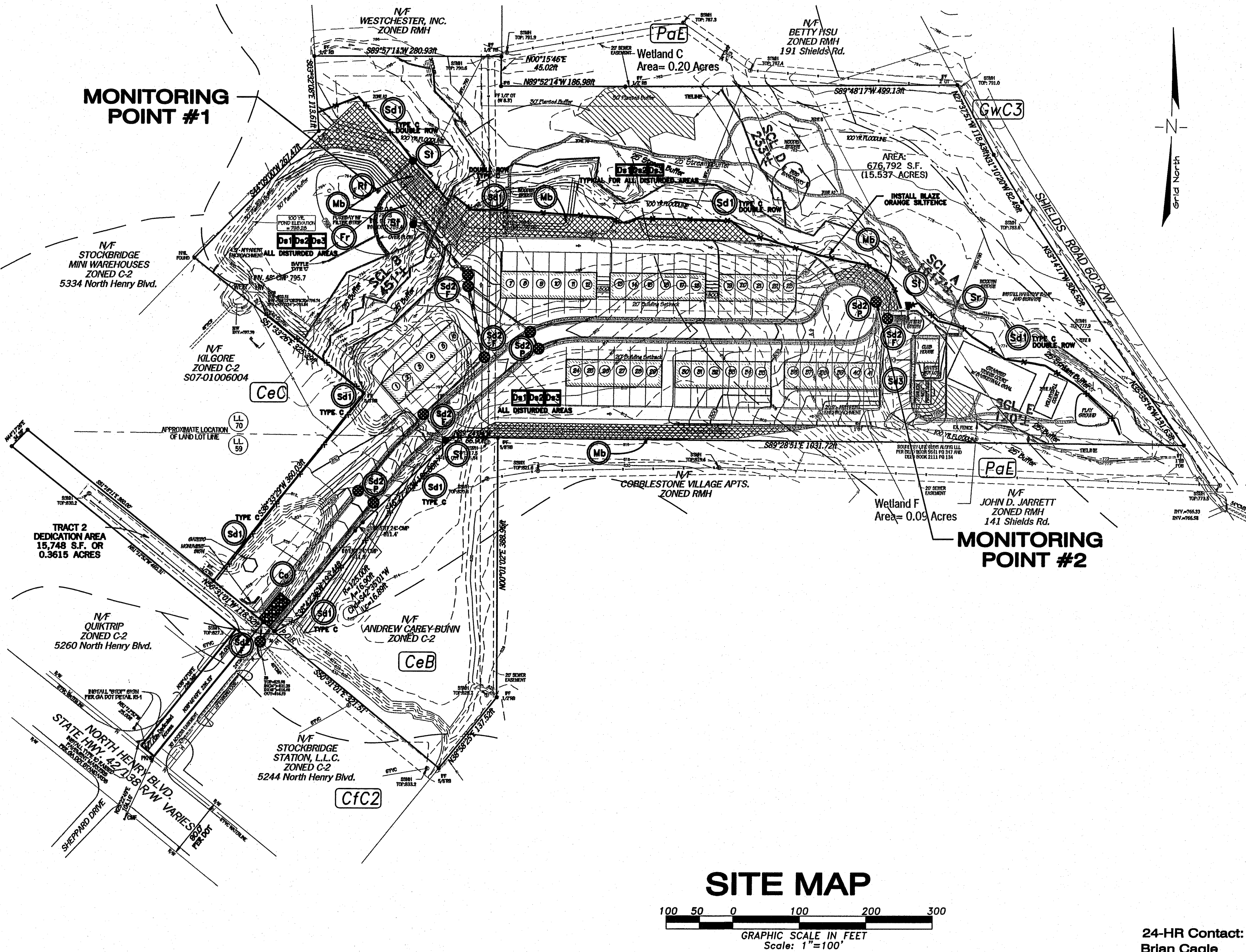
I CERTIFY UNDER THE PENALTY OF LAW THAT THIS PLAN WAS PREPARED AFTER A SITE VISIT TO THE LOCATION DESCRIBED HEREIN BY MYSELF OR MY AUTHORIZED AGENT, UNDER MY DIRECT SUPERVISION.

THE PRIMARY, SECONDARY OR TERTIARY PERMITTEE SHALL MAKE EROSION, SEDIMENTATION & POLLUTION CONTROL PLANS AVAILABLE UPON REQUEST TO DESIGNATED OFFICIALS OF THE LOCAL GOVERNMENT. INSPECTIONS SHALL BE DONE BY A QUALIFIED PERSONNEL PROVIDED BY THE PRIMARY PERMITTEE AND THE ASSOCIATED RECORDS SHALL BE KEPT ON SITE IN COMPLIANCE WITH GAR 10000 (1,2,3).

IDENTIFY LOCATION OF CONCRETE TRUCK WASHOUT AREA WITH THE FOLLOWING: CONCRETE TRUCK WASHOUT LOCATION SHALL BE IN A TEMPORARY TRUCK WASH AREA LOCATED AT THE ENTRANCE. WASHOUT SHALL BE CONTAINED WITH A PIT OR TRENCH WITH NO MATERIAL LEAVING THE SITE OR IMPACTING VEGETATED OR NON-DISTURBED AREAS. DISPOSAL OF MATERIAL SHALL INCLUDE THE BREAKING OF MATERIAL INTO SMALL AMOUNTS FOR TRASH DISPOSAL OR REMOVAL FROM SITE TO AN APPROPRIATE LANDFILL

PAINT AND/OR OTHER CHEMICALS SHALL BE STORED IN SECURED FACILITIES WITH RESTRICTED ACCESS TO EMPLOYEES ONLY. CLEANUP AND DISPOSAL OF THIS MATERIAL SHALL BE IN ACCORDANCE WITH ALL RECOGNIZED LOCAL AND FEDERAL REQUIREMENTS. ALL DISPOSAL SHALL BE TO APPROVED OFF-SITE WASTE FACILITIES CALSSIFIED TO ACCEPT THAT MATERIAL.

ALL PETROLEUM PRODUCTS SHALL BE STORED AND USED IN AN AREA THAT PROVIDES A SECONDARY CONTAINMENT FEATURE, AND SHALL BE LOCATED IN AN AREA WITH THE LEAST FORESEEABLE IMPACT IF A CATASTROPHIC EVENT SHOULD OCCUR. EMERGENCY CONTACT NUMBERS AND PROCEDURES FOR SPILLS SHALL BE AVAILABLE ON-SITE.



SITE MAP

100 50 0 100 200 300
GRAPHIC SCALE IN FEET
Scale: 1"=100'

24-HR Contact:
Brian Cagle
770-210-4663



IF YOU DIG GEORGIA...
CALL US FIRST!
1-800-282-7411
770-622-4944
(METRO ATLANTA ONLY)
UTILITIES PROTECTION CENTER
IT'S THE LAW

252 Keys Ferry Street
McDonough, GA 30253
P 404-432-3200
F 404-432-3483

Erosion Sedimentation & Pollution
Control Plan Prepared For:

Brush Creek Commons

Developer:
**Timberline
Group, LLC**

P.O. Box 335
Lovell, Georgia
30250
P 770.897.0971

DATE:	RELEASE DESCRIPTION
07-23-05	revised per city comments
12-09-05	revised per city comments
02-03-06	revised per city comments
03-17-06	revised per city comments

DATE: 25 Jan, 2005

LAND LOT: 59 & 70

DISTRICT: 12th

SECTION: N/A

CITY: Stockbridge

COUNTY: Henry

STATE: Georgia

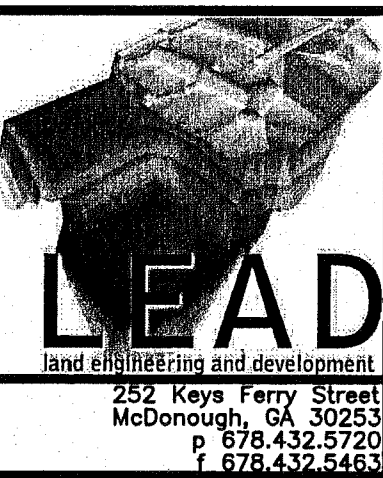
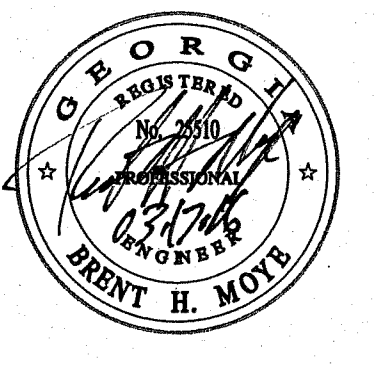
JOB NUMBER:
2004.039

8

8 OF 26 SHEETS

FILE NUMBER: 04-D-039

Erosion Sedimentation & Pollution Control Plan



Sanitary Sewer Plan Prepared For:

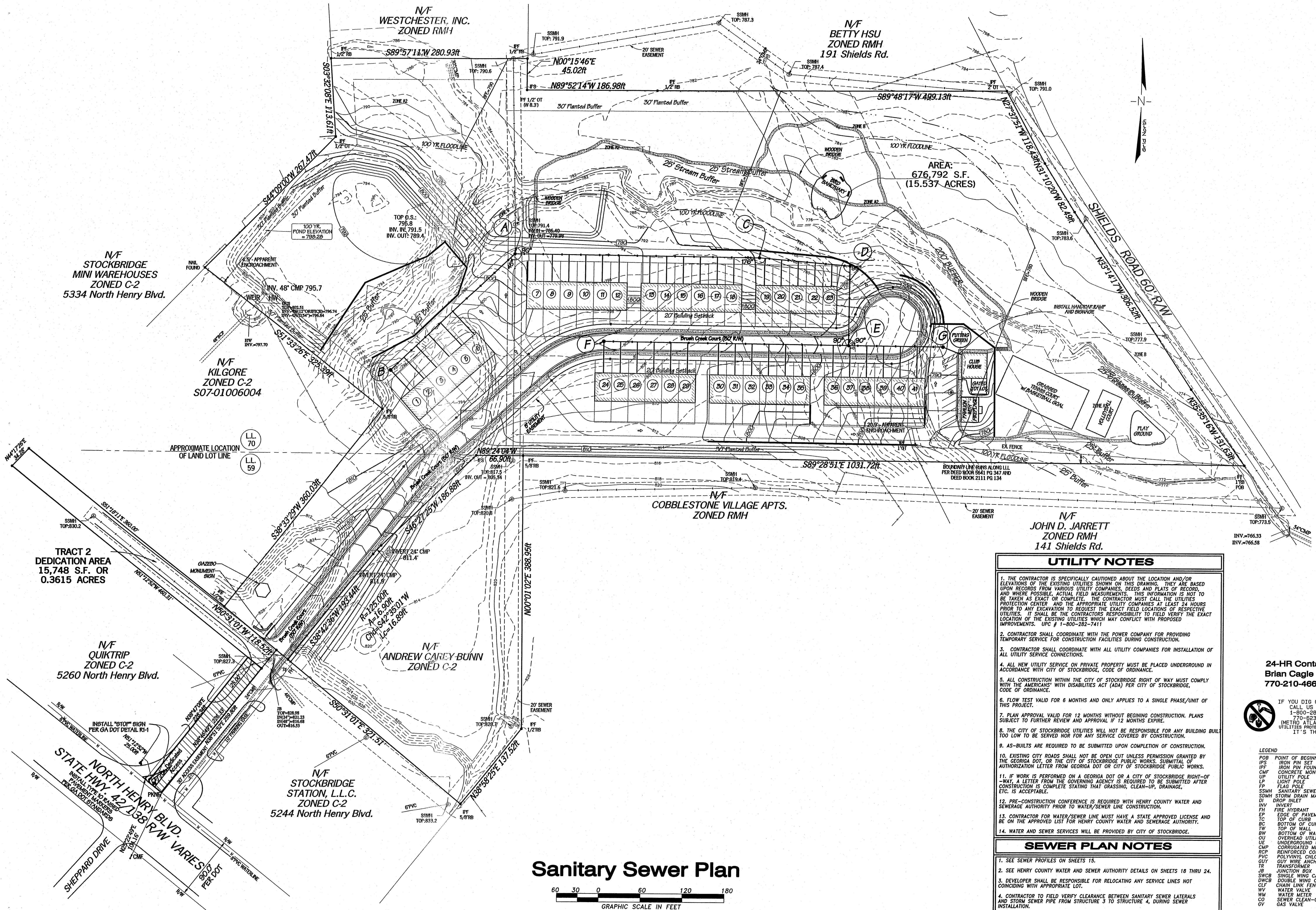
Brush Creek Commons

Developer:

Timberline Group, LLC

P.O. Box 335
Lovelady, Georgia 30250
P 770.897.0371

RELEASE DESCRIPTION	DATE	REVISED PER CITY COMMENTS
	07-23-05	revised per city comments
	12-09-05	revised per city comments
	02-03-06	revised per city comments
	03-17-06	revised per city comments
DATE: 25 Jan, 2005		
LAND LOT: 59 & 70		
DISTRICT: 12th		
SECTION: N/A		
CITY: Stockbridge		
COUNTY: Henry		
STATE: Georgia		
JOB NUMBER: 2004.039		
9		
9 OF 26 SHEETS		
FILE NUMBER: 04-D-039		



UTILITY NOTES

1. THE CONTRACTOR IS SPECIFICALLY CAUTIONED ABOUT THE LOCATION AND/OR ELEVATIONS OF THE EXISTING UTILITIES SHOWN ON THIS DRAWING. THEY ARE BASED UPON RECORDS FROM VARIOUS UTILITY COMPANIES, DEEDS AND PLATS OF RECORD. AND WHERE POSSIBLE, ACTUAL FIELD MEASUREMENTS. THIS INFORMATION IS NOT TO BE TAKEN AS EXACT OR COMPLETE. THE CONTRACTOR MUST CALL THE UTILITIES PROTECTION CENTER AND THE APPROPRIATE UTILITY COMPANIES AT LEAST 24 HOURS PRIOR TO ANY EXCAVATION TO REQUEST THE EXACT FIELD LOCATIONS OF RESPECTIVE UTILITIES. IT SHALL BE THE CONTRACTORS RESPONSIBILITY TO FIELD VERIFY THE EXACT LOCATION OF THE EXISTING UTILITIES WHICH MAY CONFLICT WITH PROPOSED IMPROVEMENTS. UPC # 1-800-282-7411
2. CONTRACTOR SHALL COORDINATE WITH THE POWER COMPANY FOR PROVIDING TEMPORARY SERVICE FOR CONSTRUCTION FACILITIES DURING CONSTRUCTION.
3. CONTRACTOR SHALL COORDINATE WITH ALL UTILITY COMPANIES FOR INSTALLATION OF ALL UTILITY SERVICE CONNECTIONS.
4. ALL NEW UTILITY SERVICE ON PRIVATE PROPERTY MUST BE PLACED UNDERGROUND IN ACCORDANCE WITH CITY OF STOCKBRIDGE, CODE OF ORDINANCE.
5. ALL CONSTRUCTION WITHIN THE CITY OF STOCKBRIDGE RIGHT OF WAY MUST COMPLY WITH THE AMERICANS' WITH DISABILITIES ACT (ADA) PER CITY OF STOCKBRIDGE, CODE OF ORDINANCE.
6. FLOW TEST VALID FOR 6 MONTHS AND ONLY APPLIES TO A SINGLE PHASE/UNIT OF THIS PROJECT.
7. PLAN APPROVAL VALID FOR 12 MONTHS WITHOUT BEGINNING CONSTRUCTION. PLANS SUBJECT TO FURTHER REVIEW AND APPROVAL IF 12 MONTHS EXPIRE.
8. THE CITY OF STOCKBRIDGE UTILITIES WILL NOT BE RESPONSIBLE FOR ANY BUILDING BUILT TOO LOW TO BE SERVED NOR FOR ANY SERVICE COVERED BY CONSTRUCTION.
9. AS-BUILTS ARE REQUIRED TO BE SUBMITTED UPON COMPLETION OF CONSTRUCTION.
10. EXISTING CITY ROADS SHALL NOT BE OPEN CUT UNLESS PERMISSION GRANTED BY THE GEORGIA DOT, OR THE CITY OF STOCKBRIDGE PUBLIC WORKS. SUBMITTAL OF AUTHORIZATION LETTER FROM GEORGIA DOT OR CITY OF STOCKBRIDGE PUBLIC WORKS.
11. IF WORK IS PERFORMED ON A GEORGIA DOT OR A CITY OF STOCKBRIDGE RIGHT-OF-WAY, A LETTER FROM THE GOVERNING AGENCY IS REQUIRED TO BE SUBMITTED AFTER CONSTRUCTION IS COMPLETE STATING THAT GRASSING, CLEAN-UP, DRAINAGE, ETC., IS ACCEPTABLE.
12. PRE-CONSTRUCTION CONFERENCE IS REQUIRED WITH HENRY COUNTY WATER AND SEWERAGE AUTHORITY PRIOR TO WATER/SEWER LINE CONSTRUCTION.
13. CONTRACTOR FOR WATER/SEWER LINE MUST HAVE A STATE APPROVED LICENSE AND BE ON THE APPROVED LIST FOR HENRY COUNTY WATER AND SEWERAGE AUTHORITY.
14. WATER AND SEWER SERVICES WILL BE PROVIDED BY CITY OF STOCKBRIDGE.

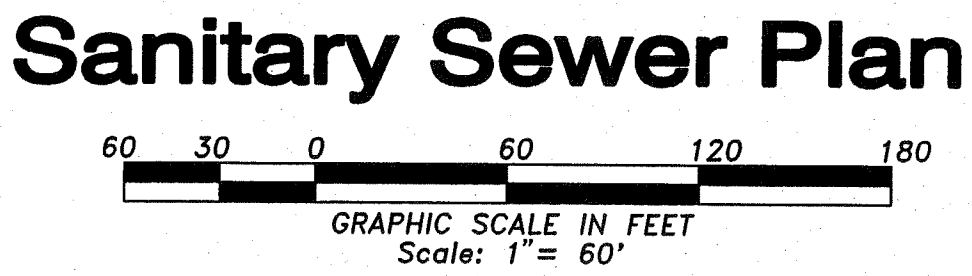
SEWER PLAN NOTES

1. SEE SEWER PROFILES ON SHEETS 15.
2. SEE HENRY COUNTY WATER AND SEWER AUTHORITY DETAILS ON SHEETS 18 THRU 24.
3. DEVELOPER SHALL BE RESPONSIBLE FOR RELOCATING ANY SERVICE LINES NOT COINCIDING WITH APPROPRIATE LOT.
4. CONTRACTOR TO FIELD VERIFY CLEARANCE BETWEEN SANITARY SEWER LATERALS AND STORM SEWER PIPE FROM STRUCTURE 3 TO STRUCTURE 4, DURING SEWER INSTALLATION.

24-HR Contact:
Brian Cagle
770-210-4663

IF YOU DIG GEORGIA...
CALL US FIRST!!
1-800-282-7411
770-523-4344
(METRO ATLANTA ONLY)
UTILITIES PROTECTION CENTER
IT'S THE LAW

LEGEND
POB POINT OF BEGINNING
IPB IRON PIN SET
IPF IRON PIN FOUND
CMF CONCRETE MONUMENT FOUND
UP UTILITY POLE
LP LIGHT POLE
SP SANITARY SEWER MANHOLE
SDM STORM DRAIN MANHOLE
DI DROP INLET
INV INVERT
PH FIRE HYDRANT
EP EDGE OF PAVEMENT
TC TOP OF CURB
BC BOTTOM OF CURB
TW TOP OF WALL
BW BOTTOM OF WALL
OU OVERHEAD UTILITY
UE UNDERGROUND UTILITY
CMF CORRUGATED METAL PIPE
RCP REINFORCED CONCRETE PIPE
PVC POLYVINYL CHLORIDE PIPE
GUY GUY WIRE ANCHOR
JB JUNCTION BOX
TR TRANSFORMER
SWCB SINGLE WING CATCH BASIN
DWCB DOUBLE WING CATCH BASIN
CLF CHAIN LINK FENCE
WM WATER METER
CO SEWER CLEAN-OUT
GV GAS VALVE



GENERAL CONSTRUCTION REQUIREMENTS

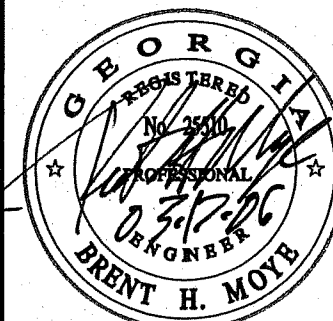
1. IT SHALL BE THE RESPONSIBILITY OF THE DEVELOPER TO NOTIFY ALL UTILITY COMPANIES PRIOR TO EXCAVATION.
2. THE DEVELOPER SHALL NOTIFY THE COUNTY WATER AND SEWER DEPARTMENT 48 HOURS PRIOR TO BEGINNING CONSTRUCTION. THIS DEPARTMENT MAY REQUEST A PRE-CONSTRUCTION CONFERENCE WITH DEVELOPER AND HIS CONTRACTOR BEFORE BEGINNING CONSTRUCTION.
3. ALL CONSTRUCTION SHALL BE SUBJECT TO INSPECTION BY AUTHORIZED REPRESENTATIVES OF HENRY COUNTY WATER AND SEWER AUTHORITY AT ANY TIME AND AT THEIR REQUEST NO DIRT COVER SHALL BE PLACED ON ANY PORTION OF COMPLETED WATER AND SEWER SYSTEM UNTIL IT HAS BEEN INSPECTED AND APPROVED BY THE HENRY COUNTY WATER AND SEWER AUTHORITY INSPECTOR.
4. IT SHALL BE THE RESPONSIBILITY OF THE DEVELOPER TO COORDINATE ALL CONSTRUCTION. ADDITIONALLY, THE DEVELOPER SHALL BE RESPONSIBLE FOR INSURING THAT ALL CONSTRUCTION BE IN ACCORDANCE WITH APPLICABLE HENRY COUNTY WATER AND SEWERAGE AUTHORITY STANDARDS AND SPECIFICATIONS.
5. THE DEVELOPER SHALL EMPLOY A UTILITY CONTRACTOR WITH A VALID STATE UTILITY CONTRACTOR LICENSE. THE CONTRACTOR SHALL HAVE A COMPETENT SUPERVISORS ON THE SITE.
6. ALL CONSTRUCTION SHALL BE APPROPRIATELY FLAGGED PRIOR TO CONSTRUCTION OF BUILDING.

WATER NOTES

1. ALL CONSTRUCTION AND MATERIALS MUST CONFORM TO HENRY COUNTY STANDARDS AND SPECIFICATIONS.
2. ALL SERVICES REQUIRING A 1" METER OR LESS 1" TYPE "K" SOFT ANNEALED COPPER TUBING SHALL BE INSTALLED FROM THE WATER MAIN TO THE METER.
3. ALL SERVICE LINES SHALL BE INSTALLED BY THE DEVELOPERS CONTRACTOR ACCORDING TO HENRY COUNTY WATER AND SEWERAGE AUTHORITY'S STANDARD DETAILS.
4. SERVICE LINES SHALL BE 1" OR TYPE "K" SOFT ANNEALED COPPER TO THE COMMON PROPERTY LINE AND KEPT TO A MINIMUM 4.5' DEPTH BELOW GRADE. ONCE PAST THE RIGHT OF WAY, TWO COMPRESSION 90° BENDS SHOULD BE USED TO BRING TUBING WITHIN 1' OF ANTICIPATED FINAL GRADE WHERE A 1" CURB STOP AND A 1"x3/4" PAK JOINT "Y" SHALL BE INSTALLED. A 3/4" TYPE "K" COPPER SERVICE SHALL BE RUN TO EACH LOT WITH A 3/4" CURB STOP SET INSIDE A METER BOX ADJACENT TO THE PROPERTY LINE, APPROXIMATELY 3' OUTSIDE THE RIGHT OF WAY.
5. A 2" PVC SLEEVE SHALL BE PROVIDED FOR THE LONG SIDE SERVICES AND SHALL EXTEND 2' BEYOND BOTH SIDES OF THE CURB. ONCE THE SLEEVE IS INSTALLED, THE CURB OPPOSITE THE WATERLINE SHALL BE MARKED BY SAWING AN "X" IN THE CURBING AND PLACING A 2" PIPE VERTICALLY ADJACENT TO AN IRON PIN IMMEDIATELY BEHIND THE CURB OR AT THE EDGE OF THE PAVEMENT.
6. STANDARD HOUSE SERVICES IS 3/4".
7. CURB AND GUTTER REQUIRED PRIOR TO WATER LINE CONSTRUCTION.
8. A PRE-CONSTRUCTION CONFERENCE REQUIRED WITH H.C.W.S.A.

WATER NOTES

1. The developer and/or Developer's Contractor is responsible for verifying the exact location, size, and material of any existing water or sewer facility proposed for connection or use by this project.
2. A Fire Flow test is required for all projects. Copies of the fire flow test cover sheet and the twenty-four (24) hour clock must be shown on the plans for commercial projects, fire flow test cover sheet for subdivision plans. Test cannot be over 6 months old.
3. Henry County Water & Sewer Authority does not guarantee water service above 1150 MSL.



LEAD
land engineering and development
252 Keys Ferry Street
McDonough, GA 30253
P 678-432-5720
F 678-432-5483

Water Plan Prepared For:

Brush Creek Commons

Developer:

Timberline Group, LLC

P.O. Box 335
Lapeer, Georgia 30250
P 770-210-4663
F 770-210-4663

DATE:

25 Jan, 2005

DATE:

07-23-05

DATE:

12-09-05

DATE:

03-17-06

DATE:

07-23-05

DATE:

07-23-05

DATE:

07-23-05

DATE:

07-23-05

DATE:

07-23-05

DATE:

07-23-05

DATE:

07-23-05

DATE:

07-23-05

WATER LINE QUANTITIES

1. LENGTH OF 8" DI WATER MAIN = ±1198LF
2. NUMBER OF FIRE HYDRANT ASSEMBLIES = 3
3. NUMBER OF GATE VALVES = 2
4. NUMBER OF DOMESTIC WATER METERS = 43

UTILITY NOTES

1. THE CONTRACTOR IS SPECIFICALLY CAUTIONED ABOUT THE LOCATION AND/OR ELEVATIONS OF THE EXISTING UTILITIES SHOWN ON THIS DRAWING. THEY ARE BASED UPON RECORDS FROM VARIOUS UTILITY COMPANIES, DEEDS AND PLATS OF RECORD, AND WHERE POSSIBLE, ACTUAL FIELD MEASUREMENTS. THIS INFORMATION IS NOT TO BE TAKEN AS EXACT OR COMPLETE. THE CONTRACTOR MUST CALL THE UTILITIES PROTECTION CENTER AND THE APPROPRIATE UTILITY COMPANIES AT LEAST 24 HOURS PRIOR TO ANY EXCAVATION TO REQUEST THE EXACT FIELD LOCATIONS OF RESPECTIVE UTILITIES. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO FIELD VERIFY THE EXACT LOCATION OF THE EXISTING UTILITIES WHICH MAY CONFLICT WITH PROPOSED IMPROVEMENTS. UPC # 1-800-282-7411
2. CONTRACTOR SHALL COORDINATE WITH THE POWER COMPANY FOR PROVIDING TEMPORARY SERVICE FOR CONSTRUCTION FACILITIES DURING CONSTRUCTION.
3. CONTRACTOR SHALL COORDINATE WITH ALL UTILITY COMPANIES FOR INSTALLATION OF ALL UTILITY SERVICE CONNECTIONS.
4. ALL NEW UTILITY SERVICE ON PRIVATE PROPERTY MUST BE PLACED UNDERGROUND IN ACCORDANCE WITH CITY OF STOCKBRIDGE, CODE OF ORDINANCE.
5. ALL CONSTRUCTION WITHIN THE CITY OF STOCKBRIDGE RIGHT OF WAY MUST COMPLY WITH THE AMERICANS WITH DISABILITIES ACT (ADA) PER CITY OF STOCKBRIDGE, CODE OF ORDINANCE.
6. FLOW TEST VALID FOR 6 MONTHS AND ONLY APPLIES TO A SINGLE PHASE/UNIT OF THIS PROJECT.
7. PLAN APPROVAL VALID FOR 12 MONTHS WITHOUT BEGINNING CONSTRUCTION. PLANS SUBJECT TO FURTHER REVIEW AND APPROVAL IF 12 MONTHS EXPIRE.
8. THE CITY OF STOCKBRIDGE UTILITIES WILL NOT BE RESPONSIBLE FOR ANY BUILDING STRUCTURE TOO LOW TO BE SERVED NOR FOR ANY SERVICE COVERED BY CONSTRUCTION.
9. AS-BUILTS ARE REQUIRED TO BE SUBMITTED UPON COMPLETION OF CONSTRUCTION.
10. EXISTING CITY ROADS SHALL NOT BE OPEN CUT UNLESS PERMISSION GRANTED BY THE GEORGIA DOT, OR THE CITY OF STOCKBRIDGE PUBLIC WORKS. SUBMITTAL OF AUTHORIZATION LETTER FROM GEORGIA DOT OR CITY OF STOCKBRIDGE PUBLIC WORKS.
11. IF WORK IS PERFORMED ON A GEORGIA DOT OR A CITY OF STOCKBRIDGE RIGHT-OF-WAY, A LETTER FROM THE GOVERNING AGENCY IS REQUIRED TO BE SUBMITTED AFTER CONSTRUCTION IS COMPLETE STATING THAT GRASSING, CLEAN-UP, DRAINAGE, ETC. IS ACCEPTABLE.
12. PRE-CONSTRUCTION CONFERENCE IS REQUIRED WITH HENRY COUNTY WATER AND SEWERAGE AUTHORITY PRIOR TO WATER/SEWER LINE CONSTRUCTION.
13. CONTRACTOR FOR WATER/SEWER LINE MUST HAVE A STATE APPROVED LICENSE AND BE ON THE APPROVED LIST FOR HENRY COUNTY WATER AND SEWERAGE AUTHORITY.
14. WATER AND SEWER SERVICES WILL BE PROVIDED BY CITY OF STOCKBRIDGE.

24-HR Contact:
Brian Cagle
770-210-4663

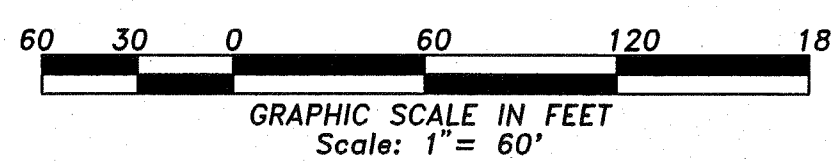


IF YOU DIG GEORGIA...
CALL US FIRST!
1-800-282-7411
770-623-4344
(METRO ATLANTA ONLY)
UTILITIES PROTECTION CENTER
IT'S THE LAW

LEGEND

- POB POINT OF BEGINNING
- IPF IRON PIN FOUND
- CMF CONCRETE MONUMENT FOUND
- UP UTILITY POLE
- LP LIGHT POLE
- FP FLAG POLE
- SSMH SANITARY SEWER MANHOLE
- SDMH STORM DRAIN MANHOLE
- DI DROP INLET
- INV INVERT
- FH FIRE HYDRANT
- EP EDGE OF PAVEMENT
- TC TOP OF CURB
- BC BOTTOM OF CURB
- TW TOP OF WALL
- BW BOTTOM OF WALL
- OU OVERHEAD UTILITY
- OU UNDERGROUND UTILITY
- CMP CORRUGATED METAL PIPE
- RCP REINFORCED CONCRETE PIPE
- PVC POLYVINYL CHLORIDE PIPE
- GUY GUY WIRE ANCHOR
- TR TRANSFORMER
- JB JUNCTION BOX
- SWCB SINGLE WING CATCH BASIN
- DWCB DOUBLE WING CATCH BASIN
- CLF CHAIN LINK FENCE
- WV WATER VALVE
- WM WATER METER
- CO GAS VALVE
- GV GAS VALVE

Water Plan

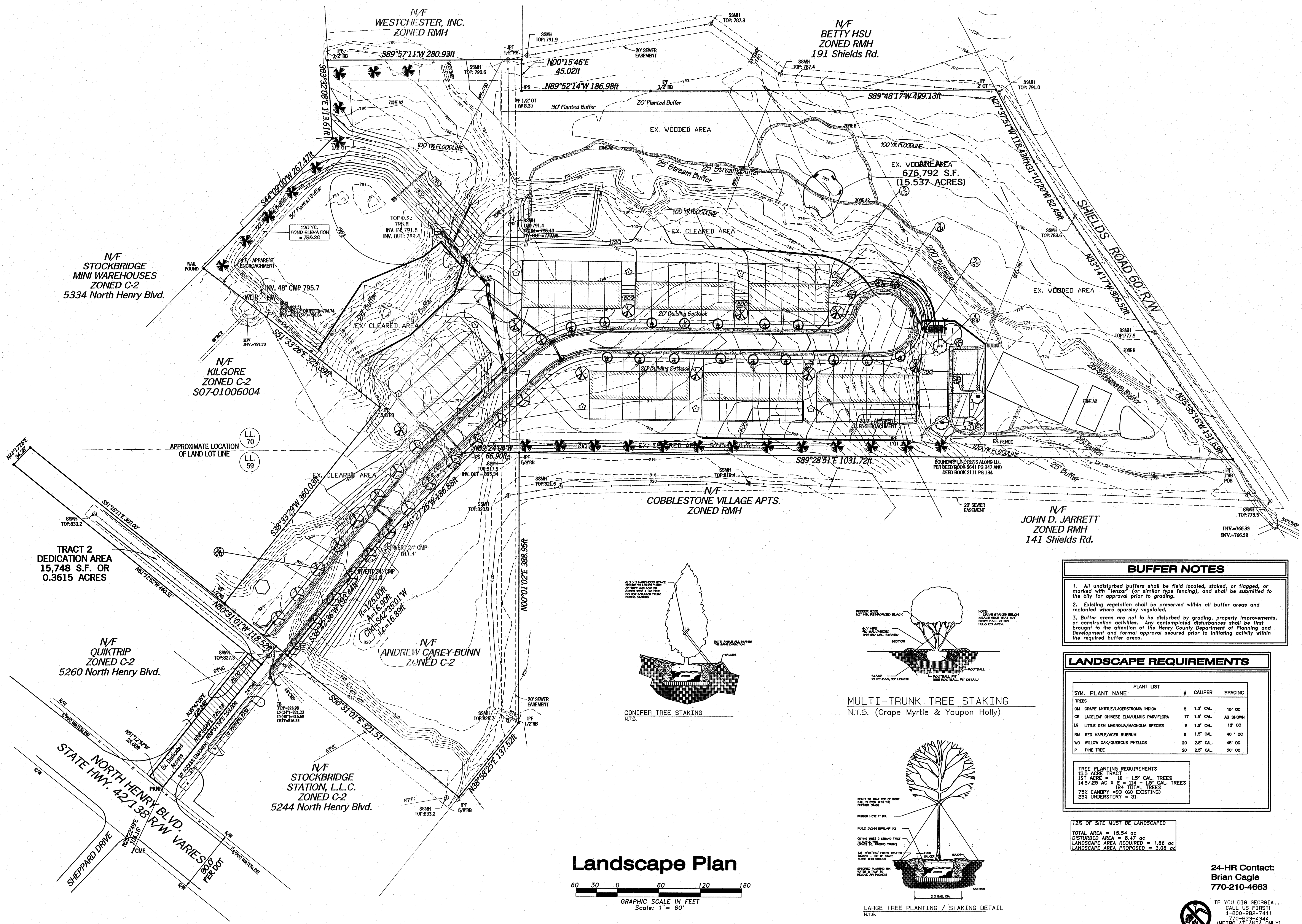


Brush Creek Commons

Landscape Plan Prepared For:

Developer:
Timberline Group, LLC
P.O. Box 335
Lapeer, Georgia 30250
P 770.210.4663
F 770.897.0971

DATE	RELEASE DESCRIPTION	DATE	RELEASE DESCRIPTION
07-23-05	revised per city comments	12-09-05	revised per city comments
02-03-06	revised per city comments	03-17-08	revised per city comments
DATE: 25 Jan, 2005			
LAND LOT: 59 & 70			
DISTRICT: 12th			
SECTION: N/A			
CITY: Stockbridge			
COUNTY: Henry			
STATE: Georgia			
JOB NUMBER: 2004.039			
11			
11 of 26 SHEETS			
FILE NUMBER: 04-D-039			



BUFFER NOTES

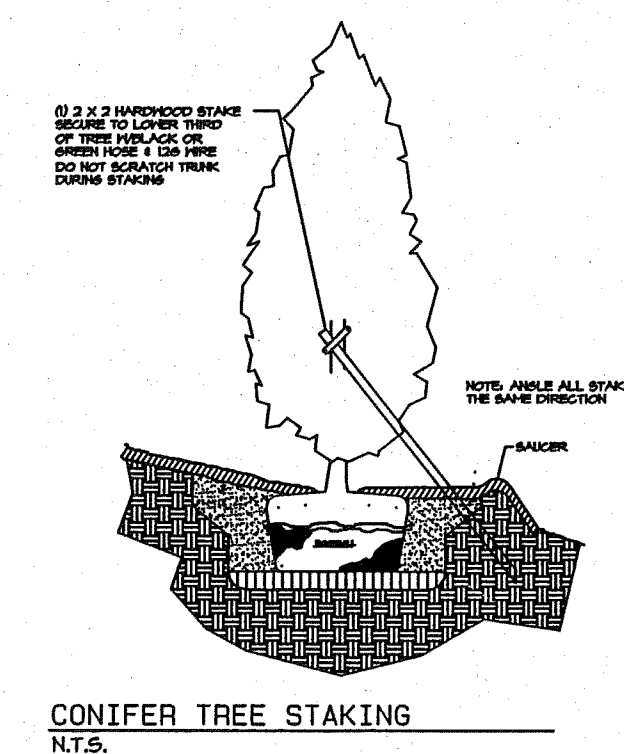
1. All undisturbed buffers shall be field located, staked, or flagged, or marked with "tenzor" (or similar type fencing), and shall be submitted to the city for approval prior to grading.
2. Existing vegetation shall be preserved within all buffer areas and replanted where sparsely vegetated.
3. Buffer areas are not to be disturbed by grading, property improvements, or construction activities. Any contemplated disturbances shall be first brought to the attention of the Henry County Department of Planning and Development and formal approval secured prior to initiating activity within the required buffer areas.

LANDSCAPE REQUIREMENTS

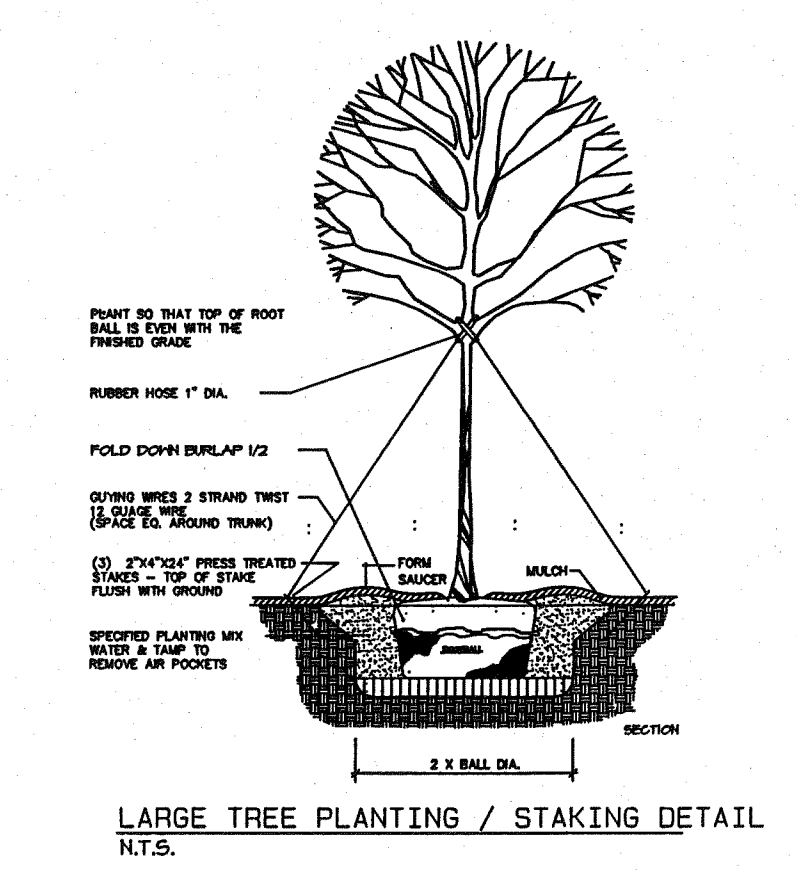
SYM.	PLANT NAME	PLANT LIST	#	CALIPER	SPACING
TREES					
CM	GRAPE MYRTLE/LAGERSTROMIA INDICA		5	1.5" CAL.	15' OC
CE	LACELEAF CHINESE ELM/ULMUS PARVIFLORA		17	1.5" CAL.	AS SHOWN
LG	LITTLE OLM MAGNOLIA/MAGNOLIA SPECIES		9	1.5" CAL.	12' OC
RM	RED MAPLE/ACER RUBRUM		9	1.5" CAL.	40' OC
WO	WILLOW OAK/QUERCUS PHellos		20	2.5" CAL.	45' OC
P	PINE TREE		20	2.5" CAL.	50' OC

TREE PLANTING REQUIREMENTS
15.5 ACRE TRACT
15% TREE = 10 - 15" CAL. TREES
14.5/25 AC X 2 = 114 - 15" CAL. TREES
124 TOTAL TREES
75% CANOPY = 83 (60 EXISTING)
25% UNDERSTORY = 31

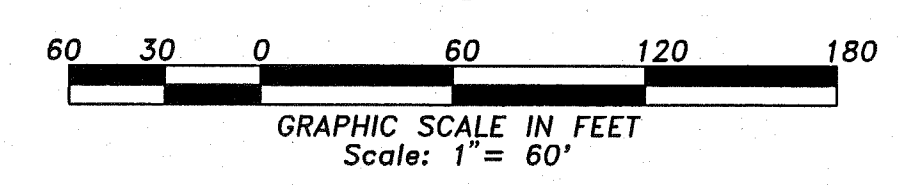
12% OF SITE MUST BE LANDSCAPED
TOTAL AREA = 15.54 ac
DISTURBED AREA = 8.47 ac
LANDSCAPE AREA REQUIRED = 1.86 ac
LANDSCAPE AREA PROPOSED = 3.08 ac



MULTI-TRUNK TREE STAKING
N.T.S. (Crape Myrtle & Yaupon Holly)



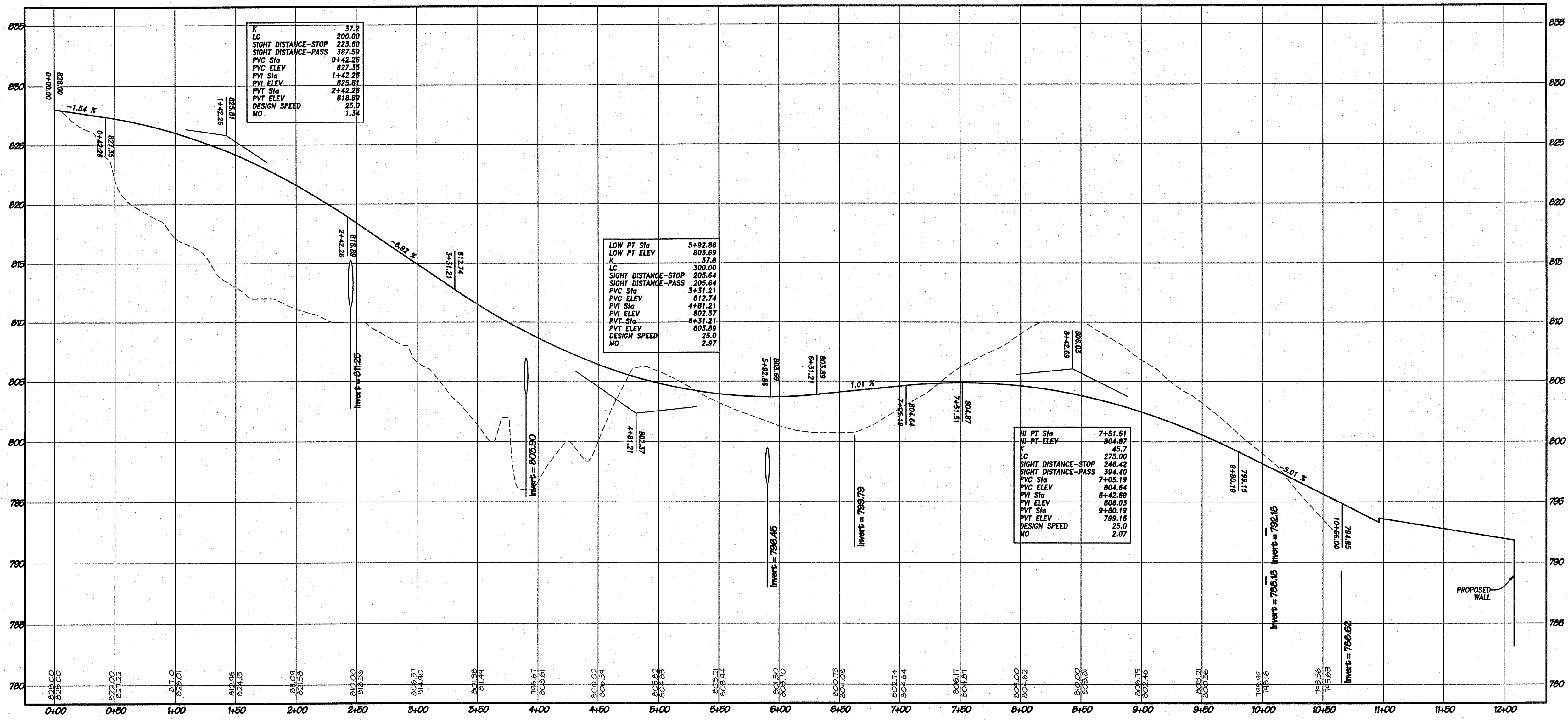
Landscape Plan



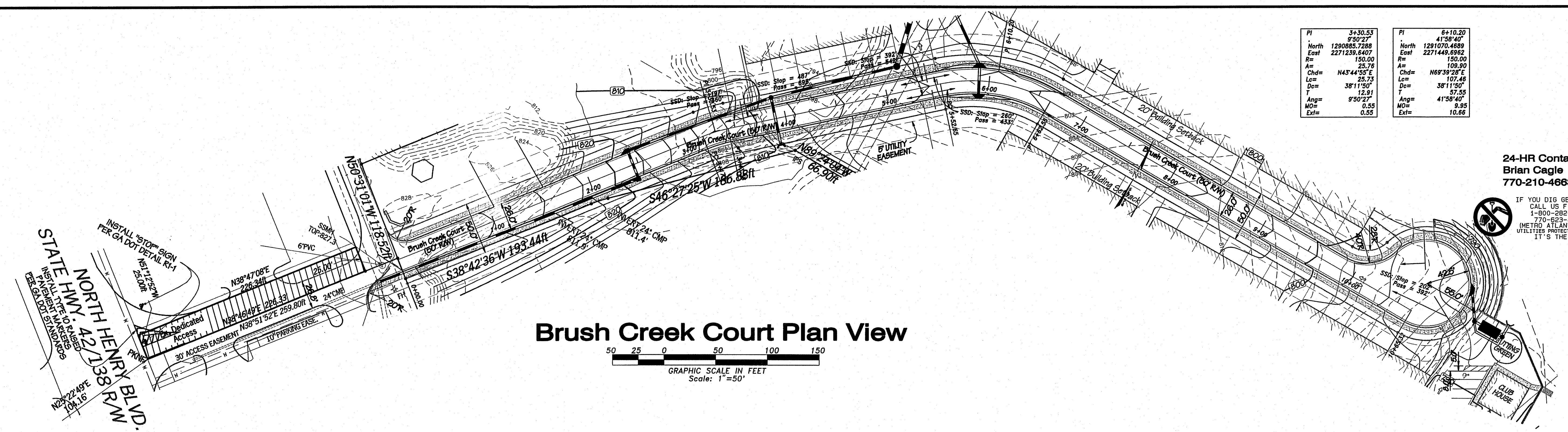
24-HR Contact:
Brian Cagle
770-210-4663

IF YOU DIG GEORGIA...
CALL US FIRST!
1-800-282-7411
770-623-4344
(METRO ATLANTA ONLY)
UTILITIES PROTECTION CENTER
IT'S THE LAW

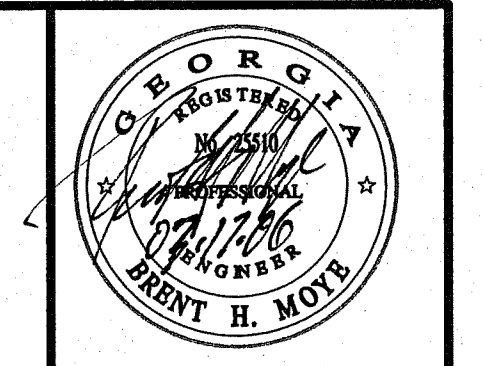




Brush Creek Court Profile
Scale: Hor - 1" = 50'; Ver - 1" = 5'



Brush Creek Court Plan View
Scale: 1" = 50'



LEAD
land engineering and development
252 Keys Ferry Street
McDonough, GA 30253
P 770.432.5720
F 770.432.5463

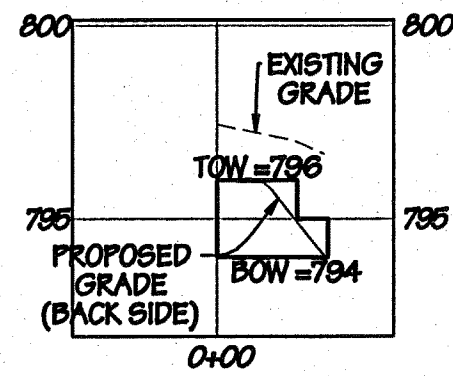
Road Profiles Prepared For:
Brush Creek Commons

Developer:
Timberline Group, LLC
P.O. Box 335
Lovelady, Georgia 30250
P 770.210.4663
F 770.897.0971

DATE	RELEASE DESCRIPTION	DATE	RELEASE DESCRIPTION
07-23-05	revised per city comments	12-09-05	revised per city comments
03-17-06	revised per city comments		
DATE: 25 Jan, 2005			
LAND LOT: 59 & 70			
DISTRICT: 12th			
SECTION: N/A			
CITY: Stockbridge			
COUNTY: Henry			
STATE: Georgia			
JOB NUMBER: 2004.039			
12			
12 OF 26 SHEETS			
FILE NUMBER: 04-D-039			

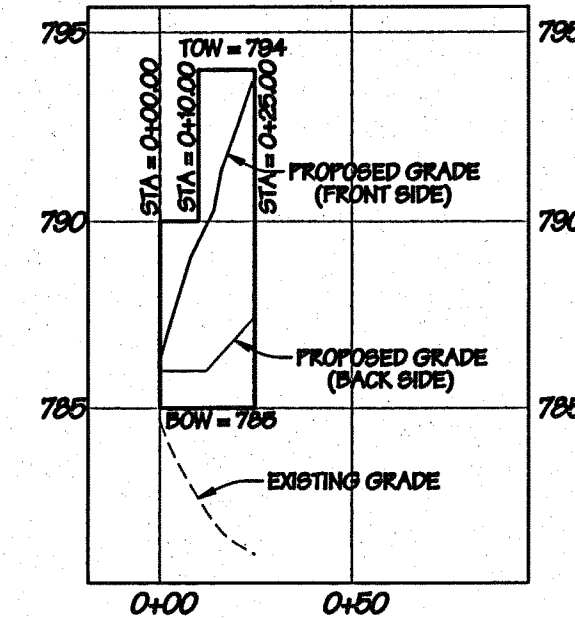
24-HR Contact:
Brian Cagle
770-210-4663

IF YOU DIG GEORGIA...
CALL US FIRST!
1-800-282-7411
770-623-4344
(METRO ATLANTA ONLY)
UTILITIES PROTECTION CENTER
IT'S THE LAW



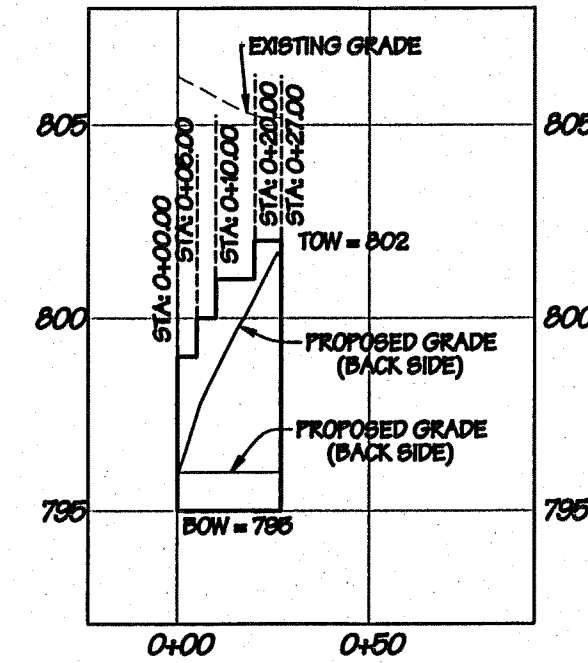
Retaining Wall A Profile

Scale: Hor - 1" = 50'; Ver - 1" = 5'



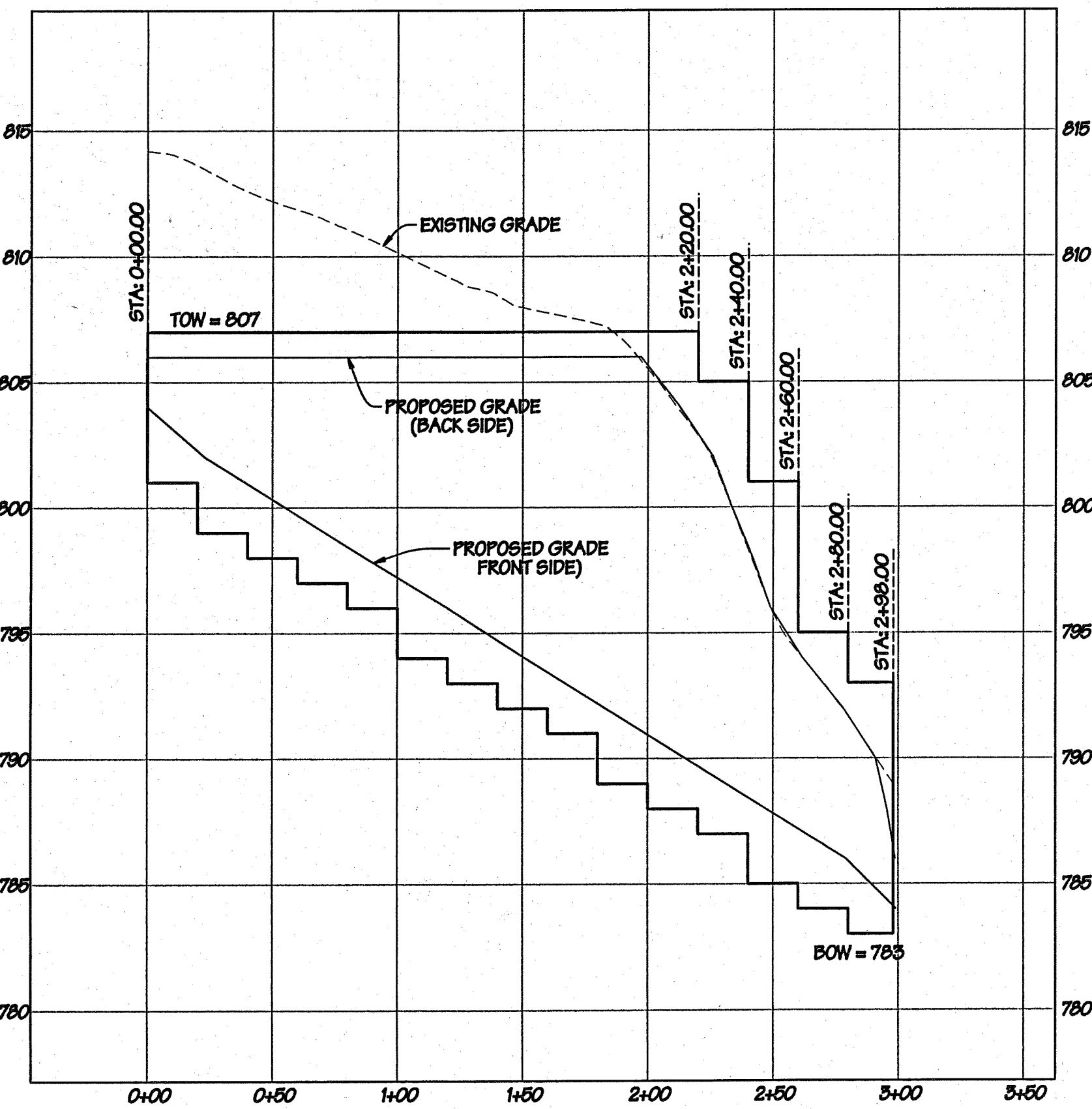
Retaining Wall D Profile

Scale: Hor - 1" = 50'; Ver - 1" = 5'



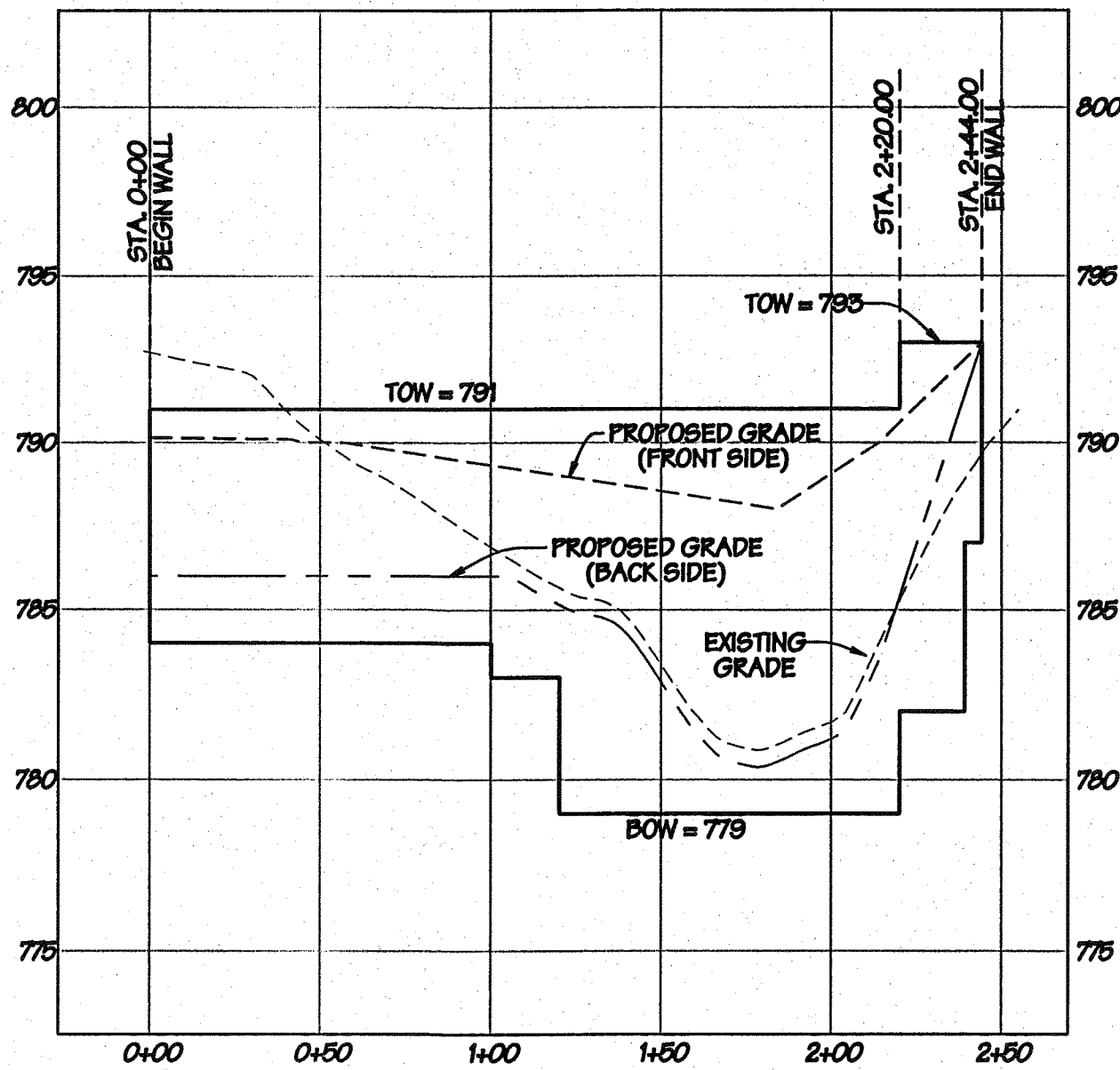
Retaining Wall F Profile

Scale: Hor - 1" = 50'; Ver - 1" = 5'



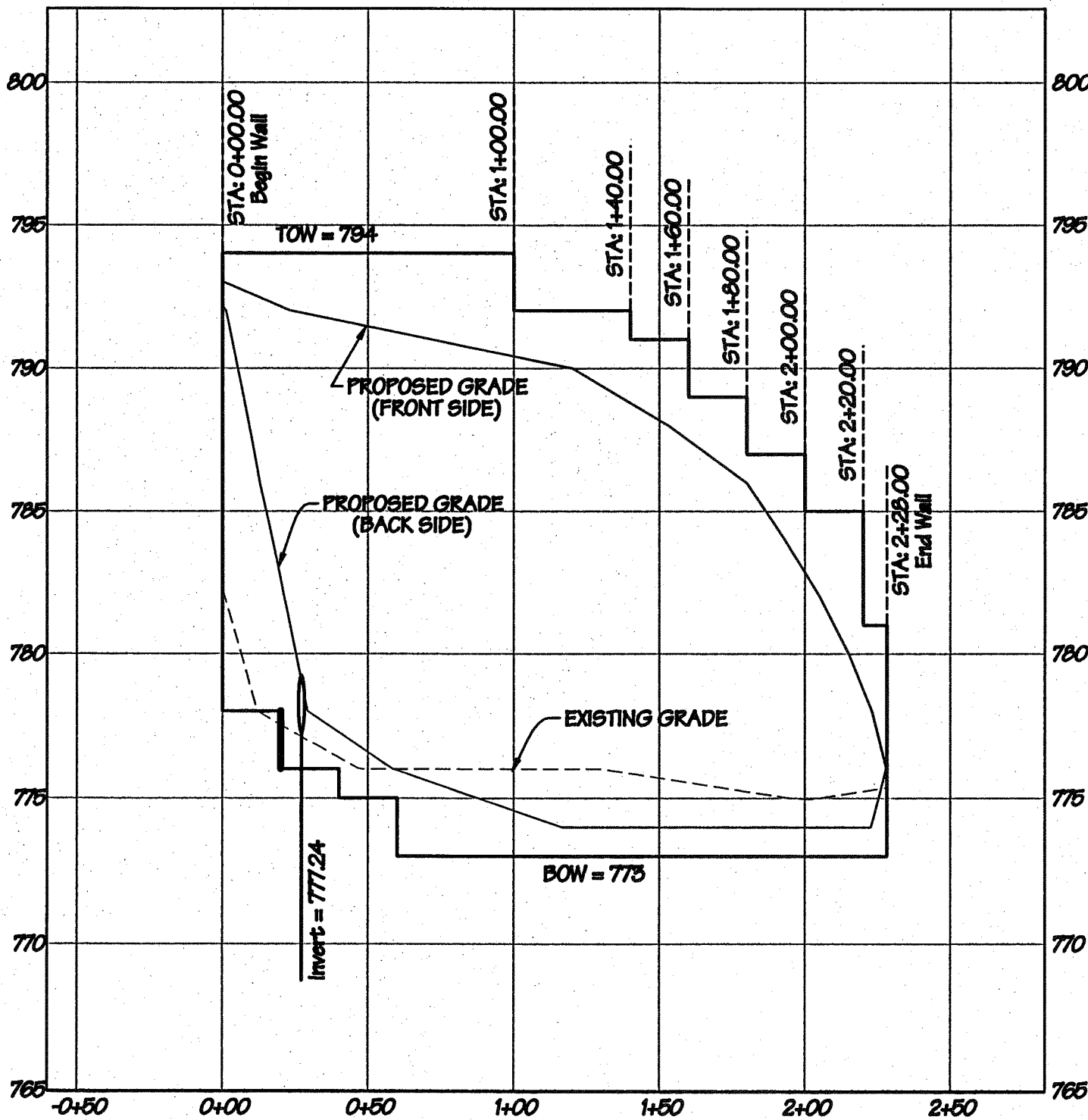
Retaining Wall E Profile

Scale: Hor - 1" = 50'; Ver - 1" = 5'



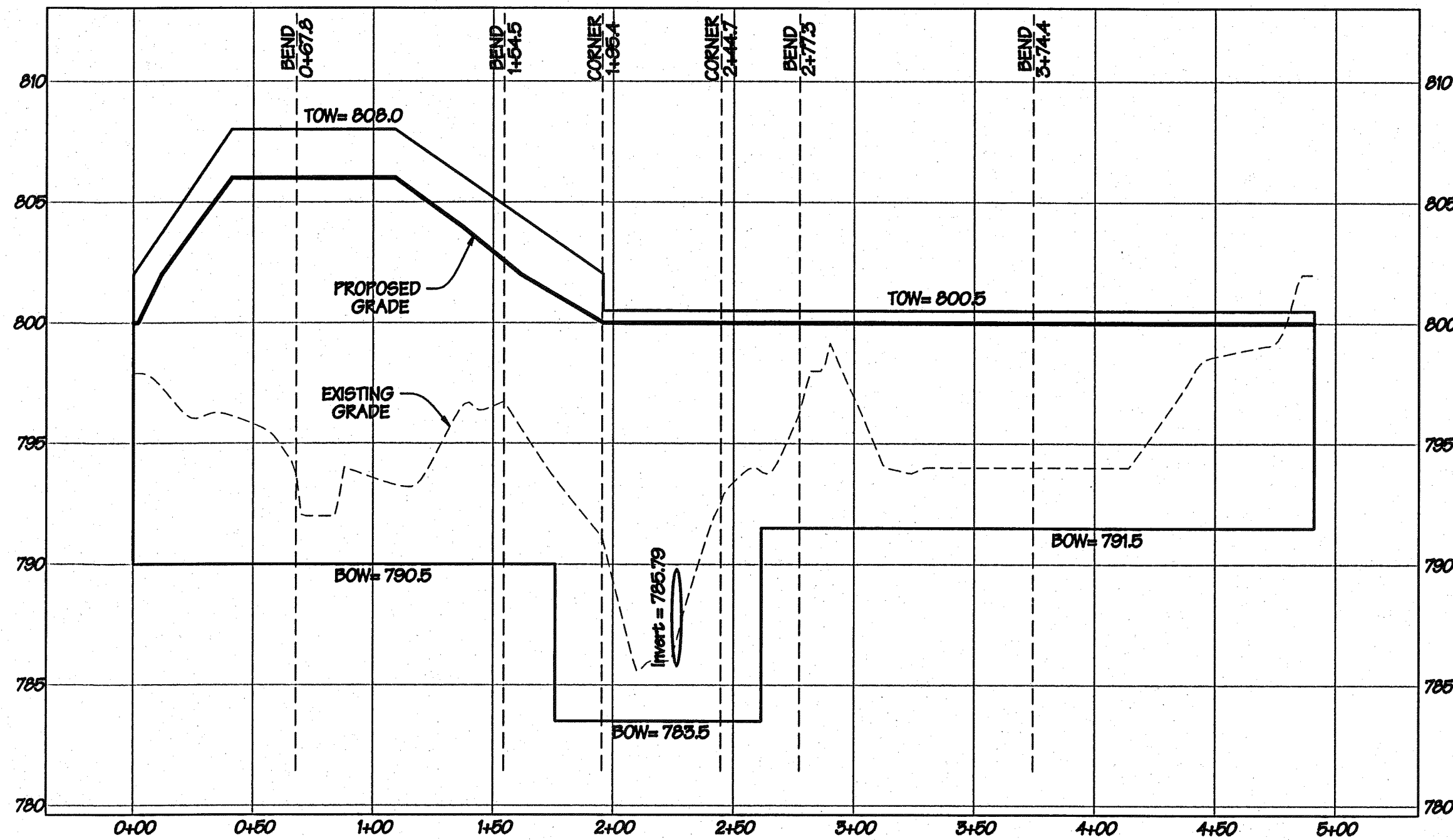
Retaining Wall B Profile

Scale: Hor - 1" = 50'; Ver - 1" = 5'



Retaining Wall C Profile

Scale: Hor - 1" = 50'; Ver - 1" = 5'



Retaining Wall G Profile

Scale: Hor - 1" = 50'; Ver - 1" = 5'

RETAINING WALL PROFILE ARE SHOWN HERE TO DEMONSTRATE GRADE TRANSITIONS. CONTRACTOR MUST PROVIDE DETAILED WALL DESIGN CERTIFIED BY A STRUCTURAL ENGINEER FOR REVIEW AND APPROVAL BY HENRY COUNTY BUILDING DEPARTMENT.

RETAINING WALL (RESIDENTIAL AND COMMERCIAL) BUILDING PERMIT REQUIREMENTS

A BUILDING PERMIT MUST BE OBTAINED PRIOR TO ANY RETAINING WALL CONSTRUCTION.

EXCEPTIONS: (1) A BUILDING IS NOT REQUIRED FOR RETAINING WALLS THAT ARE 4 FEET OR LESS IN HEIGHT, AND (2) PROVIDED THAT THE SLOPE OF BACKFILL MATERIALS DOES NOT EXCEED A 1 FOOT RISE IN 3 FEET LENGTH.

STEP 1: OBTAIN APPROVAL FROM THE BUILDING DEPARTMENT. FOR RETAINING WALLS THAT EXCEED 4 FEET, A DESIGN DRAWING BY A GEORGIA REGISTERED PROFESSIONAL ENGINEER IS REQUIRED. A DESIGN DRAWING MUST BE SUBMITTED FOR REVIEW. OFFICE HOURS OF THE BUILDING DEPARTMENT SECTION ARE MONDAY THROUGH FRIDAY, 8 AM TO 5 PM, EXCEPT HOLIDAYS.

STEP 2: OBTAIN A BUILDING PERMIT APPLICATION FORM AT THE BUILDING DEPARTMENT. THIS APPLICATION FORM MAY ALSO BE OBTAINED BY VISITING THE FOLLOWING WEB SITE: WWW.CO.HENRY.GA.US.

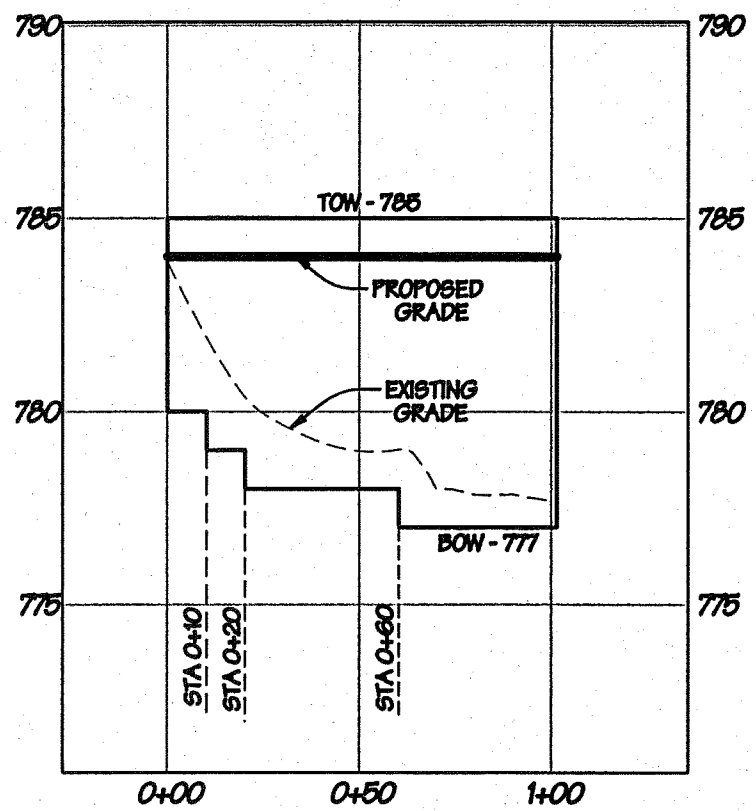
STEP 3: OBTAIN BUILDING PERMIT AT THE BUILDING PERMITS COUNTER. SUBMIT THE BUILDING PERMIT APPLICATION, PROOF OF APPROVAL BY THE BUILDING DEPARTMENT, AND PERMIT FEE. THE PERMIT FEE IS CALCULATED AS FOLLOWS: \$3 TO PER \$1,000 OF ESTIMATED CONSTRUCTION COST (MINIMUM FEE IS \$30). THERE IS NO FEE FOR THE REQUIRED CERTIFICATE OF COMPLETION. FEES MUST BE PAID AT TIME OF PERMIT ISSUANCE. OFFICE HOURS FOR BUILDING PERMITS ARE 8 AM TO 5 PM, MONDAY THROUGH FRIDAY, EXCEPT HOLIDAYS.

INSPECTION REQUIREMENTS. INSPECTIONS ARE REQUESTED BY CALLING YOUR DEVELOPMENT INSPECTOR 24 HOURS IN ADVANCE.

(1) FOR "POURED IN PLACE" RETAINING WALLS, A "FOOTING INSPECTION" MUST BE SCHEDULED AND SUCCESSFULLY PASSED PRIOR TO POURING. ONCE THE FOOTING HAS BEEN POURED, AND ONE SIDE OF THE FORMS & STRUCTURAL STEEL IS IN PLACE, A "WALL INSPECTION" MUST BE SCHEDULED, PERFORMED AND SUCCESSFULLY PASSED.

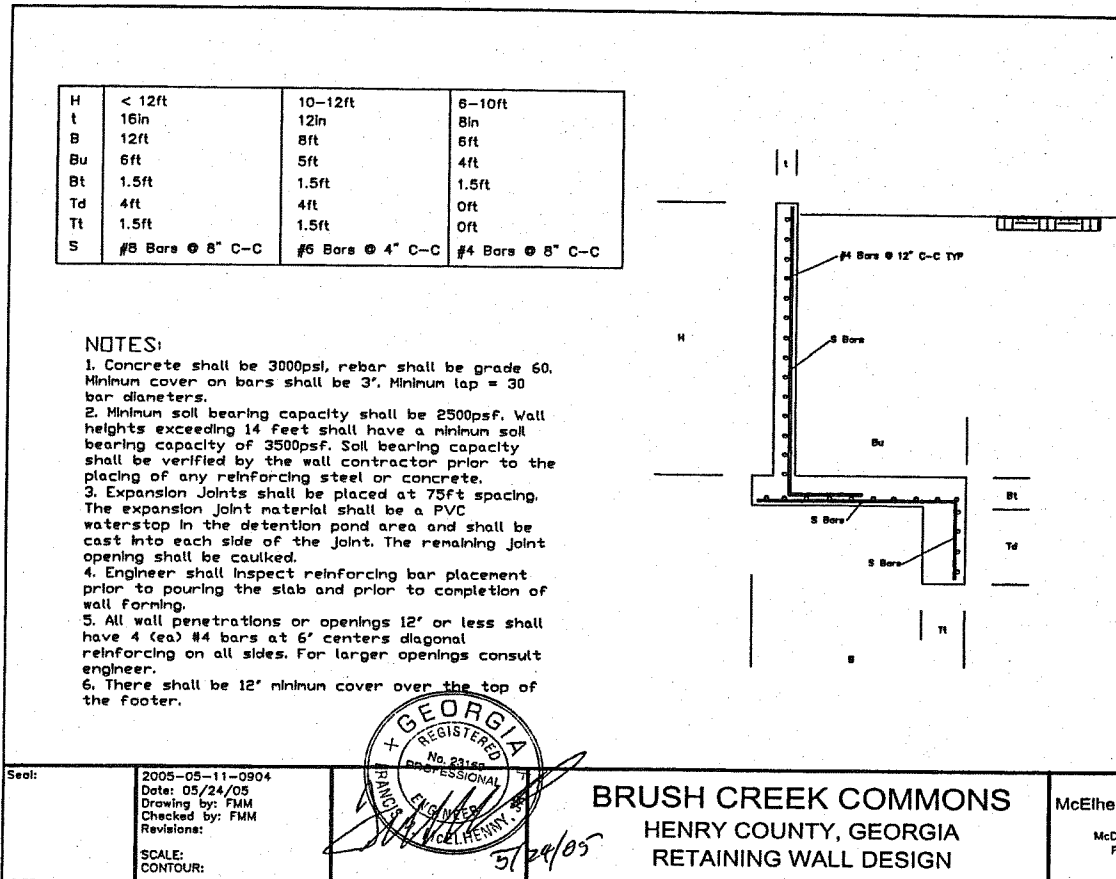
(2) FOR "CROSS-TIE" RETAINING WALLS, A "WALL INSPECTION" MUST BE SCHEDULED AND SUCCESSFULLY PASSED FOR VERIFICATION OF ADEQUATE "DEAD-MEN" AND PROPER DRAINAGE DESIGN FOR THE WALL PRIOR TO BACKFILL MATERIAL BEING INSTALLED.

(3) AFTER THE WALL IS COMPLETELY FINISHED, FINAL INSPECTION MUST BE SCHEDULED, PERFORMED AND SUCCESSFULLY PASSED IN ORDER TO RECEIVE THE REQUIRED CERTIFICATE OF COMPLETION.



Retaining Wall H Profile

Scale: Hor - 1" = 50'; Ver - 1" = 5'

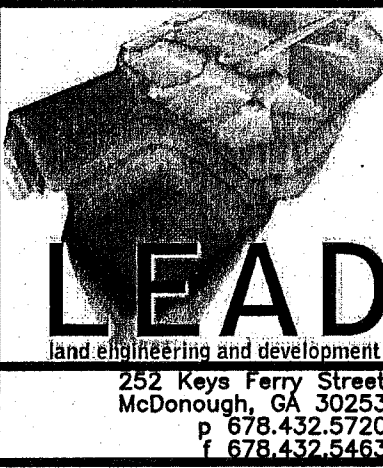
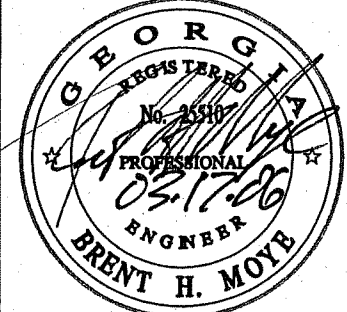


Retaining Wall G Cross Section

24-HR Contact:
Brian Cagle
770-210-4683



IF YOU DIG GEORGIA...
CALL US FIRST!
1-800-282-7411
770-623-4344
(METRO ATLANTA ONLY)
UTILITY PROTECTION CENTER
IT'S THE LAW



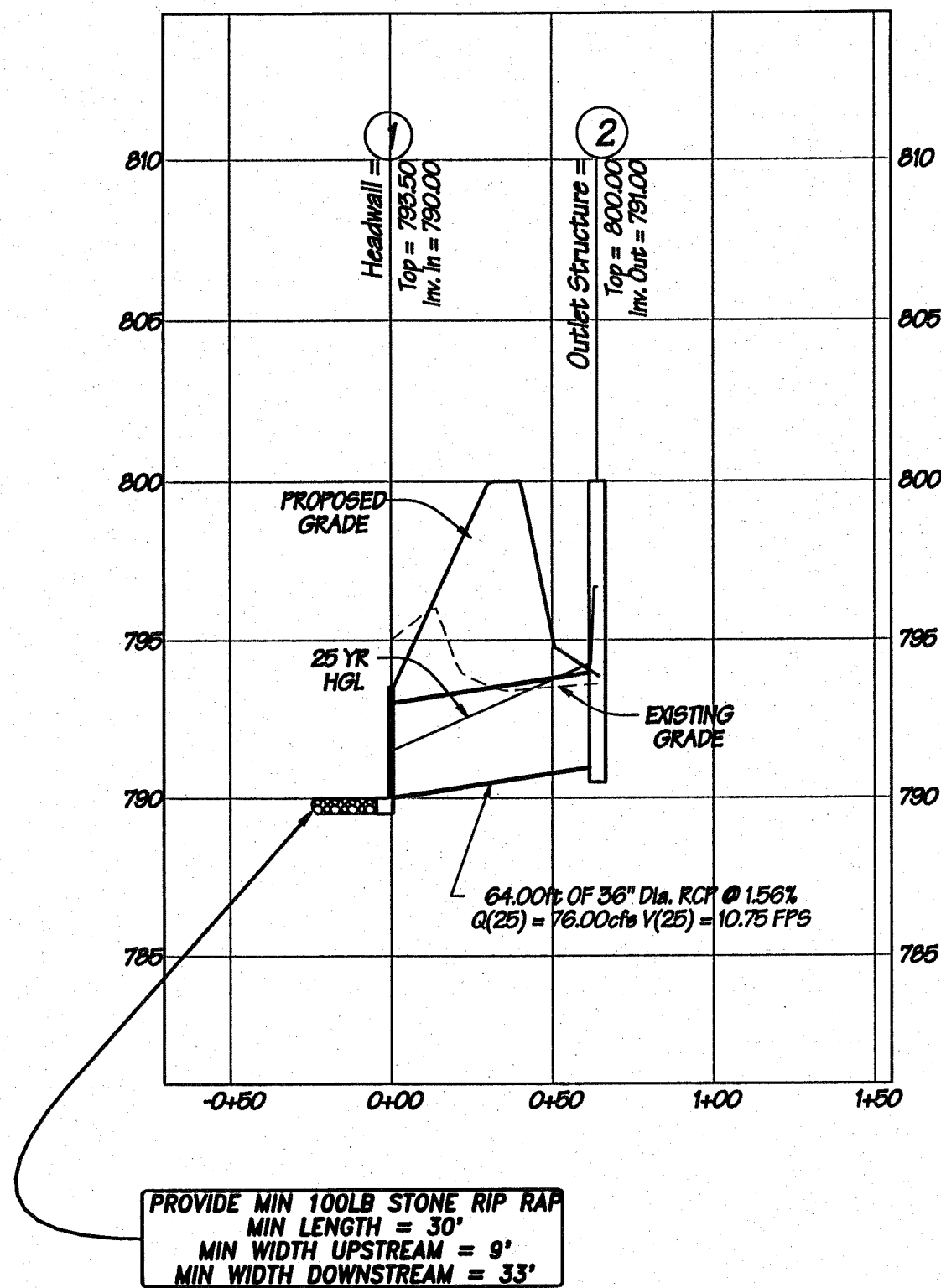
Retaining Wall Profiles
Prepared For:
Brush Creek Commons

Developer:
Timberline Group, LLC
P.O. Box 335
Lovesey, Georgia 30250
P 770.210.4663
F 770.897.0971

DATE	RELEASE DESCRIPTION	DATE	RELEASE DESCRIPTION
07-23-05	revised per city comments	07-23-05	revised per city comments
12-09-05	revised per city comments	12-09-05	revised per city comments
03-17-06	revised per city comments	03-17-06	revised per city comments

DATE: 25 Jan, 2005
LAND LOT: 59 & 70
DISTRICT: 12th
SECTION: N/A
CITY: Stockbridge
COUNTY: Henry
STATE: Georgia
JOB NUMBER: 2004.039

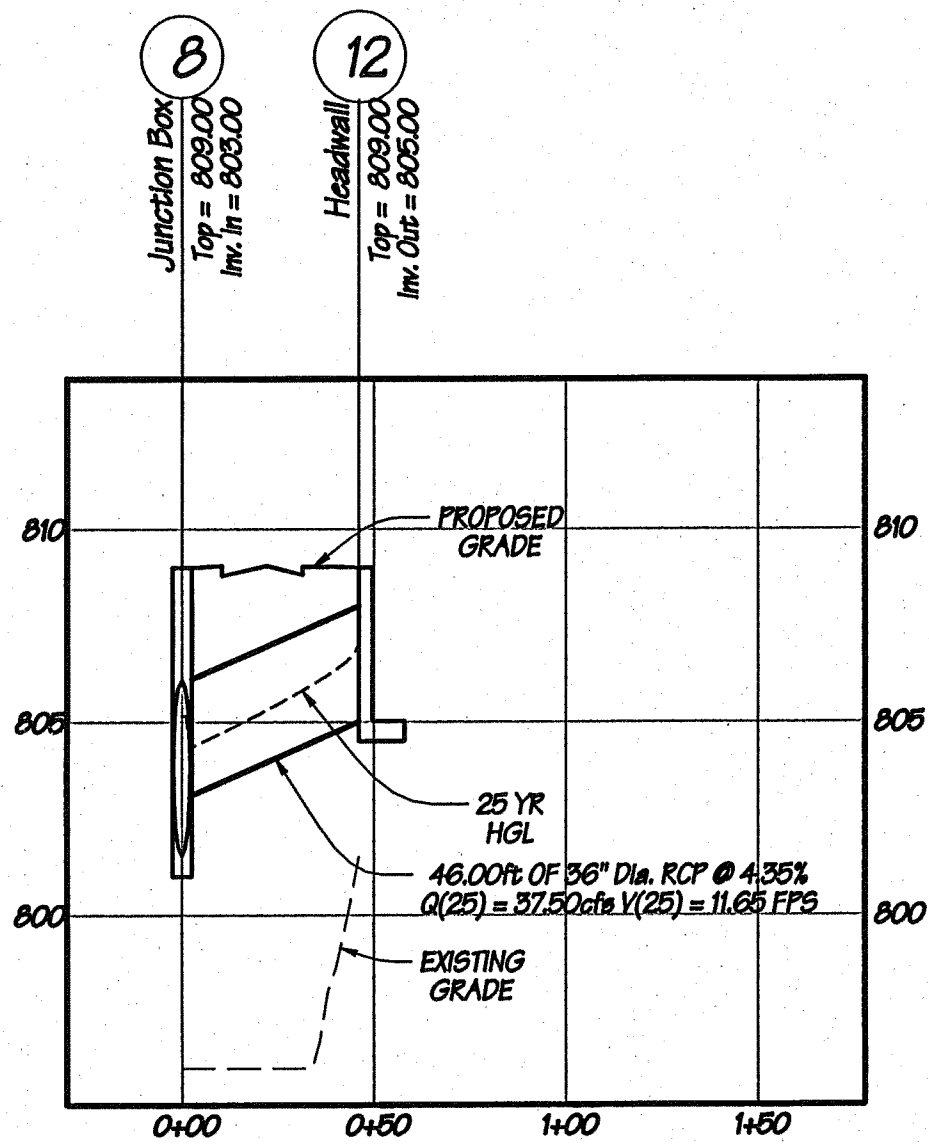
13
13 OF 26 SHEETS
FILE NUMBER: 04-D-039



Storm Sewer Profile

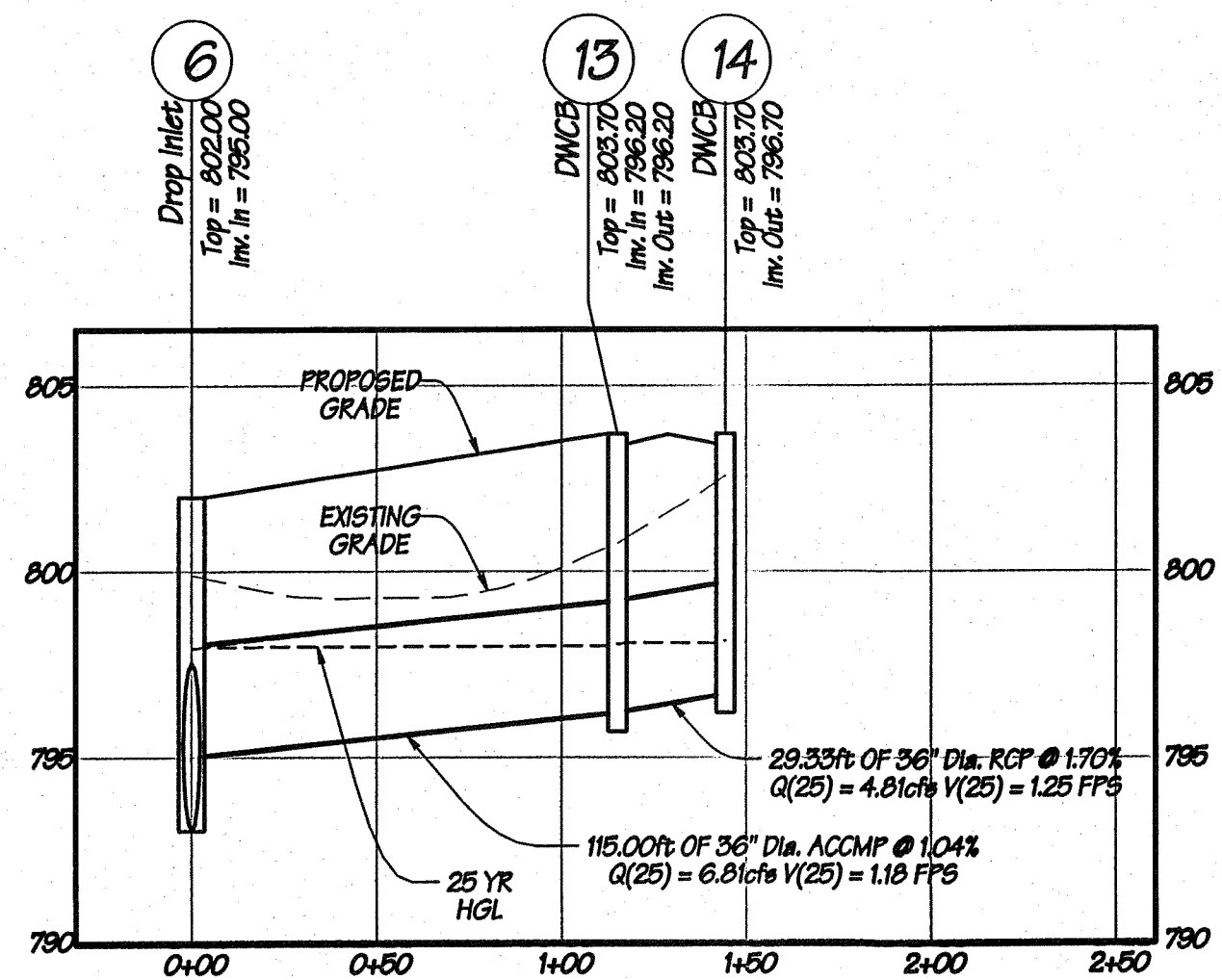
Scale: Hor - 1" = 50'; Ver - 1" = 5'

STORM SEWER DATA									
FROM	TO	PIPE DATA	LENGTH	BASIN AREA	Q				
NODE NAME (PT#)	OUTLET ELEV	NODE NAME (PT#)	INLET ELEV	XGRADE	SIZE	LENGTH	BASIN AREA	Q	
Headwall 1	784.000	Outlet Structure 2	791.000	10.448	36" Dia.	67.000	0.00	76.000	
STORM SEWER DATA									
FROM	TO	PIPE DATA	LENGTH	BASIN AREA	Q				
NODE NAME (PT#)	OUTLET ELEV	NODE NAME (PT#)	INLET ELEV	XGRADE	SIZE	LENGTH	BASIN AREA	Q	
HW 3	792.200	JB 4	792.200	1.752	54" Dia.	11.414	0.00000	86.710	
JB 4	792.200	JB 5	793.300	1.078	54" Dia.	102.000	0.00000	86.710	
JB 5	793.300	DI 6	793.300	1.316	54" Dia.	15.203	0.00000	86.710	
DI 6	793.300	JB 7	797.000	3.682	54" Dia.	110.000	0.00000	79.570	
JB 7	797.000	JB 8	801.500	3.602	54" Dia.	124.929	0.00000	79.570	
JB 8	802.000	SWCB 9	811.000	6.085	48" Dia.	147.913	0.00000	78.580	
SWCB 9	811.000	SWCB 10	811.500	1.724	48" Dia.	29.000	0.00000	78.580	
SWCB 10	811.500	EX JB 11	816.530	1.863	48" Dia.	29.985	0.00000	77.400	
STORM SEWER DATA									
FROM	TO	PIPE DATA	LENGTH	BASIN AREA	Q				
NODE NAME (PT#)	OUTLET ELEV	NODE NAME (PT#)	INLET ELEV	XGRADE	SIZE	LENGTH	BASIN AREA	Q	
DI 6	795.000	DWCB 13	796.200	1.043	36" Dia.	115.000	0.00000	6.810	
DWCB 13	796.200	DWCB 14	796.700	1.705	36" Dia.	29.333	0.00000	4.810	
STORM SEWER DATA									
FROM	TO	PIPE DATA	LENGTH	BASIN AREA	Q				
NODE NAME (PT#)	OUTLET ELEV	NODE NAME (PT#)	INLET ELEV	XGRADE	SIZE	LENGTH	BASIN AREA	Q	
JB 8	803.000	HW 12	805.000	4.348	36" Dia.	45.000	0.00000	37.500	
STORM SEWER DATA									
FROM	TO	PIPE DATA	LENGTH	BASIN AREA	Q				
NODE NAME (PT#)	OUTLET ELEV	NODE NAME (PT#)	INLET ELEV	XGRADE	SIZE	LENGTH	BASIN AREA	Q	
HW 15	777.000	OIL 16	779.000	15.385	24" Dia.	13.000	0.00000	2.620	
OIL 16	779.000	JB 17	779.300	22.274	24" Dia.	44.458	0.00000	2.620	
JB 17	779.300	DWCB 18	782.800	11.557	24" Dia.	30.000	0.00000	2.620	
STORM SEWER DATA									
FROM	TO	PIPE DATA	LENGTH	BASIN AREA	Q				
NODE NAME (PT#)	OUTLET ELEV	NODE NAME (PT#)	INLET ELEV	XGRADE	SIZE	LENGTH	BASIN AREA	Q	
HW 19	782.000	HW 20	786.000	5.000	48" Dia.	80.000	0.00000	4.000	



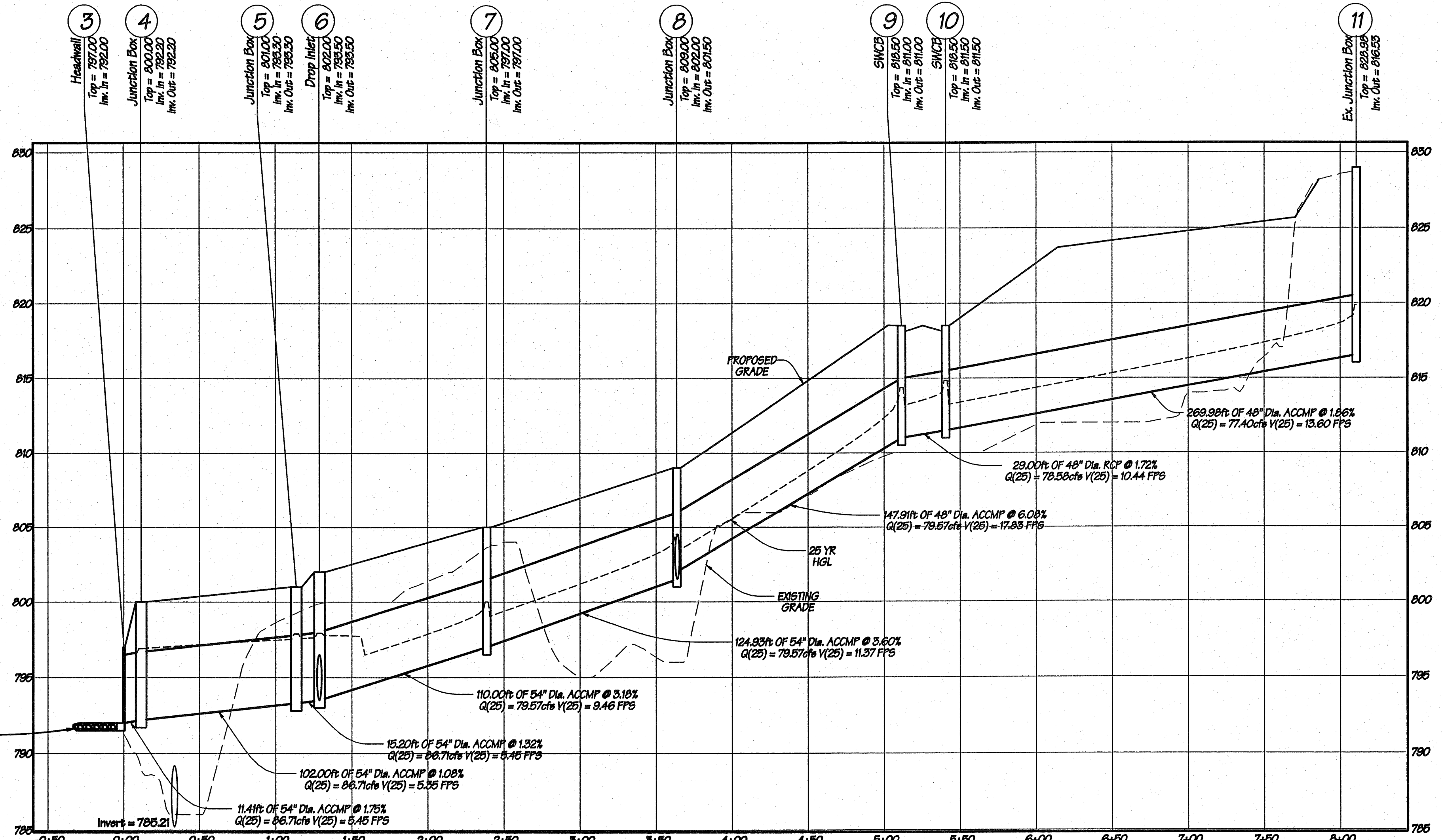
Storm Sewer Profile

Scale: Hor - 1" = 50'; Ver - 1" = 5'



Storm Sewer Profile

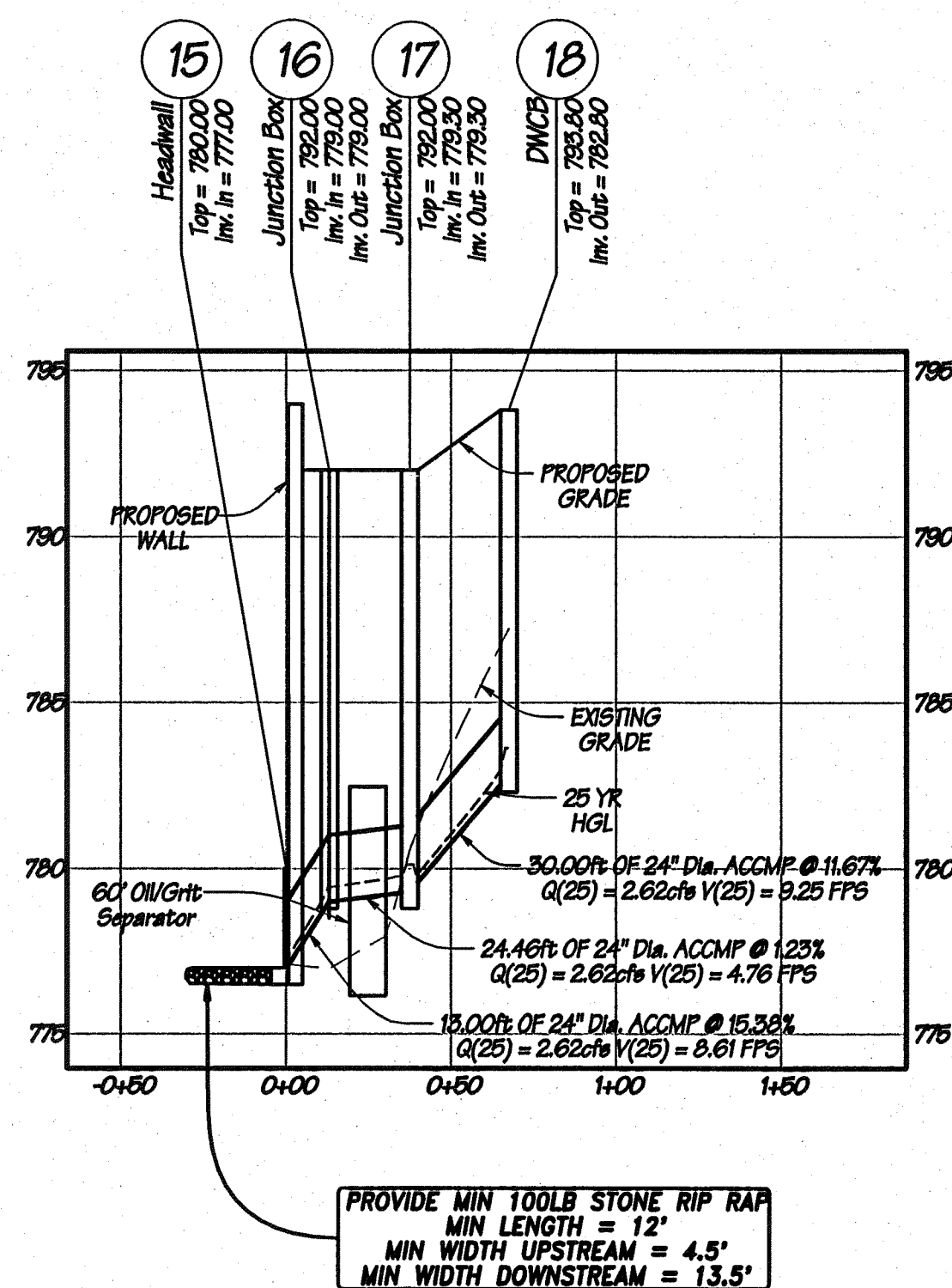
Scale: Hor - 1" = 50'; Ver - 1" = 5'



Storm Sewer Profile

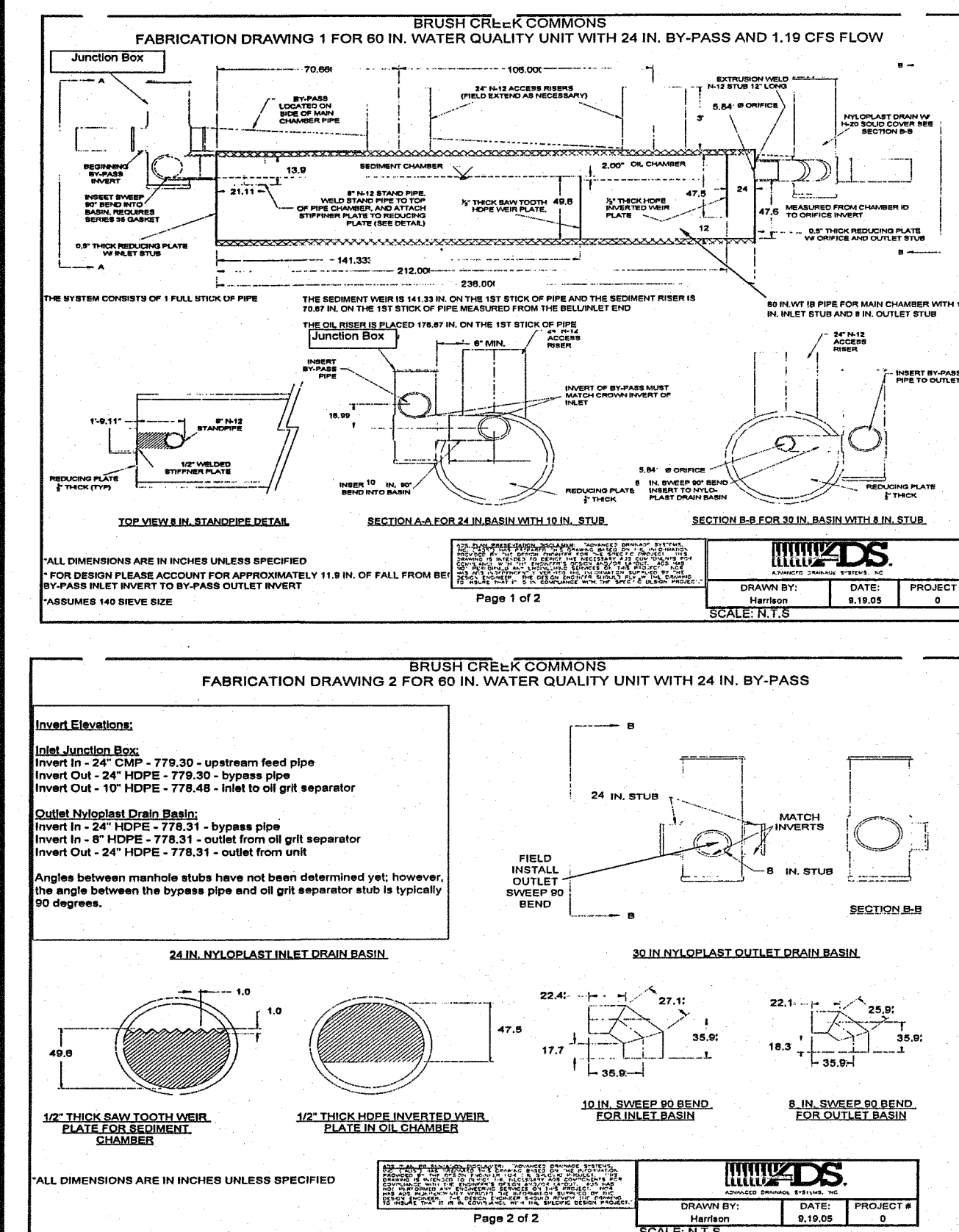
Scale: Hor - 1" = 50'; Ver - 1" = 5'

ADJUST ALL OUTLET HEADWALL INVERTS TO ALLOW THE REQUIRED OUTLET PROTECTION TO BE INSTALLED AT 0% SLOPE WITH NO OVERFLOW AT THE DOWNSTREAM END OF THE SPUR. ALL 48" DIAMETER OR LARGER STORM DRAIN PIPE SHALL BE FIELD STRUTTED AS DIRECTED BY HENRY COUNTY BUILDING DEPARTMENT'S DEVELOPMENT INSPECTOR. ALL STORM DRAIN SHALL BE BITUMINOUS COATED CORRUGATED METAL PIPE. ALL JOINTS OF BCCMP WHICH ARE UNDER PAVEMENT SHALL HAVE RE-ROLLED ENDS AND CONNECTED WITH HUGGER TYPE BANDS WITH "O" RING GASKETS.



Storm Sewer Profile

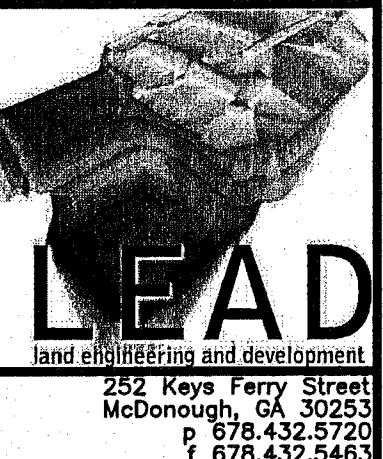
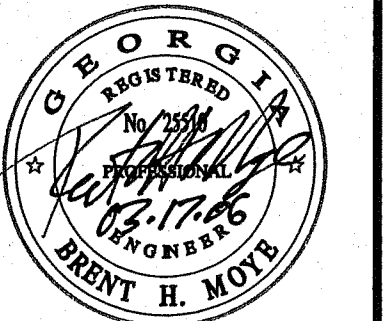
Scale: Hor - 1" = 50'; Ver - 1" = 5'



24-HR Contact:
Brian Cagle
770-210-4663



IF YOU DIG GEORGIA...
CALL US FIRST!
1-800-282-7411
770-623-4344
(METRO ATLANTA ONLY)
UTILITIES PROTECTION CENTER
IT'S THE LAW



Storm & Sanitary Sewer Profiles
Prepared For:
Brush Creek Commons

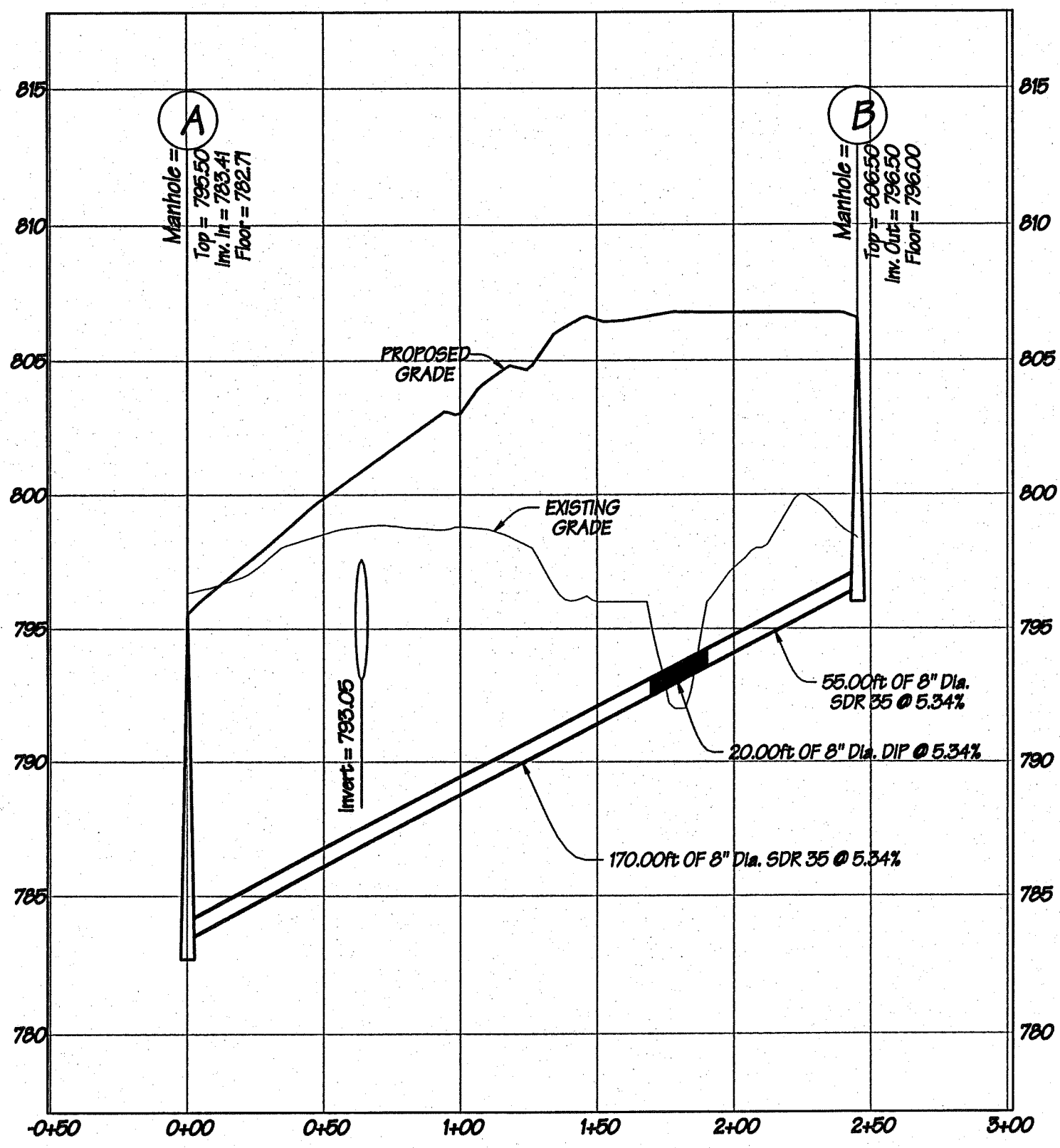
Developer:
Timberline Group, LLC
P.O. Box 335
Lovelady, Georgia 30250
770-210-4663
770-897-0971

DATE	RELEASE DESCRIPTION
07-23-05	revised per city comments
12-09-05	revised per city comments
03-17-06	revised per city comments

DATE: 25 Jan, 2005
LAND LOT: 59 & 70
DISTRICT: 12th
SECTION: N/A
CITY: Stockbridge
COUNTY: Henry
STATE: Georgia
JOB NUMBER: 2004.039

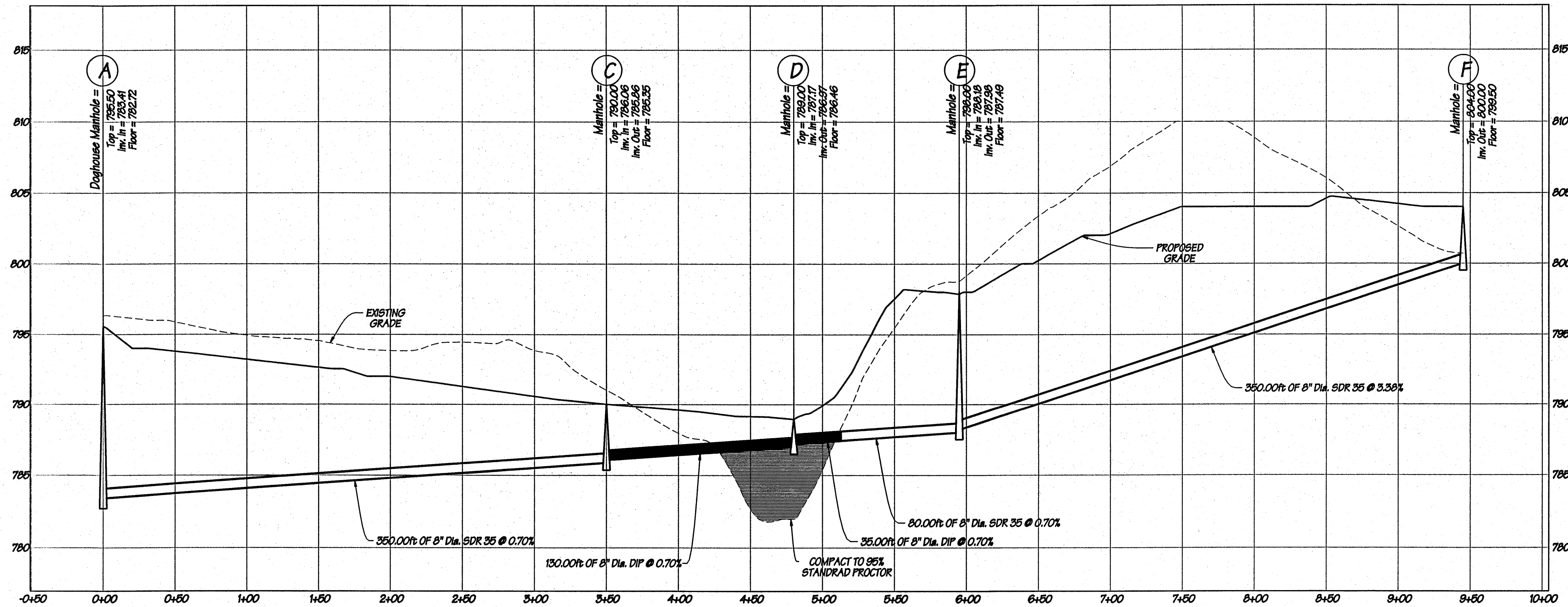
14

14 OF 26 SHEETS
FILE NUMBER: 04-D-039



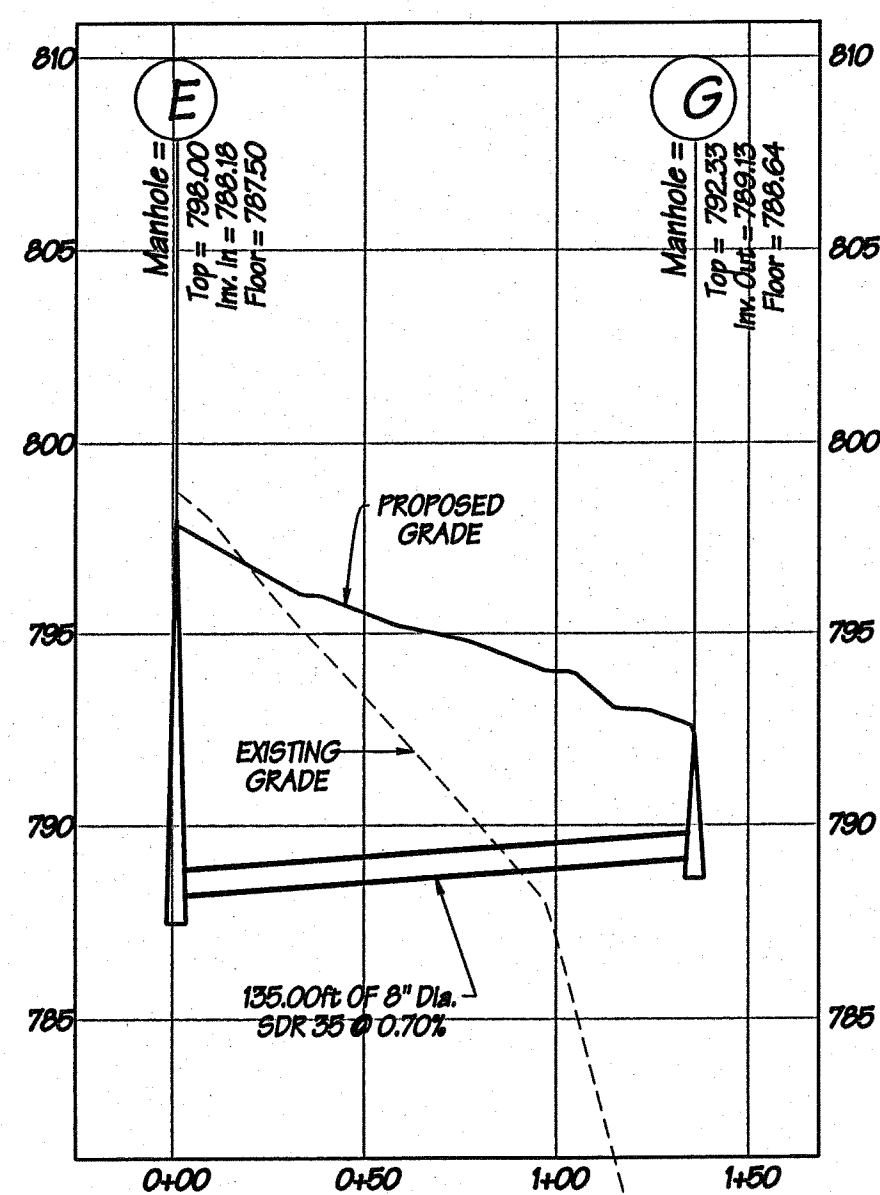
Sanitary Sewer Profile

Scale: Hor - 1" = 50'; Ver - 1" = 5'



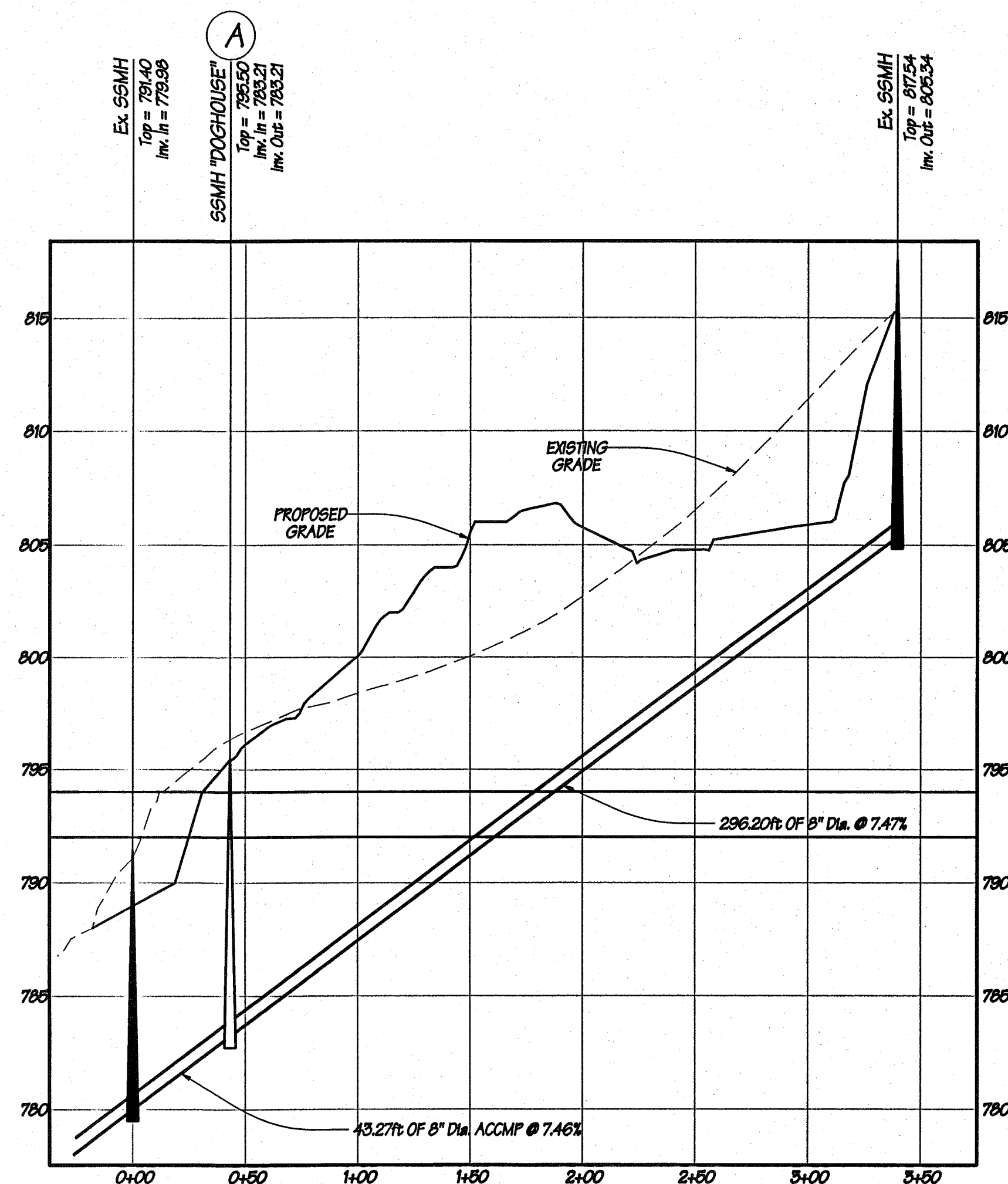
Sanitary Sewer Profile

Scale: Hor - 1" = 50'; Ver - 1" = 5'



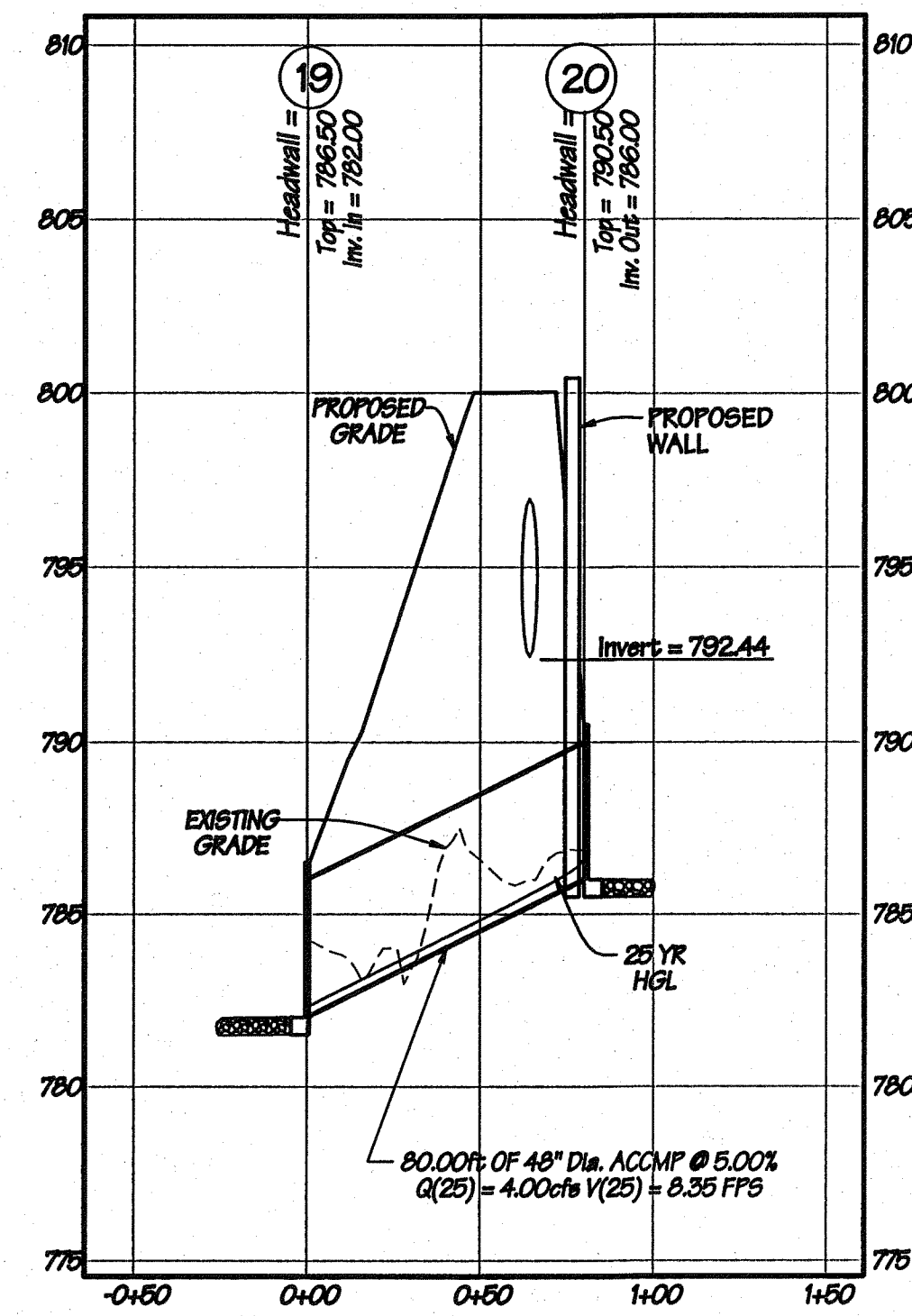
Sanitary Sewer Profile

Scale: Hor - 1" = 50'; Ver - 1" = 5'



Sanitary Sewer Profile

Scale: Hor - 1" = 50'; Ver - 1" = 5'



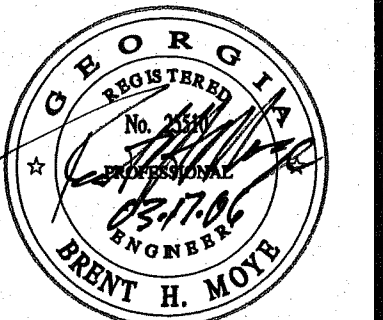
Storm Sewer Profile

Scale: Hor - 1" = 50'; Ver - 1" = 5'

24-HR Contact:
Brian Cagle
770-210-4663



IF YOU DIG GEORGIA...
CALL US FIRST!
1-800-282-7411
770-593-6344
(METRO ATLANTA ONLY)
UTILITIES PROTECTION CENTER
IT'S THE LAW



252 Keys Ferry Street
McDonough, GA 30253
P 678-432-5720
F 678-432-5483

Storm & Sanitary Sewer Profiles
Prepared For:

**Brush Creek
Commons**

Developer:
**Timberline
Group, LLC**

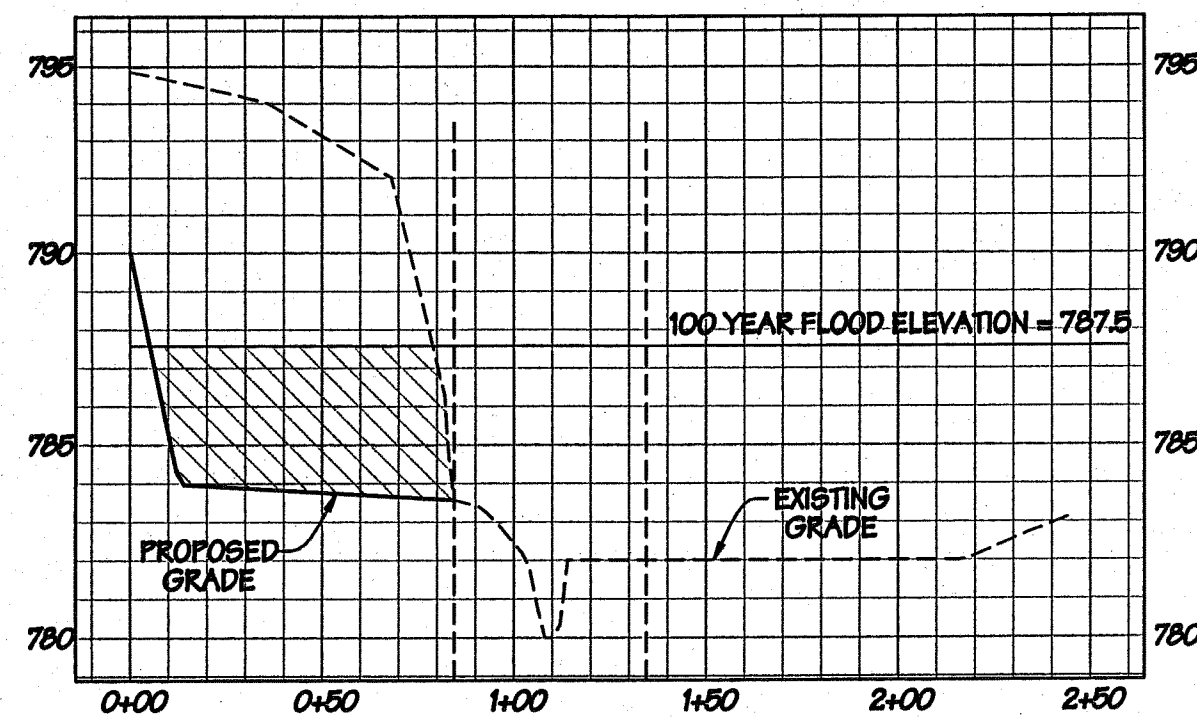
P.O. Box 335
Lovelock, NV 89403
P 775-397-0971

DATE	RELEASE DESCRIPTION
07-23-05	revised per city comments
12-09-05	revised per city comments
02-03-06	revised per city comments
03-17-06	revised per city comments

DATE: 25 Jan, 2005
LAND LOT: 59 & 70
DISTRICT: 12th
SECTION: N/A
CITY: Stockbridge
COUNTY: Henry
STATE: Georgia
JOB NUMBER: 2004.039

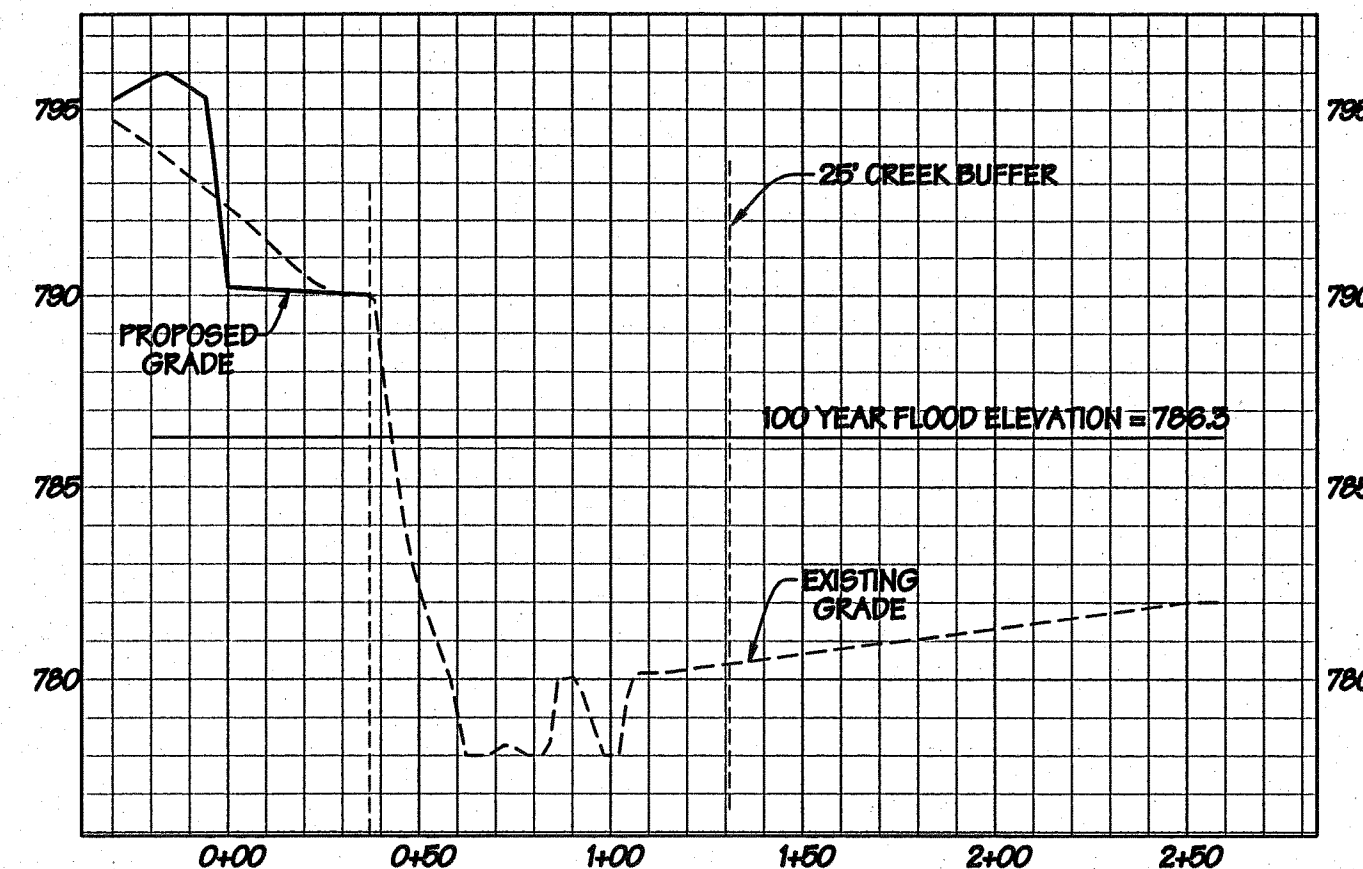
15

15 OF 26 SHEETS
FILE NUMBER: 04-D-039



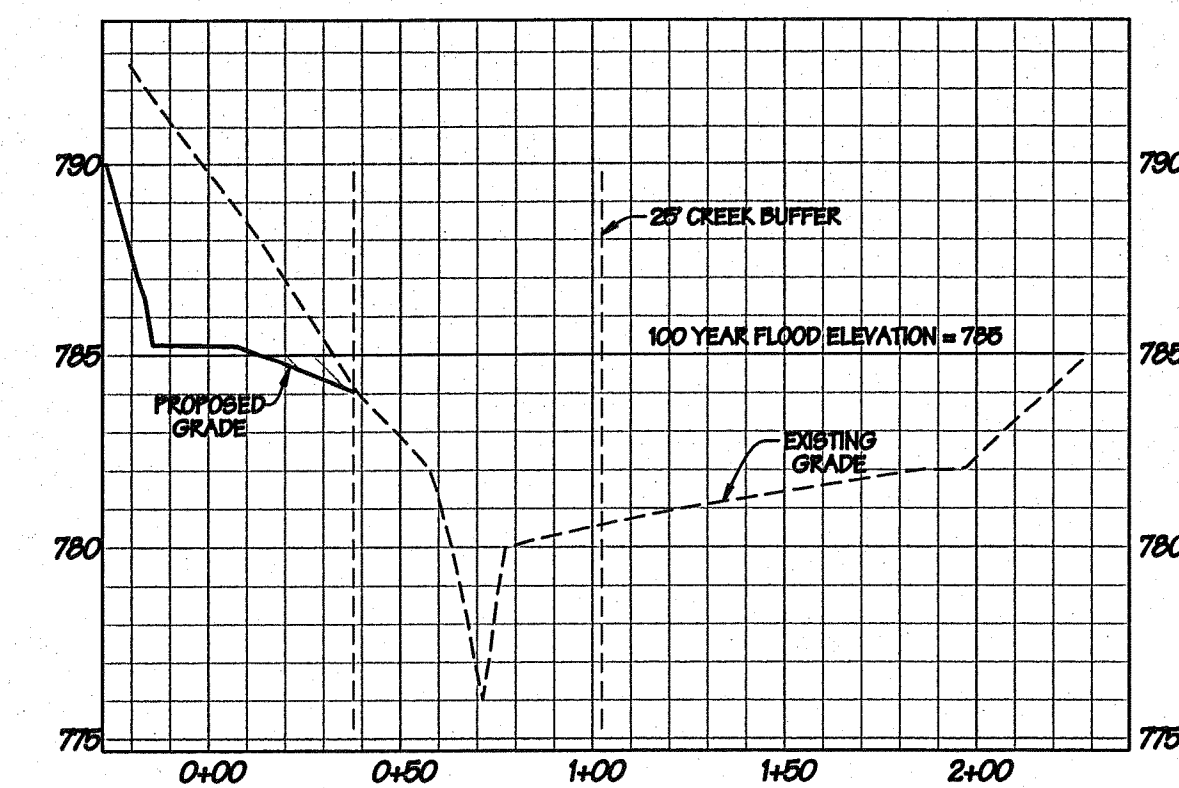
Cross Section A

Scale: Hor - 1" = 50'; Ver - 1" = 5'



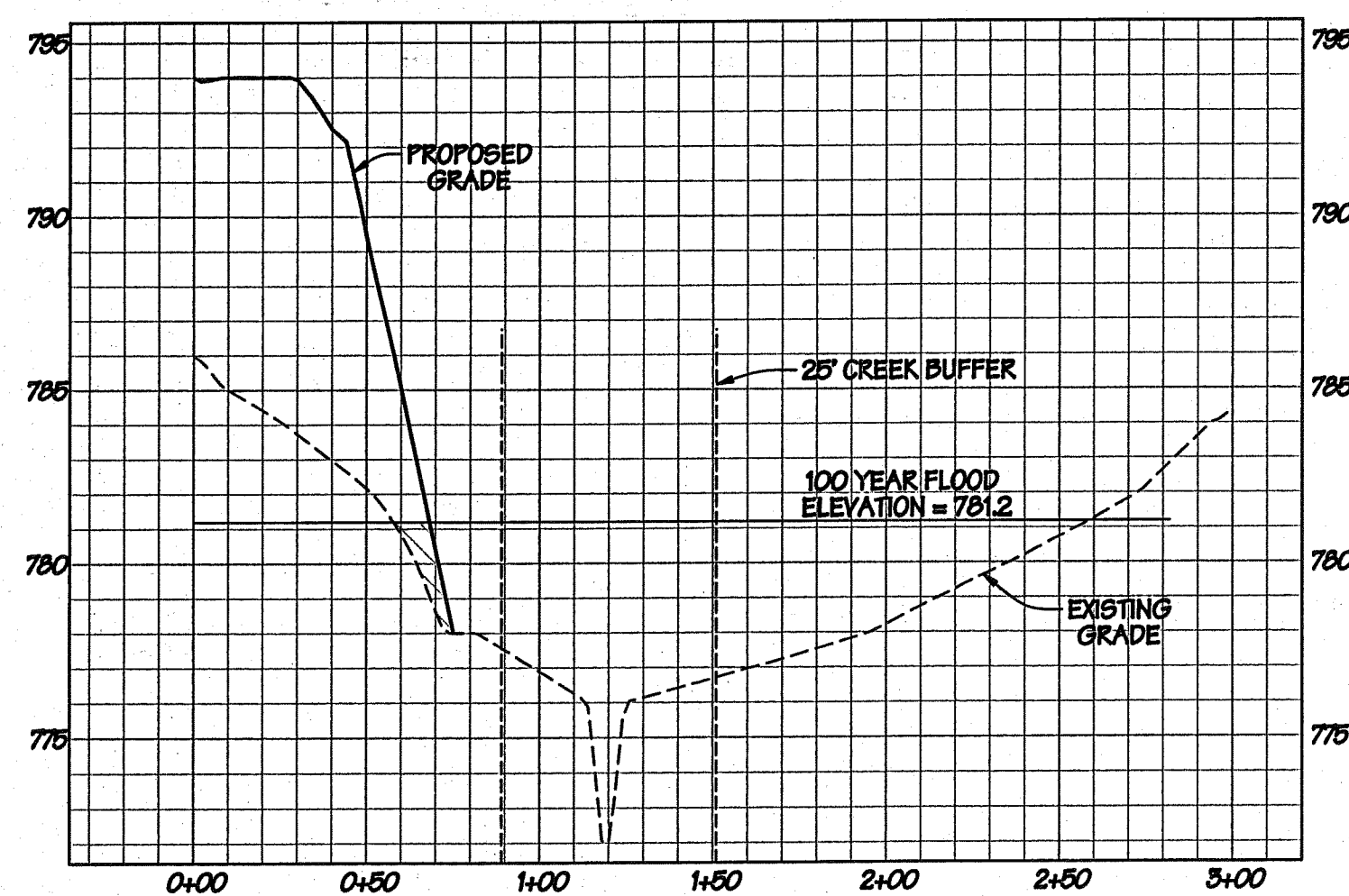
Cross Section B

Scale: Hor - 1" = 50'; Ver - 1" = 5'



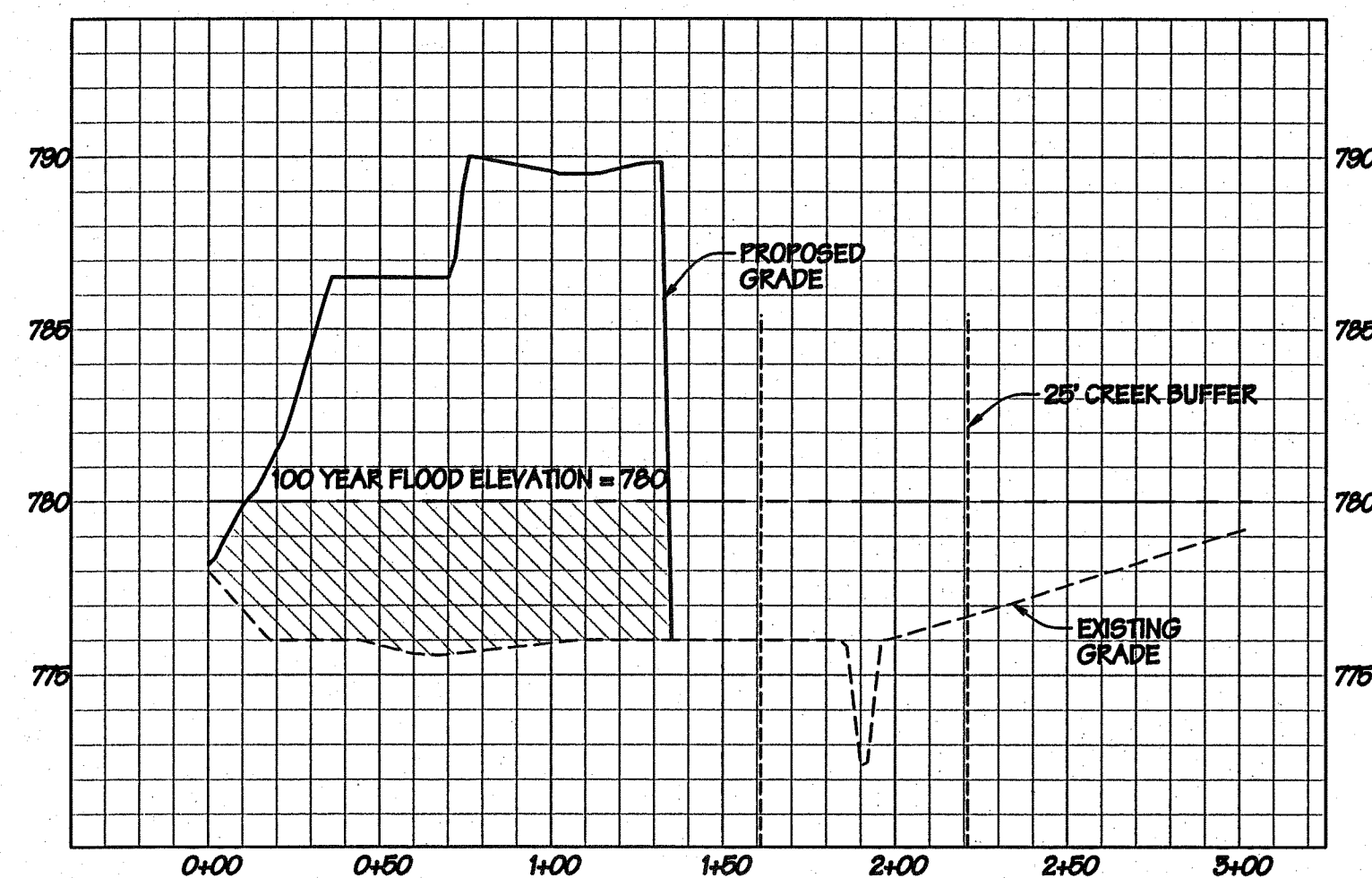
Cross Section C

Scale: Hor - 1" = 50'; Ver - 1" = 5'



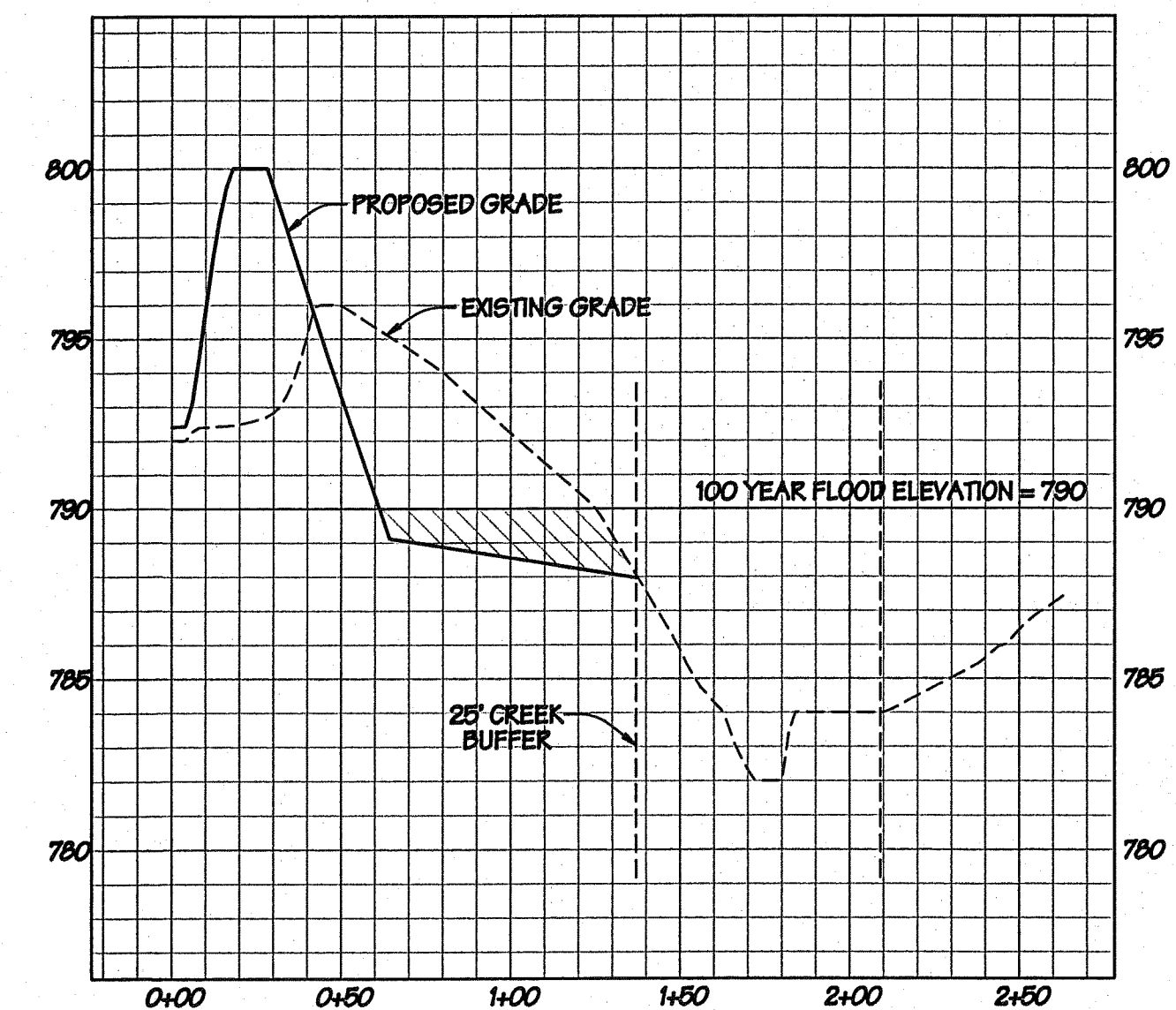
Cross Section D

Scale: Hor - 1" = 50'; Ver - 1" = 5'



Cross Section E

Scale: Hor - 1" = 50'; Ver - 1" = 5'



Cross Section F

Scale: Hor - 1" = 50'; Ver - 1" = 5'

24-HR Contact:
Brian Cagle
770-210-4863



IF YOU DIG GEORGIA...
CALL US FIRST!
1-800-282-7411
770-653-4344
(METRO ATLANTA ONLY)
UTILITIES PROTECTION CENTER
IT'S THE LAW

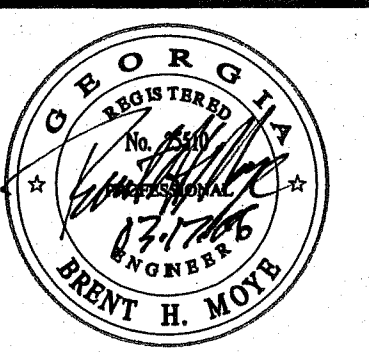
FLOOD PLAIN

PORTIONS OF THIS SITE ARE LOCATED IN A SPECIAL FLOOD AREA AS PER F.I.R.M. COMMUNITY PANEL NO. 130108 0001 A DATED JUNE, 15 1983

SEE GRADING AND DRAINAGE SHEET FOR CROSS SECTION LOCATIONS. (SHEET 5)

FLOOD PLAIN FILL = 2,739 CY

FLOOD PLAIN CUT = 2,788 CY



252 Keys Ferry Street
McDonough, GA 30253
p 578.432.5120
f 578.432.5463

Flood Plain Cross Section
Prepared For:

**Brush Creek
Commons**

Developer:
**Timberline
Group, LLC**

P.O. Box 335
Lovejoy, Georgia 30250
p 770.210.4663
f 770.897.0971

DATE	RELEASE DESCRIPTION
07-23-05	revised per city comments
12-09-05	revised per city comments
02-03-06	revised per city comments
03-17-06	revised per city comments

DATE: 25 Jan, 2005

LAND LOT: 59 & 70

DISTRICT: 12th

SECTION: N/A

CITY: Stockbridge

COUNTY: Henry

STATE: Georgia

JOB NUMBER:

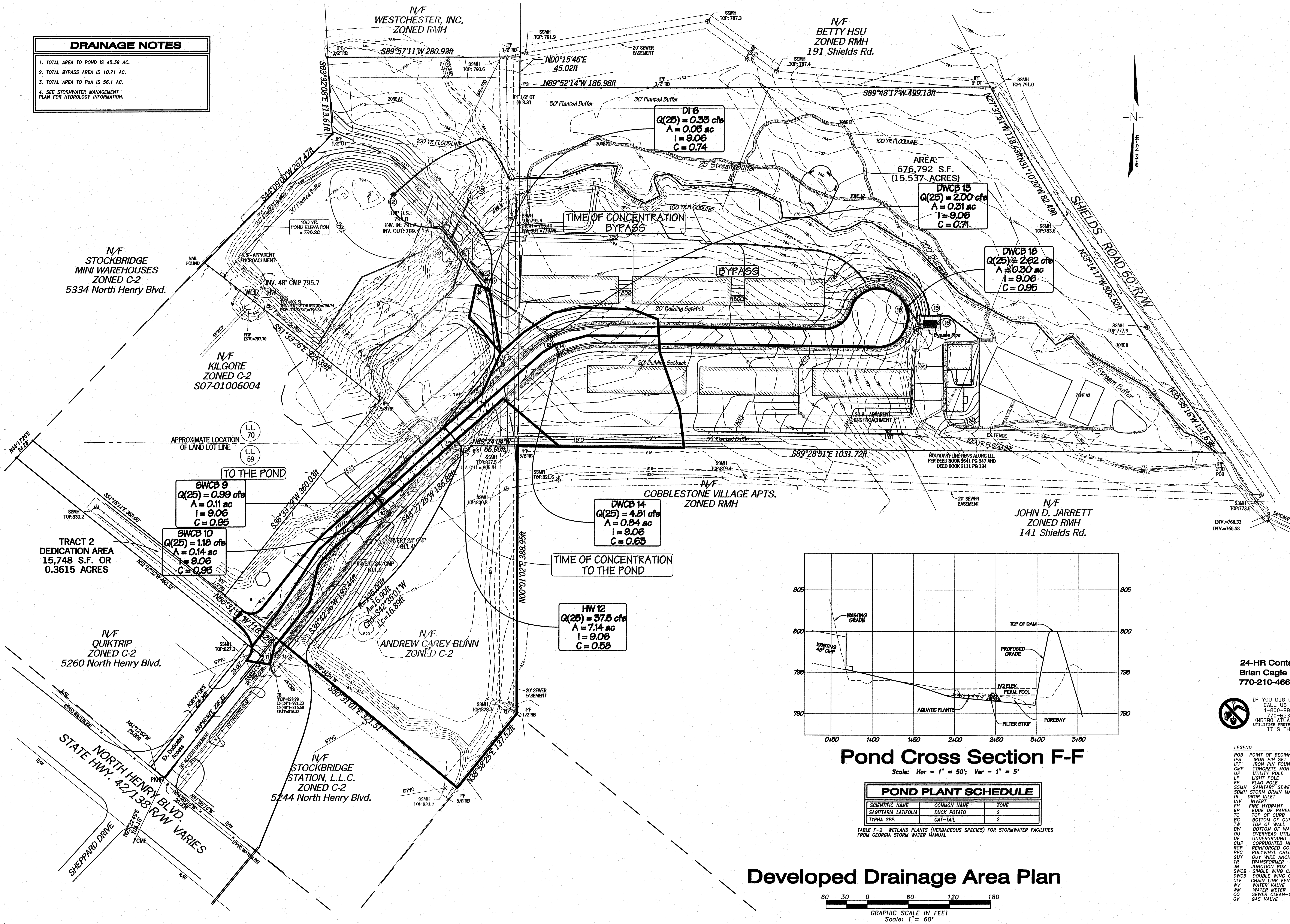
2004.039

16

16 OF 26 SHEETS

FILE NUMBER: 04-D-039

DRAINAGE NOTES
1. TOTAL AREA TO POND IS 45.39 AC.
2. TOTAL BYPASS AREA IS 10.71 AC.
3. TOTAL AREA TO PoA IS 56.1 AC.
4. SEE STORMWATER MANAGEMENT PLAN FOR HYDROLOGY INFORMATION.



252 Keys Ferry Street
McDonough, GA 30253
P 770.432.5720
F 770.432.5463

Brush Creek Commons

Developed Drainage Area Plan Prepared For:

Timberline Group, LLC

P.O. Box 335
Loc. 210, 4663
770.897.0971

DATE	RELEASE DESCRIPTION	DATE	RELEASE DESCRIPTION
07-23-05	revised per city comments	12-09-05	revised per city comments
02-03-06	revised per city comments	03-17-06	revised per city comments

DATE: 25 Jan, 2005

LAND LOT: 59 & 70

DISTRICT: 12th

SECTION: N/A

CITY: Stockbridge

COUNTY: Henry

STATE: Georgia

JOB NUMBER: 2004.039

17

17 OF 26 SHEETS

FILE NUMBER: 04-D-039

24-HR Contact:
Brian Cagle
770-210-4663

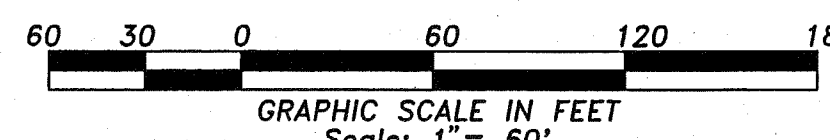
IF YOU DIG GEORGIA...
CALL US FIRST!
1-800-282-7411
770-623-4344
(METRO ATLANTA ONLY)
UTILITIES PROTECTION CENTER
IT'S THE LAW

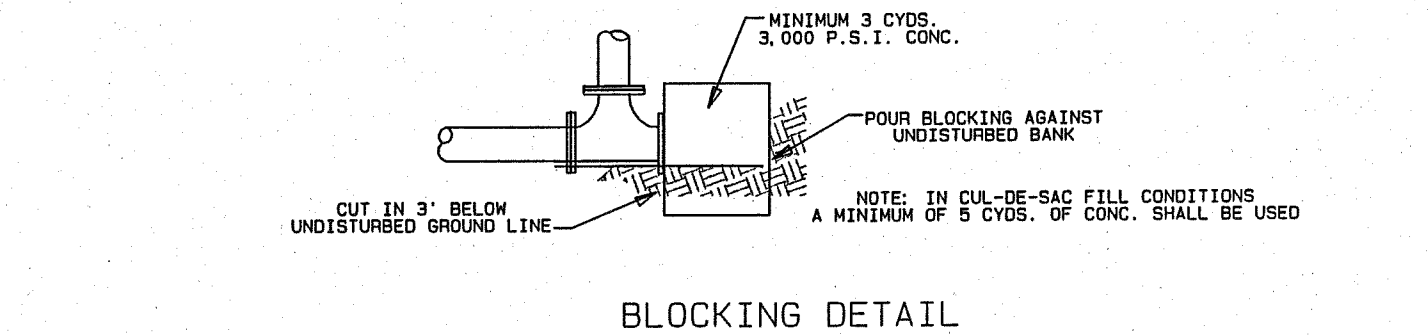
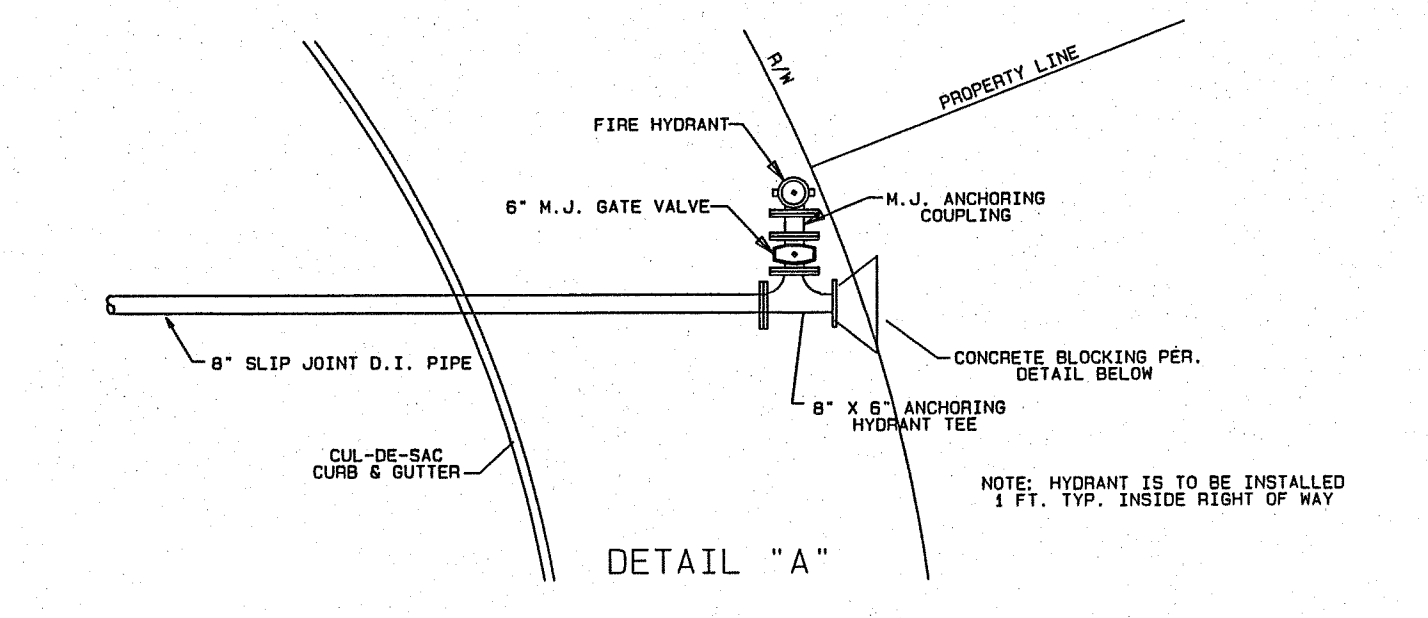
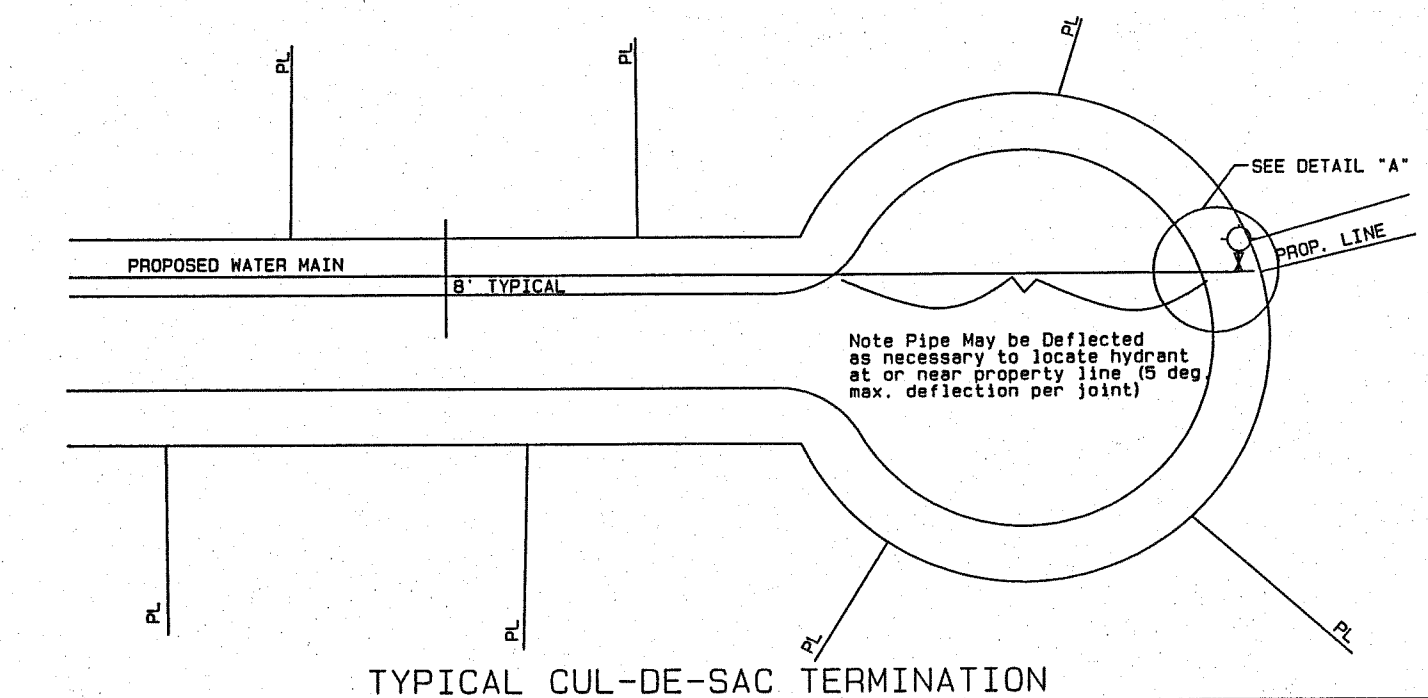
- LEGEND
- POB POINT OF BEGINNING
 - IPS IRON PIN SET
 - IPF IRON PIN FOUND
 - CMF CONCRETE MONUMENT FOUND
 - UP UTILITY POLE
 - LP LIGHT POLE
 - FP FLAG POLE
 - SSMH SANITARY SEWER MANHOLE
 - SDMH STORM DRAIN MANHOLE
 - DI DROP INLET
 - INV INVERT
 - FH FIRE HYDRANT
 - EP EDGE OF PAVEMENT
 - TC TOP OF CURB
 - BC BOTTOM OF CURB
 - BW BOTTOM OF WALL
 - OU OVERHEAD UTILITY
 - UE UNDERGROUND UTILITY
 - CMP CORRUGATED METAL PIPE
 - RCP REINFORCED CONCRETE PIPE
 - PVC POLYVINYL CHLORIDE PIPE
 - GUY GUY WIRE ANCHOR
 - TR TRANSFORMER
 - JB JUNCTION BOX
 - SWCB SINGLE WING CATCH BASIN
 - DWCB DOUBLE WING CATCH BASIN
 - CLF CHAIN LINK FENCE
 - WV WATER VALVE
 - WM WATER METER
 - CO SEWER CLEAN-OUT
 - GV GAS VALVE

POND PLANT SCHEDULE		
SCIENTIFIC NAME	COMMON NAME	ZONE
SAGITTARIA LATIFOLIA	DUCK POTATO	2
TYPHA SPP.	CAT-TAIL	2

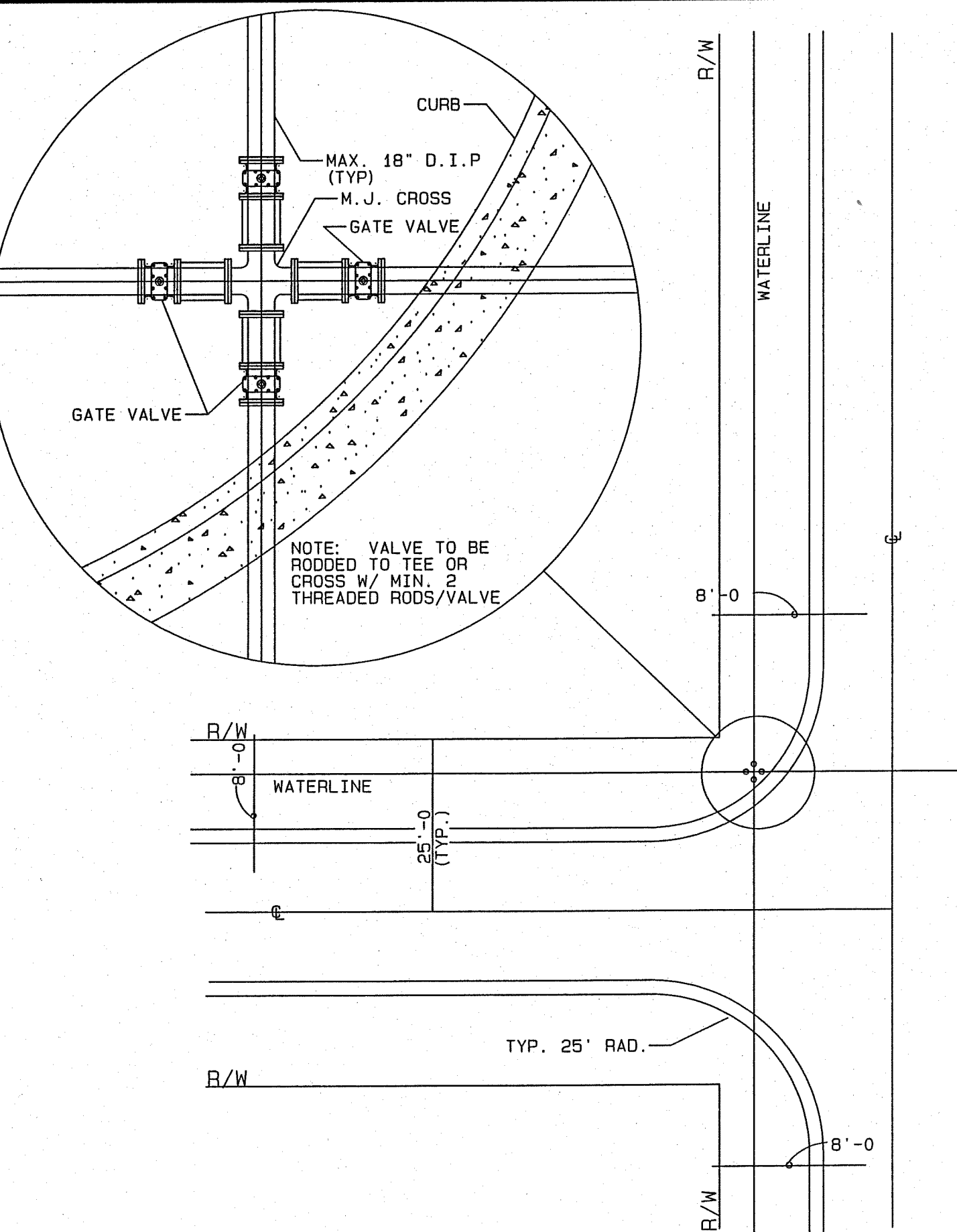
TABLE F-2 WETLAND PLANTS (HERBACEOUS SPECIES) FOR STORMWATER FACILITIES
FROM GEORGIA STORM WATER MANUAL

Developed Drainage Area Plan

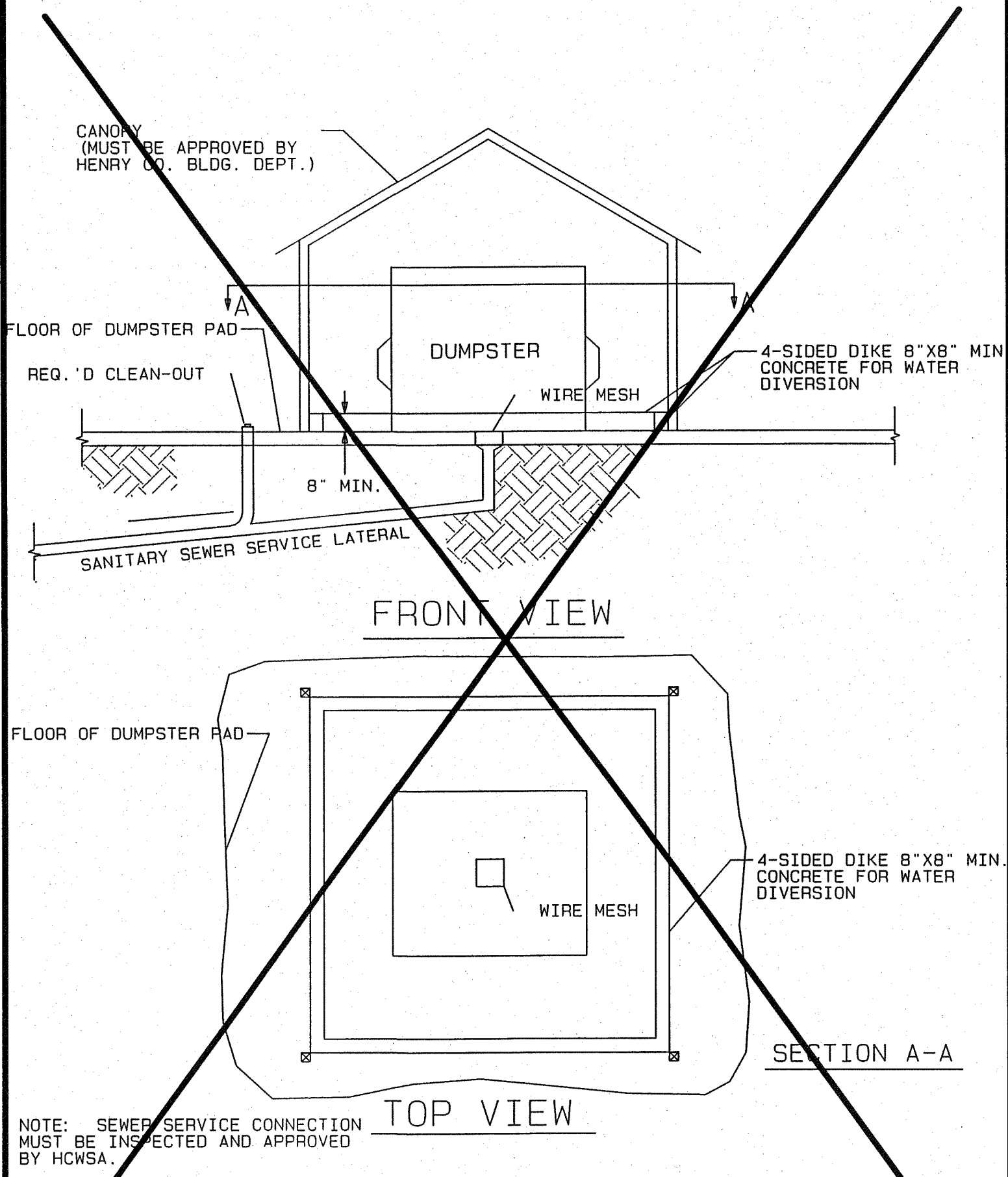




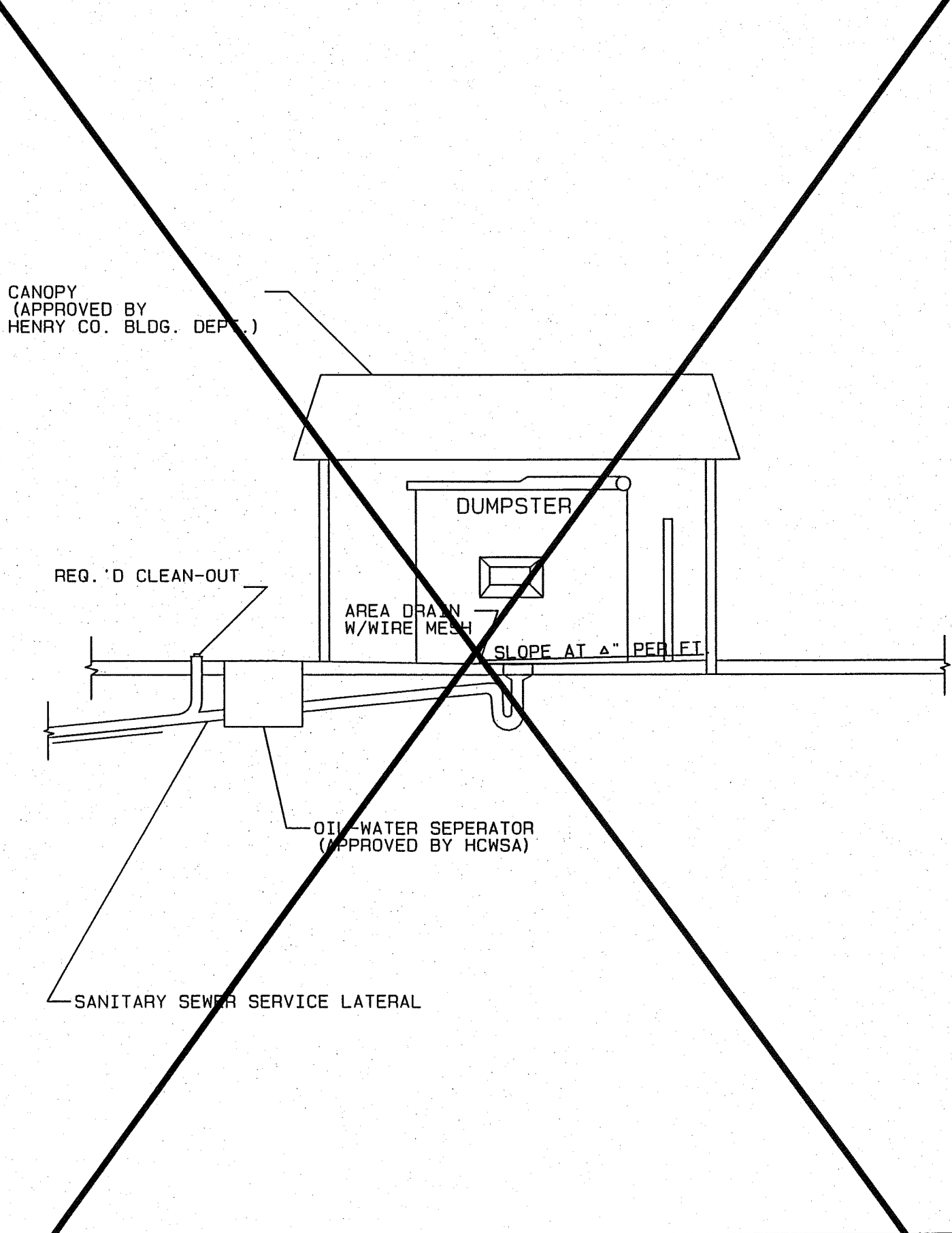
Henry County Water & Sewerage Authority
CUL-DE-SAC WATER LINE TERMINATION DETAIL
N.T.S.
8/01



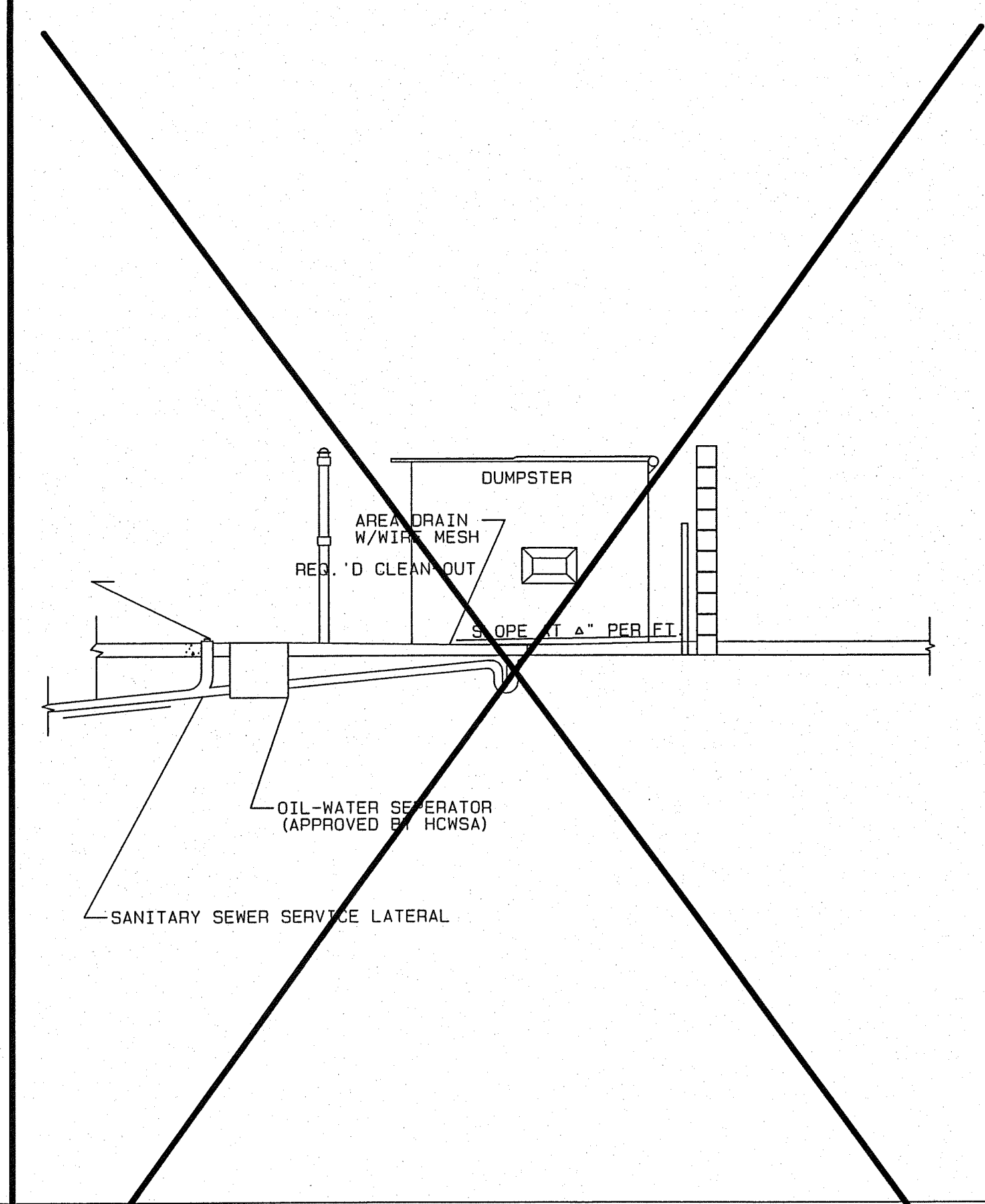
Henry County Water & Sewerage Authority
WATERLINE INTERSECTION DETAIL
1" = 20'
8/01



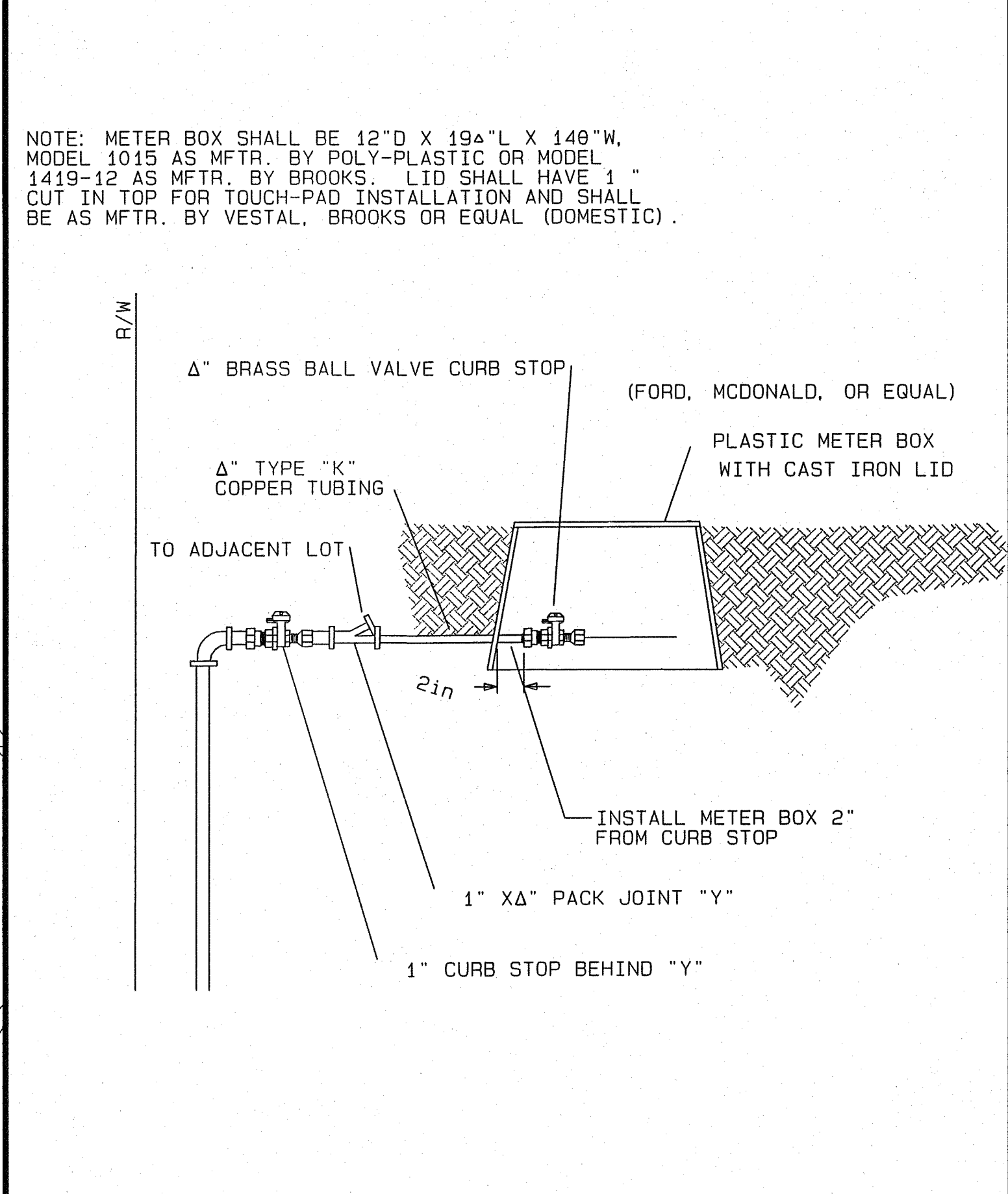
Henry County Water & Sewerage Authority
DUMPSTER PAD SEWER CONNECTION DETAIL
DATE: 8/01



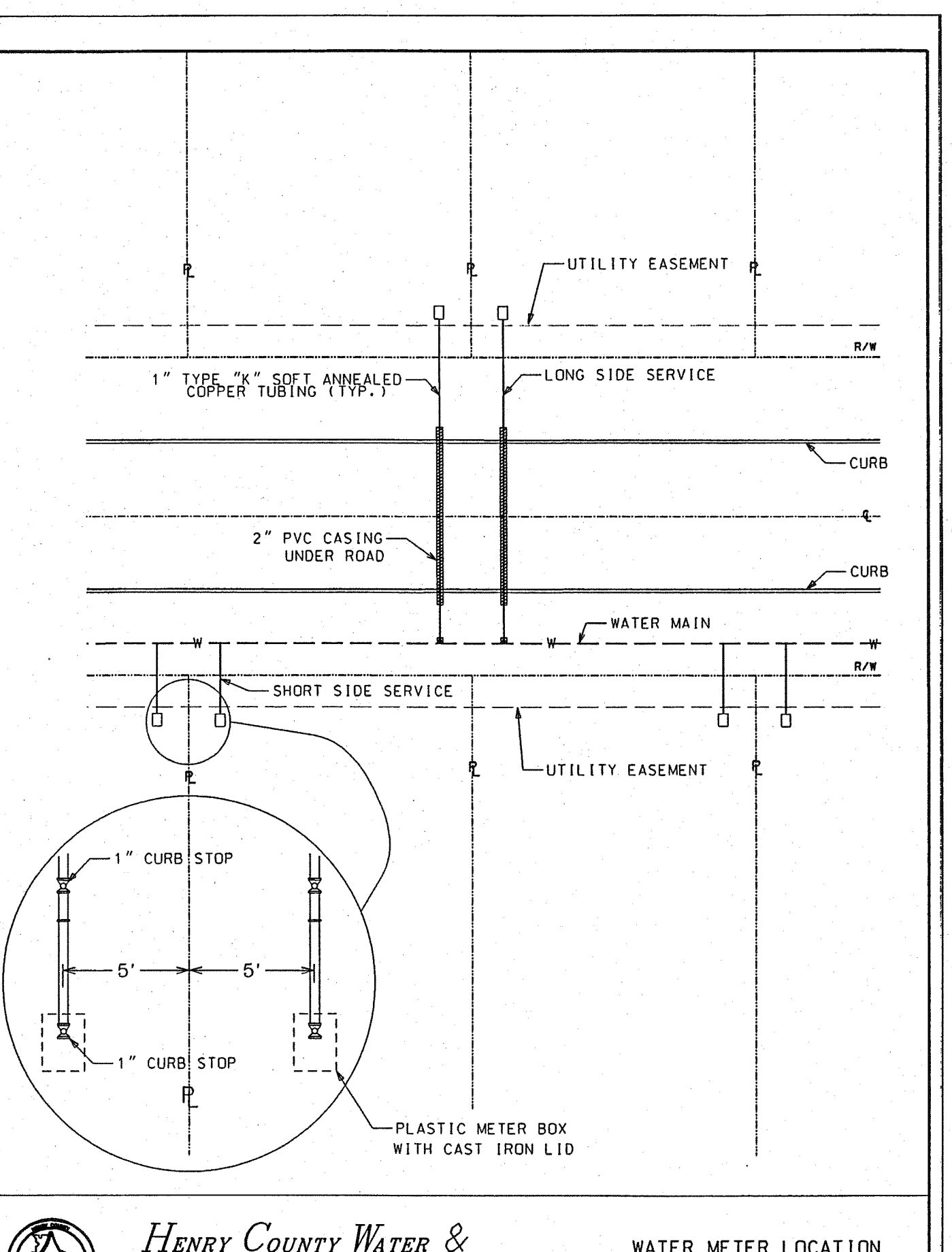
Henry County Water & Sewerage Authority
DUMPSTER PAD SEWER CONNECTION DETAIL WITH CANOPY
1" = 5'
DATE: 6/21/02



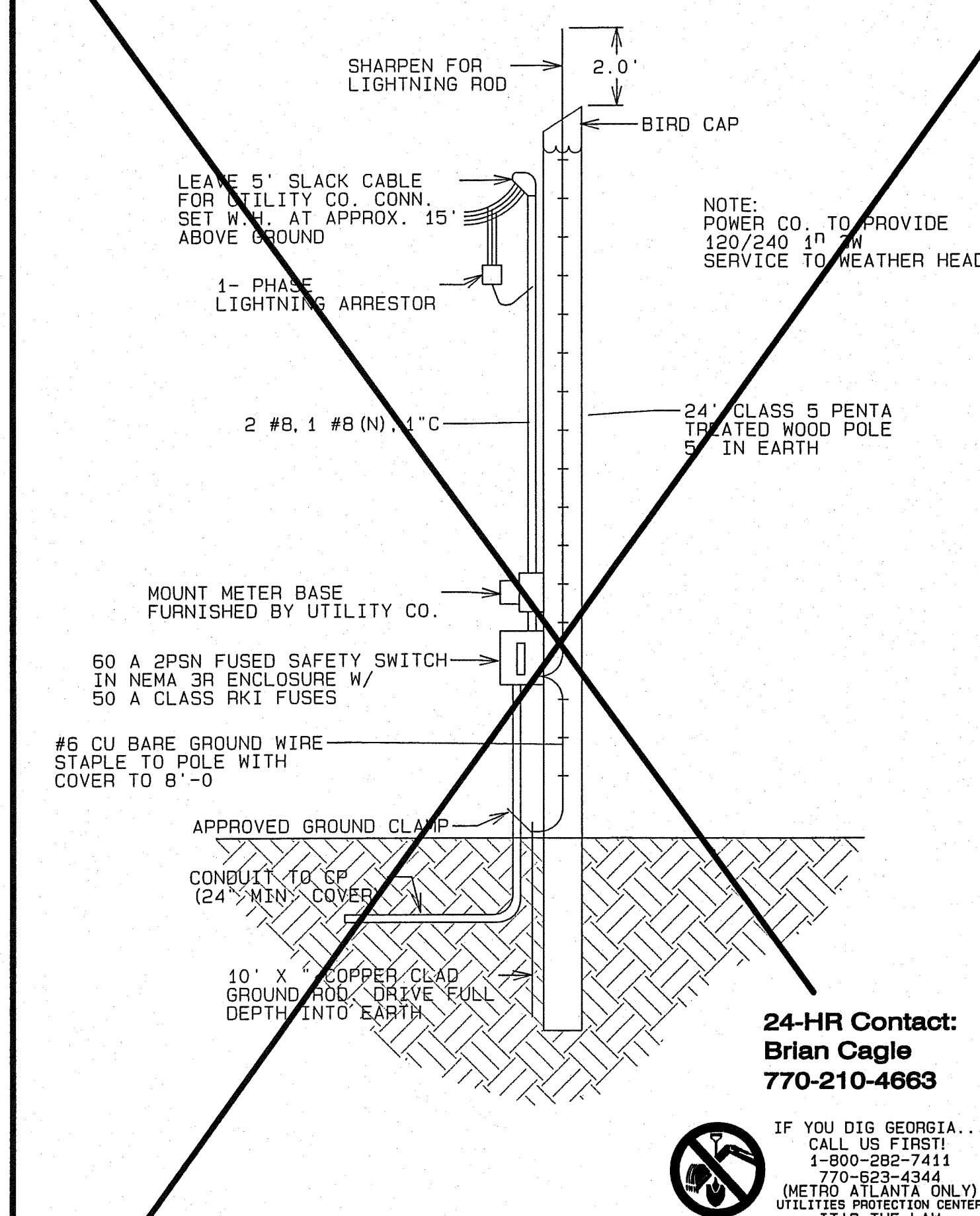
Henry County Water & Sewerage Authority
DUMPSTER PAD SEWER CONNECTION DETAIL
1" = 5'
DATE: 6/21/02



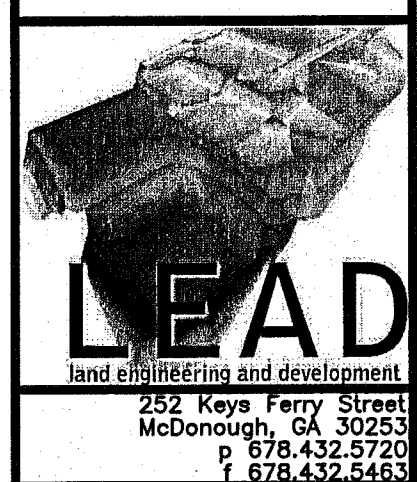
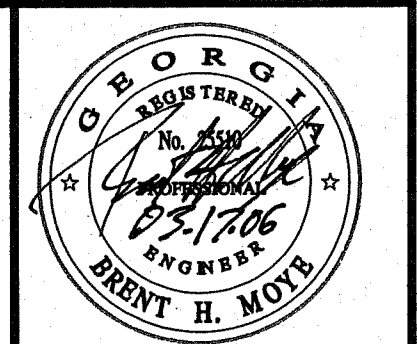
Henry County Water & Sewerage Authority
METER BOX DETAIL
8/01



Henry County Water & Sewerage Authority
WATER METER LOCATION FOR SUBDIVISION
N.T.S. REVISED MAY 2005
...lwmetloc.dgn 03/14/2005 09:53:59 AM



Henry County Water & Sewerage Authority
PUMP STATION "A" ELECTRICAL SERVICE POLE DETAIL N.T.S.
8/01

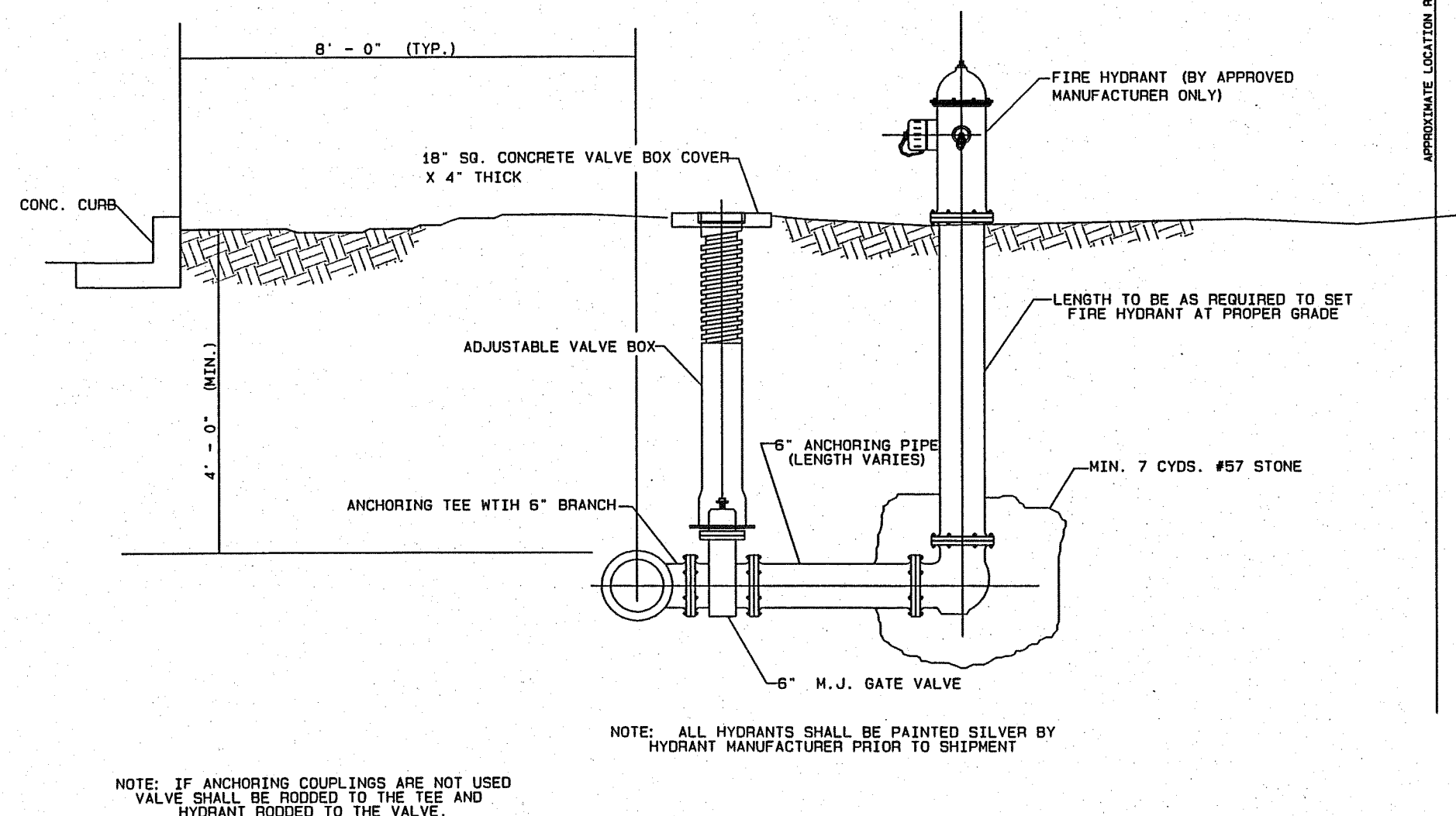
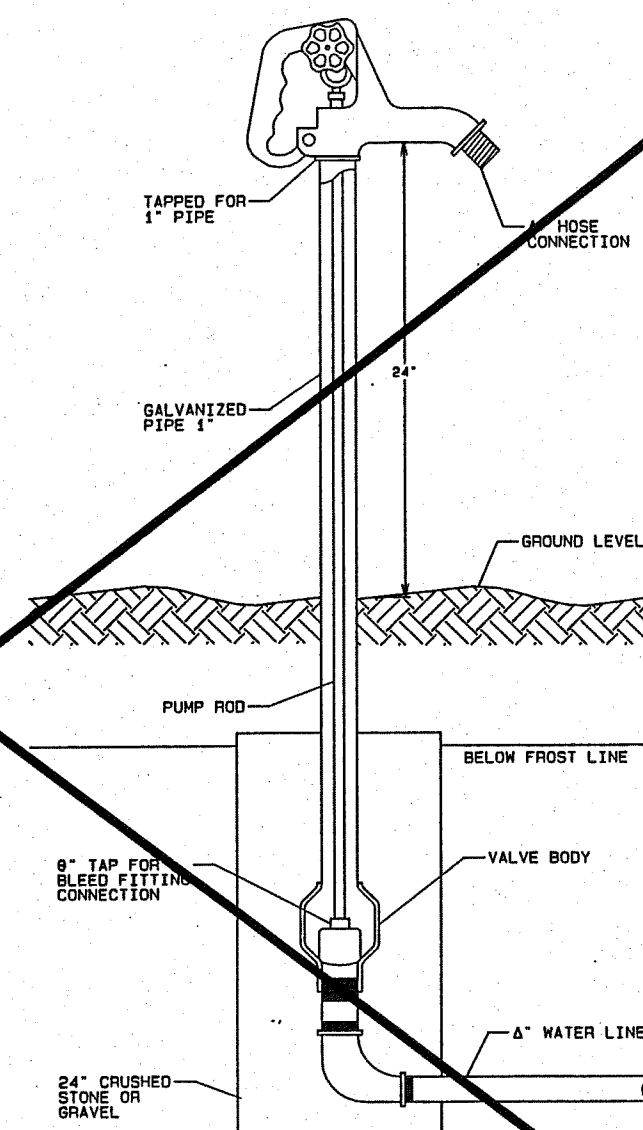


Construction Details Prepared For:
Brush Creek Commons

Developer:
Timberline Group, LLC
P.O. Box 335
Lovesburg, Georgia 30250
P 770.210.4663
F 770.897.0971

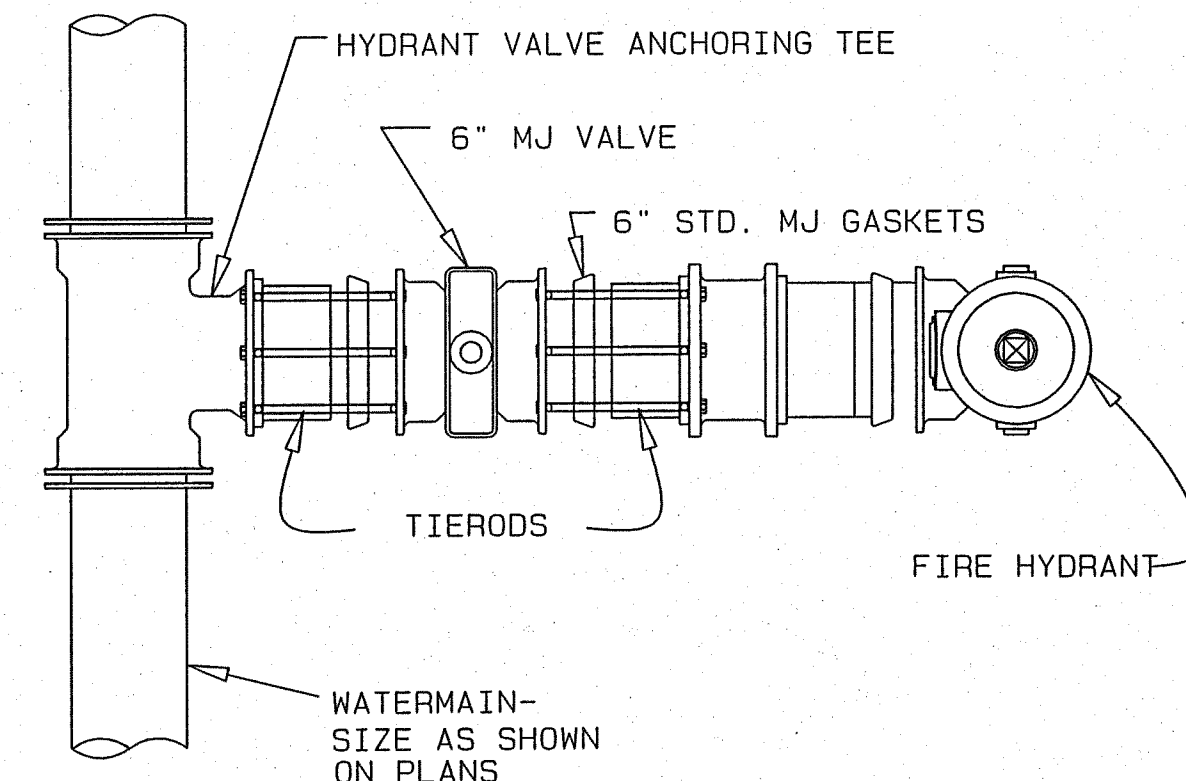
DATE	RELEASE DESCRIPTION
07-23-05	revised per city comments
12-09-05	revised per city comments
03-17-06	revised per city comments

DATE: 25 Jan, 2005
LAND LOT: 59 & 70
DISTRICT: 12th
SECTION: N/A
CITY: Stockbridge
COUNTY: Henry
STATE: Georgia
JOB NUMBER: 2004.039



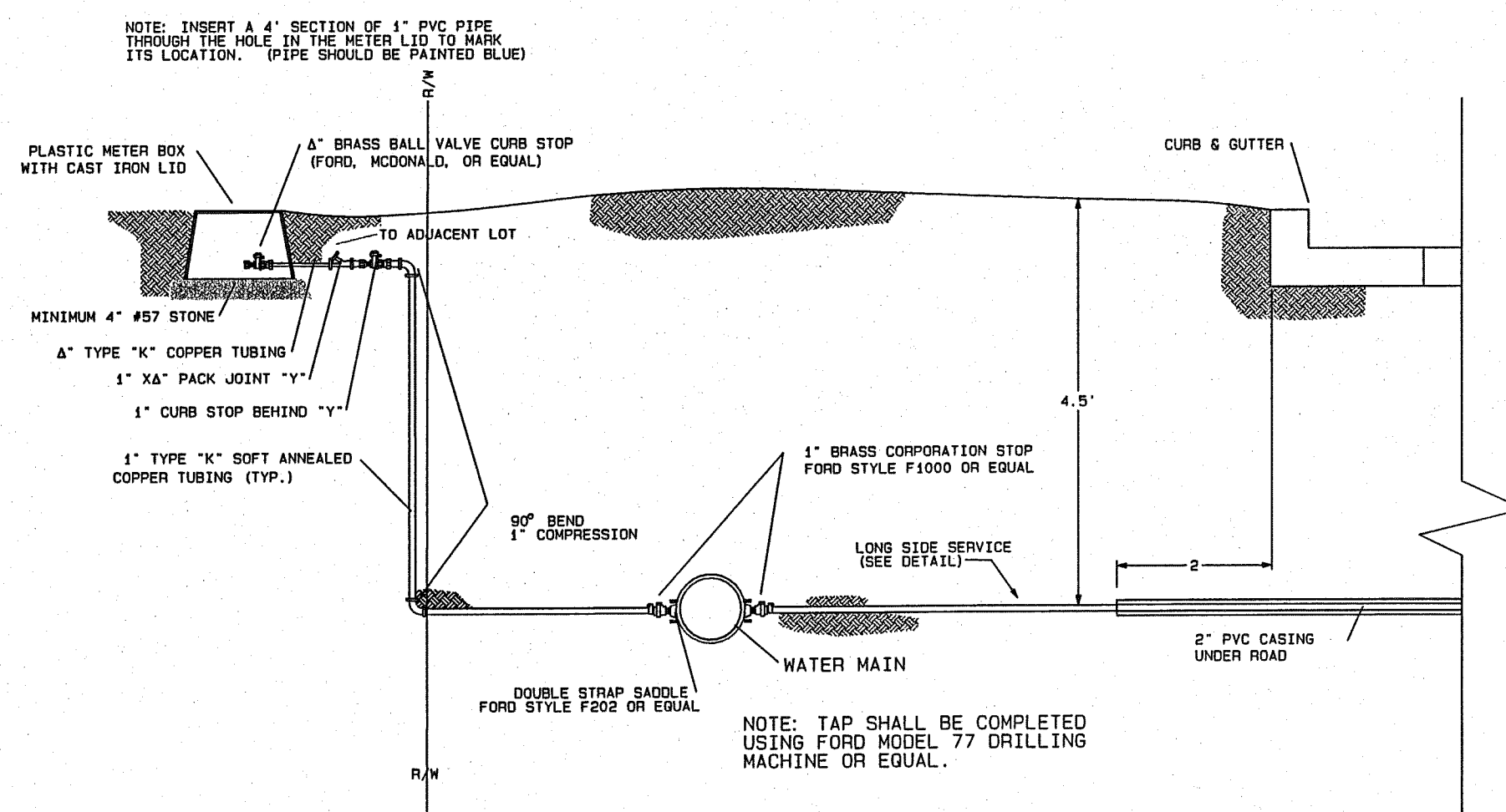
FIRE HYDRANT DETAIL
FOR INSTALLATIONS WITH CURB

8/01

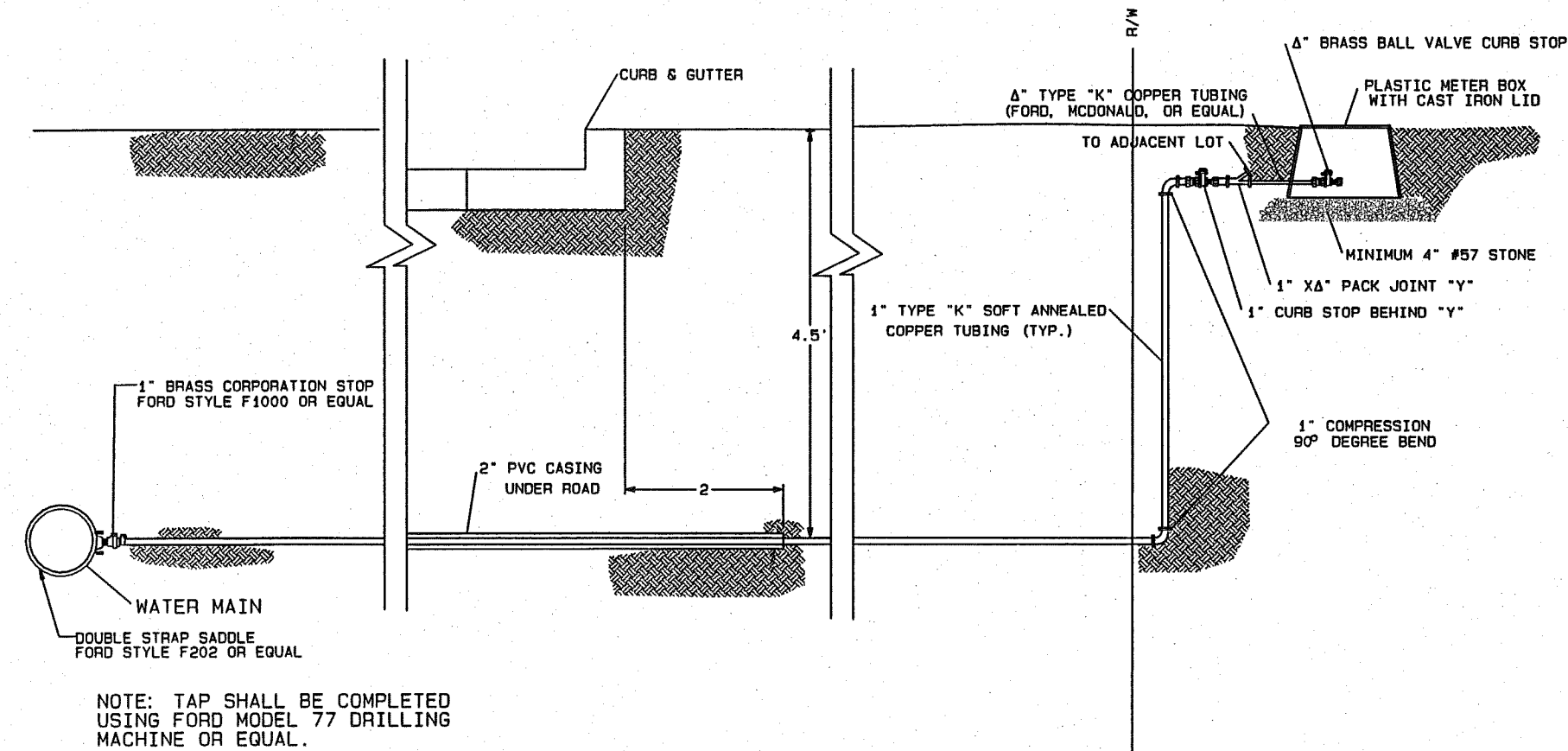


TYPICAL FIRE HYDRANT ASSEMBLY

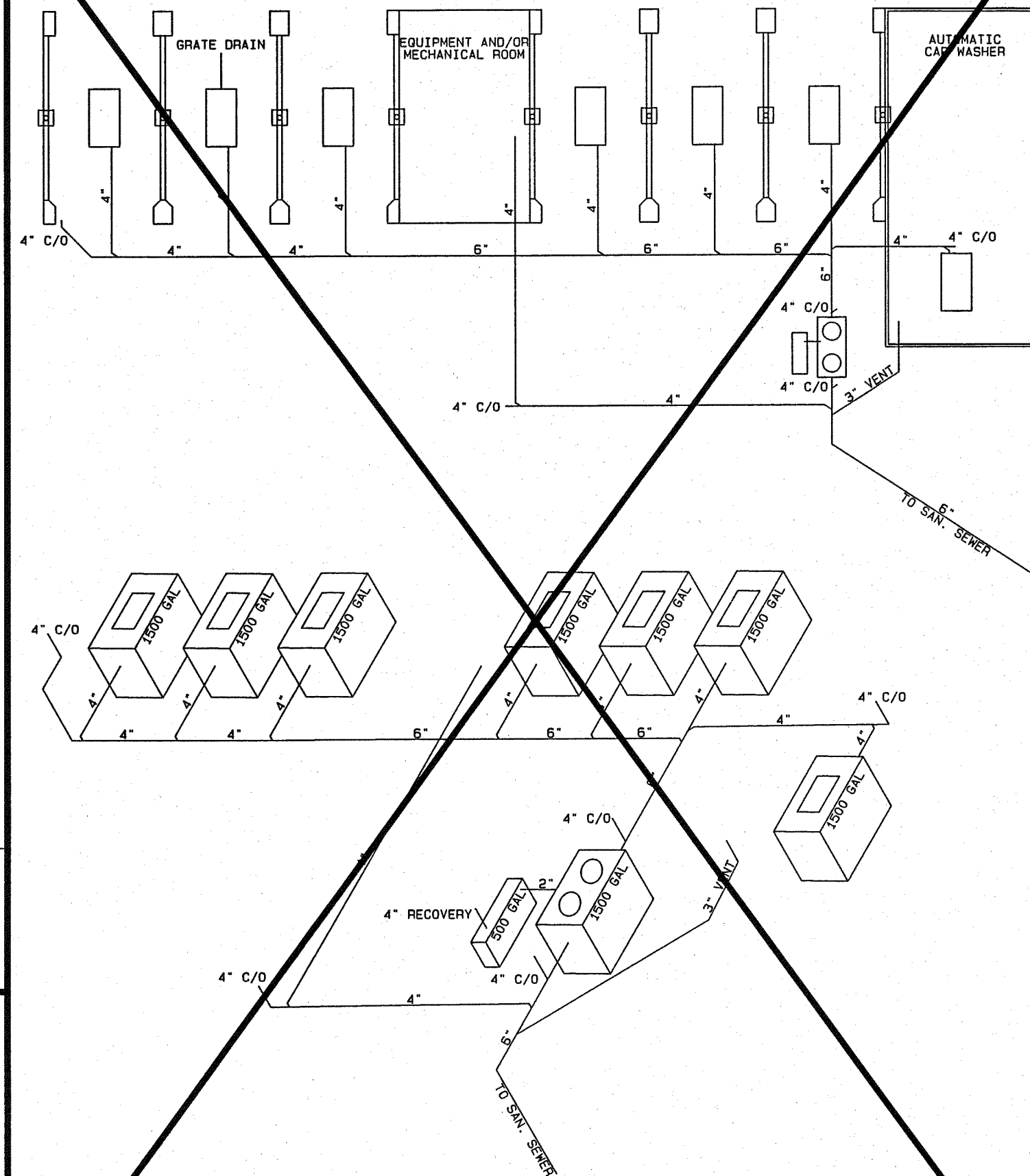
N.T.S.
8/01



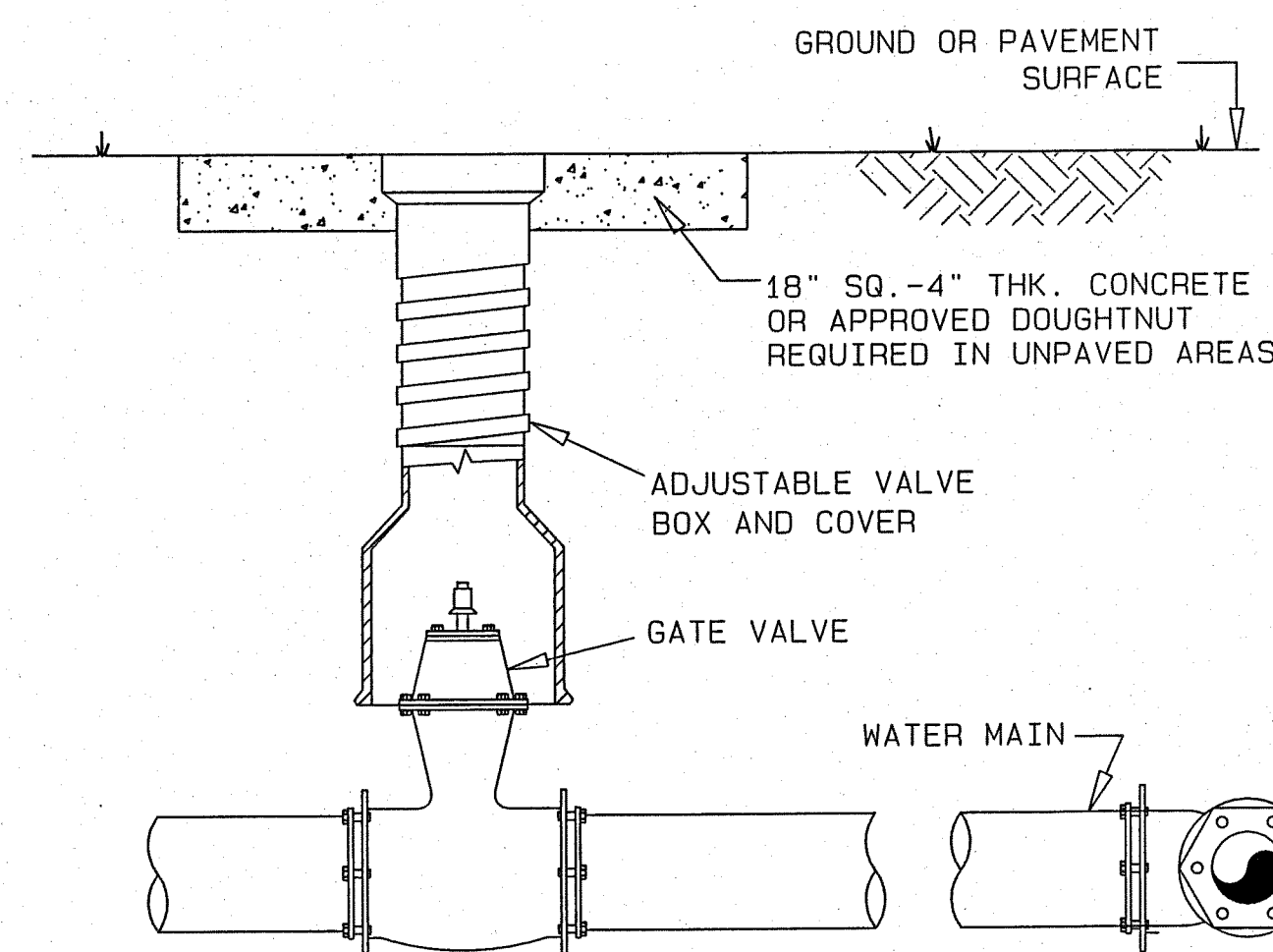
SERVICE LINE CONNECTION DETAIL
(SHORT SIDE)
SCALE: 1" = 2' DATE: 8/01



SERVICE LINE CONNECTION DETAIL
(LONG SIDE)
SCALE: 1" = 2' DATE: 8/01

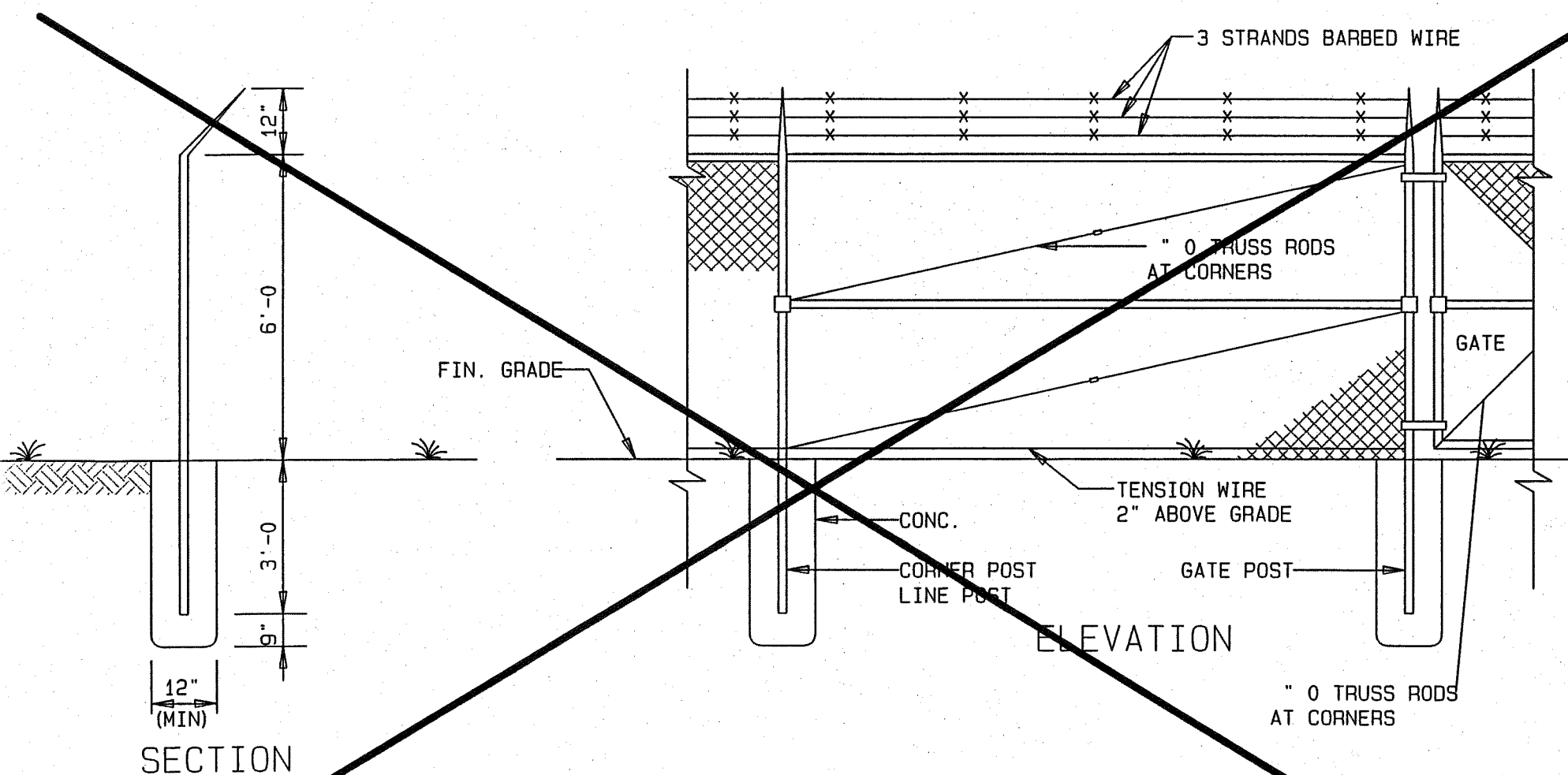


CAR WASH
SAND TRAP &
OIL WATER SEPARATOR
(TYPICAL)
8/01



VALVE INSTALLATION

N.T.S. 8/01



SECURITY FENCE DETAIL
N.T.S.
8/01



IF YOU DIG GEORGIA.
CALL US FIRST!
1-800-282-7411
770-623-4344
(METRO ATLANTA ONLY)
UTILITIES PROTECTION CENTER
IT'S THE LAW



LEAD

land engineering and development

252 Keys Ferry St.
McDonough, GA 30053
p 678.432.5
f 678.432.5

Consttuction Details Prepared For:

Brush Creek Commons

Developer:

Developer:
Timberline
Group, LLC

P.O. Box 335
Lovejoy, Georgia
P 770.210.4663
F 770.897.0971

DATE	RELEASE DESCRIPTION
07-23-05	revised per city comments
12-09-05	revised per city comments
03-17-06	revised per city comments

DATE: 25 Jan, 2005

LAND LOT: 59 & 70

DISTRICT: 12th

SECTION: N/A

CITY: Stockbridge

COUNTY: Henry

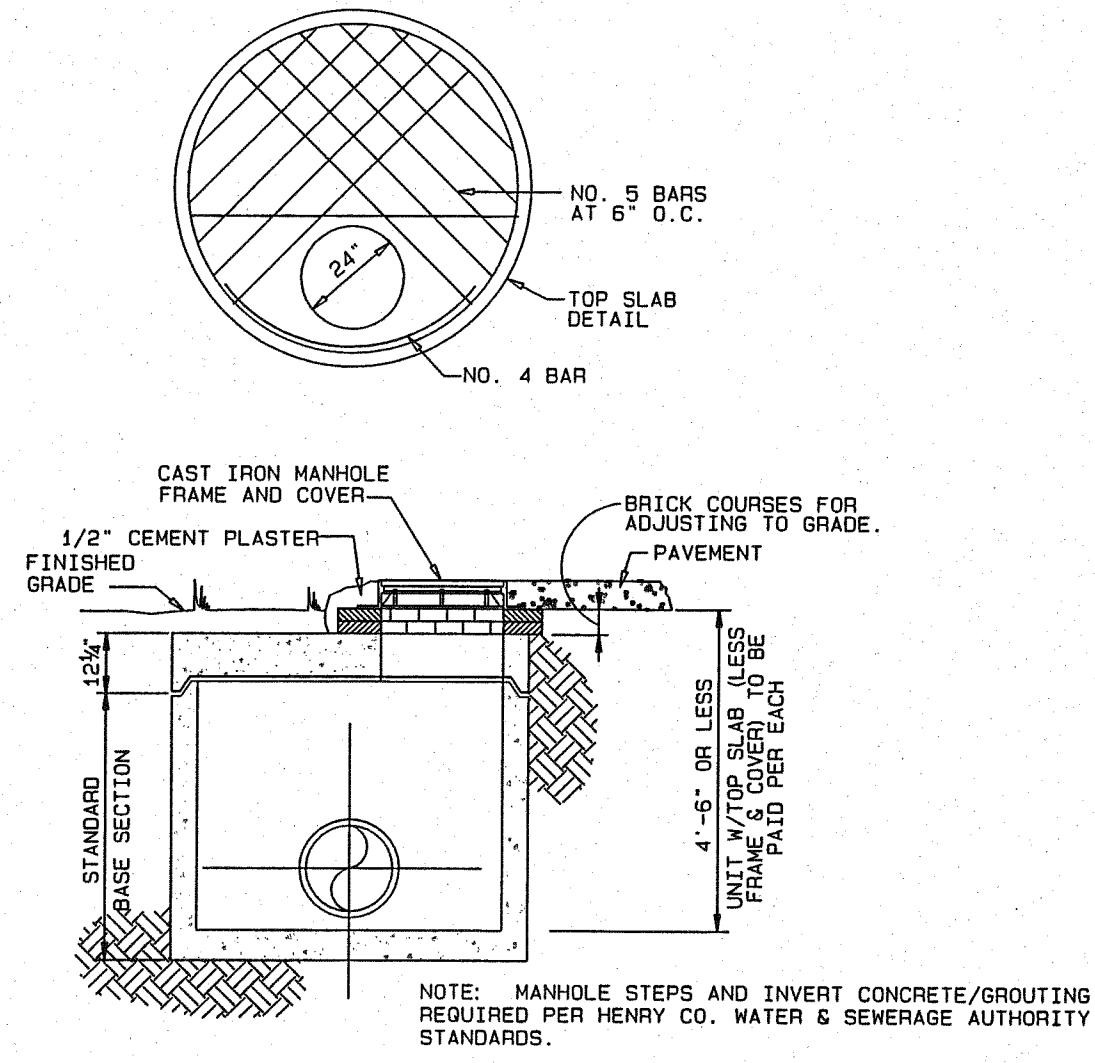
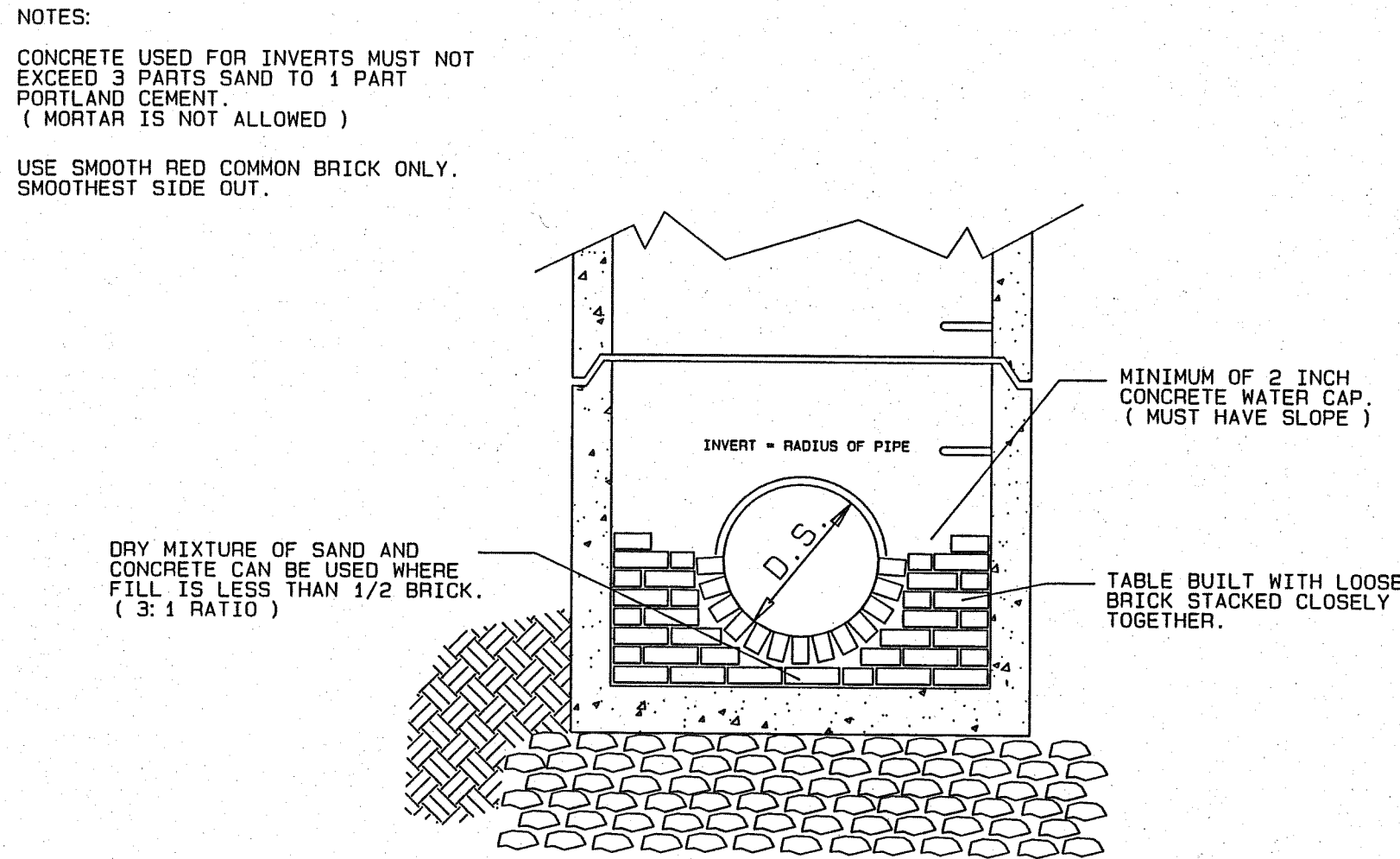
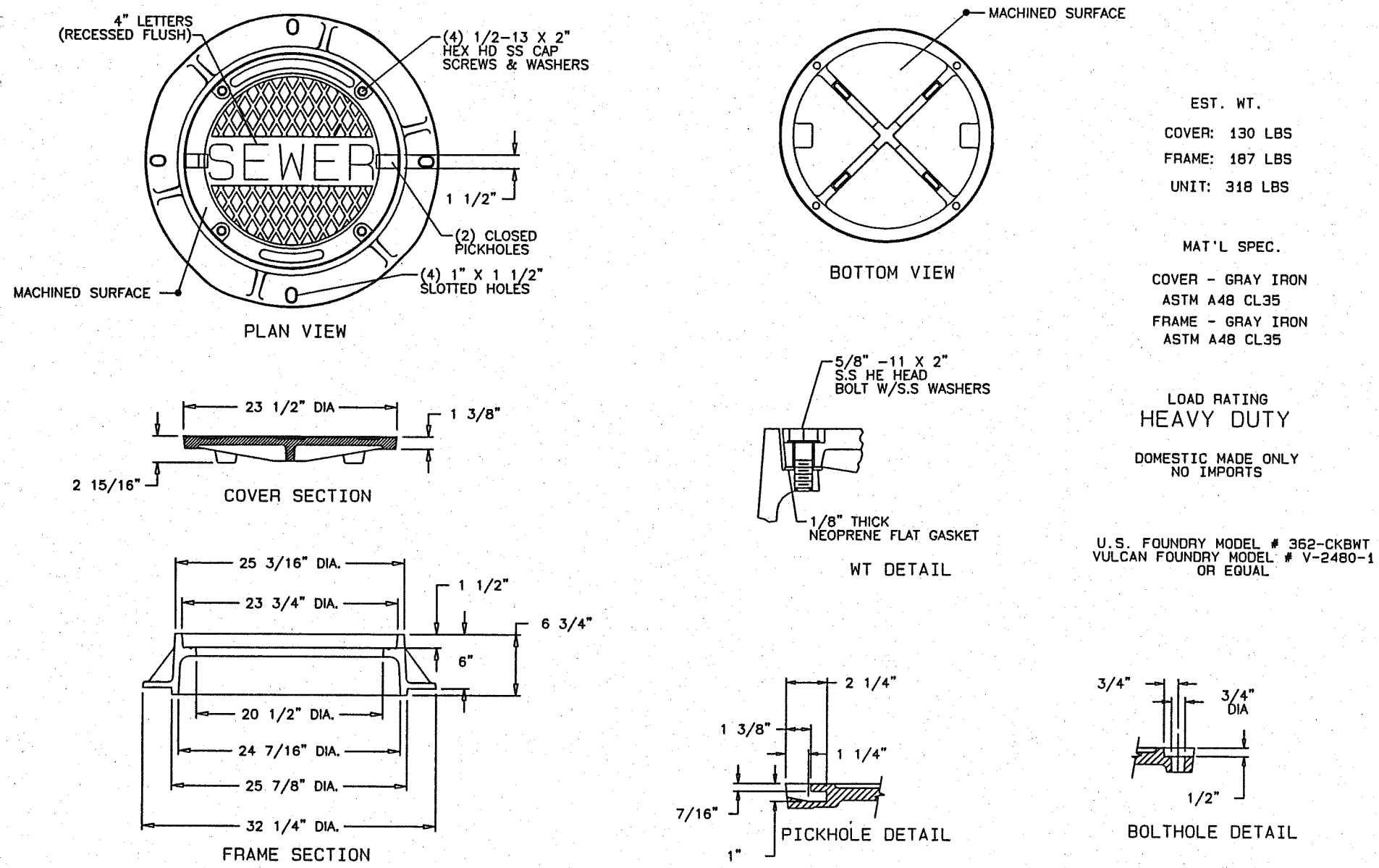
STATE: Georgia

2004.039

20

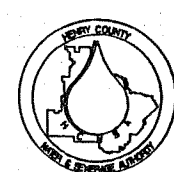
20 OF 26 SHEETS

FILE NUMBER: 04-D-039



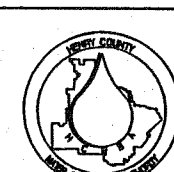
HENRY COUNTY WATER & SEWERAGE AUTHORITY

BOLT DOWN MANHOLE FRAME AND COVER
N.T.S. 3/02



HENRY COUNTY WATER & SEWERAGE AUTHORITY

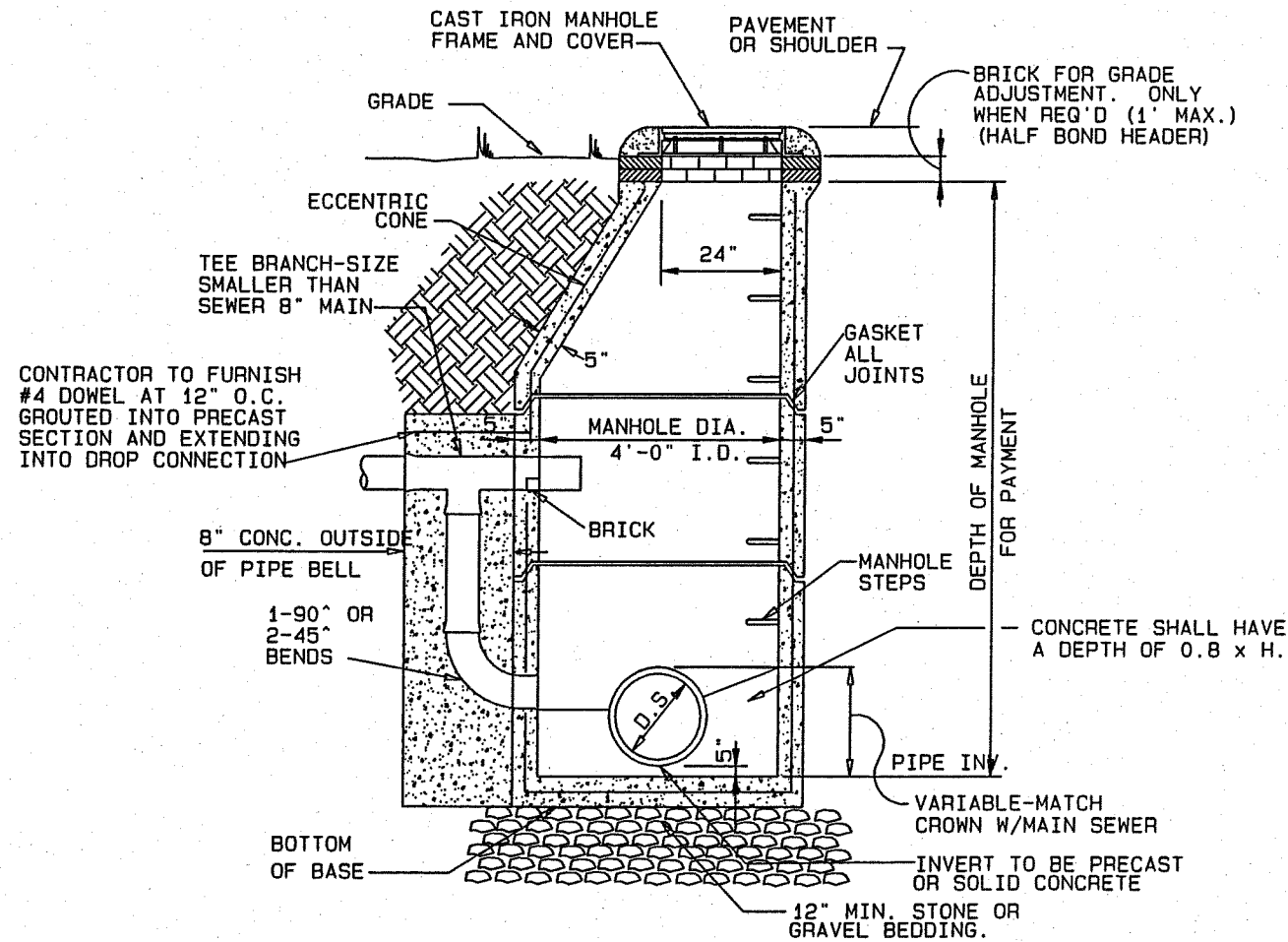
BRICK ROLL-LOCK INVERT
N.T.S. 08/02



HENRY COUNTY WATER & SEWERAGE AUTHORITY

SHALLOW MANHOLE DETAIL
N.T.S. 8/01

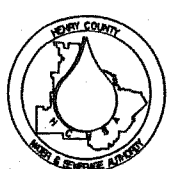
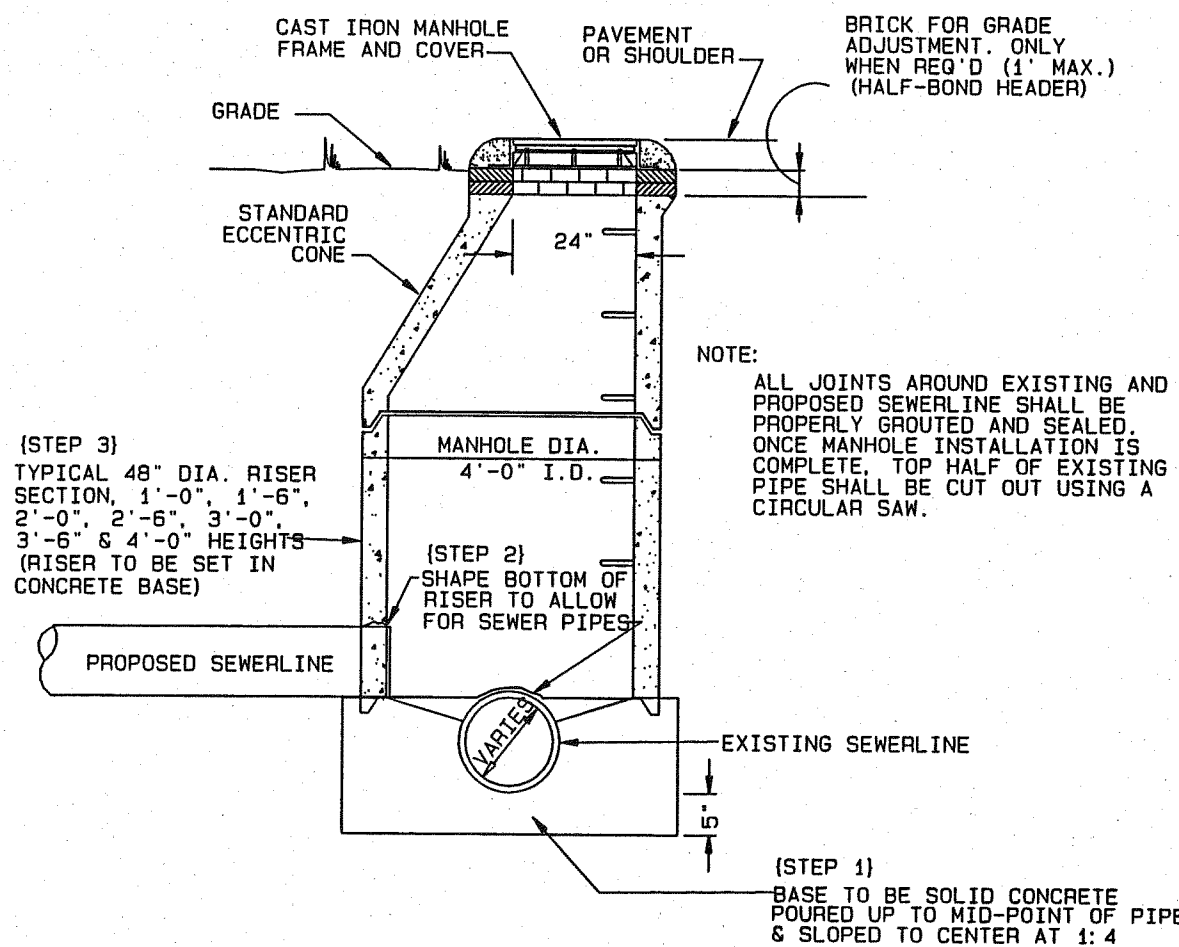
* NOTE: ALL MANHOLES LOCATED OUTSIDE OF PAVEMENT TO HAVE BOLT-DOWN CAST-IN FRAME AND COVER



HENRY COUNTY WATER & SEWERAGE AUTHORITY

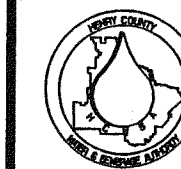
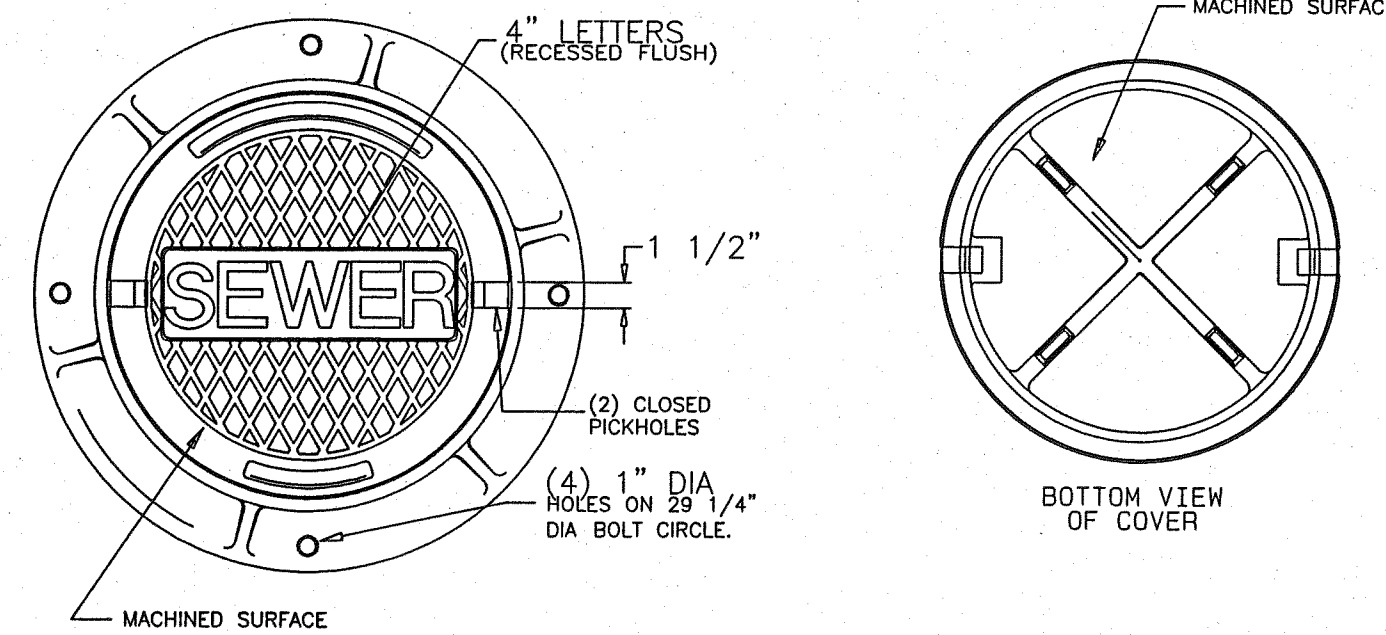
DROP MANHOLE CONNECTION DETAIL
N.T.S.8/02

* NOTE: ALL MANHOLES LOCATED OUTSIDE OF PAVEMENT TO HAVE BOLT-DOWN CAST-IN FRAME AND COVER



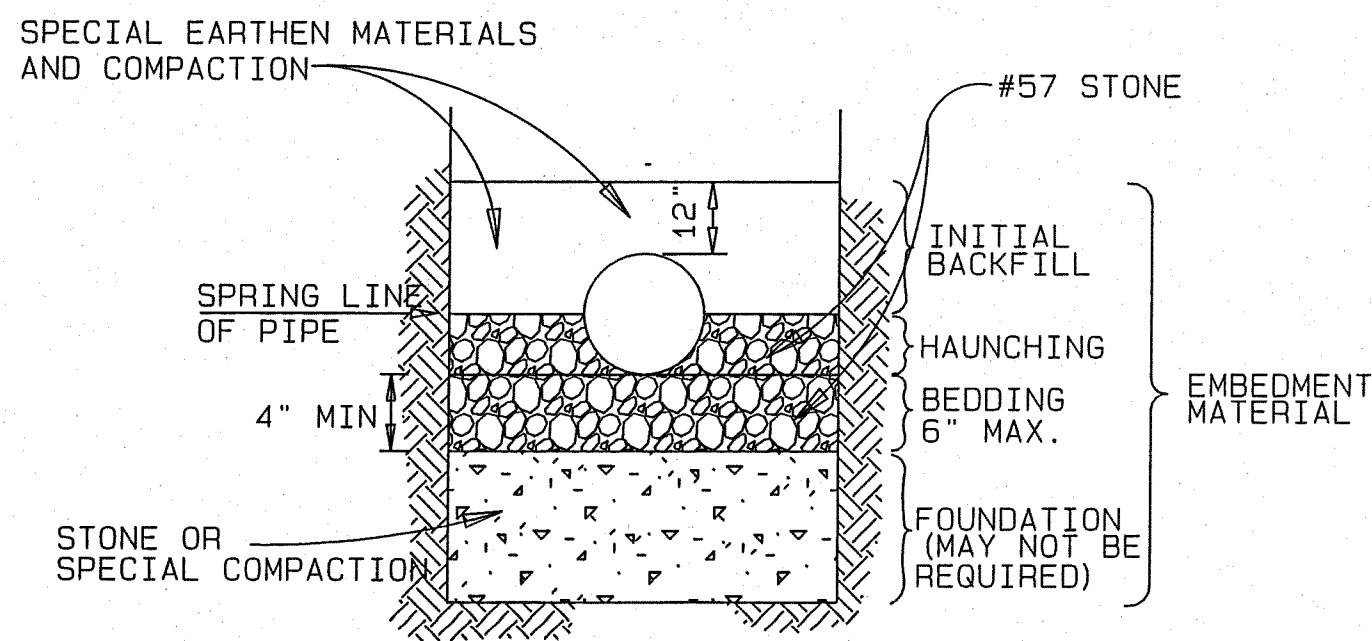
HENRY COUNTY WATER & SEWERAGE AUTHORITY

"DOGHOUSE" MANHOLE DETAIL
N. T. S.
(REVISED: 8/02)



HENRY COUNTY WATER & SEWERAGE AUTHORITY

STANDARD MANHOLE FRAME AND COVER
N.T.S. 3/02

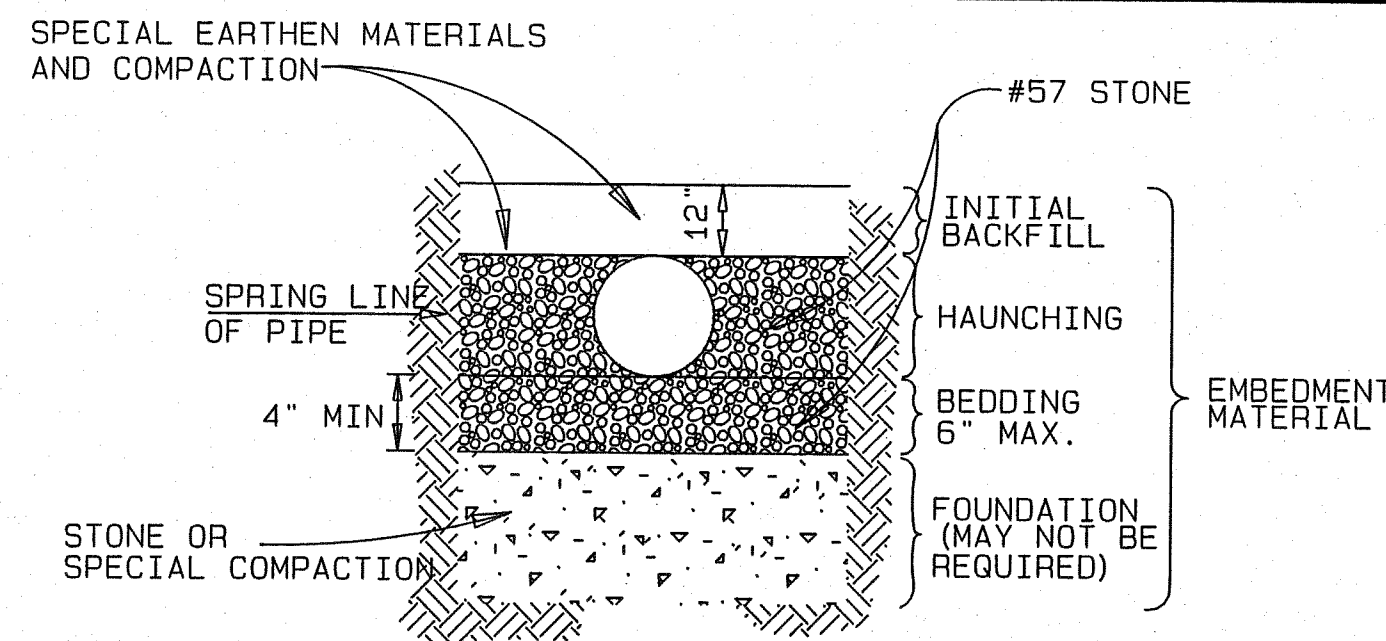


NOTE: 1. SEE SPECIFICATIONS FOR PIPE INSTALLATION REQUIREMENTS
2. CLASS "B" BEDDING OR BETTER REQUIRED FOR ALL SEWERS



HENRY COUNTY WATER & SEWERAGE AUTHORITY

DUCTILE IRON PIPE BEDDING DETAIL
N.T.S.8/02



NOTE: 1. SEE SPECIFICATIONS FOR PIPE INSTALLATION REQUIREMENTS
2. CLASS "A" BEDDING REQUIRED FOR SDR-35 PVC PIPE



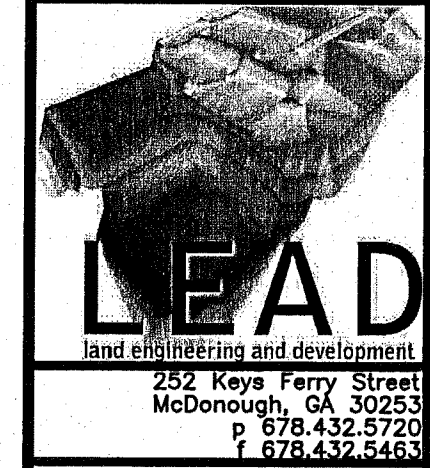
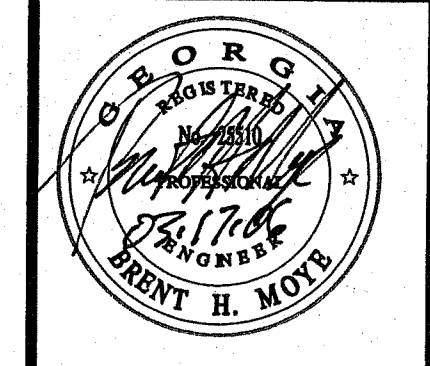
HENRY COUNTY WATER & SEWERAGE AUTHORITY

SDR-35 PVC BEDDING DETAIL
N.T.S.8/02



IF YOU DIG GEORGIA...
CALL US FIRST!
1-800-266-7411
770-623-4344
(METRO ATLANTA ONLY)
UTILITY PROTECTION CENTER
IT'S THE LAW

24-HR Contact:
Brian Cagle
770-210-4663



Constitution Details Prepared For:

Brush Creek Commons

Developer:

Timberline Group, LLC

P.O. Box 335
Lovelady, Georgia 30250
p 770-210-4663
p 770-897-0971

RELEASE DESCRIPTION

revised per city comments

revised per city comments

revised per city comments

DATE:

07-22-05

12-09-05

03-17-06

DATE: 25 Jan, 2005

LAND LOT: 59 & 70

DISTRICT: 12th

SECTION: N/A

CITY: Stockbridge

COUNTY: Henry

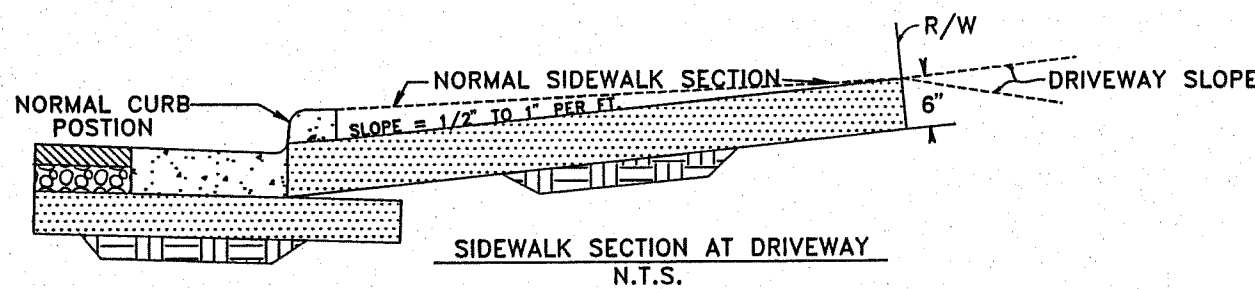
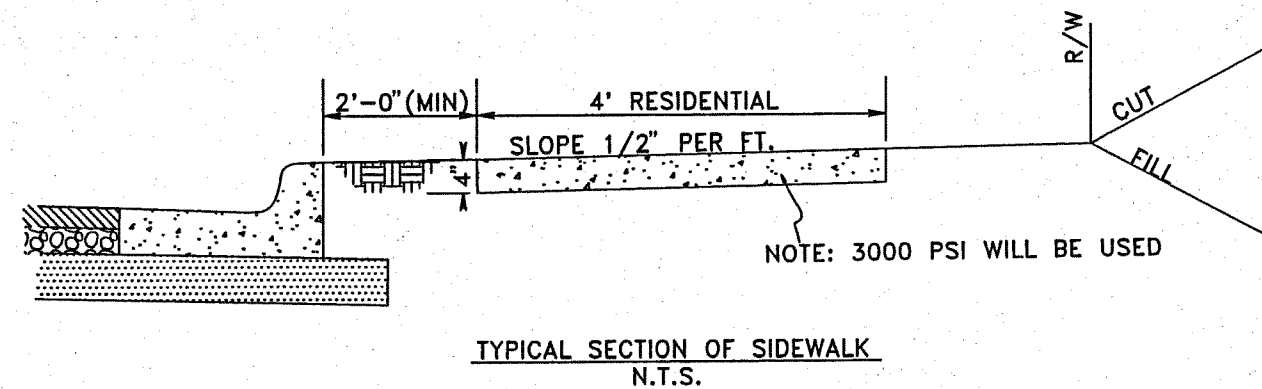
STATE: Georgia

JOB NUMBER: 2004.039

21

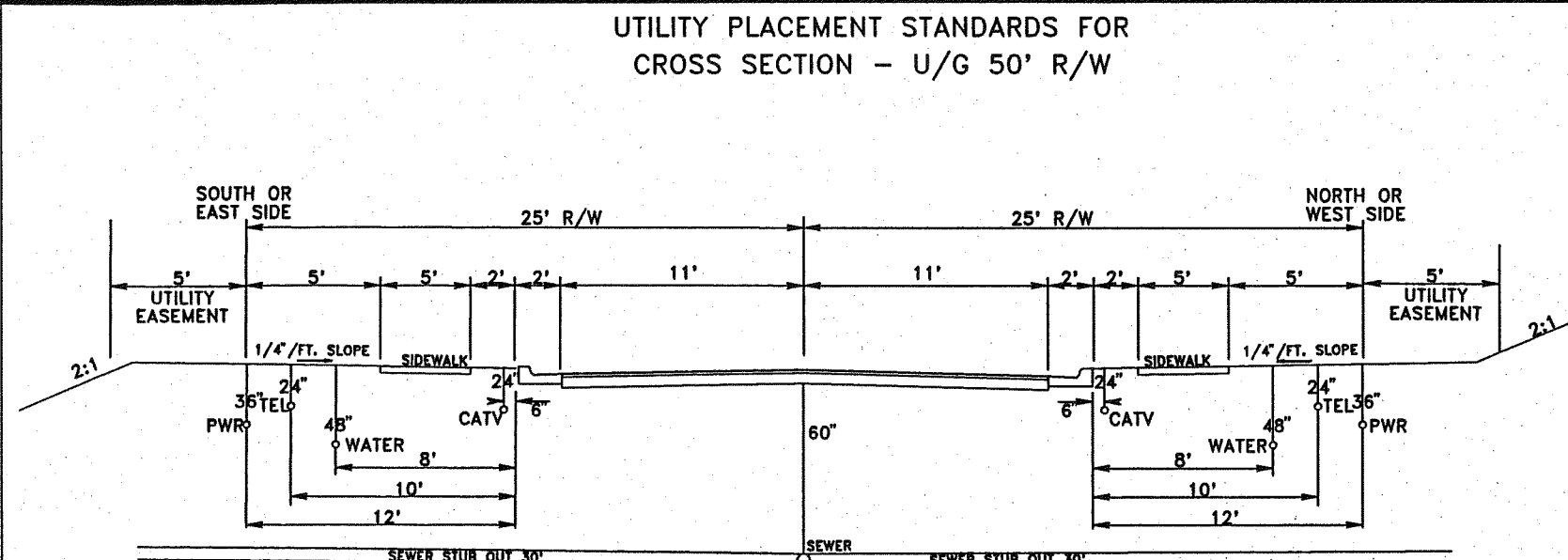
21 OF 26 SHEETS

FILE NUMBER: 04-D-039

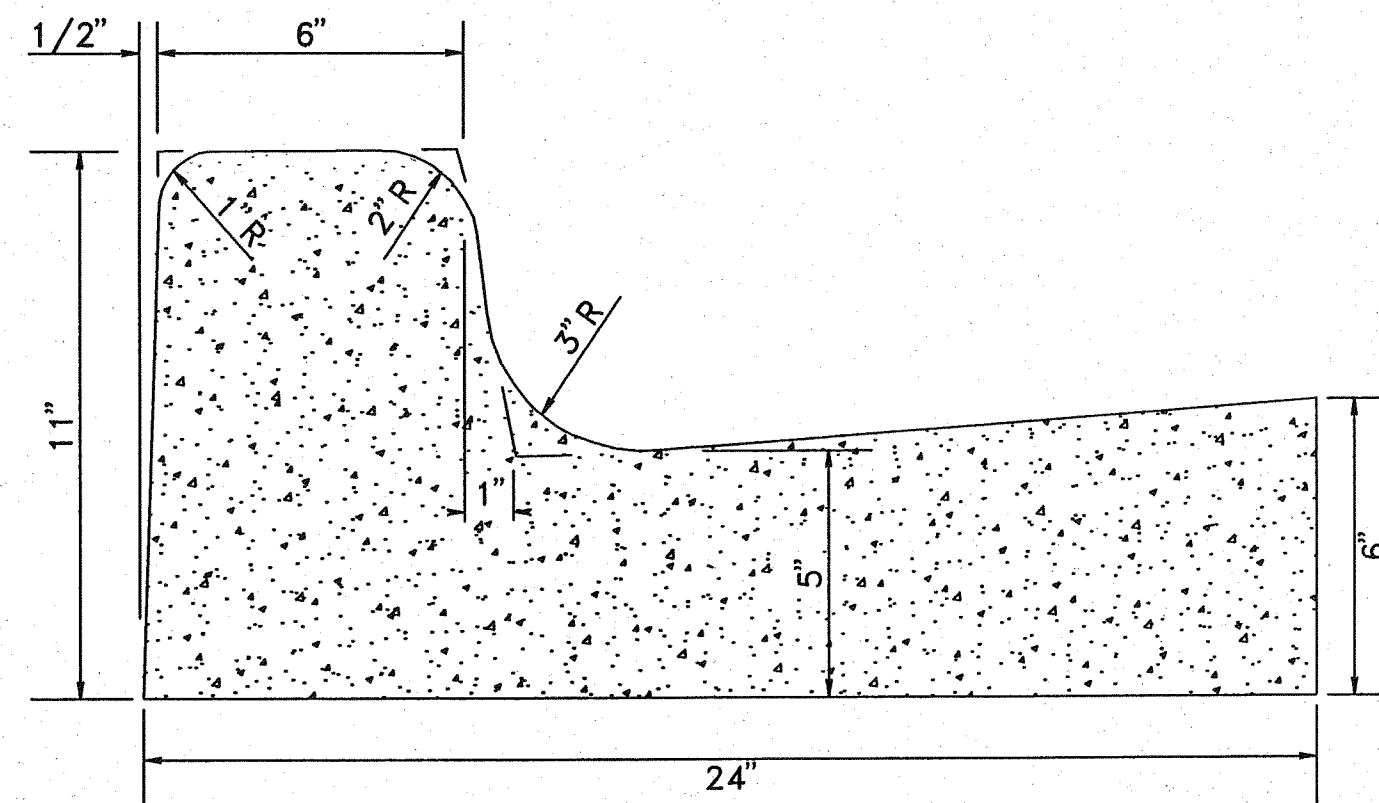


NOTES FOR CONCRETE SIDEWALK

- CONCRETE TO BE PLACED 4" THICK AND FINISHED WITH TAMPS. WOOD FLOATS AND STIFF-BRISTLE BROOMS.
- TRANSVERSE CONTRACTION JOINTS SHALL BE PLACED AT 10 FT. INTERVALS. NO CONTRACTION JOINT TO BE PLACED IN SIDEWALKS IN DRIVEWAYS. ALL EDGES TO BE ROUNDED TO 1/4" RADIUS.
- 1/2" EXPANSION JOINTS SHALL BE PLACED WHERE SIDEWALKS TIE INTO A STRUCTURE OR TERMINATE AT CURB, RAMPS OR DRIVEWAYS ARE A MAXIMUM OF 150' APART.

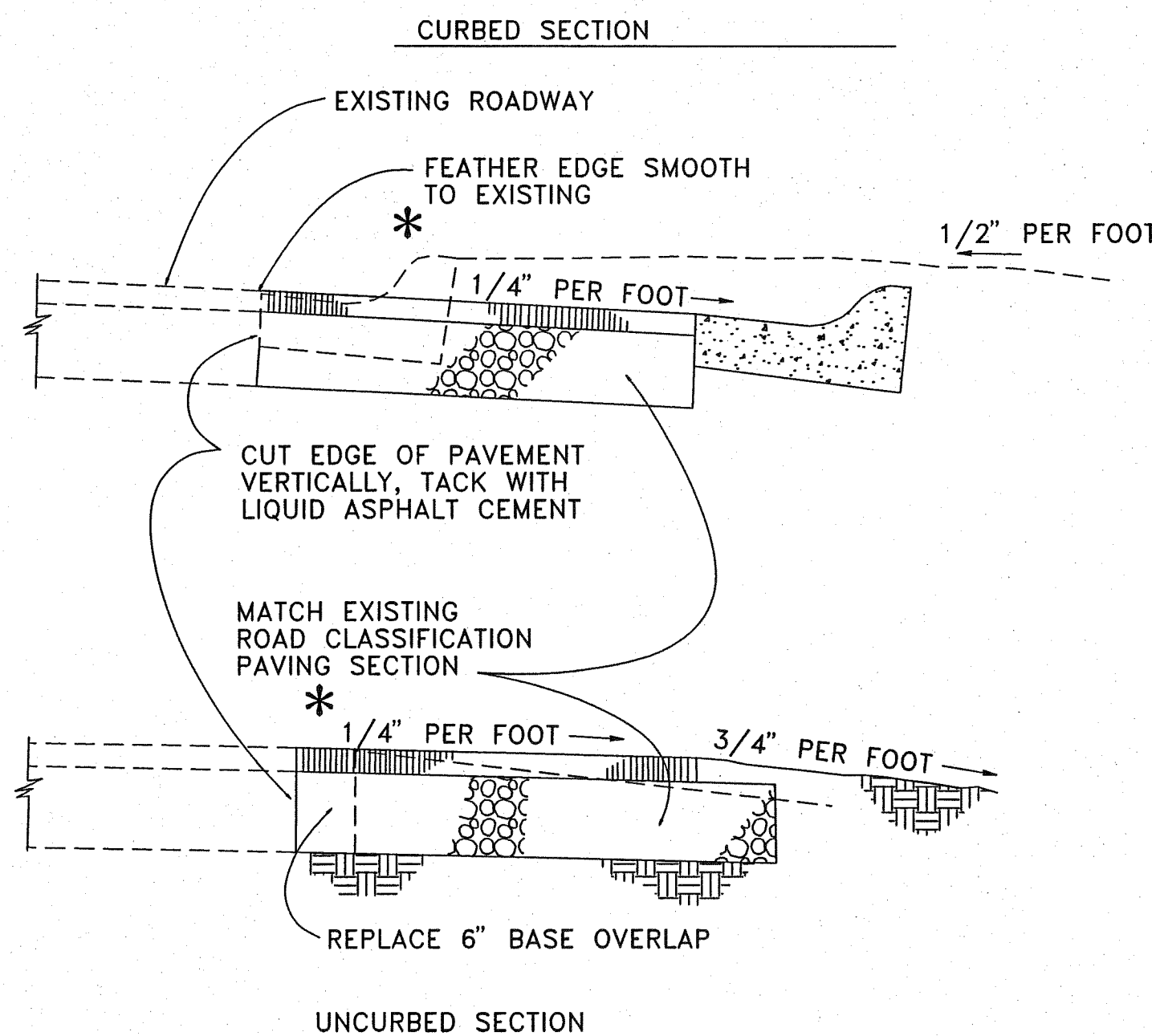


- NO TREES OR FENCES ALLOWED WITHIN THE ROAD R/W OR UTILITY EASEMENT EXCEPT WHERE REQUIRED BY CITY, COUNTY, OR OTHER GOVERNMENT ORDINANCE.
- ALL TREES SHALL BE CLEARED & SHOULDERS GRADED TO WITHIN 6" OF FINAL GRADE (INCLUDING UTILITY EASEMENT) PRIOR TO THE INSTALLATION OF ANY UTILITIES.
- UTILITY PLACEMENT SHALL REMAIN CONSISTENT FROM BACK OF CURB THROUGHOUT THE PROJECT REGARDLESS OF ANY INCONSISTENCIES IN ROAD CONSTRUCTION. EXAMPLES: STORM SEWERS, CULVERTS, CHILDSACS, ETC. (EXCEPT CATV).
- AFTER VERIFICATION OF FINAL GRADE, UTILITIES SHOULD BE INSTALLED AS FOLLOWS: WATER, ELECTRIC, GAS, TELEPHONE, & CATV.
- TOTAL CLEARED AND GRADED WIDTH TO BE 60' MINIMUM.
- PROPERTY CORNER REFERENCE SHALL BE PLACED ON CURB & GUTTER AND ON 10' OFFSET STAKE.
- UTILITY EASEMENT SHALL BE SHOWN & RECORDED WITH THE FINAL PLAT.
- WATER TAPS SHALL BE STUBBED OUT AT 5' BACK OF R/W.
- SEWER TAPS SHALL BE STUBBED OUT AT 5' BACK OF R/W.
- WATER MATERIALS SHALL BE MARKED WITH BLUE "W" ON CURB AS SOON AS POSSIBLE AFTER CURB HAS BEEN INSTALLED. SEWER MATERIALS SHALL BE MARKED WITH GREEN "X" ON CURB.
- DEPTH REQUIREMENTS INDICATE MINIMUM DEPTH AT TIME OF INSTALLATION.
- THIS STANDARD MAY BE COMBINED WITH JOINT USE STANDARD.
- CATV, PEDESTALS, TELEPHONE PEDESTALS, TRANSFORMERS AND WATER METERS SHALL BE PLACED IN THE 5' UTILITY EASEMENT.
- UTILITIES SHALL BE LOCATED WITHIN PLUS OR MINUS 6" OF PLAT LOCATION.



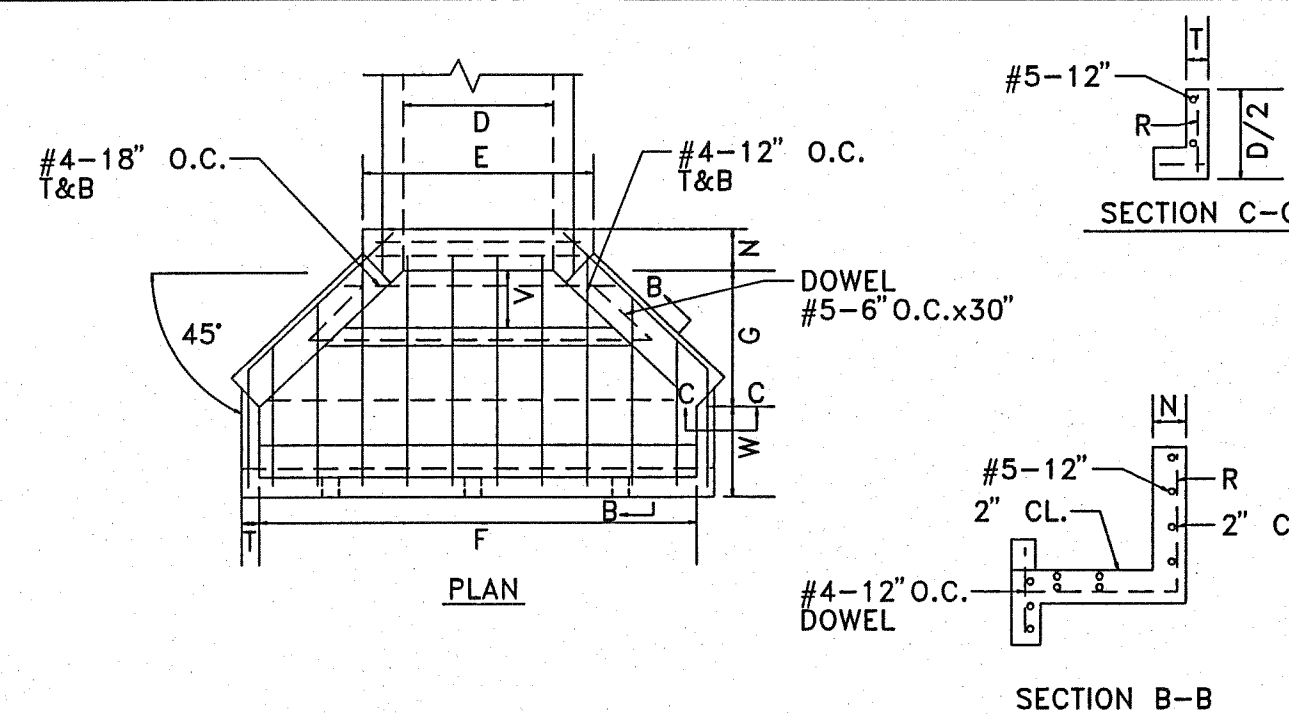
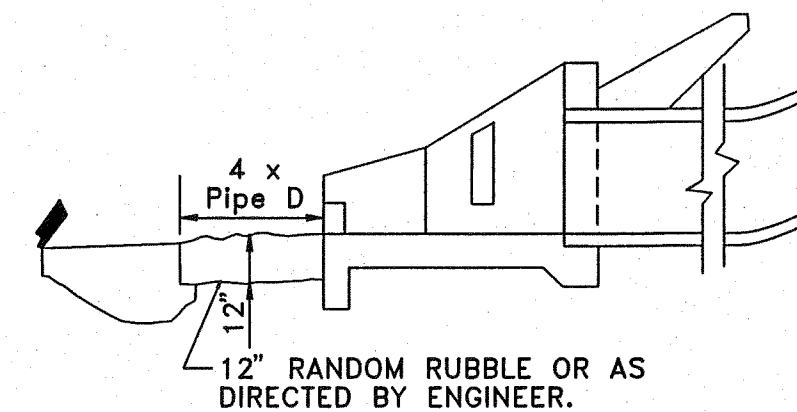
NOTES:

- 1/2" PREFORMED EXPANSION JOINTS REQUIRED AT ALL STRUCTURES & CURB RETURNS.
- MAXIMUM DISTANCE BETWEEN EXPANSION JOINTS = 40'.
- DISTANCE BETWEEN DUMMY JOINTS = 10.0'.
- CONCRETE STRENGTH - 3000 PSI, SLUMP - 2", FINISH SHALL BE SMOOTHED & EVENED WITH A WOODEN FLOAT.



NOTE: CONCRETE SURFACING MAY BE USED ON SELECTED APPLICATIONS WHERE APPROVED BY THE COUNTY ENGINEER.

HENRY COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT	CURB & GUTTER CONSTRUCTION STANDARD	DATE: 3/88	STANDARD NO.
		APPROVED: D.W.S.	3.7.1

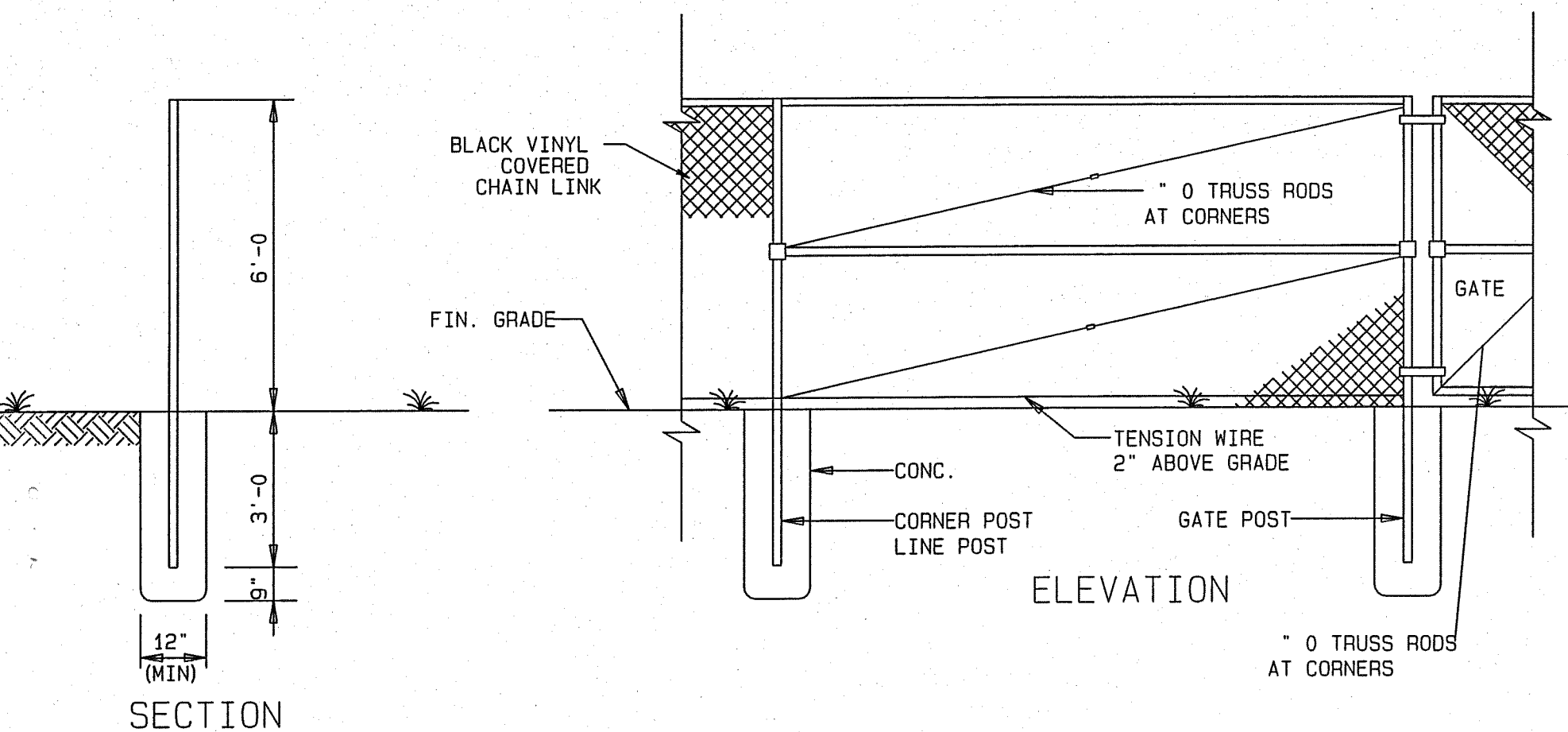
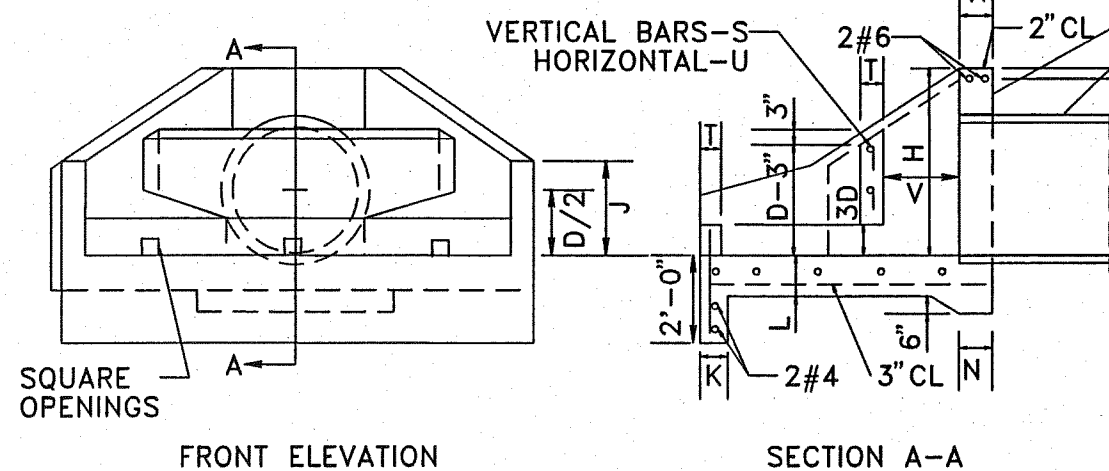


D	E	F	G	H	J	K	L	N	V	W	T	R	S	U
18	3'-0"	7'-6"	3'-0"	3'-0"	2'-0"	8"	8"	8"	2'-0"	1'-0"	6"	#5-12" O.C.	#4-12" O.C.	#4-8" O.C.
21	3'-4"	7'-9"	"	3'-3"	"	"	"	"	2'-0"	"	"	"	"	"
24	3'-8"	8'-0"	"	3'-6"	"	"	"	"	2'-0"	1'-6"	"	"	"	"
27	3'-11"	8'-3"	"	4'-0"	"	"	"	"	2'-0"	2'-0"	"	"	"	"
30	4'-2"	8'-6"	"	4'-0"	2'-1"	"	"	10'	2'-0"	2'-0"	"	"	"	"
36	4'-8"	10'-0"	3'-6"	4'-6"	2'-3"	10'	"	2'-3"	2'-6"	"	"	"	"	"
42	5'-3"	11'-6"	4'-0"	5'-0"	2'-9"	"	"	2'-4"	3'-0"	8"	"	"	#5-8" O.C.	"
48	5'-10"	13'-0"	4'-6"	5'-6"	3'-0"	"	"	2'-6"	3'-6"	"	"	#5-12" O.C.	"	"
54	6'-5"	14'-6"	5'-0"	6'-0"	3'-6"	9"	12'	2'-8"	5'-0"	"	#6-8" O.C.	"	"	"
60	7'-0"	16'-0"	5'-6"	6'-6"	4'-3"	"	"	2'-11"	"	"	"	"	"	"
66	7'-7"	17'-6"	6'-0"	7'-0"	4'-6"	"	"	3'-0"	"	"	"	"	"	"
72	8'-2"	19'-0"	6'-6"	7'-0"	5'-8"	"	"	3'-2"	5'-6"	"	"	"	"	"

NOTES:

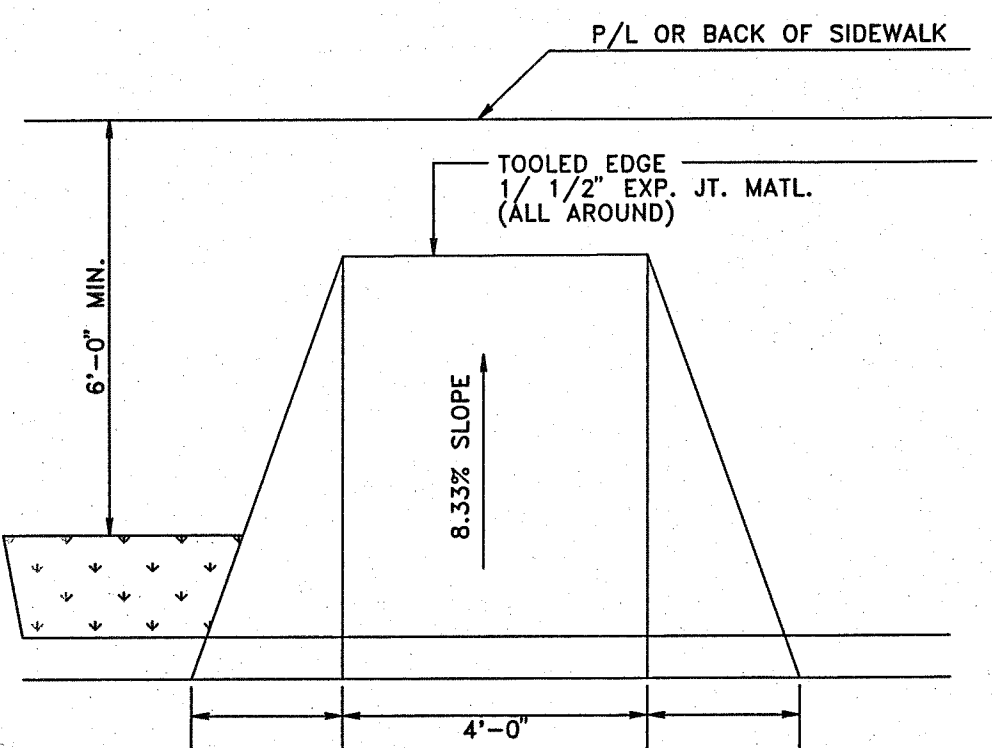
- HEADWALL SHALL BE PARALLEL TO CENTERLINE OF HIGHWAY UNLESS OTHERWISE STATED.
- CONCRETE SHALL BE 3,000 P.S.I. 28 DAY STR.
- WEEP HOLES SHALL BE 3" DIA. AT F/4 O.C.
- RANDOM RUBBLE 3" TO 12" IN DIA.

HENRY COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT	ENERGY DISSIPATOR CONSTRUCTION STANDARD	DATE: 3/88	STANDARD NO.
		APPROVED: D.W.S.	2.7.1



SECURITY FENCE DETAIL N.T.S. 8/01

HENRY COUNTY WATER & SEWERAGE AUTHORITY



NOTES:

- CONCRETE SHALL BE CLASS "A" 300 PSI.
- EXPANSION JOINTS SHALL BE IN ACCORDANCE WITH AASHTO M153 OR M213.
- SURFACE TEXTURE OF RAMP SHALL BE OBTAINED BY BROOMING TRANSVERSE TO THE RAMP OF THE SLOPE.

HENRY COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT

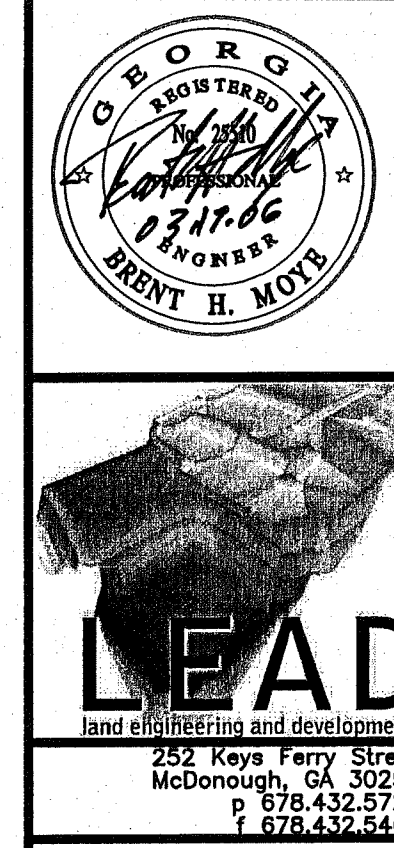
HANDICAP RAMP CONSTRUCTION STANDARD

DATE: 3/88	STANDARD NO.
APPROVED: D.W.S.	4.3.1

HENRY COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT

ROAD WIDENING CONSTRUCTION STANDARD

DATE: 3/88	STANDARD NO.
APPROVED: D.W.S.	3.9.1



Construction Details Prepared For:
Brush Creek Commons

Developer:
Timberline Group, LLC
P.O. Box 335
Lapeer, Georgia 30250
P 770.210.4663
F 770.897.0971

DATE	RELEASE DESCRIPTION	DATE	RELEASE DESCRIPTION
07-23-05	revised per city comments	03-17-08	revised per city comments
12-09-05	revised per city comments		

DATE: 25 Jan, 2005
LAND LOT: 59 & 70
DISTRICT: 12th
SECTION: N/A
CITY: Stockbridge
COUNTY: Henry
STATE: Georgia
JOB NUMBER: 2004.039

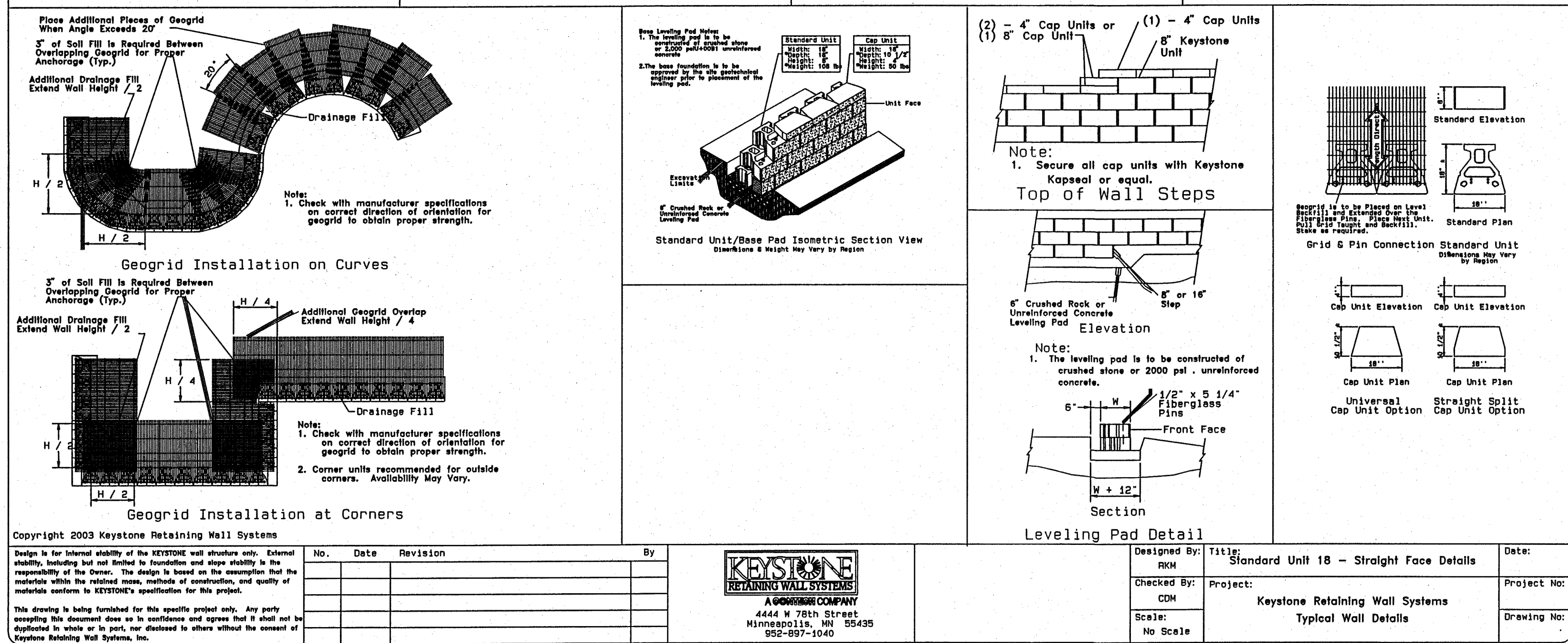
23

23 OF 26 SHEETS
FILE NUMBER: 04-D-039



24-HR Contact:
Brian Cagle
770-210-4663

IF YOU DIG GEORGIA...
CALL US FIRST!
1-800-282-7411
770-693-4344
(METRO ATLANTA ONLY)
UTILITIES PROTECTION CENTER
IT'S THE LAW

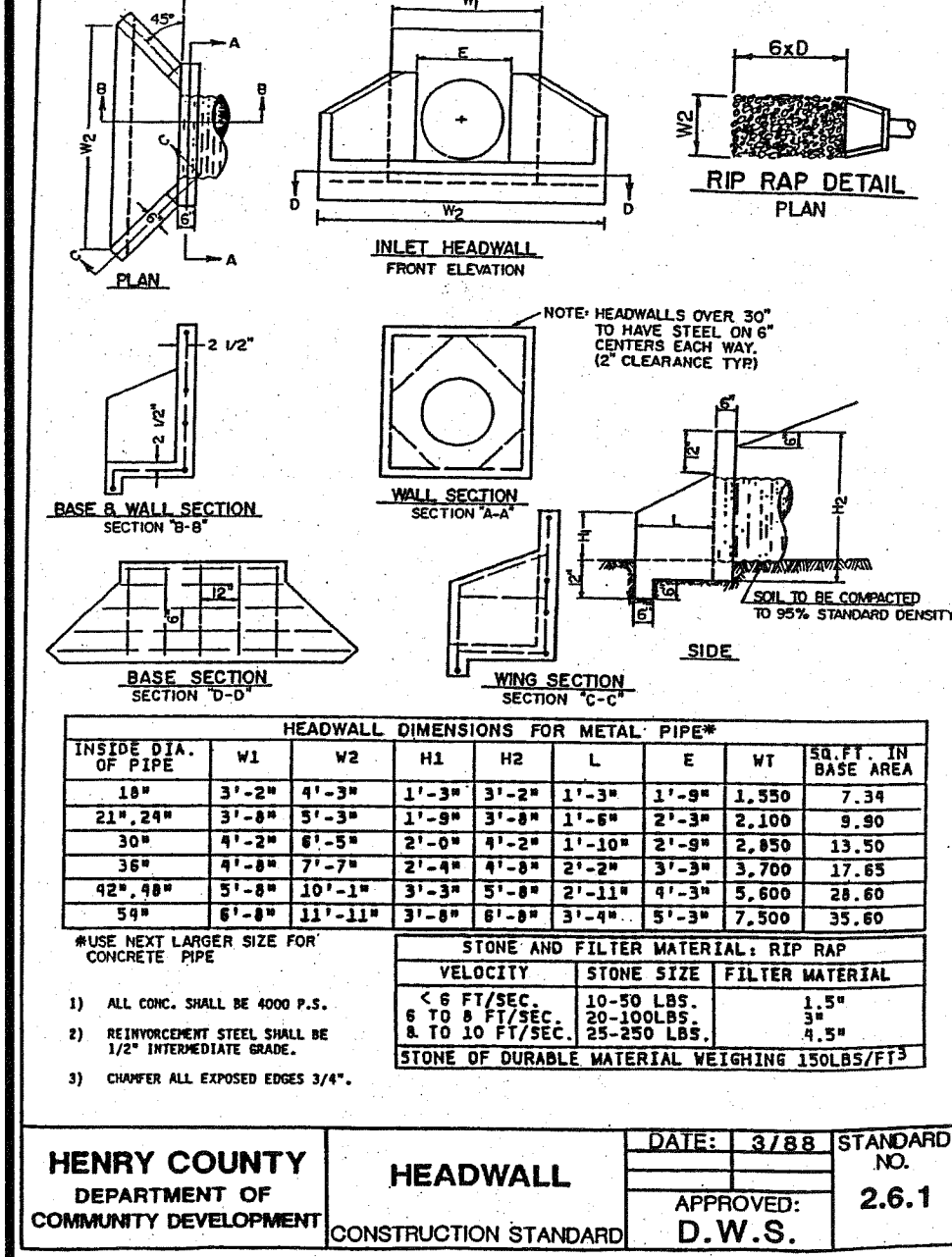


No.	Date	Revision	By

KEYSTONE
RETAINING WALL SYSTEMS
A GOMBERG COMPANY
4444 W 78th Street
Minneapolis, MN 554
952-897-1040

Designed By: RKM	Title: Standard Unit 18 – Straight Face Details	Date:
Checked By: CDM	Project: Keystone Retaining Wall Systems Typical Wall Details	Project No:
Scale: No Scale		Drawing No:

BUILDING PERMIT REQUIRED FOR ALL WALLS
SEE REQUIREMENT ON 12



INCH DIA. OF PIPE		HEADWALL DIMENSIONS FOR METAL PIPE							50:1 INCH DRAINAGE AREA
		W1	V2	H1	H2	L	E	WT	
18"	3'-2"	4'-3"	1'-3"	3'-2"	1'-3"	1'-2"	1'-5"	1,555	7.34
21", 24"	3'-2"	4'-3"	1'-3"	3'-2"	1'-3"	3'-2"	3'-2"	2,100	9.80
30"	4'-2"	5'-2"	2'-0"	4'-2"	1'-10"	2'-0"	2'-0"	2,490	13.50
36"	4'-2"	5'-2"	2'-0"	4'-2"	2'-0"	2'-0"	2'-0"	2,850	17.00
48"	5'-2"	6'-2"	2'-10"	5'-2"	2'-11"	2'-3"	2'-3"	3,600	25.00
54"	6'-2"	7'-11"	3'-0"	6'-2"	3'-1"	5'-3"	5'-3"	7,300	35.60

*USE NEXT LARGER SIZE FOR
CONCRETE PIPE

STONE AND FILTER MATERIAL: 1/2" RCP			
VELOCITY	STONE SIZE	FILTER MATERIAL	
< 6 FT/SEC.	10-50 LBS.	1.5"	
6 TO 10 FT/SEC.	25-50 LBS.	1.5"	
10 TO 15 FT/SEC.	25-50 LBS.	1.5"	
15 TO 20 FT/SEC.	25-50 LBS.	1.5"	

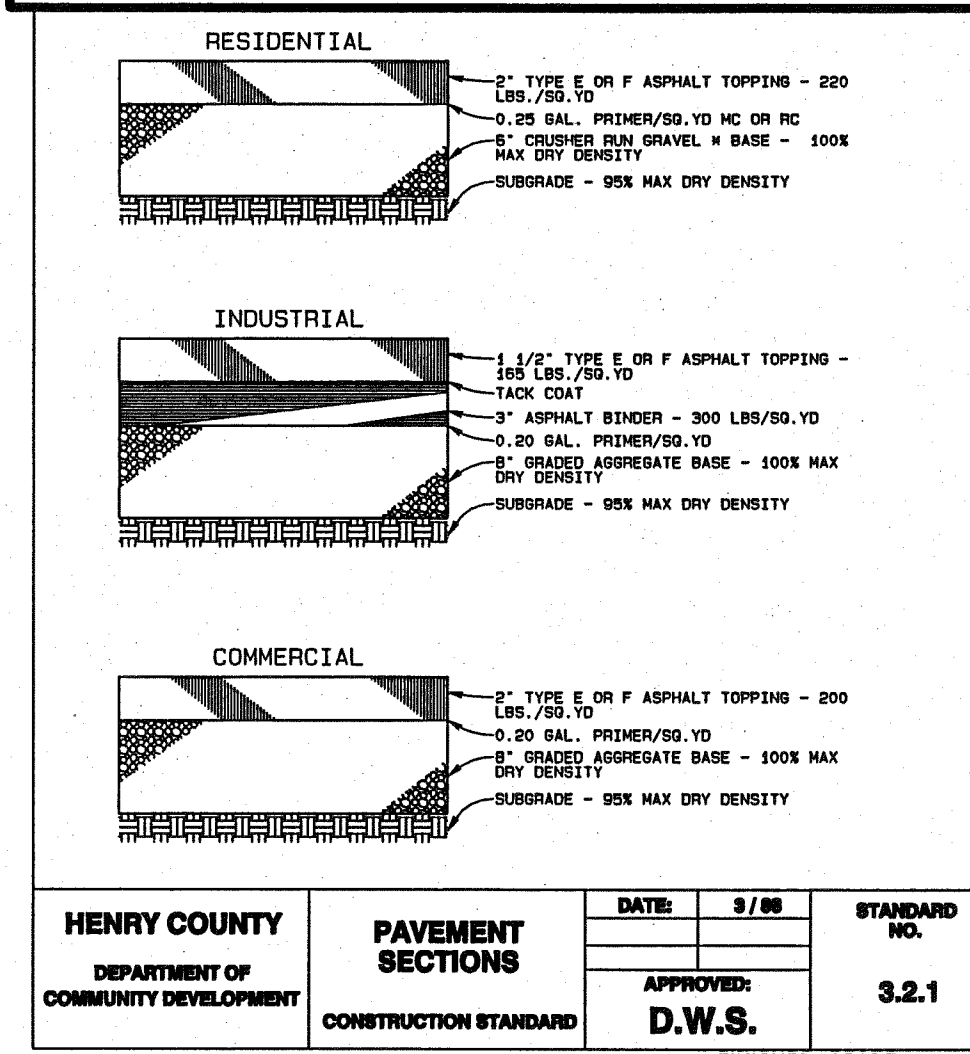
STONE OF DURABLE MATERIAL WEIGHING 150#/FT³

ALL CONC. SHALL BE 4000 P.S.I.

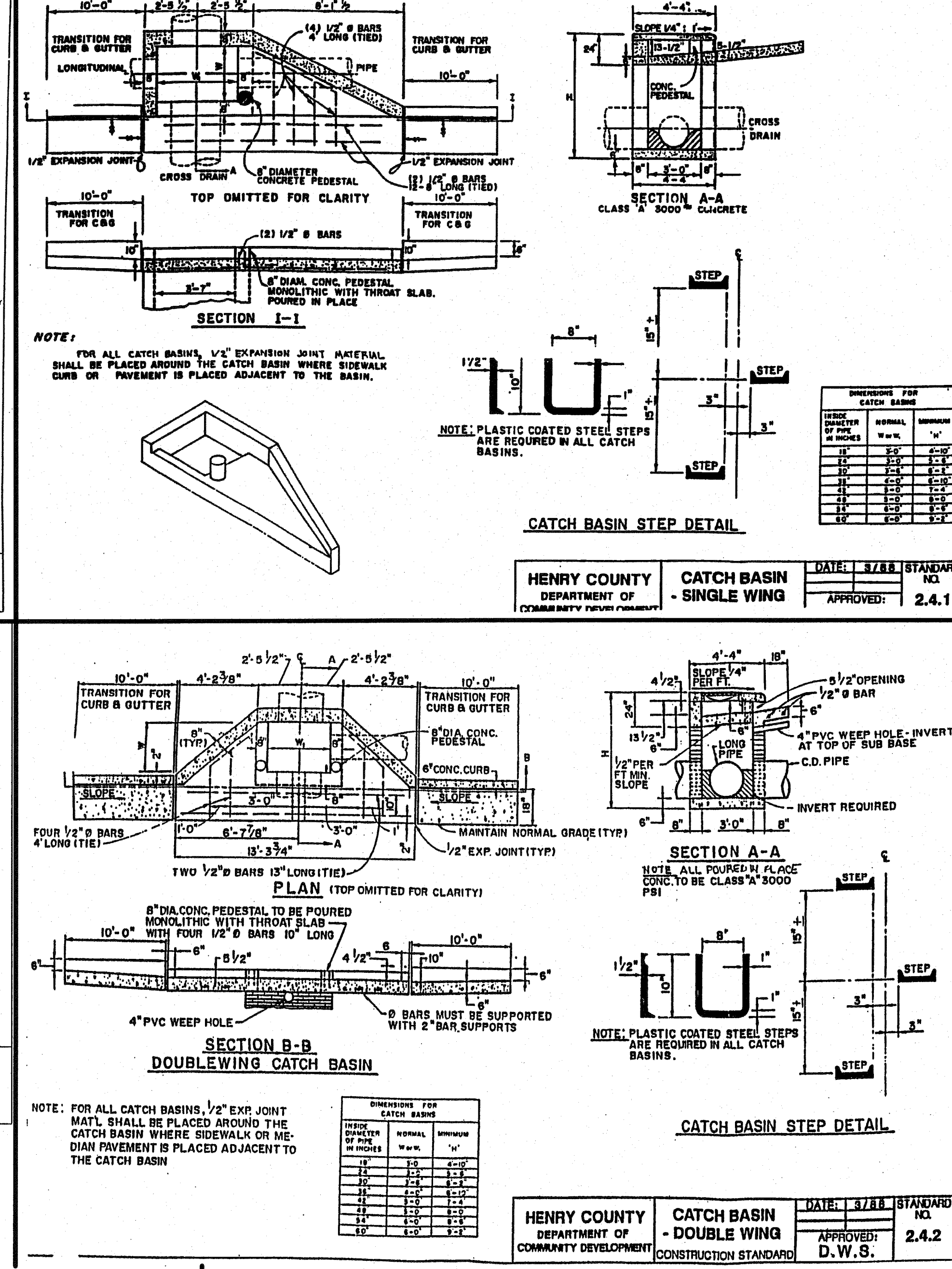
REINFORCEMENT STEEL SHALL BE #4 REBAR WITH 18" ON CENTER

MIN. 18" DIA. REBAR TO BE USED

HENRY COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT	HEADWALL	DATE: 07/09	NO.
		APPROVED:	2.6.
		D.W.S.	
CONSTRUCTION STANDARD			

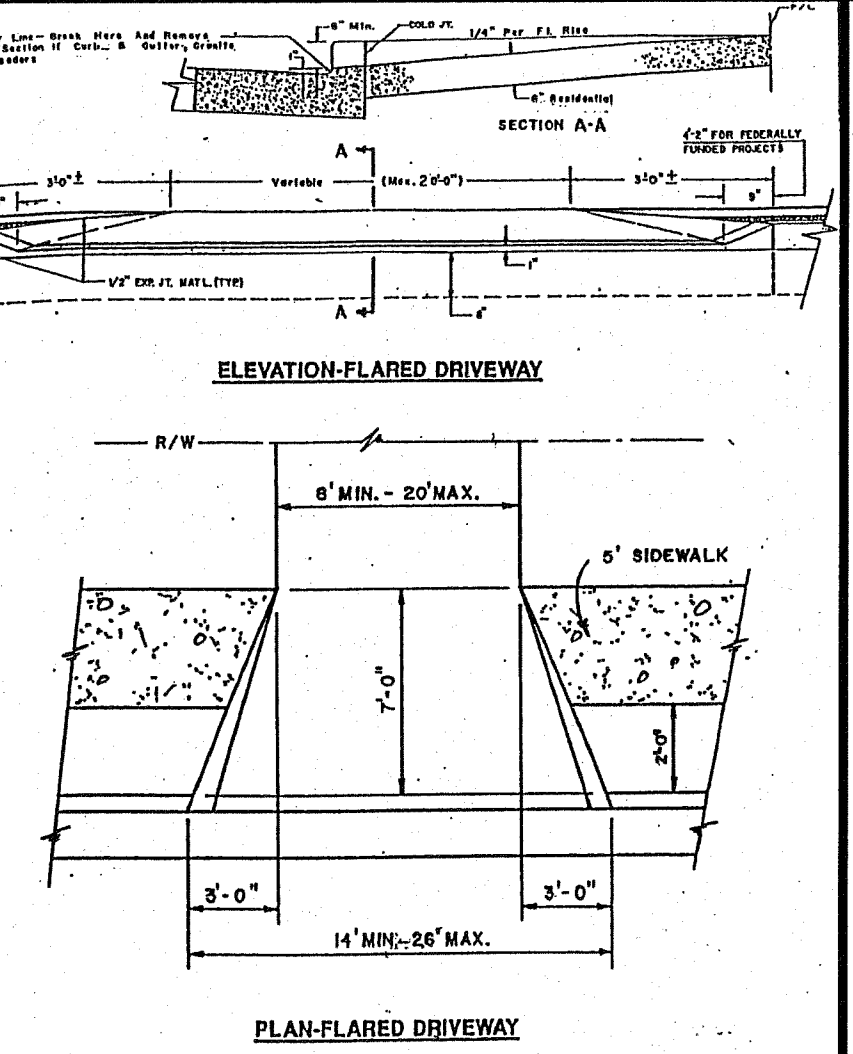


HENRY COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT	PAVEMENT SECTIONS CONSTRUCTION STANDARD	DATE:	3/88	STANDARD NO. 3.2.1
		APPROVED: D.W.S.		

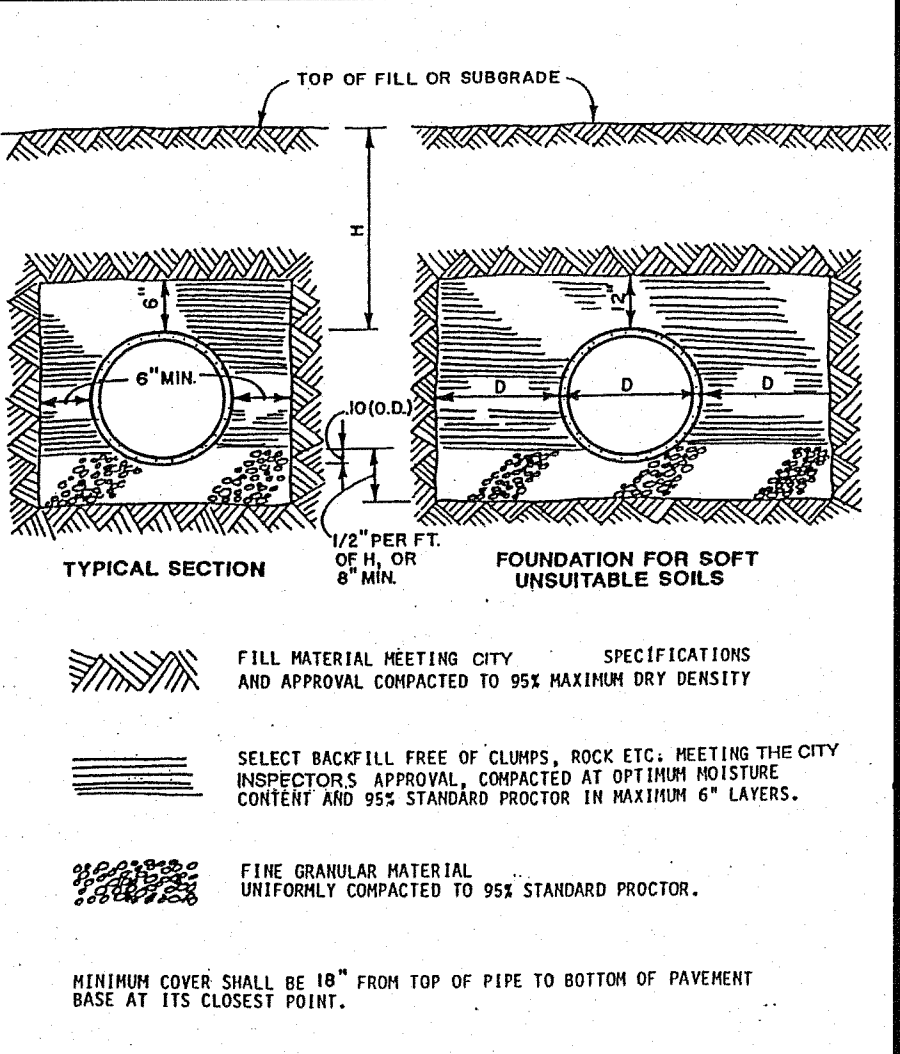


INSIDE DIAMETER OF PUMP IN INCHES	NORMAL W.W.	MINIMUM 'H'
18"	2-0	4-10"
24	3-2	5-6
30	3-6	6-2
36	4-6"	6-12"
42	5-0	7-4
48	5-0	8-0
54	6-0	8-6
60	6-0	9-2

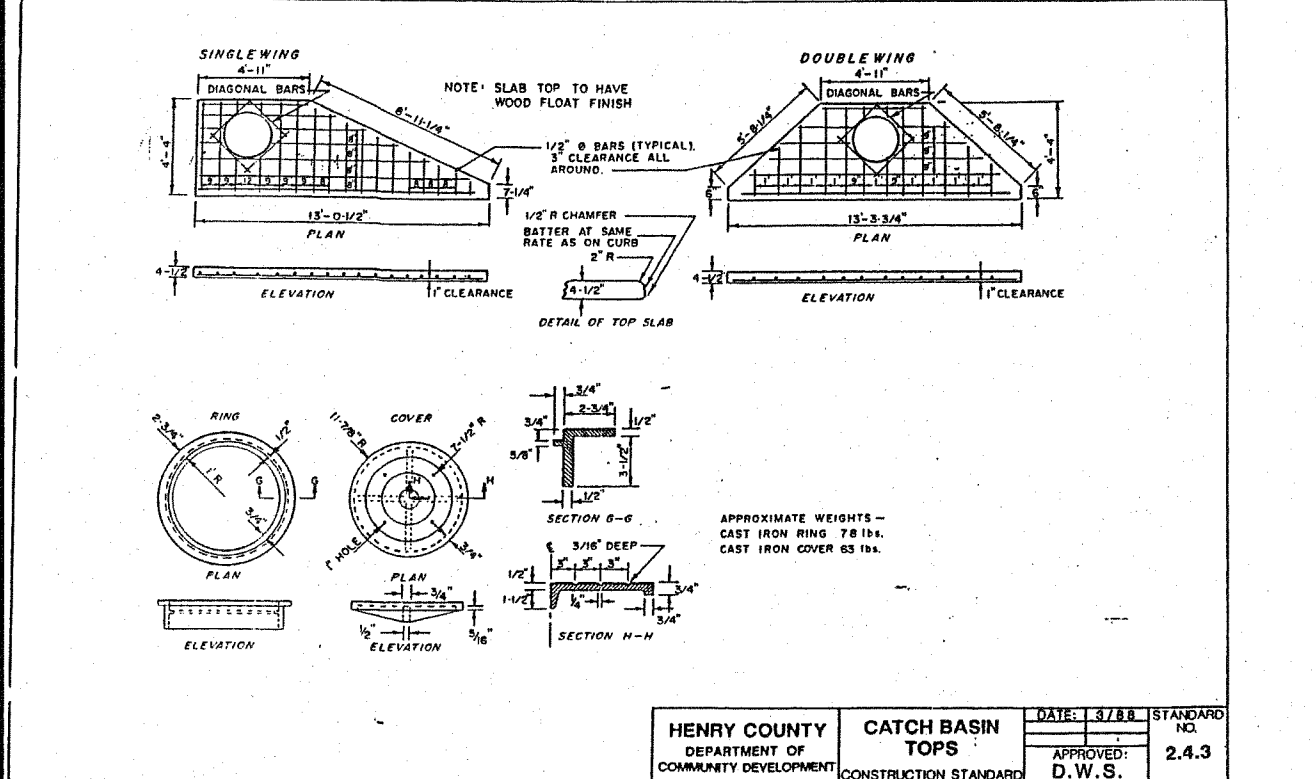
HENRY COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT	CATCH BASIN - DOUBLE WING	DATE: 3/88	STANDARD NO.
	CONSTRUCTION STANDARD	APPROVED: D.W.S.	2.4.2



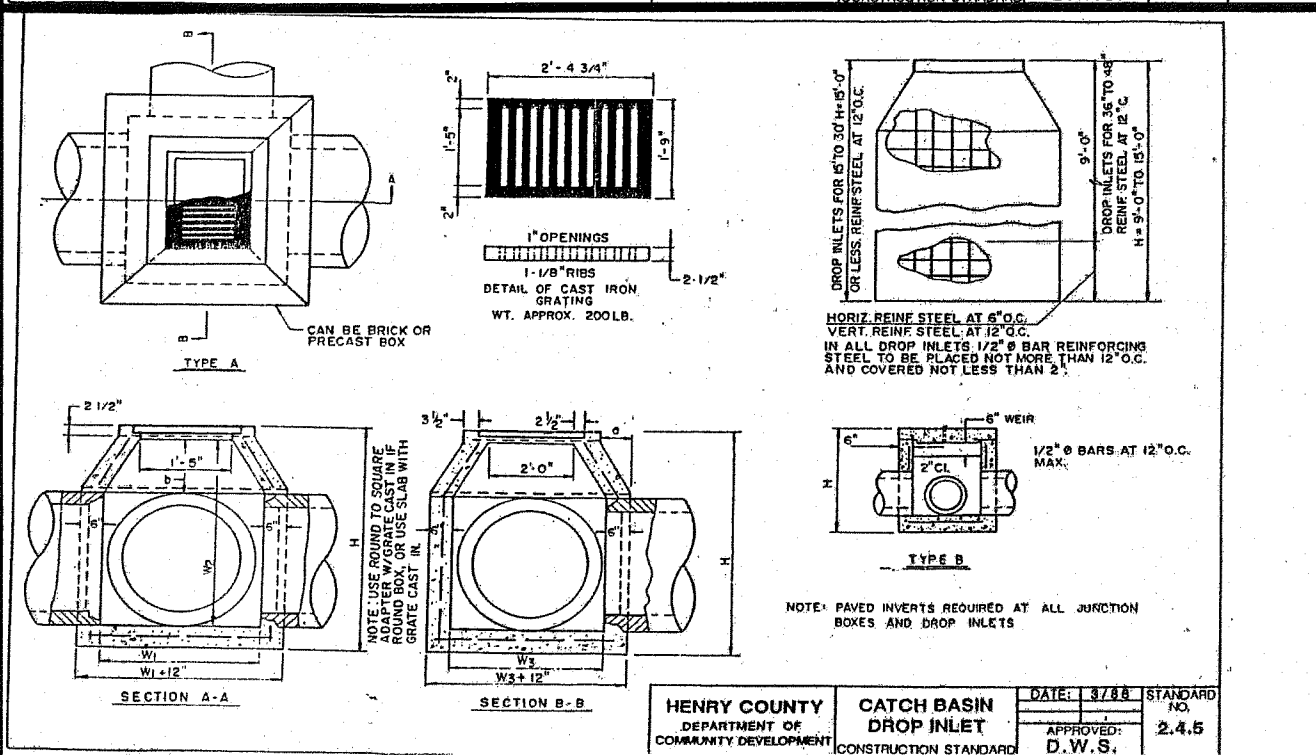
TE:		STANDARD NO. 3.5.3
APPROVED:		



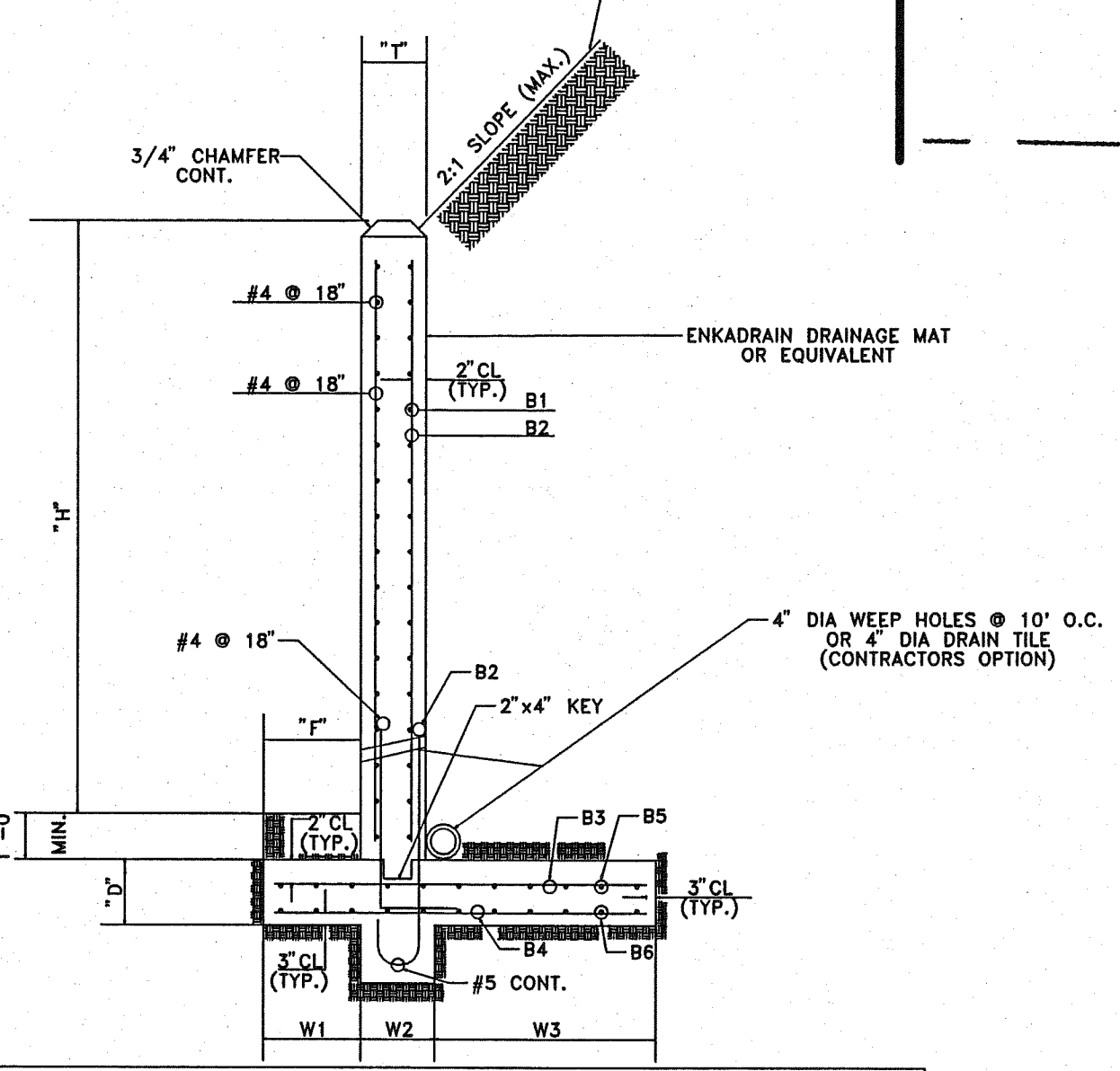
DATE:	STANDARD NO.	CULVERT TRENCH	DATE:	STANDARD NO.
APPROVED:	3.5.3		APPROVED:	2.1.1
DEPARTMENT OF COMMUNITY DEVELOPMENT		CONSTRUCTION STANDARD		



HENRY COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT	CATCH BASIN TOPS	DATE: 8/88	STANDARD NO.
		APPROVED: D.W.S.	2.4.3

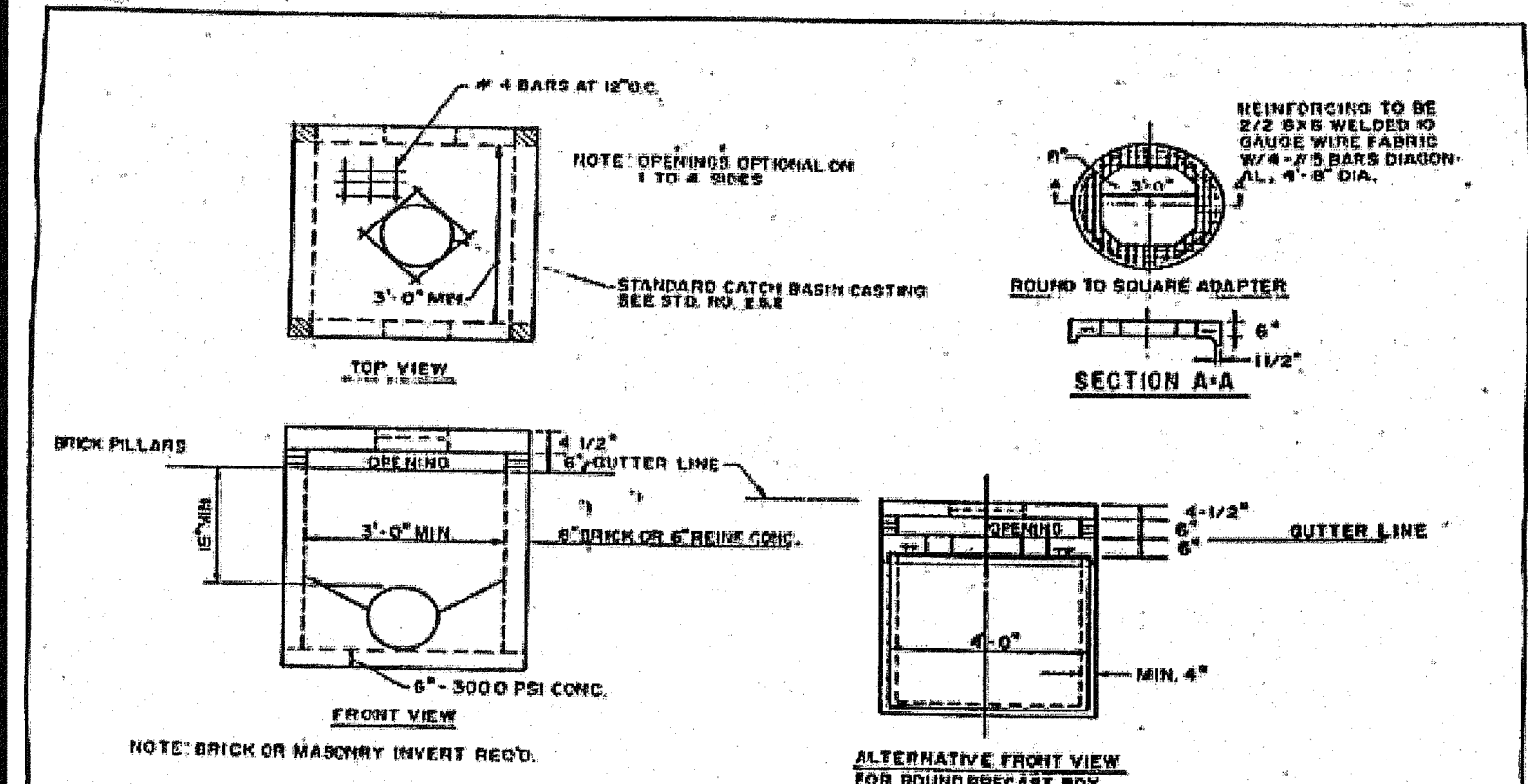


HENRY COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT	CATCH BASIN DROP INLET	DATE: 3/28/88	STANDARD NO.
		APPROVED: D.W.S.	2.4.5



RETAINING WALL SCHEDULE & SPACING												
DIMENSIONS							BAR SIZE @ SPACING					
H	W1	W2	W3	F	T	D	B1	B2	B3	B4	B5	B6
2-3	0'-9"	1'-0"	2'-6"	1'-0"	1'-0"	1'-0"	#4 #12	#4 #12	#5 #12	#5 #12	#4 #12	#4 #12
3-5	0'-9"	1'-2"	3'-0"	1'-0"	1'-0"	1'-0"	#4 #12	#4 #12	#5 #12	#5 #12	#4 #12	#4 #12
5-7	0'-11"	1'-2"	3'-9"	1'-6"	1'-0"	1'-6"	#4 #12	#6 #12	#5 #12	#5 #12	#4 #12	#4 #12
7-9	1'-5"	1'-2"	4'-9"	1'-6"	1'-0"	1'-6"	#4 #12	#7 #12	#6 #12	#5 #12	#4 #12	#4 #12
9-11	2'-6"	1'-4"	5'-0"	2'-0"	1'-2"	1'-8"	#5 #12	#8 #12	#7 #12	#6 #12	#5 #12	#5 #12
11-13	3'-3"	1'-4"	5'-6"	2'-9"	1'-4"	1'-8"	#5 #12	#8 #9	#7 #9	#6 #12	#5 #12	#5 #12
13-15	3'-6"	1'-6"	6'-0"	3'-6"	1'-6"	1'-8"	#5 #12	#8 #6.5	#8 #15	#6 #12	#5 #12	#5 #12

RETAINING WALL DETAIL (POURED INPLACE)
N.T.S.



DATE:	3/88	STANDARD NO.
APPROVED:		2.4.4
D. W. S.		

24-HR Contact:
Brian Cagle
770-210-4663



IF YOU DIG GEORGIA...
CALL US FIRST!
1-800-282-7411
770-623-4344
(METRO ATLANTA ONLY)
UTILITIES PROTECTION CENTER
IT'S THE LAW

Disturbed Area Stabilization (With Mulching Only)

Ds1

DEFINITION

Applying plant residues or other suitable materials, produced on the site if possible, to the soil surface.

PURPOSE

- To reduce runoff and erosion
- To conserve moisture
- To prevent surface compaction or crusting
- To control undesirable vegetation
- To modify soil temperature
- To increase biological activity in the soil

REQUIREMENT FOR REGULATORY COMPLIANCE

Mulch or temporary grassing shall be applied to all exposed areas within 14 days of disturbance. Mulch can be used as a singular erosion control device for up to six months, but it shall be applied at the appropriate depth, depending on the material used, anchored, and have a continuous 90% cover on greater of the soil surface. Maintenance shall be required to maintain appropriate depth and 90% cover. Temporary vegetation may be employed instead of mulch if the area will remain undisturbed for less than six months. If an area will remain undisturbed for greater than six months, permanent vegetative techniques shall be employed. Refer to Ds2 - Disturbed Area Stabilization (With Temporary Seeding), Ds3 - Disturbed Area Stabilization (With Permanent Seeding), and Ds4 - Disturbed Area Stabilization (With Sodding).

SPECIFICATIONS

MULCHING WITHOUT SEEDING

This standard applies to grades or cleared areas where seedlings may not have a suitable growing season to produce an erosion retardant cover, but can be stabilized with a mulch cover.

Site Preparation

1. Grade to permit the use of equipment for applying and anchoring mulch.
2. Install needed erosion control measures as required such as dikes, diversions, berms, terraces, and sediment barriers.
3. Loosen compact soil to a minimum depth of 3 inches.

Mulching Materials

Select one of the following materials and apply at the depths indicated:

1. Dry straw or hay shall be applied at a depth of 2 to 4 inches providing complete soil coverage. One advantage of this material is easy application.
2. Wood waste (chips, sawdust or bark) shall be applied at a depth of 2 to 3 inches. Organic material from the clearing stage of development should remain on site, be chipped, and applied as mulch. This method of mulching can greatly reduce erosion control costs.
3. Cutback asphalt (slow curing) shall be applied at 1200 gallons per acre (or . gallon per sq. yd.).
4. Polyethylene film shall be secured over banks or stockpiled soil material for temporary protection. This material can be salvaged and re-used.

Applying Mulch

When mulch is used without seeding, mulch shall be applied to provide full coverage of the exposed area.

1. Dry straw or hay mulch and wood chips shall be applied uniformly by hand or by mechanical equipment.
2. If the area will eventually be covered with perennial vegetation, 20-30 pounds of nitrogen per acre in addition to the normal amount shall be applied to offset the uptake of nitrogen caused by decomposition of the organic mulches.
3. Cutback asphalt shall be applied uniformly. Care should be taken in areas of pedestrian traffic due to problems of tracking in or damage to shoes, clothing, etc.
4. Apply polyethylene film on exposed areas.

Anchoring Mulch

1. Straw or hay mulch can be pressed into the soil with a disk harrow with the disk set straight or with a special "poker" disk. Disks may be smooth or serrated and should be 20 inches or more in diameter and 8 to 12 inches apart. The edges of the disk should be dull enough not to cut the mulch but to press it into the soil leaving much of it in an erect position. Straw or hay mulch shall be anchored immediately after application. Straw or hay mulch spread with special blower-type equipment may be anchored with emulsified asphalt (Grade AC-5 or CS-1). The asphalt emulsion shall be sprayed onto the mulch as it is ejected from the machine. Use 100 gallons of emulsified asphalt and 100 gallons of water per ton of mulch. Tackifiers and binders can be substituted for emulsified asphalt. Please refer to specification T5 - Tackifiers and Binders. Plastic mesh or netting with mesh no larger than one inch by one inch shall be installed according to manufacturer's specifications.
2. Netting of the appropriate size shall be used to anchor wood waste. Openings of the netting shall not be larger than the average size of the wood waste chips.
3. Polyethylene film shall be anchor fringed at the top as well as incrementally as necessary.

Temporary Sediment Basin

Sd3

Sd3 Temporary Sediment Basin

Definition

A basin created by the construction of a barrier or dam across a concentrated flow area or by excavating a basin or by a combination of both. A sediment basin typically consists of a dam, a pipe outlet, and an emergency spillway. The size of the structure will depend upon the location, size of the drainage area, soil type, and rainfall pattern.

Purpose

To detain runoff waters and trap sediment from erodible areas in order to protect properties and drainage ways below the installation from damage by excessive sedimentation and debris. The water is temporarily stored and the bulk of the sediment carried by the water drops out and is retained in the basin while the water is automatically released.

Conditions

This practice applies to critical areas where physical site conditions, construction schedules, or other restrictions preclude the installation or establishment of erosion control practices to satisfactorily reduce runoff, erosion, and sedimentation. The structure may be used in combination with other practices and should remain in effect until the sediment-producing area is permanently stabilized. This standard applies to the installation of temporary (to be removed within 18 months) sediment basins on sites where: (1) failure of the structure would not result in loss of life or interruption of use or service of public utilities, and (2) the drainage area does not exceed 150 acres.

Design Criteria

Compliance With Laws and Regulations
Design and construction shall comply with state and local laws, ordinances, rules and regulations. Basins shall be constructed according to the approved erosion and sediment control plan unless modified by the design engineer.

Location

Sediment basins shall never be placed in live streams. They should be located so that storm drains discharge into the basin. The sediment basin should be located to obtain the maximum storage benefit from the terrain and for ease of clean-out of the trapped sediment. It should be located to minimize interference with construction activities and construction of utilities.

Volume

The sediment storage volume of the basin, as measured to the elevation of the crest of the principal spillway, shall be at least 67 cubic yards per acre for the disturbed area draining into the basin (67 cubic yards is equivalent to 1/2 inch of sediment per acre of drainage area). The entire drainage basin area should be used for this computation, rather than the disturbed area alone, to help ensure adequate trapping efficiency. Sediment shall be removed from the basin when approximately one-third of the storage volume has been lost to sediment accumulation. This volume shall be marked on the riser or by setting a marked post near the riser.

Surface Area

Sludges (Bartfield and Clar, 1985) indicate that the following relationship between surface area and peak inflow rate gives a trapping efficiency from greater than 75% for clay loam to 95% for loamy sandy soils.

$$A = 0.01q$$

where A is basin surface area in acres and q is peak inflow rate in cfs. Area is measured at the crest of the principal spillway riser. The minimum peak inflow rate is determined from a 2-year, 24-hour storm.

PIEDMONT VEGETATIVE COVERS				
MONTH	TEMPORARY SEED	RATE/ACRE	PERMANENT SEED	RATE/ACRE
1. JANUARY	RYEGRASS	40-50 LB.	UNHULLED BERMUDA SERICEA LESPEDEZA ²	8-10 LB. 30-40 LB.
2. FEBRUARY			UNHULLED BERMUDA SERICEA LESPEDEZA ² FESCUE	8-10 LB. 30-40 LB. 30-50 LB.
3. MARCH	RYE ANNUAL LESPEDEZA WEEPING LOVEGRASS	2-3 BU. 20-25 LB. 4-6 LB.	UNHULLED BERMUDA SERICEA LESPEDEZA ² FESCUE	8-10 LB. 30-40 LB. 30-50 LB.
4. APRIL	RYE BROWN TOP MILLET ANNUAL LESPEDEZA SUDAN ANNUAL	2-3 BU. 30-40 LB. 20-25 LB. 35 LB.	WEEPING LOVEGRASS HULLED BERMUDA BAHA	4-6 LB. 5-6 LB. 40-60 LB.
5. MAY	WEEPING LOVEGRASS SUDAN GRASS BROWN TOP MILLET	4-6 LB. 35 LB. 30-40 LB.	WEEPING LOVEGRASS HULLED BERMUDA BAHA	4-6 LB. 5-6 LB. 40-60 LB.
6. JUNE	WEEPING LOVEGRASS SUDAN GRASS BROWN TOP MILLET	4-6 LB. 35 LB. 30-40 LB.	WEEPING LOVEGRASS HULLED BERMUDA BAHA	4-6 LB. 5-6 LB. 40-60 LB.
7. JULY	WEEPING LOVEGRASS SUDAN GRASS BROWN TOP MILLET	4-6 LB. 35 LB. 30-40 LB.	WEEPING LOVEGRASS HULLED BERMUDA BAHA	4-6 LB. 5-6 LB. 40-60 LB.
8. AUGUST	RYEGRASS WEEPING LOVEGRASS	40-50 LB. 4-6 LB.		
9. SEPTEMBER			TALL FESCUE	30-50 LB.
10. OCTOBER	WHEAT	2-3 BU.	UNHULLED BERMUDA SERICEA LESPEDEZA ²	8-10 LB. 30-40 LB.
11. NOVEMBER	WHEAT	2-3 BU.	UNHULLED BERMUDA FESCUE SERICEA LESPEDEZA	8-10 LB. 30-50 LB. 30-40 LB.
12. DECEMBER	RYE RYEGRASS WHEAT	2-3 BU. 40-50 LB. 2-3 BU.	UNHULLED BERMUDA SERICEA LESPEDEZA ² FESCUE	8-10 LB. 30-40 LB. 30-50 LB.

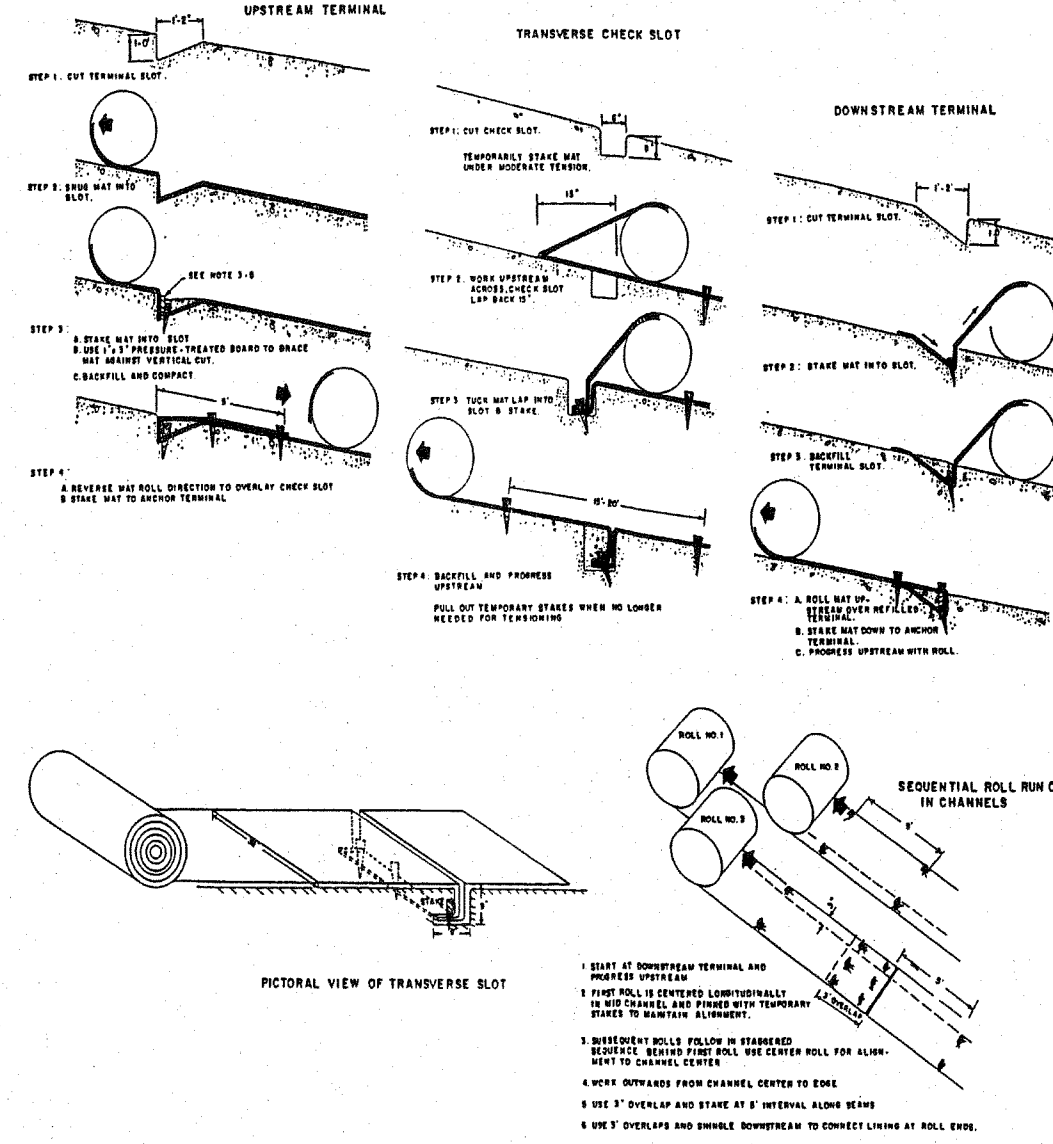
- ¹USE A MINIMUM OF 40 LBS. SCARIFIED SEED. REMAINDER MAY BE UNSCARIFIED, CLEAN HULLED SEED.
- ²USE EITHER COMMON SERIAL, OR INTERSTATE SERICEA LESPEDEZA.

Ds2

DISTURBED AREA STABILIZATION
(WITH TEMPORARY SEEDING)

Ds3

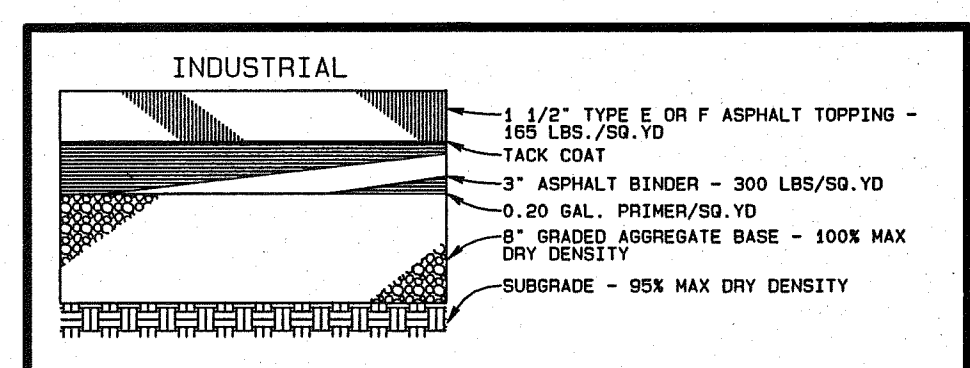
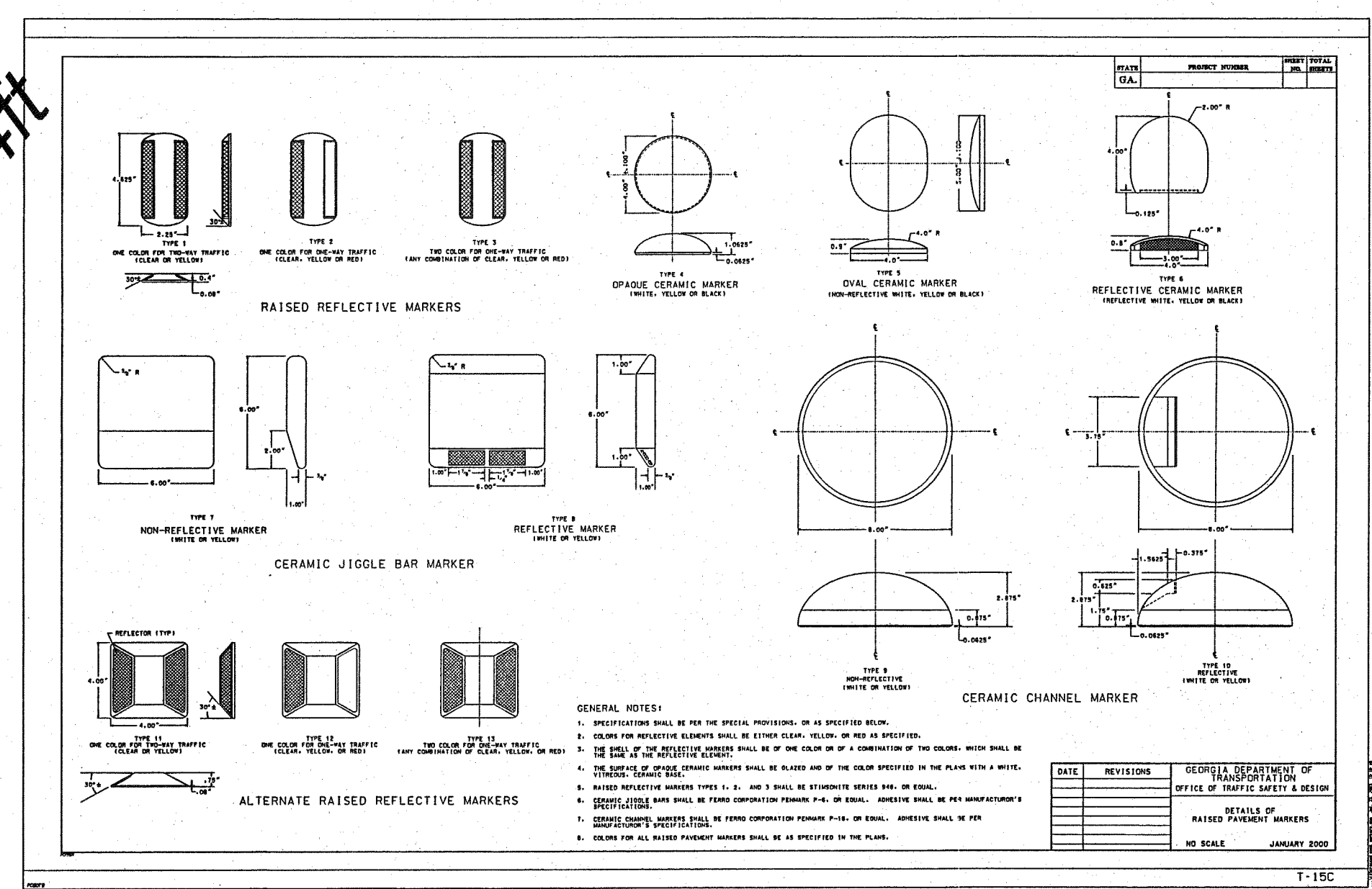
DISTURBED AREA STABILIZATION
(WITH PERMANENT VEGETATION)



N/F
QUIKTRIP
ZONED C-2
5260 North Henry Blvd.

STATE HWY. 42/138
NORTH HENRY BLVD.
INSTALL TYPE 10 RAISED
PAVEMENT MARKERS
PER GA DOT STANDARDS
SHEPPARD DRIVE
VARIES
90.0°
PER DOT

N/F
STOCKBRIDGE
STATION, L.L.C.
ZONED C-2
5244 North Henry Blvd.

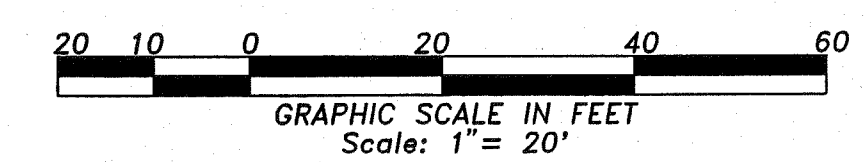


THERE ARE WETLANDS LOCATED WITHIN THE LIMITS OF THE SUBJECT PROPERTY.

PORTIONS OF THIS SITE ARE LOCATED IN A SPECIAL FLOOD AREA AS PER F.I.R.M. COMMUNITY PANEL NO. 130108 0001 A DATED JUNE, 15 1983

NOTE: ALL UTILITY COMPANIES WITH A FACILITY ON R/W ARE REQUIRED TO PROVIDE IN WRITING TO D.O.T. THAT ANY CONFLICT WILL BE CORRECTED PRIOR TO OR DURING CONSTRUCTION AS THAT THERE ARE NO CONFLICTS WITHIN THE LIMITS OF THIS PROJECT BEFORE PERMIT APPROVAL

D.O.T. SIGN AND MARKING PLAN



24-HR Contact:
Brian Cagle
770-210-4663



IF YOU DIG GEORGIA...
CALL US FIRST!
1-800-282-7411
770-623-4344
(METRO ATLANTA ONLY)
UTILITIES PROTECTION CENTER
11 S. THE LAKE



252 Keys Ferry Street
McDonough, GA 30253
P 678.432.5720
F 678.432.5463

D.O.T. SIGN AND MARKING PLAN
Prepared For:

Brush Creek Commons

Developer:
Timberline Group, LLC

P.O. Box 335
Level 10
30250
770.897.0971

DATE	REVISION DESCRIPTION
07-23-05	revised per city comments
12-09-05	revised per city comments
03-17-07	revised per city comments

DATE: 25 Jan, 2005

LAND LOT: 59 & 70

DISTRICT: 12th

SECTION: N/A

CITY: Stockbridge

COUNTY: Henry

STATE: Georgia

JOB NUMBER: 2004.039

26

26 OF 26 SHEETS

FILE NUMBER: 04-D-039

Brush Creek Commons

CITY OF *

COBBLESTONE VILLAGE APTS.
ZONED RMH

STOCKBRIDGE JURISDICTION, HENRY COUNTY DOT
RECOMMENDS THE FOLLOWING:

50' DEDICATED R/W UP TO SR42/138.

ORIGINALLY CONSTRUCTED AS A DRIVEWAY W/O INSPECTION BY
COUNTY/CITY (SINCE IT'S NOT R/W). ANY SECTION OF EXISTING
DRIVEWAY PROPOSED TO BE USED SHOULD BE CORED
AND HAVE FULL INFO REPORTED TO COUNTY/CITY FOR
REVIEW IN CONSIDERATION OF ACCEPTING EXISTING SECTION
FOR CITY R/W.

- EXISTING DRIVE SHOULD BE UPGRADED/REVISED TO
MATCH THE STD. COUNTY CURB & GUTTER ROAD ON 50' R/W,
INCLUDING SHOULDERS (AND SIDEWALKS, IF REQUIRED).

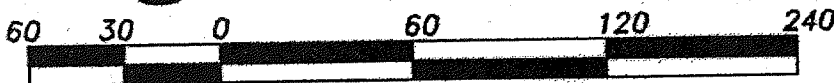
- PROPOSED ENTRANCE DOES NOT LINE UP W/ EXISTING
DRIVEWAY. IS BOULEVARD ENTRANCE A REQUIREMENT
FOR ZONING? IF NOT IT COULD BE REMOVED TO ASSIST
IN ALIGNING CENTERLINES.

- PROBABLE GDOT REVIEW NECESSARY DUE TO CHANGE
IN USE OF EXISTING ENTRANCE OFF OF SR 42/138.

GRADING PLAN NOTES

1. DISTURBED AREA = ± 8.47 ACRES
2. SEE SHEET 13 FOR STORM SEWER PROFILES.
3. SEE SHEET 14 FOR SANITARY SEWER PROFILES.
4. MAINTANCE OF THE STORMWATER MANAGEMENT FACILITIES SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNER AND SHALL BE MAINTAINED AND/OR REPAIRED WHEN NEEDED OR AS REQUIRED BY CITY OF STOCKBRIDGE.
5. THERE ARE NO WETLANDS LOCATED WITHIN THE LIMITS OF THE SUBJECT PROPERTY.

Grading and Drainage Plan



GRAPHIC SCALE IN FEET
Scale: 1" = 60'

NOTES:
1. RAIS
36"
2. TWO
THE
AN II
THE

Pivotal Enterprises, LLC
Eaman Fatemi – Member
1705 Enterprise Way SE, Ste 100,
Marietta, GA 30067

Letter of intent for Brush Creek Commons

Table of Contents:

PGs	Section
1-2	Letter of Intent
3-12	Zoning Modification Application
13-21	As-Is Plat with notes on proposed modifications
22-48	Original Development Agreement
49	Sample Front Elevation

Dear City of Stockbridge Development Department,

Regarding Parcel ID S07-01006005 also known as Brush Creek Commons. We found the original development agreement to be overburdened with too many high-cost amenities for the HOA to handle at forty-one (41) townhomes. Also, the locations the developer proposed for certain amenities are unreasonable and will not survive even if the HOA wasn't already stretched too thin. Unfortunately, they went ahead and developed even though the amenity mix and the proposed locations were untenable. We are proposing bringing the amenity mix and locations into a more manageable and desirable mix. See original from Rezoning Case #RZ-03-04 zoning condition #N.

The current mix includes:

- Putting Green
- Soccer Field
- Volleyball Court
- 1,400 foot walking trails with 3 bridges straight through a mature forest
- Bird-Watching Station
- One Playground installation for toddlers fenced in
- Another Playground installation for adolescents.
- 1300 SQFT Clubhouse fully furnished with exercise equipment
- Covered Pavilion with Fireplace
- Gazebo for bus stop
- Monument signs
- Mail drop off location

September 12, 2022

PROPOSED AMENITY MIX (designed for minimum maintenance and maximum useability)

- Clubhouse 1300 sqft. Partially furnished with finished kitchen and bathroom.
- 15x20 Covered Pavilion (no fireplace)
- Grills next to Pavilion. Benches inside pavilion.
- Gym/Workout space.
- Birdwatching Station moves to more accessible location
- One playground
- Putting Green
- Gazebo for bus stop
- Monument Sign
- Mail drop-off location

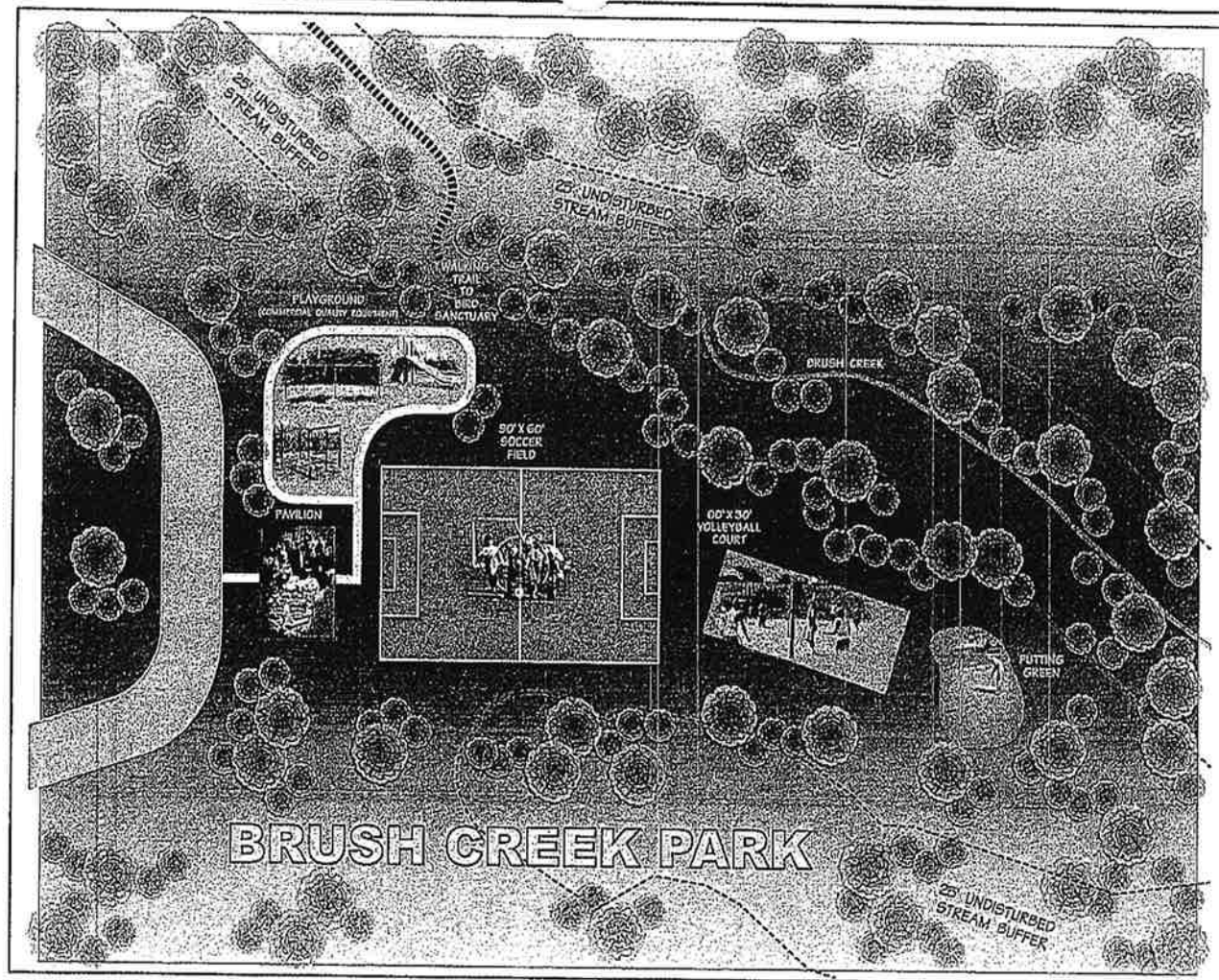
In addition to being some of the more maintenance heavy items, the volleyball court and soccer field are located in a ditch surrounded by hills and tall trees cutting off sunlight. Every heavy rain they will get flooded. The grass on the soccer field will never grow properly, and the volleyball court will always be full of debris and trash. It is not a winnable battle even with unlimited resources.

The 1400 walking trail provides a unique amount of liability for such a small HOA which will likely only have 2 or 3 overwhelmed directors. It was drawn going through a heavily mature forest well inside of the floodplain. It is constantly soggy and debris collect here. Much of the trail remains wet during wet spells. There are all sorts of ticks, fleas, snakes and other dangerous vermin and insects. In addition, plenty of trees and limbs are dead. Instead of implicitly implying the HOA is responsible for such things, let people explore the forest on their own at their own risk. It is relatively walkable anyway, and in certain locations people do seem to be walking through when it isn't too muddy.

We hope you find our proposal to be understandable and agreeable.

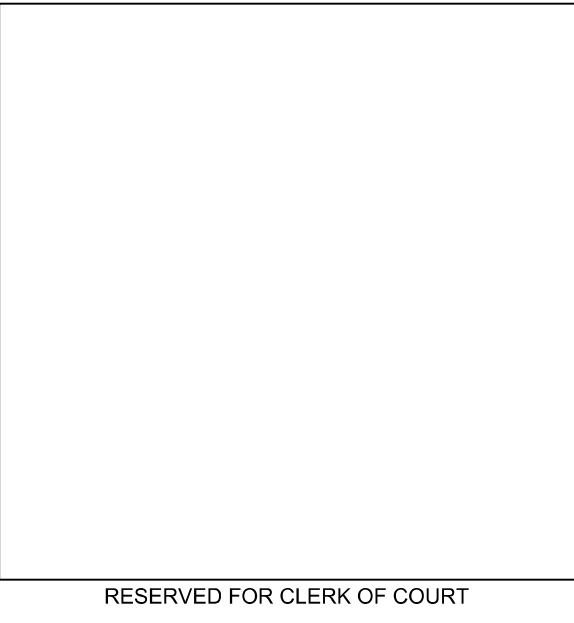
Thanks,
Eaman Fatemi – Member
Pivotal Enterprises, LLC
770-480-1714
efatemi@pivotalhouse.com

September 12, 2022



Brush Creek Commons Amenity Package

- * Gazebo at entrance of development to serve as a waiting area for school bus pickup
- * Sodded Sports Area adjacent to Gazebo
- * 1300 Square Foot Clubhouse with Full Kitchen and Fitness Equipment
- * Fenced Tot Lot (Ages: 2 - 5) located adjacent to Clubhouse
- * Brush Creek Park
 1. Covered Pavilion with Picnic Area and Fireplace
 2. Regulation 60' X 30' Beach Volleyball Court
 3. Regulation 60' X 90' 3 on 3 Soccer Field with Goals
 4. Putting Green with multiple holes and sand trap
 5. Upgraded and Enlarged, commercial quality playground:
 - 2 Bay, 4 Station Swing Set with Buckets and Belts
 - Climbing Station: "Monkey Bars", Ring Climbers, Chin-up Bar, and Balance Beam
 - Free Standing Wave Slide with 5' Deck
 - 2 Commercial Quality Park Benches
 7. Over 1400 Ft. of Walking Trail
 8. Bird Sanctuary with Feeders, Houses, and Benches for observation



FINAL SUBDIVISION PLAT
FOR
BRUSH CREEK COMMONS
LAND LOTS 59 & 70, 12TH DISTRICT
CITY OF STOCKBRIDGE
(HENRY COUNTY), GEORGIA

SITE INFORMATION

1. SITE ZONING: RM-2 TOWNHOMES
2. TOTAL SITE AREA IS 15.87 ACRES (12.39 AC OPEN SPACE)
TOTAL LENGTH OF BRUSH CREEK COURT: 1064.94 L.F.
TOTAL RIGHT-OF-WAY AREA OF BRUSH CREEK COURT: 1,395 AC
3. TOTAL NUMBER OF LOTS IS 41
4. MAXIMUM BLDG HEIGHT IS THE LESSER OF 45 FEET OR (4) STORIES. (SEE MUNICIPAL CODE SECTION 12.02.0311 FOR THE CITY OF STOCKBRIDGE.)
5. MINIMUM LOT SIZE IS 2160 SQ. FT. (LOT 24 EXCEPTION)
6. MINIMUM LOT WIDTH IS 24' (INTERIOR) (LOT 23 EXCEPTION)
7. SETBACK INFORMATION:
MINIMUM FRONT = 10 FT.
MINIMUM SIDE = 20 FT. BETWEEN BUILDINGS
MINIMUM REAR = 30 FT.
MINIMUM HEATED SPACE = 1,344 AT/TWO-STORY/2 CAR GARAGE
1,600 AT/TWO-STORY/2 CAR GARAGE
8. WIDTH OF TYPICAL ROADWAY IS 26 FT.
9. LOTS SHALL UTILIZE SANITARY SEWER SERVICE.
10. POTABLE WATER SHALL BE PROVIDED BY CITY OF STOCKBRIDGE.
11. SANITARY SEWER SHALL BE PROVIDED BY CITY OF STOCKBRIDGE.
12. ALL STORM DRAINS SHALL BE EXTENDED A MINIMUM OF 30' BEHIND ANY FUTURE RESIDENCE OR BUILDING.
13. PROPOSED SPEED LIMIT WITHIN DEVELOPMENT IS 25 MPH.
14. A PORTION OF THIS SITE IS LOCATED IN A SPECIAL FLOOD AREA AS PER F.I.R.M. COMMUNITY PANEL NO. 13151C0067D AND 13151C0086D BOTH DATED 10/06/2016. THE LOCATION AND CROSS-SECTIONS OF THE FLOOD AREA IS SCALED HEREON FROM SAID FEMA PANELS.
15. THE UTILITIES SHOWN HEREON ARE BASED UPON RECORDS FROM VARIOUS UTILITY COMPANIES, DEEDS AND PLATS OF RECORD, AND WHERE POSSIBLE, ACTUAL FIELD MEASUREMENTS. CONTRACTOR SHALL VERIFY UTILITY LOCATIONS BEFORE CONSTRUCTION BEGINS.
16. A TWENTY-FOOT STORM SEWER AND SANITARY SEWER EASEMENT AS REQUIRED BY THE CITY OF STOCKBRIDGE AND SHOWN ON THE FINAL PLAT.
17. SIDEWALKS REQUIRED BOTH SIDES OF STREET. 4' WIDE & 2' BEHIND CURB AND HANDICAP ACCESSIBLE AT ALL CORNERS. PRIOR TO RELEASE OF 2 YEAR MAINTENANCE BOND ALL SIDEWALKS MUST BE COMPLETE.
18. MAINTENANCE OF DETENTION PONDS SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNERS AND SHALL BE MAINTAINED AND REPAIRED WHEN NEEDED OR AS REQUESTED BY THE CITY OF STOCKBRIDGE.
19. ALL STORM DRAIN PIPES OUTSIDE THE RIGHT-OF-WAY SHALL BE MAINTAINED BY THE PROPERTY OWNER. IF IT BECOMES NECESSARY FOR THE CITY OF STOCKBRIDGE TO PROVIDE ANY MAINTENANCE OR MAKE ANY REPAIRS TO THE LINE THAT IS AN EXTENSION OF THE STORM DRAIN LINE UNDER THE ROADWAY, TO PROTECT THE ROADWAY OR OTHER PROPERTY UPSTREAM FROM THIS LINE, THE CITY OF STOCKBRIDGE WILL BACK CHARGE THE PROPERTY OWNER FOR ALL EXPENSES INCURRED IN CORRECTING THE DRAINAGE PROBLEM. THE CITY OF STOCKBRIDGE SHALL NOT BE RESPONSIBLE FOR DAMAGE TO ANY IMPROVEMENT ON THIS SITE RESULTING FROM THE REPAIR OF THIS LINE INCLUDING BUT NOT LIMITED TO THE REPLACEMENT OR REPAIR OF CURB AND GUTTER, PAVEMENT OR OTHER INFRASTRUCTURE IMPROVEMENT.
20. HENRY COUNTY MAP 57A
ALL BLOCK 1
PARCEL #S SAME AS LOT #S OUT OF PACEL # 0507-01-006-005
OPEN SPACE T-100
DEVELOPMENT PERMIT NUMBER - 4535
21. DETENTION POND TO BE OWNED BY THE HOMEOWNERS ASSOCIATION.
22. THERE IS A LIVE STREAM ON THIS SITE.
23. HENRY COUNTY ASSUMES NO RESPONSIBILITY FOR THE OVERFLOW OF EROSION OF NATURAL OR ARTIFICIAL DRAINS BEYOND THE EXTENT OF THE STREET RIGHT-OF-WAY, NOR THE EXTENSION OF CULVERTS BEYOND THE POINTS SHOWN ON THIS PLAT AND AS REQUIRED BY THE HENRY COUNTY SUBDIVISION ORDINANCE.
24. OPEN SPACE IS TO BE OWNED AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION.
25. DENSITY CALCULATIONS: GROSS DENSITY: 41/15.87 = 2.58 UPA
NET DENSITY: 41/4.952 = 6.28 UPA

SURVEYOR'S NOTES

1. A TOPCON DS 105 (ROBOTIC TOTAL STATION), TOPCON TRAVERSING EQUIPMENT, A 200 FOOT TAPE, AND SPECTRA PRECISION SP80 VRS GPS EQUIPMENT WERE USED TO OBTAIN THE ANGULAR AND LINEAR MEASUREMENTS FOR THIS SURVEY.
2. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAD A CLOSURE PRECISION OF ONE FOOT IN 18,663 FEET, AND AN ANGULAR ERROR OF 09 SECONDS PER ANGLE POINT AND WAS ADJUSTED USING THE COMPASS RULE.
3. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 1,323,092 FEET.
4. NO N.G.S. MONUMENT WAS FOUND WITHIN 500 FEET OF ANY POINT ON THE SUBJECT PROPERTY.
5. THE SOURCE OF VERTICAL DATUM IS EGPS VRS CORS NETWORK.
6. THE HORIZONTAL DATUM IS THE NORTH AMERICAN DATUM OF 1983 READJUSTED IN 2011 (NAD83 (2011)). THE VERTICAL DATUM IS THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88).
7. THE FIRM OF SEILER & ASSOCIATES, INC DOES NOT CERTIFY TO THE CORRECTNESS OR ACCURACY OF THE UNDERGROUND UTILITIES SHOWN OR NOT SHOWN HEREON. CONTACT THE UTILITY PROTECTION CENTER (800-282-7411) PRIOR TO ANY DIGGING.
8. MFFE'S REFERENCED TO THIS NOTE ARE SHOWN AS THEY WERE PROVIDED TO THIS OFFICE BY POINT TO POINT LAND SURVEYORS, INC. THE FIRM OF SEILER & ASSOCIATES, INC HAS MADE NO INDEPENDENT STUDY OF MINIMUM FINISHED FLOOR ELEVATIONS OR THE OVERALL DRAINAGE SYSTEM OF BRUSH CREEK COMMONS.
9. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT WHICH MAY REVEAL ADDITIONAL CONVEYANCES, EASEMENTS, OR RIGHTS OF WAY NOT SHOWN HEREON.

SURVEYOR'S REFERENCES

1. FINAL PLAT FOR BRUSH CREEK COMMONS PREPARED BY POINT TO POINT LAND SURVEYORS DATED JANUARY 29, 2018.
2. APPROVED SITE DEVELOPMENT PLANS FOR BRUSH CREEK COMMONS BY LAND ENGINEERING AND DEVELOPMENT DATED JANUARY 25, 2005 (LAST REVISED 3-17-09).



VICINITY MAP
NOT TO SCALE

SURVEYOR'S CERTIFICATION

AS REQUIRED BY SUBSECTION (D) OF O.C.G.A. SECTION 15-6-67, THIS PLAT HAS BEEN PREPARED BY A LAND SURVEYOR AND APPROVED BY ALL APPLICABLE LOCAL JURISDICTIONS FOR RECORDING AS EVIDENCED BY APPROVAL CERTIFICATES, SIGNATURES, STAMPS, OR STATEMENTS HEREON. SUCH APPROVALS OR AFFIRMATIONS SHOULD BE CONFIRMED WITH THE APPROPRIATE GOVERNMENTAL BODIES BY ANY PURCHASER OR USER OF THIS PLAT AS TO INTENDED USE OF ANY PARCEL. 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.

Keith R. Seiler

KEITH R. SEILER
GEORGIA REGISTRATION NO. 2388
MEMBER NATIONAL SOCIETY OF PROFESSIONAL SURVEYORS (NSPS)
MEMBER SURVEYING & MAPPING SOCIETY OF GEORGIA (SAMSOG)

SUBJECT PROPERTY

OWNER:
PIVOTAL ENTERPRISES, LLC
1705 ENTERPRISE WAY
SUITE S-100
MARIETTA, GA. 30067

ENGINEER OF RECORD:
LAND ENGINEERING AND DEVELOPMENT
374 RACETRACK ROAD
MCDONOUGH, GA 30252
678-432-5720

SURVEYOR:
SEILER & ASSOCIATES, INC.
124 ANDREW DRIVE, SUITE 202
STOCKBRIDGE, GA. 30281
678-565-9200

FINAL PLAT APPROVAL

THIS PLAT IS HEREBY APPROVED FOR RECORDING:

MAYOR, CITY OF STOCKBRIDGE DATE

THIS PLAT IS HEREBY APPROVED FOR RECORDING:

DIRECTOR, HENRY COUNTY PLANNING AND ZONING SERVICES DIVISION DATE
HENRY COUNTY BOARD OF COMMISSIONERS

THIS PLAT IS HEREBY APPROVED FOR RECORDING:

DIRECTOR, HENRY COUNTY DEPARTMENT OF ENVIRONMENTAL COMPLIANCE DATE
HENRY COUNTY BOARD OF COMMISSIONERS

OWNERS CERTIFICATE

THE OWNER OF THE LAND SHOWN ON THIS PLAT AND WHOSE NAME IS SUBSCRIBED HERETO, IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, ACKNOWLEDGES THAT THIS PLAT WAS MADE FROM AN ACTUAL SURVEY AND DEDICATES TO THE USE OF THE PUBLIC FOREVER ALL STREETS, PARKS, WATER COURSES, DRAINS, EASEMENTS AND PUBLIC PLACES HEREIN SHOWN FOR THE PURPOSE(S) THEREIN EXPRESSED.

OWNER - TH41 LLC & TARZANNA PROP LLC DATE

FLOOD NOTE:

ACCORDING TO FEMA F.I.R.M. PANELS: **1351C0086D** & **1351C0067D** EFFECTIVE DATE: **OCTOBER 6, 2016** AND BY GRAPHIC PLOTTING ONLY, PORTION(S) OF THIS PROPERTY LIE WITHIN A SPECIAL FLOOD HAZARD AREA ZONE **AE** OF THE FLOOD INSURANCE RATE MAP FOR HENRY COUNTY, GA.

REQUESTING CHANGE TO
AMENITIES. REFER TO
LETTER OF INTENT FOR
REASONING.

- 1) CLUB HOUSE WITH
FURNISHED KITCHEN
- 2) COVERED PAVILLION
- 3) GRILLS AND BENCHES
FOR NEXT TO COVERED
PAVILLION
- 4) PUTTING GREEN
- 5) PLAYGROUND
- 6) BIRDWATCHING
STATION
- 7) GYM/WORKOUT SPACE

GAZEBO & MONUMENT
SIGN TO REMAIN AS WELL.

ZONING CONDITIONS (CASE # RZ-03-04)

ZONING REQUIREMENTS OF PROPERTY (REFER TO THE DEVELOPMENT AGREEMENT DATED DECEMBER 13, 2004.)
AMENDMENT AUGUST 13, 2007. THE VALIDITY AND ENFORCEABILITY OF THIS AGREEMENT IS CONDITIONAL UPON THE CITY REZONING THE PROPERTY TO THE ZONING CLASSIFICATION AS FOLLOWS:

- A. REZONING. THE PROPERTY DESCRIBED IN EXHIBIT "A" FOR A TOTAL OF 15.89 ACRES, MORE OR LESS, SHALL BE REZONED FROM SINGLE-FAMILY RESIDENCE DISTRICT (R-2) TO MULTI-FAMILY RESIDENCE DISTRICT (RM-2 TOWNHOUSES), PROJECT NOT EXCEED 41 UNITS TOTAL.
 - B. REQUIREMENTS GENERALLY. OWNER SHALL COMPLY WITH ALL APPLICABLE RULES, REGULATIONS, AND CONDITIONS OF THE ZONING ORDINANCE, EXCEPT WHERE SPECIFICALLY EXCLUDED HEREIN. IN THE DEVELOPMENT OF THE PROPERTY INCLUDING THOSE EXPRESSED HEREIN. FOR SPECIFIC REFERENCE, RM ORDINANCE NUMBER 03-60, EFFECTIVE ON MARCH 10, 2003, SHALL APPLY AND IS ATTACHED HERETO AS EXHIBIT "D" AND INCORPORATED HEREIN BY REFERENCE. IN ADDITION TO SAID ORDINANCES, THE CONDITION CONTAINED IN THIS AGREEMENT SHALL APPLY, IF THERE IS A CONFLICT BETWEEN THE ZONING ORDINANCES AND THIS AGREEMENT, THE TERMS OF THIS AGREEMENT.
 - C. DEVELOPMENT CONDITIONS.
1. THE FOLLOWING CONDITIONS SHALL APPLY TO THE PROPERTY.
 - A. REVISE SITE PLAN TO ADHERE TO ALL CITY OF STOCKBRIDGE RM-2 ORDINANCE REQUIREMENTS. (NOTE THAT APPROVAL OF THIS REZONING IS NOT AN APPROVAL OF THE SITE PLAN SUBMITTED.)
 - B. MAXIMUM BUILDING HEIGHT SHALL BE SHOWN ON THE SITE PLAN (THE LESSER OF 45 FEET OR (4) STORIES. SEE MUNICIPAL CODE SECTION 12.02.0311 FOR THE CITY OF STOCKBRIDGE.)
 - C. ALL TOWNHOUSES SHALL HAVE A MIXTURE OF FRONT FACADE CONSISTING OF COVERED ENTRYWAY, PORCHES, BAY WINDOWS AND BALCONIES. GARAGES SHALL BE ACCENTUATED WITH VARIATIONS OF DESIGN PORTICOS.
 - D. OWNER SHALL SUBMIT ELEVATIONS OF BUILDINGS TO BE APPROVED BY THE CITY. NOTE, HOWEVER, THAT THE CITY MAY APPROVE ELEVATIONS IF IT DETERMINES THAT WAITING FOR STAFF'S REVIEW HAS UNREASONABLY DELAYED OWNER.
 - E. EACH UNIT ELEVATION PER BUILDING SHALL BE SEPARATE AND DISTINCT FROM THE OTHER AND SHALL INCLUDE VARIATIONS IN ROOFLINES WHICH MAY BE ACCOMPLISHED WITH THE USE OF DORMERS, GABLES AND/OR FIREPLACES.
 - F. ALL EXTERIOR FACADES SHALL CONSIST OF BRICK AND/OR STONE. THE CORNICES AND GABLES SHALL CONSIST OF STUCCO, STONE, AND/OR HARD PLANK.
 - G. OWNER SHALL INSTALL STREET TREES ALONG ALL STREETS TO BE PLACED BETWEEN THE SIDEWALK AND THE FRONT PROPERTY LINES. HAVE A MINIMUM TWO AND ONE-HALF INCH (2.5") CALIBER (D.B.H.), SHALL HAVE A MINIMUM TWENTY-FOUR FOOT (24 SQ.FT.) PLANTING AREA AND SHALL BE SPACED AN AVERAGE OF FORTY-FIVE FEET (45) APART. OWNER SHALL PROVIDE A LIST OF TEN (10) TREES TO BE PROVIDED AND SUBJECT TO MODIFICATION BY THE CITY.
 - H. A STREET SCAPING PLAN SHALL BE SUBMITTED TO HENRY COUNTY PLANNING AND ZONING STAFF FOR COMMENTS AND APPROVED BY THE CITY TO INCLUDE SIDEWALKS, STREET TREES, LANDSCAPING, STREET LIGHTING AND STREET FURNITURE. NOTE, HOWEVER, THAT THE CITY MAY APPROVE THE STREET SCAPING PLAN IF IT DETERMINES THAT WAITING FOR STAFF'S REVIEW HAS UNREASONABLY DELAYED OWNER.
 - I. ANY FLOOD PLAN ALTERATION BE SUPPORTED BY A CERTIFIED ENGINEER AT THE PLAN REVIEW STAGE.
 - J. THE APPLICANT SHALL SUBMIT, TO THE CITY CLERK AND CITY ATTORNEY, AN UPDATED LEGAL DESCRIPTION AND PLAT, CERTIFIED BY AN ENGINEER OR SURVEYOR LICENSED IN THE STATE OF GEORGIA, OF THE PROPERTY.
 - K. OWNER SHALL NOT CONSTRUCT AN ENTRANCE OR EXIT ONTO SHIELDS DRIVE FOR ACCESS TO THE PROJECT.
 - L. OWNER SHALL MAINTAIN A TWO HUNDRED FOOT (200) BUFFER BETWEEN THE PROJECT AND SHIELDS DRIVE. AN EXEMPTION TO THIS CONDITION SHALL AUTOMATICALLY ARISE SHOULD THE CITY COUNCIL APPROVE A REZONING OF SAID BUFFER AREA TO A SINGLE FAMILY DETACHED RESIDENTIAL ZONING CLASSIFICATION. **M. THIS REZONING APPLIES TO ONLY THE PROPERTY AND SHALL NOT BE CONSTRUED AS APPLYING TO THE AREAS ZONED COMMERCIAL ADJACENT TO THE PROPERTY.**
 - N. AMENITIES SHALL CONSIST OF:- 1,300 SQUARE FOOT CLUB HOUSE WITH FULL KITCHEN AND FITNESS EQUIPMENT; - TWO (2) SEPARATE AGE-SPECIFIC PLAYGROUNDS: A FENCED TOT LOT ADJACENT TO THE CLUB HOUSE AND ANOTHER PLAYGROUND FOR OLDER CHILDREN LOCATED NEARBY TO THE PAVILLION; - COVERED PAVILION WITH FIREPLACE; - VOLLEYBALL COURT; - PUTTING GREEN; - REGULATION 80' X 90' SOCCER FIELD; - WALKING TRAILS AT LEAST FOURTEEN HUNDRED FEET (1,400') IN LENGTH AND THREE FEET (3') IN WIDTH; - BIRD SANCTUARY INCLUDING A VARIETY OF BIRD FEEDERS AND BIRD HOUSES WITH BENCHES FOR OBSERVATION; - GAZEBO AT ENTRANCE OF DEVELOPMENT TO SERVE AS A WAITING AREA FOR SCHOOL BUS PICK-UP; AND - OWNER SHALL BE BOUND BY THE AMENITY REPRESENTATIONS MADE IN ITS OCTOBER 7, 2004 PROPOSED SITE PLAN ATTACHED HERETO AS EXHIBIT "A", SUBMITTED TO THE CITY COUNCIL AND ON FILE WITH THE CITY CLERK.

- VARIANCES
- A. THE MAXIMUM UNITS PER BUILDING MAY INCREASE FROM FIVE (5) UNITS TO SIX (6) UNITS PER BUILDING.
 - B. THE MINIMUM DISTANCE BETWEEN BUILDINGS MAY BE REDUCED FROM FORTY FEET (40') TO TWENTY FEET (20').
 - C. REDUCTION IN BUFFER FROM THIRTY FEET (30') TO TEN FEET (10') ALONG THE PROPOSED ENTRANCE AND BETWEEN THE PROPOSED LOCATION OF THE FIRST BUILDING FROM THE ENTRANCE AND THE PROPERTY LINE AS DESCRIBED IN THE PROPOSED SITE PLAN INCLUDED IN OWNERS OCTOBER 7, 2004 PROPOSAL ATTACHED HERETO AS EXHIBIT "A", SUBMITTED TO THE CITY COUNCIL AND ON FILE WITH THE CITY CLERK.
 - D. INDIVIDUAL RESIDENTIAL GARBAGE PICK-UP MAY BE PERMITTED.
 - E. THE FRONT SETBACK REQUIREMENTS FOR THE BUILDINGS ARE HERE BY REDUCED TO 10 FEET.

LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOTS 59 AND 70 OF THE 12TH LAND DISTRICT, CITY OF STOCKBRIDGE, HENRY COUNTY, GEORGIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" REBAR & SURVEYOR'S CAP SET (STAMPED "SEILER & ASSOCIATES LSF #390 GEORGIA"); AT THE INTERSECTION OF THE WESTERN RIGHT-OF-WAY LINE OF SHIELDS ROAD (60' RIGHT-OF-WAY) AND THE LINE COMMON TO LAND LOTS 59 AND 70;

THENCE LEAVING THE WESTERN RIGHT-OF-WAY LINE OF SHIELDS ROAD AND RUNNING ALONG SAID LINE COMMON TO LAND LOTS 59 AND 70, NORTH 89°25'38" WEST, 1029.39 FEET TO A 1/2" REBAR & SURVEYOR'S CAP SET (STAMPED "SEILER & ASSOCIATES LSF #390 GEORGIA");

THENCE CONTINUING ALONG SAID LINE COMMON TO LAND LOTS 59 AND 70, NORTH 89°21'00" WEST, 66.90 FEET TO A 1/2" REBAR & SURVEYOR'S CAP SET (STAMPED "SEILER & ASSOCIATES LSF #390 GEORGIA");

THENCE LEAVING SAID LINE COMMON TO LAND LOTS 59 AND 70 AND RUNNING, SOUTH 46°31'16" WEST, 186.75 FEET TO A 1/2" REBAR & SURVEYOR'S CAP SET (STAMPED "SEILER & ASSOCIATES LSF #390 GEORGIA");

THENCE 16.90 FEET ALONG THE ARC OF A CURVE TO THE LEFT, (SAID CURVE HAVING A RADIUS OF 125.00 FEET AND A CHORD OF SOUTH 42°38'52" WEST, 16.89 FEET) TO A 1/2" REBAR & SURVEYOR'S CAP SET (STAMPED "SEILER & ASSOCIATES LSF #390 GEORGIA");

THENCE SOUTH 38°46'28" WEST, 193.44 FEET TO A 1/2" REBAR & SURVEYOR'S CAP SET (STAMPED "SEILER & ASSOCIATES LSF #390 GEORGIA");

THENCE NORTH 50°27'40" WEST, 21.45 FEET TO A POINT;

THENCE SOUTH 38°53'14" WEST, 33.50 FEET TO A POINT;

THENCE NORTH 51°11'30" WEST, 460.31 FEET TO A POINT;

THENCE NORTH 44°18'49" EAST, 34.28 FEET TO A 1/2" REBAR & SURVEYOR'S CAP SET (STAMPED "SEILER & ASSOCIATES LSF #390 GEORGIA");

THENCE SOUTH 51°16'49" EAST, 360.00 FEET TO A REBAR & SURVEYOR'S CAP FOUND;

THENCE NORTH 38°34'50" EAST, 359.93 FEET TO A REBAR & SURVEYOR'S CAP FOUND (STAMPED "COA 613");

THENCE NORTH 51°33'35" WEST, 325.00 FEET TO A 1/2" REBAR & SURVEYOR'S CAP SET (STAMPED "SEILER & ASSOCIATES LSF #390 GEORGIA");

THENCE NORTH 44°10'39" EAST, 267.71 FEET TO A 1/2" OPEN TOP PIPE FOUND;

THENCE NORTH 03°29'22" WEST, 113.61 FEET TO A 1/2" REBAR & SURVEYOR'S CAP SET (STAMPED "SEILER & ASSOCIATES LSF #390 GEORGIA");

THENCE NORTH 89°59'58" EAST, 280.93 FEET TO A 1/2" REBAR & SURVEYOR'S CAP SET (STAMPED "SEILER & ASSOCIATES LSF #390 GEORGIA");

THENCE SOUTH 10°43'48" WEST, 45.67 FEET TO A 1/2" REBAR & SURVEYOR'S CAP SET (STAMPED "SEILER & ASSOCIATES LSF #390 GEORGIA");

THENCE SOUTH 89°47'27" EAST, 195.32 FEET TO A 3/8" REBAR FOUND;

THENCE NORTH 89°51'21" EAST, 499.19 FEET TO A 3/8" REBAR FOUND ON THE WESTERN RIGHT-OF-WAY LINE OF SHIELDS ROAD;

THENCE ALONG THE WESTERN RIGHT-OF-WAY LINE OF SHIELDS ROAD, SOUTH 26°27'31" EAST, 118.43 FEET TO A POINT;

THENCE CONTINUING ALONG THE WESTERN RIGHT-OF-WAY LINE OF SHIELDS ROAD, 82.69 FEET ALONG THE ARC OF A CURVE TO THE LEFT (SAID CURVE HAVING A RADIUS OF 1308.95 FEET AND A CHORD OF SOUTH 31°24'37" EAST, 82.68 FEET) TO A POINT;

THENCE CONTINUING ALONG THE WESTERN RIGHT-OF-WAY LINE OF SHIELDS ROAD, 306.53 FEET ALONG THE ARC OF A CURVE TO THE LEFT (SAID CURVE HAVING A RADIUS OF 1239.91 FEET AND A CHORD OF SOUTH 33°29'29" EAST, 306.52 FEET TO A POINT);

THENCE CONTINUING ALONG THE WESTERN RIGHT-OF-WAY LINE OF SHIELDS ROAD, SOUTH 34°46'51" EAST, 130.26 FEET TO THE **POINT OF BEGINNING**;

SAID TRACT OR PARCEL OF LAND CONTAINING 15.8695 ACRES (691,276 SQUARE FEET).

Seiler & Associates, Inc. © Copyright 2021
THESE DRAWINGS AND THE REPRODUCTIONS ARE THE PROPERTY OF THE SURVEYOR AND MAY NOT BE REPRODUCED, PUBLISHED OR USED IN ANY WAY WITHOUT THE WRITTEN PERMISSION OF THIS SURVEYOR.

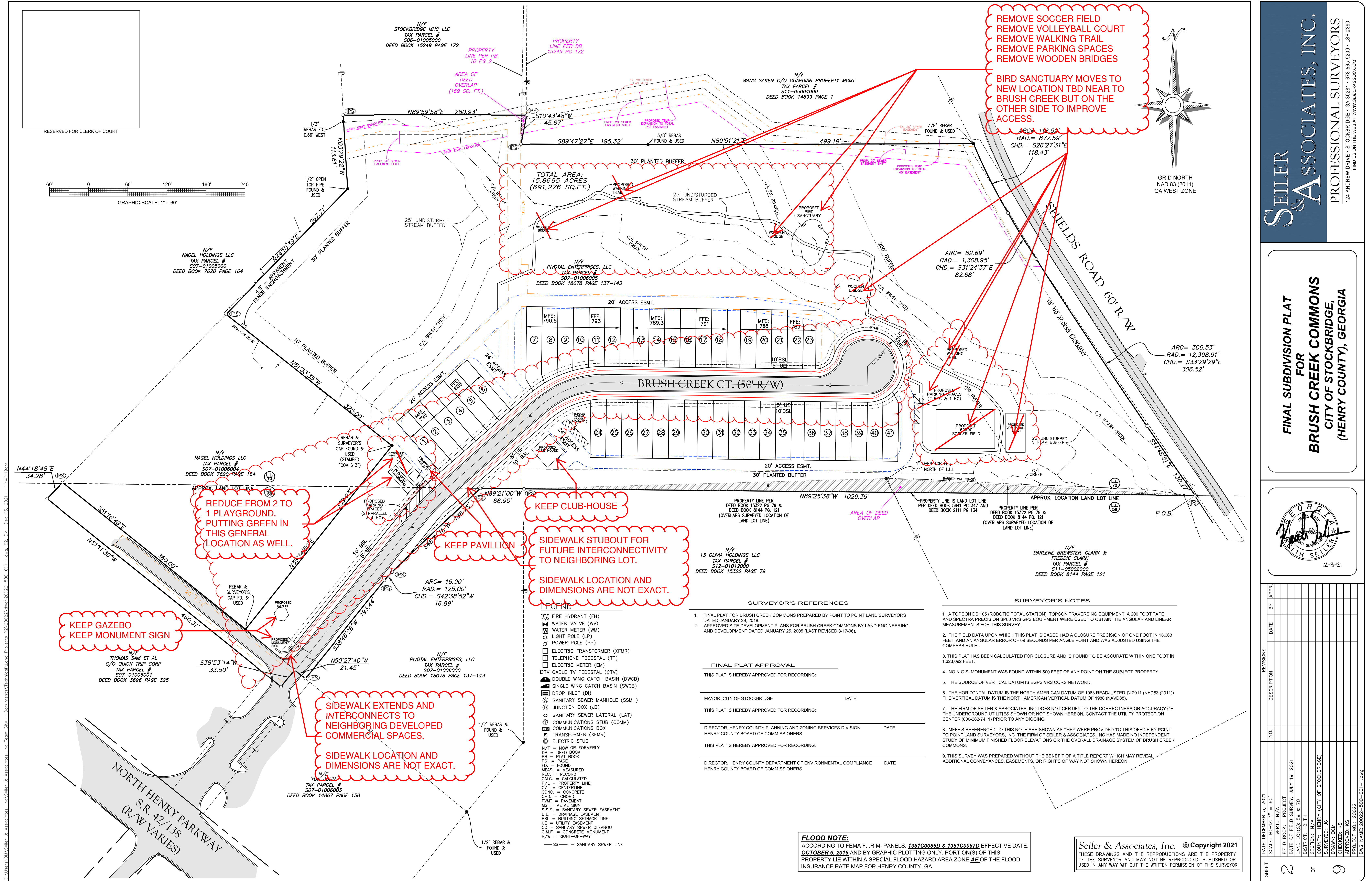
SEILER & ASSOCIATES, INC.
PROFESSIONAL SURVEYORS

124 ANDREW DRIVE • STOCKBRIDGE • GA 30281 • 678-565-9200 • LSF #390
FIND US ON THE WEB AT WWW.SEILERASSOCIATES.COM

FINAL SUBDIVISION PLAT
FOR
BRUSH CREEK COMMONS
CITY OF STOCKBRIDGE,
(HENRY COUNTY), GEORGIA



SHEET	DATE: DECEMBER 3, 2021	SCALE: HORIZ. 1" = 60'	FIELD BOOK: PROJECT	DATE OF FIELD SURVEY: JULY 19, 2021	LAND LOT(S): 59 & 70	DISTRICT: 12 TH	SECTION: N/A	COUNTY: HENRY (CITY OF STOCKBRIDGE)	SURVEYED: JG	DRAWN: BOM	CHECKED: KS	APPROVED: KS	PROJECT NO.: 20022	DWG NAME: 20022-500-001-1.dwg
1														
OF														
9														

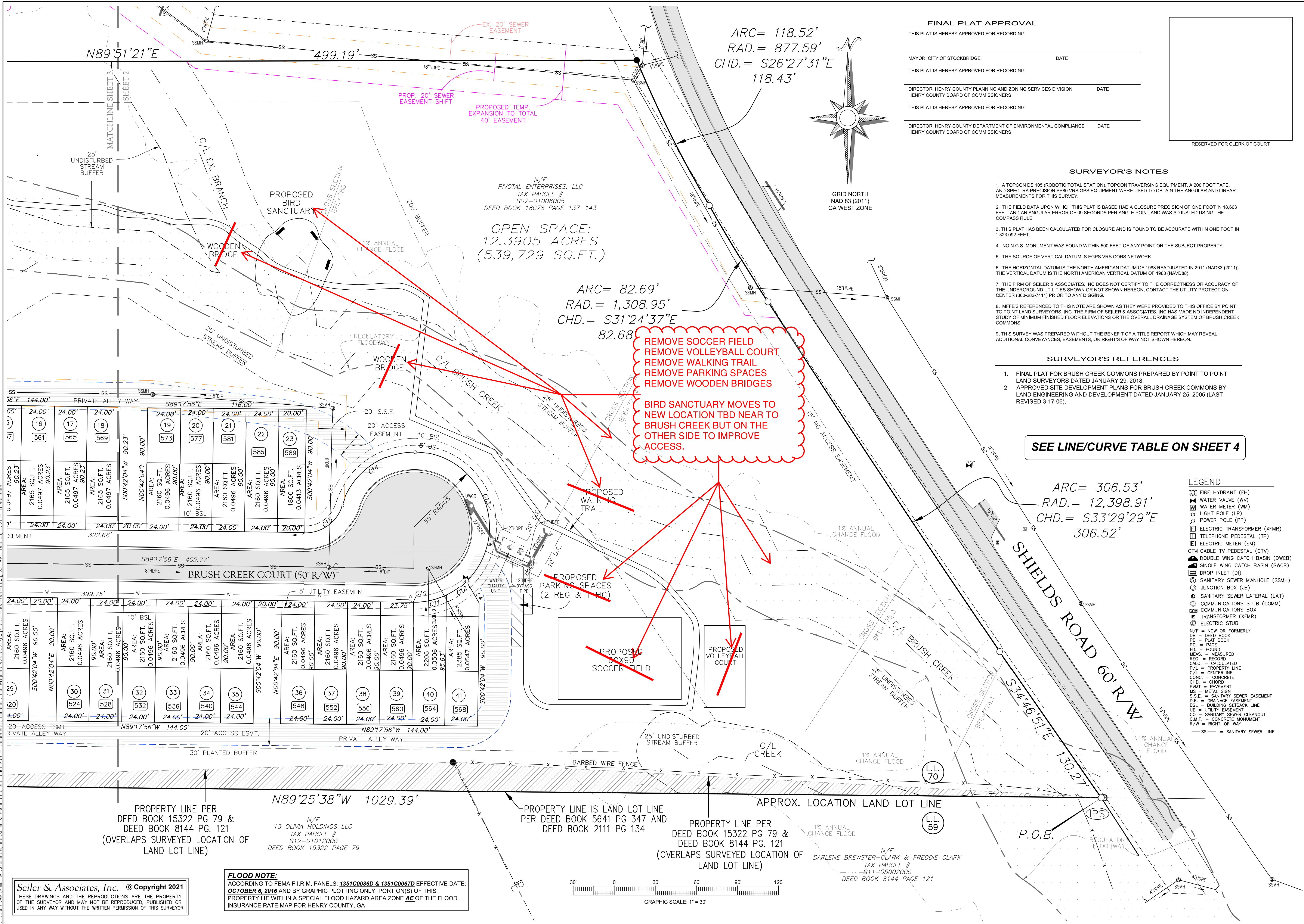


SEILER & ASSOCIATES, INC.
PROFESSIONAL SURVEYORS
121 ANDREW DRIVE • STOCKBRIDGE, GA 30281 • 878-465-3200 • LSF #390
FIND US ON THE WEB AT WWW.SEILERSASSOCIATES.COM

FINAL SUBDIVISION PLAT
FOR
BRUSH CREEK COMMONS
CITY OF STOCKBRIDGE,
(HENRY COUNTY), GEORGIA



SHEET	DATE: DECEMBER 3, 2021	SCALE: HORIZ. 1" = 60'	NO.	DESCRIPTION	BY	APPR.
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						
16						
17						
18						
19						
20						
21						
22						
23						
24						
25						
26						
27						
28						
29						
30						
31						
32						
33						
34						
35						
36						
37						
38						
39						
40						
41						



SEILER & ASSOCIATES, INC.
PROFESSIONAL SURVEYORS
124 ANDREW DRIVE • STOCKBRIDGE • GA 30281 • 878-965-9200 • LSF #390
FIND US ON THE WEB AT WWW.SEILERASSOCIATES.COM

FINAL SUBDIVISION PLAT
FOR
BRUSH CREEK COMMONS
CITY OF STOCKBRIDGE,
(HENRY COUNTY), GEORGIA



SHEET	NO.	REVISIONS		DATE	BY	APPR.
		DESCRIPTION				
3	1	DATE: DECEMBER 3, 2021				
		SCALE: HORIZ. 1" = 30'				
		VERT. 1" = 30'				
		FIELD BOOK: PROJECT				
		DATE OF FIELD SURVEY: JULY 19, 2021				
		LAND LOTS: 59 & 70				
		DISTRICT: 12 TH				
		SECTION: N/A				
		COUNTY: HENRY (CITY OF STOCKBRIDGE)				
		SURVEYED: JG				
		DRAWN: BOM				
		CHECKED: KS				
		APPROVED: KS				
		PROJECT NO.: 2022				
		DWG. NAME: 2022-500-001-1.dwg				

FINAL PLAT APPROVAL

THIS PLAT IS HEREBY APPROVED FOR RECORDING:

MAYOR, CITY OF STOCKBRIDGE DATE

THIS PLAT IS HEREBY APPROVED FOR RECORDING:

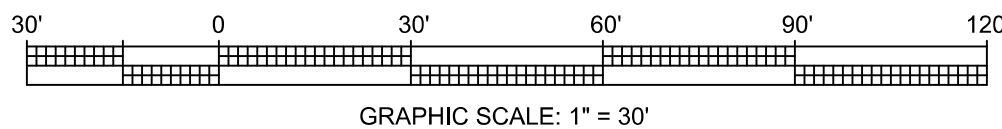
DIRECTOR, HENRY COUNTY PLANNING AND ZONING SERVICES DIVISION
HENRY COUNTY BOARD OF COMMISSIONERS DATE

THIS PLAT IS HEREBY APPROVED FOR RECORDING:

DIRECTOR, HENRY COUNTY DEPARTMENT OF ENVIRONMENTAL COMPLIANCE DATE
HENRY COUNTY BOARD OF COMMISSIONERS

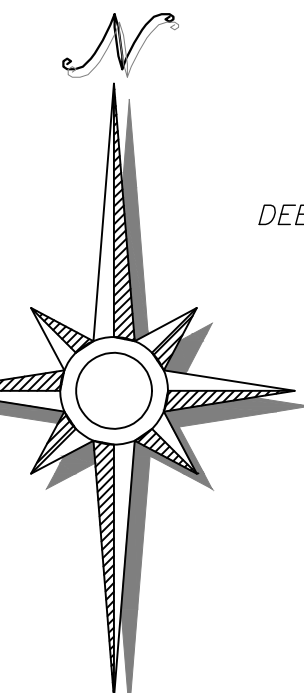
RESERVED FOR CLERK OF COURT

FLOOD NOTE:
ACCORDING TO FEMA F.I.R.M. PANELS: 1351C0086D & 1351C0067D EFFECTIVE DATE: OCTOBER 6, 2016 AND BY GRAPHIC PLOTTING ONLY, PORTION(S) OF THIS PROPERTY LIE WITHIN A SPECIAL FLOOD HAZARD AREA ZONE AE OF THE FLOOD INSURANCE RATE MAP FOR HENRY COUNTY, GA.



LEGEND

- XX FIRE HYDRANT (FH)
- WV WATER VALVE (WV)
- WM WATER METER (WM)
- LP LIGHT POLE (LP)
- PP POWER POLE (PP)
- XTF ELECTRIC TRANSFORMER (XTF)
- TP TELEPHONE PEDESTAL (TP)
- EM ELECTRIC METER (EM)
- CTV CABLE TV PEDESTAL (CTV)
- DWCB DOUBLE WING CATCH BASIN (DWCB)
- SWCB SINGLE WING CATCH BASIN (SWCB)
- DI DROP INLET (DI)
- SSMH SANITARY SEWER MANHOLE (SSMH)
- JB JUNCTION BOX (JB)
- SLAT SANITARY SEWER LATERAL (SLAT)
- COMM COMMUNICATIONS STUB (COMM)
- COMB COMMUNICATIONS BOX
- XTFMR TRANSFORMER (XTFMR)
- ESTB ELECTRIC STUB



GRID NORTH
NAD 83 (2011)
GA WEST ZONE

DETENTION POND TO BE OWNED BY
THE HOMEOWNERS ASSOCIATION

APPROX. LOCATION OF
HEADWALL & JUNCTION
STRUCTURE PER SURVEY REF. #1
(NOT FIELD LOCATED)

SURVEYOR'S NOTES

- A TOPCON DS 105 (ROBOTIC TOTAL STATION), TOPCON TRAVERSING EQUIPMENT, A 200 FOOT TAPE, AND SPECTRA PRECISION SP80 VRS GPS EQUIPMENT WERE USED TO OBTAIN THE ANGULAR AND LINEAR MEASUREMENTS FOR THIS SURVEY.
- THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAD A CLOSURE PRECISION OF ONE FOOT IN 18,663 FEET, AND AN ANGULAR ERROR OF 09 SECONDS PER ANGLE POINT AND WAS ADJUSTED USING THE COMPASS RULE.
- THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 1,323,092 FEET.
- NO N.G.S. MONUMENT WAS FOUND WITHIN 500 FEET OF ANY POINT ON THE SUBJECT PROPERTY.
- THE SOURCE OF VERTICAL DATUM IS EGPS VRS CORS NETWORK.
- THE HORIZONTAL DATUM IS THE NORTH AMERICAN DATUM OF 1983 READJUSTED IN 2011 (NAD83 (2011)). THE VERTICAL DATUM IS THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88).
- THE FIRM OF SEILER & ASSOCIATES, INC DOES NOT CERTIFY TO THE CORRECTNESS OR ACCURACY OF THE UNDERGROUND UTILITIES SHOWN OR NOT SHOWN HEREON. CONTACT THE UTILITY PROTECTION CENTER (800-282-7411) PRIOR TO ANY DIGGING.
- MPFE'S REFERENCED TO THIS NOTE ARE SHOWN AS THEY WERE PROVIDED TO THIS OFFICE BY POINT TO POINT LAND SURVEYORS, INC. THE FIRM OF SEILER & ASSOCIATES, INC HAS MADE NO INDEPENDENT STUDY OF MINIMUM FINISHED FLOOR ELEVATIONS OR THE OVERALL DRAINAGE SYSTEM OF BRUSH CREEK COMMONS.
- THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT WHICH MAY REVEAL ADDITIONAL CONVEYANCES, EASEMENTS, OR RIGHTS OF WAY NOT SHOWN HEREON.

SURVEYOR'S REFERENCES

- FINAL PLAT FOR BRUSH CREEK COMMONS PREPARED BY POINT TO POINT LAND SURVEYORS DATED JANUARY 29, 2018.
- APPROVED SITE DEVELOPMENT PLANS FOR BRUSH CREEK COMMONS BY LAND ENGINEERING AND DEVELOPMENT DATED JANUARY 25, 2005 (LAST REVISED 3-17-06).

APPROX. LAND LOT LINE

L.L.
70

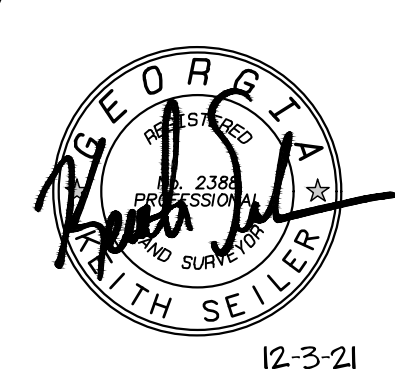
L.L.
59

REDUCE FROM 2 TO 1
PLAYGROUND.
PUTTING GREEN IN
THIS GENERAL
LOCATION AS WELL.

REMOVE WALKING TRAIL
REMOVE WOODEN BRIDGES

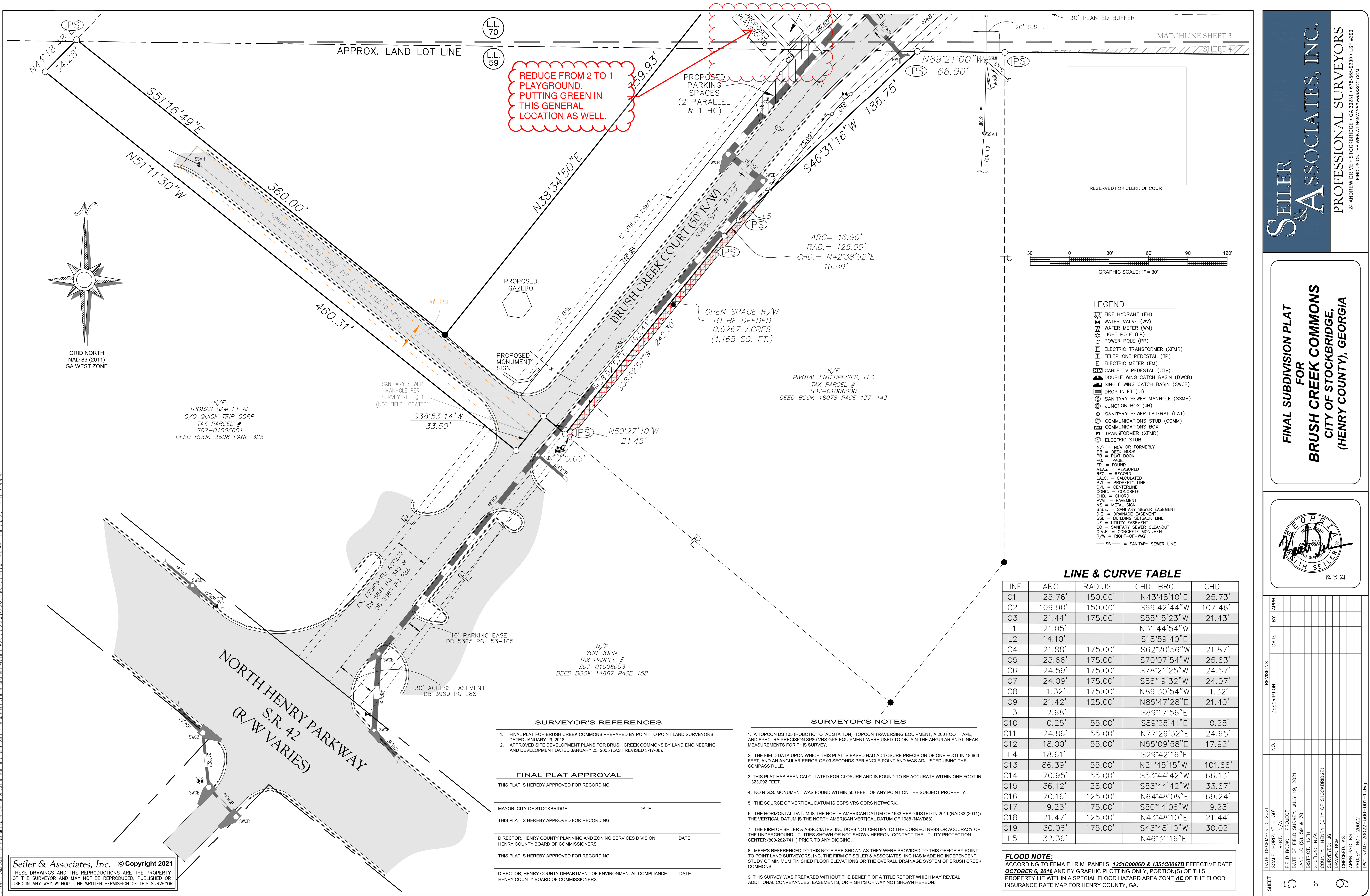
Seiler & Associates, Inc. © Copyright 2021
THESE DRAWINGS AND THE REPRODUCTIONS ARE THE PROPERTY OF THE SURVEYOR AND MAY NOT BE REPRODUCED, PUBLISHED OR USED IN ANY WAY WITHOUT THE WRITTEN PERMISSION OF THIS SURVEYOR.

FINAL SUBDIVISION PLAT
FOR
BRUSH CREEK COMMONS
CITY OF STOCKBRIDGE,
(HENRY COUNTY), GEORGIA



SHEET	DATE	REVISIONS	NO.	DESCRIPTION	BY	APPR.
4	DECEMBER 3, 2021					
	SCALE: HORIZ. 1" = 30'					
	VERT. 1" = 30'					
	FIELD BOOK: PROJECT					
	DATE OF FIELD SURVEY: JULY 19, 2021					
	LAND LOT(S): 59 & 70					
	DISTRICT: 12TH					
	SECTION: N/A					
	COUNTY: HENRY (CITY OF STOCKBRIDGE)					
	SURVEYED: JG					
	DRAWN: BOM					
	CHECKED: KS					
	APPROVED: KS					
	PROJECT NO.: 20022					
	DWG NAME: 20022-500-001-1.dwg					

SEILER & ASSOCIATES, INC.
PROFESSIONAL SURVEYORS
124 ANDREW DRIVE • STOCKBRIDGE • GA 30281 • 878-465-9200 • LSF #390
FIND US ON THE WEB AT WWW.SEILERSA.COM



C:\Users\BAM\Seiler & Associates, Inc. Team\Site - Documents\Technical\Land Projects\22\2022\22-001-1.dwg, SS, BW, Dec 03, 2021, 11:40:49am

DIRECTOR, HENRY COUNTY DEPARTMENT OF ENVIRONMENTAL COMPLIANCE DATE
HENRY COUNTY BOARD OF COMMISSIONERS

THESE DRAWINGS AND THE REPRODUCTIONS ARE THE PROPERTY
OF THE SURVEYOR AND MAY NOT BE REPRODUCED, PUBLISHED OR
USED IN ANY WAY WITHOUT THE WRITTEN PERMISSION OF THIS SURVEYOR

Received Time Oct. 30. 2007 9:03AM No. 2394

Received Time Oct. 30. 2007 9:03AM No. 2394

124 ANDREW DRIVE • STOCKBRIDGE • GA 30281 • 678-565-9200 • LSF #390
FIND US ON THE WEB AT WWW.SELLERASSOC.COM

9

FO

9.

DEVELOPMENT AGREEMENT AND AMENDMENTS

10/30/2007 18:11 6784325463 LEAD PAGE 08

Development Agreement between the City of Stockbridge and Royce Grant dated July 21, 2003

City, the Owner will be given credit against such impact fees as an amount equal to:
All funds expended by the Owner for improvement of North Henry Boulevard.
B) Water and Sewer Impact Fees.
If water or sewer impact fees are assessed at the time of issuance of building permits, said water or sewer impact fees shall be paid to the City.
6.
Covenants Running With the Land
The terms and conditions of this Agreement shall be binding upon each party and its successors in title and shall run with the title to the Property. Notice of this Agreement shall be filed of record in office of the Clerk of the Superior Court of Henry County, as shown on Exhibit "E" hereto attached. Any modifications agreed to by the parties also shall be subject to this notice of filing requirement.
7.
Date of Effectiveness of this Agreement
This Agreement shall be effective between the parties, their successors and assigns, immediately upon execution of this Agreement by all parties hereto.
8.
Date of Effectiveness of Rezoning
The rezoning set forth in this Agreement shall take effect upon: (i) approval of the rezoning ordinance by the City of Stockbridge City Council; and (ii) the execution of this Agreement.
Client: 0000379 Matter: 0042 Doc: 00064206.WPD -7-
Received Time Oct. 30. 2007 9:03AM No. 2394

10/30/2007 18:11 6784325463 LEAD PAGE 09

Development Agreement between the City of Stockbridge and Royce Grant dated July 21, 2003

9.
Relation to Zoning
The terms of this Agreement shall be incorporated into and made a part of any Zoning Approval of the City rezoning the Property. The zoning classifications set forth herein shall be conditioned on the terms of this Agreement and binding on the Owner's successors and assigns. If these terms are modified pursuant to Paragraph 11 of this Agreement, such modifications shall be likewise binding on Owner's successors and assigns.
10.
Previous Written and Oral Statements
All previously written or transcribed plans, documents, letters, notes, minutes, and memorandums, together with all oral representations and agreements concerning all matters set forth in this Agreement have been incorporated herein, and the terms and conditions of this Agreement shall supersede any previous agreements between the parties. The parties agree that time shall be of the essence of this Agreement. This Agreement may be executed in counterparts, and each counterpart, and all counterparts together, shall constitute the original Agreement.
11.
Amendment and Modification of Agreement
This Agreement represents the entire understanding of the parties hereto, and any amendments, changes, additions, or deletions shall be made in writing upon the mutual agreement of the parties, executed by the City and the Owner, or the Owner's assigns and successors in title.
Client: 0000379 Matter: 0042 Doc: 00064206.WPD -8-
Received Time Oct. 30. 2007 9:03AM No. 2394

10/30/2007 18:11 6784325463 LEAD PAGE 10

Development Agreement between the City of Stockbridge and Royce Grant dated July 21, 2003

12.
Binding Effect
This Agreement shall be binding upon the undersigned and their agents, heirs, administrators, executors, successors, and assigns. This Agreement shall be binding on any person or entity that develops or uses the Property under the zoning classifications granted herein. The parties expressly stipulate that there are no third party beneficiaries to this Agreement.
13.
Future Changes in Development Standards
All development regulations, guidelines, standards, rules, and conditions of the City in effect as of the date of this Agreement and the regulations, guidelines, standards, rules, and conditions of this Agreement shall control over any future changes in the City regulations, guidelines, standards, rules, and conditions.
14.
Captions and Definitions
Captions, the description headings of the separate articles, sections and paragraphs contained in this Agreement are inserted for convenience only and shall not control or affect the meaning or construction of any of the provisions hereof.
"Owner" includes Royce Grant and any developer, builder or other person who seeks land disturbance permits for the Property. "Owner" also includes any assignee or successor in interest to the Property.
Client: 0000379 Matter: 0042 Doc: 00064206.WPD -9-
Received Time Oct. 30. 2007 9:03AM No. 2394

10/30/2007 18:11 6784325463 LEAD PAGE 11

Development Agreement between the City of Stockbridge and Royce Grant dated July 21, 2003

All terms used in this Agreement which are not otherwise defined herein shall be defined in the manner prescribed by the Zoning Ordinance or RM Ordinance, as applicable.
15.
Severability
The invalidity or unenforceability of any provision of this Agreement shall not effect the validity or enforceability of any other provision of this Agreement, which shall remain in full force and effect.
Each person executing or attesting this Agreement warrants and represents that he or she is fully authorized to do so. Each person also stipulates that he or she has been afforded an adequate opportunity to read this Agreement and to consult with an attorney prior to executing the same, and that all signatures are given knowingly, voluntarily, and with full awareness of the terms contained herein. The parties also agree that this Agreement has been prepared after negotiations and, as a result, neither party may be considered the sole author thereof, and it should not be construed in favor or against either party by a court of competent jurisdiction.
16.
Applicable Law
The laws of the State of Georgia shall govern the validity, interpretation, performance and enforcement of this Agreement and any dispute involving this Agreement or the Property without regard to conflicts of laws principles.
Client: 0000379 Matter: 0042 Doc: 00064206.WPD -10-
Received Time Oct. 30. 2007 9:03AM No. 2394

10/30/2007 18:11 6784325463 LEAD PAGE 12

Development Agreement between the City of Stockbridge and Royce Grant dated July 21, 2003

17.
Enforcement
1) In the event that Owner, its successors, or its assignees fail to comply with the terms of this Agreement, the City shall be authorized to refuse occupancy permits, construction permits, development permits, and to terminate construction and development of the Property. If Owner, its successors, or its assignees bring an action of any nature or description under this Agreement, or if it becomes necessary for the City to bring such an action, Owner, its successors, or its assignees shall be responsible for reimbursing the City for all costs and expenses, including attorneys fees, incurred in connection with such a proceeding.
2) This agreement may be enforced by the Municipal Court of the City of Stockbridge or any other court having jurisdiction over the same.
18.
Rights Cumulative
All rights, powers and privileges conferred hereunder upon parties hereto shall be cumulative but not restrictive to those given by law. No waiver of any default hereunder shall be implied from any omission to take any action on account of such default if such default persists or is repeated, and no express waiver shall affect any default other than the default specified in the express waiver and that only for the time and to the extent therein stated. One or more waivers by a party shall not be construed as a waiver of a subsequent breach of the same covenant, term or condition.
Client: 0000379 Matter: 0042 Doc: 00064206.WPD -11-
Received Time Oct. 30. 2007 9:03AM No. 2394

10/30/2007 18:11 6784325463 LEAD PAGE 13

Development Agreement between the City of Stockbridge and Royce Grant dated July 21, 2003

In the event that Owner, its successors, or its assignees fail to comply with the terms of this Agreement, the City shall be authorized to refuse occupancy permits, construction permits, development permits, and to terminate construction and development of the Property. If Owner, its successors, or its assignees bring an action of any nature or description under this Agreement, or if it becomes necessary for the City to bring such an action, Owner, its successors, or its assignees shall be responsible for reimbursing the City for all costs and expenses, including attorneys fees, incurred in connection with such a proceeding.
19.
Stipulation and Waiver
Owner knowingly and voluntarily waives any right to challenge the validity of this Agreement, in whole or in part, in a court of competent jurisdiction or to seek monetary relief, including but not limited to damages, costs, sanctions, or fees, from the City in connection with this agreement, the zoning of the Property or the development of the Property. Each party agrees to execute this Agreement and any other documents necessary to encumber the Property so as to bind all successors in interest in a similar manner.
Client: 0000379 Matter: 0042 Doc: 00064206.WPD -12-
Received Time Oct. 30. 2007 9:03AM No. 2394



FINAL PLAT APPROVAL

THIS PLAT IS HEREBY APPROVED FOR RECORDING:

MAYOR, CITY OF STOCKBRIDGE DATE
THIS PLAT IS HEREBY APPROVED FOR RECORDING:

DIRECTOR, HENRY COUNTY PLANNING AND ZONING SERVICES DIVISION DATE
HENRY COUNTY BOARD OF COMMISSIONERS
THIS PLAT IS HEREBY APPROVED FOR RECORDING:

DIRECTOR, HENRY COUNTY DEPARTMENT OF ENVIRONMENTAL COMPLIANCE DATE
HENRY COUNTY BOARD OF COMMISSIONERS

FLOOD NOTE:
ACCORDING TO FEMA F.I.R.M. PANELS: 1351C0086D & 1351C0067D EFFECTIVE DATE: OCTOBER 6, 2016 AND BY GRAPHIC PLOTTING ONLY, PORTION(S) OF THIS PROPERTY LIE WITHIN A SPECIAL FLOOD HAZARD AREA ZONE AE OF THE FLOOD INSURANCE RATE MAP FOR HENRY COUNTY, GA.

Seiler & Associates, Inc. © Copyright 2021
THESE DRAWINGS AND THE REPRODUCTIONS ARE THE PROPERTY OF THE SURVEYOR AND MAY NOT BE REPRODUCED, PUBLISHED OR USED IN ANY WAY WITHOUT THE WRITTEN PERMISSION OF THIS SURVEYOR.

SEILER & ASSOCIATES, INC.
PROFESSIONAL SURVEYORS
124 ANDREW DRIVE • STOCKBRIDGE, GA 30281 • 878-465-3200 • LSF #390
FIND US ON THE WEB AT WWW.SEILERSA.COM

FINAL SUBDIVISION PLAT
FOR
BRUSH CREEK COMMONS
CITY OF STOCKBRIDGE,
(HENRY COUNTY), GEORGIA



SHEET	DATE: DECEMBER 3, 2021	REVISIONS			NO.	DESCRIPTION	DATE	BY	APPR.
		SCALE: HORIZ. 1" = 60'	VERT. 1" = 60'	FIELD BOOK: PROJECT					
1				DATE OF FIELD SURVEY: AUGUST 10, 2021					
				LAND LOT(S): 59 & 70					
				DISTRICT: 12TH					
				SECTION: N/A					
				COUNTY: HENRY (CITY OF STOCKBRIDGE)					
				SURVEYED: JG					
				DRAWN: BCM					
				CHECKED: KS					
				APPROVED: KS					
				PROJECT NO.: 20022					
				DWG. NAME: 20022-500-001-1.dwg					

DIRECTOR, HENRY COUNTY DEPARTMENT OF ENVIRONMENTAL COMPLIANCE DATE _____
HENRY COUNTY BOARD OF COMMISSIONERS

Received Time Oct. 30, 2007 9:03AM No. 2394

3

THESE DRAWINGS AND THE REPRODUCTIONS ARE THE PROPERTY OF THE SURVEYOR AND MAY NOT BE REPRODUCED, PUBLISHED OR USED IN ANY WAY WITHOUT THE WRITTEN PERMISSION OF THIS SURVEYOR

-14-

Received Time Oct. 30, 2007 9:03AM No. 2394

2

Received Time Oct. 30, 2007 9:10AM No. 239

Received Time Oct. 30, 2007 9:10AM No. 2396

1

Received Time Oct. 30, 2007 9:10AM No. 2394

3

FC

DIRECTOR, HENRY COUNTY DEPARTMENT OF ENVIRONMENTAL COMPLIANCE DATE
HENRY COUNTY BOARD OF COMMISSIONERS

Received Time Oct. 30. 2007 9:10AM No. 2396

Received Time: Oct. 22, 2007, 2:19PM, No. 2325

Received Time Oct. 30. 2007 9:10AM No. 2396

Received Time Oct. 22, 2007 2:19PM No. 2325

Received Time Oct. 30. 2007 9:10AM No. 2396

[SIGNATURES ON NEXT PAGE]

Received Time: Oct. 22, 2007 2:19 PM No. 2325

THESE DRAWINGS AND THE REPRODUCTIONS ARE THE PROPERTY OF THE SURVEYOR AND MAY NOT BE REPRODUCED, PUBLISHED OR USED IN ANY WAY WITHOUT THE WRITTEN PERMISSION OF THIS SURVEYOR

REVISIONS			
NO.	DESCRIPTION	DATE	BY
	DATE: DECEMBER 3, 2021 SCALE: HORIZ. 1" = 60' VERT.: N/A		
	FIELD BOOK: PROJECT		
	DATE OF FIELD SURVEY: JULY 19, 2021		
	LAND LOT(S): 59 & 70		
	DISTRICT: 12 TH		
	SECTION: N/A		
	CITY: CANNON CITY (CITY OF STOCKBRIDGE)		
	DRAWN BY: JES		
	CHECKED: KS		
	APPROVED: KS		



ZONING MODIFICATION APPLICATION PACKAGE



ZONING MODIFICATION APPLICATION CHECKLIST

DOCUMENTS AND QUANTITIES REQUIRED

**ALL PERTINENT ITEMS ARE DUE AT THE TIME OF FILING.
NO INCOMPLETE APPLICATION WILL BE ACCEPTED.**

ITEM #	REQUIRED ITEM	NUMBER OF COPIES	CHECK ✓
1.	PRE-APPLICATION REVIEW FORM	1 Digital, 1 Hard Copy	
2.	APPLICATION FORM	1 Digital, 1 Hard Copy	
3.	LEGAL DESCRIPTIONS	1 Digital, 1 Hard Copy	
4.	SITE PLAN & SURVEY	1 Digital Copy – 4 hard Copies	
5.	DEVELOPMENT RENDERINGS AND ELEVATIONS	1 Digital Copy – 1 Hard Copy	
6.	LETTERS OF INTENT	1 Digital, 1 Hard Copy	
7.	ADJACENT PROPERTY OWNERS/NEIGHBORHOOD ASSOCIATION LETTERS	1 Digital, 1 Hard Copy	
8.	DEPARTMENTAL SIGN-OFF LETTERS	1 Digital, 1 Hard Copy	
9.	DISCLOSURE FORM	1 Digital, 1 Hard Copy	



PROCEDURES AND INFORMATION FOR FILING A MODIFICATION & ADMINISTRATIVE MODIFICATION

ALL application forms are obtained from Community Development Services, 4640 North Henry Blvd. Stockbridge, GA 30281 or at <https://www.cityofstockbridge-comdev.com/>. **PLEASE READ ALL INSTRUCTIONS BEFORE FILING. NO FAXED COPIES NOR COPIES OF FAXED MATERIAL WILL BE ACCEPTED AS PART OF THIS APPLICATION PACKET.**

TYPES OF MODIFICATION:

1. **ADMINISTRATIVE MODIFICATION:** A modification of conditions to a Zoning or Use Permit that does not require a public hearing. A decision will be made by the Director of Community Development Services.
2. **ZONING MODIFICATION:** A modification of conditions to a Zoning or Use Permit, where public interest has been determined. This requires a public hearing by the City of Stockbridge Councilmembers. Community Development Services will make a recommendation to the Council.

FILING REQUIREMENTS:

1. **PRE-APPLICATION MEETING AND REVIEW FORM:** Prior to submitting a rezoning request, you are required to meet with Staff to review your proposal and issue a pre-application review form, which becomes part of your application packet. **At least 10 business days before your goal due date, email Linda Logan (llogan@cityofstockbridge-ga.gov) with your conceptual site plan and letter of intent attached to make an appointment.**
2. **APPLICATION FORMS:** **One (1) Digital Copy, One (1) Hard copy are required.** ALL application forms must have the original signature(s) of the property owner, or attach a Power-of-Attorney, or documents showing an option to purchase the property.
3. **LEGAL DESCRIPTIONS:** **One (1) Digital Copy, One (1) Hard copy are required.** The legal description must be a metes and bounds description of the property that establishes a point of beginning and gives directions (bounds) and distances (metes) of property lines. If the property consists of more than one parcel, all parcels must be combined into one legal description.
4. **SITE PLAN AND SURVEY:** **One (1) Digital Copy, Four (4) Hard copy are required,** one of which must be 8½" x 11". The site plan must illustrate the requested modification(s). Site plans must be folded, drawn to scale and must not exceed 24" x 36". The required number is subject to change. Survey of the site.
5. **DEVELOPMENT RENDERINGS AND ELEVATIONS:** **One (1) Digital Copy, One (1) Hard copy is required.**
6. **LETTERS OF INTENT:** **One (1) Digital Copy, One (1) Hard copy are required.** The letter of intent must explain the circumstances upon which the requested change of condition is based. Include the reason why the development or use of the property cannot be accomplished without modification of a condition and identify the zoning/use permit case number and specific condition(s) being addressed.
7. **ADJACENT PROPERTY OWNERS/NEIGHBORHOOD ASSOCIATION LETTERS:** **Two (2) copies are required** at the time of filing.

8. **DEPARTMENTAL SIGN-OFF LETTERS:** Two (2) copies are required. If a request for an ADMINISTRATIVE MODIFICATION requires a sign-off by a City of Stockbridge department or staff person, such as the Traffic Engineer or the Arborist, this letter is required at the time of filing.
9. **DISCLOSURE FORM:** If the owner, applicant, and/or applicant's representative has made a campaign contribution to any member of the City Council for \$250.00 or more within the past 2 years, Sections 1 through 4 of the Disclosure Form (Form C) must be completed. If no contributions have been made, No should be circled and Section 4 of the form completed. Provide Two (2) copies.
10. **FEES:** Make check payable to **CITY OF STOCKBRIDGE, GEORGIA.**
11. **Applications** should be emailed to planning@cityofstockbridge-ga.gov with hard copies mailed to Planning & Zoning, 4602 North Henry Blvd. Stockbridge, GA 30281.

FEES

MODIFICATION BASE FEE:
\$300 PLUS \$100 FOR EACH ADDITIONAL MODIFICATION REQUEST ON THE SAME PROPERTY
REVISIONS:
\$50 PER REVISION

(ALL CHECKS PAYABLE TO THE CITY OF STOCKBRIDGE)

MEETING AND PUBLIC HEARINGS:

- **SCHEDULE:** A schedule with deadlines and public hearing dates for Zoning Modifications is obtainable from either the Community Development Services or on our website at <https://www.cityofstockbridge-comdev.com/planning>
- **CITY COUNCIL MEETING:** The City Council holds a public hearing on the fourth Tuesday of each month at 7:00 p.m. in the Stockbridge City Hall, 4640 North Henry Boulevard, Stockbridge, GA 30281.

POSTING OF SIGNS:

- **CITY COUNCIL PUBLIC HEARING NOTICE SIGN:** Signs are to be posted along the frontages of properties subject to zoning modifications that notify area residents of the City Council public hearing. Applicants are required to post sign(s) in conspicuous places along the property's public street frontage(s) no later than 20 days before the City Council hearing. Failure to post the signs properly, in accordance with instructions given to applicants at the time of filing, will result in delaying action on the petition until the next available appropriate hearing date. **THERE ARE NO EXCEPTIONS TO THE PROPER POSTING OF THESE SIGNS.**
- If the sign is mutilated and/or removed, it is the applicant's responsibility to obtain and re-post a new sign(s).

NOTIFICATION FOR ZONING MODIFICATION:

- Notice is mailed (via U.S. Mail) by the City of Stockbridge to all property owners within a quarter-mile of the subject property. Said notice is mailed no later than 15 days prior to the public hearing to property owners of record as shown on the real estate tax records of Henry County as retrieved by the City's Geographic Information Systems.
- A published notice in a newspaper of general circulation is done by the City of Stockbridge no later than 15 days prior to the public hearing. The published notice contains the time, place, purpose of the hearing, and the location of the property.



APPLICATION FOR ADMINISTRATIVE OR ZONING MODIFICATIONS

The undersigned, having an interest in the property herein described respectfully request:

SECTION I

MODIFICATION #:

(To be assigned by the City of Stockbridge)

☐ A. **ADMINISTRATIVE MODIFICATION:** A modification of a condition(s) of zoning or Use Permit that does not require a public hearing. A decision will be made by the Director of Community Development Services.

☒ B. **ZONING MODIFICATION:** A modification of a condition(s) of zoning or Use Permit where public interest has been determined. This requires a public hearing by the City of Stockbridge Councilmembers.

If "A" was denied, list previous case number: #M

SECTION II

- 1) The planner assigned to work on the Modification: _____
- 2) Identify the specific condition(s) being modified. State the condition number(s) and letter(s) (e.g. 2-b, 2-e)
1) Amenity adjustment to current standards. See rezoning case #RZ-03-04 condition #N.
- 3) Petition number of the Zoning or Use Permit to which this application applies MFR
 Current zoning district MFR
- 4) Attach a copy of Legal Description [must be metes and bounds], or complete the following information if the property is within a recorded subdivision.
- 5) An official survey of the property.
- 6) Copies of pertinent rezoning cases and zoning conditions, with case numbers.
- 7) Copies of any approved development agreements or shared parking agreements.
- 8) Copies of any approved subdivision plats or recombination plats.
- 9) Copies of any approved variances, conditional uses, or administrative waivers, with case numbers.
- 10) Copy of a recently-completed zoning compliance letter.

SUBDIVISION NAME: Brush Creek SD UNIT/PHASE: NA
 LOT NUMBER: 1-41 BLOCK DESIGNATION: NA LAND LOT(S): 59 & 71
 DISTRICT/SECTION: 12th RECORDED IN PLAT BOOK: NA - See Deed Book 18078 Page 137-143
 ROAD NAME: Assigned "Sheilds Rd."; however, it's entry is off of N. Henry Blvd.

NOTICE: Sections III or IV below **MUST** be signed and notarized when the application is submitted. If Section III is signed and notarized, the applicant need only complete Section IV as "Applicant", notarization of Section IV is not necessary.

SECTION III: Owner states under oath that he/she is the owner of the property described in the attached legal description, which is made part of this application for a Modification.

Pivotal Enterprises, LLC - Eaman Fatemi Member

TYPE OR PRINT OWNER'S NAME

1705 Enterprise Way SE, Suite 100,

ADDRESS

Marietta, GA 30067

CITY & STATE

ZIP CODE

OWNER OF PROPERTY (SIGNATURE)

770-480-1714

PHONE NUMBER

efatemi@pivotalhouse.com

EMAIL ADDRESS

Sworn to and subscribed before me this
12 day of Sept. 20 22

Tammy M. Reilly
NOTARY PUBLIC



SECTION IV: Applicant, if different from the Owner, states under oath that:

- 1) The applicant is the executor or attorney-in-fact under a Power-of-Attorney for the Owner. Attach a copy of Power-of-Attorney and type name of Owner as indicated in Section III; or
- 2) The applicant has an option to purchase said property conditioned upon the property being granted a modification. Attach a copy of the contract and type name of Owner as indicated in Section III; or
- 3) The applicant has an estate for years which permits the applicant to apply for a modification. Attach a copy of the lease and type name of the Owner as indicated in Section III.

APPLICANT (SIGNATURE)

Eaman Fatemi Member - Owner as Applicant

TYPE/PRINT NAME OF APPLICANT

ADDRESS

CITY & STATE

ZIP CODE

PHONE NUMBER

EMAIL ADDRESS

Sworn to and subscribed before me this

____ day of _____ 20 ____

NOTARY PUBLIC

Indicate which of the above is applicable: 1 _____ 2 _____ or 3 _____

SECTION V: Attorney or Agent, if different from the applicant and/or owner

SIGNATURE OF ATTORNEY/AGENT

CHECK ONE: ☒ ATTORNEY ☐ AGENT

ADDRESS

2809 Lassiter Rd # 100,
Marietta, GA 30062

Steve Cole
Sams & Cole, LLC

CITY & STATE

ZIP CODE

404-819-8124

PHONE NUMBER

FOR OFFICIAL USE:

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

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

Pre-application meeting: _____ Date: _____

Zoning Advisory Board Decision: _____

BOC Decision: _____

Planning Staff Signature: _____ Date: _____



DISCLOSURE REPORT

FORM C

Office use only:

REZONING PETITION #: _____ CITY COUNCIL MEETING DATE: _____

- Within the (2) years immediately preceding the filing of this zoning petition have you, as the applicant, owner and/or opponent for the rezoning petition, or an attorney or agent of the applicant or opponent for the rezoning petition, made any campaign contributions aggregating \$250.00 or more or made gifts having an aggregate value of \$250.00 to a member of the City Council.

 • CIRCLE ONE: YES ☐ NO ☒

If the answer is YES, proceed to sections 1 through 4. If the answer is NO, complete only section 4.

 1. CIRCLE ONE: Party to Petition ☒ In Opposition to Petition ☐

If a party to petition, complete sections 2, 3, and 4 below. If in opposition, proceed to sections 3 and 4 below.

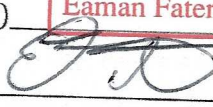
2. List all individuals or business entities which have an ownership interest in the property which is the subject of this rezoning petition: Pivotal Enterprises, LLC

3. CAMPAIGN CONTRIBUTIONS:

Name of Government Official	Total Dollar Amount	Date of Contribution	Enumeration and Description of Gift Valued at \$250.00 or more
<u>\$0 contributions</u>			

4. The undersigned acknowledges that this disclosure is made in accordance with the Official Code of Georgia, Section 36-67A-1 et. seq. Conflict of interest in zoning actions, and that the information set forth herein is true to the undersigned's best knowledge, information, and belief.

 Name (print) Eaman Fatemi Member

 Signature: 

 Date: 6/29/2022



PRE-APPLICATION REVIEW FORM

Office use only:

I hereby certify that I have completed a preliminary review of the site plan for this project and determined that it meets the minimum standards specified by the City of Stockbridge Zoning Ordinance.

Staff signature: _____

Planning Division

Community Development Services

Date: _____

Staff printed name: _____

The undersigned acknowledges that the site plan is submitted in accordance with the City of Stockbridge Zoning Ordinance and failure to comply shall render my application incomplete which may result in a delay in the process of this application.

Applicant signature: _____

Date:

06/29/2022

Applicant printed name: **Eaman Fatemi - Member**



CITY OF STOCKBRIDGE, GEORGIA 2019-20 ZONING MODIFICATION SCHEDULE

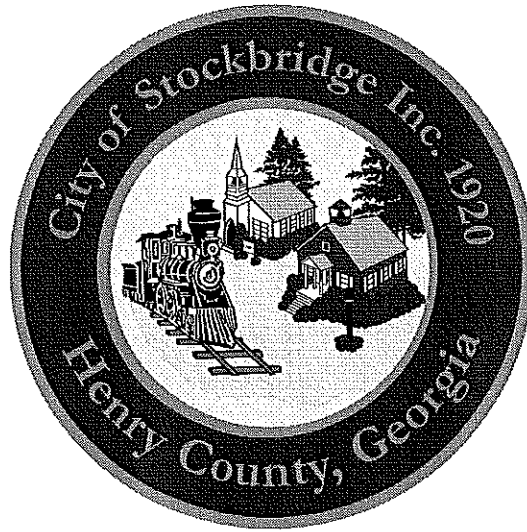
FILING DEADLINE DATE	NEWSPAPER ADVERTISEMENT DATE	PUBLIC NOTIFICATION SIGN POSTING DEADLINE	MAYOR AND COUNCIL (MC) HEARING

THE CITY COUNCIL HEARING BEGINS AT 7:00 PM AT Stockbridge City Hall, 4640 North Henry Boulevard, Stockbridge, GA 30281

NOTES: THE ABOVE DATES ARE SUBJECT TO CHANGE

*DATE CHANGE DUE TO HOLIDAY

FOR THE MOST CURRENT ZONING INFORMATION PLEASE VISIT THE CITY OF STOCKBRIDGE COMMUNITY DEVELOPMENT PAGE AT <https://www.cityofstockbridge-comdev.com/planning>



COPY

DEVELOPMENT AGREEMENT

FOR

BRUSH CREEK COMMONS

Location off North Henry Blvd.-behind the QT and Waffle House

ROYCE GRANT

JULY 21, 2003
AMENDED DECEMBER 13, 2004
AMENDED AUGUST 13, 2007

STATE OF GEORGIA

COUNTY OF HENRY

COPY

SECOND AMENDMENT TO
DEVELOPMENT AGREEMENT

COMES NOW the CITY OF STOCKBRIDGE, GEORGIA, a municipal corporation chartered under the laws of the State of Georgia ("City") and TIMBERLINE GROUP, LLC ("Owner" or "Developer"). The City and Owner do hereby amend that certain Development Agreement ("Agreement") dated July 21, 2003, entered into between the City and Royce Grant; and

WHEREAS, Royce Grant has transferred its interest in the Property to Owner; and

WHEREAS, Owner has presented evidence to the Mayor and Council that because of soil conditions Owner will be unable to construct the tennis court referenced in Article V, Section 2, Paragraph C of the Amended Development Agreement; and

WHEREAS, Owner has requested an amendment to Paragraph 3 of the Development Agreement entitled "Variances"; and

WHEREAS, pursuant to Section 11 of the original Development Agreement, the City and Owner desire to amend said agreement as follows:

YVES

NOW, THEREFORE, FOR AND IN CONSIDERATION OF THE MUTUAL
COVENANTS HEREINAFTER STATED, IT IS AGREED AS FOLLOWS:

1. Paragraph 3 is amended to add the following:

The front setback requirements for the buildings are
hereby reduced to 10 feet.

2. The paragraph referencing the tennis court described
in Article V of the Amended Development Agreement is
stricken in its entirety.

3. A regulation 60' x 90' soccer field shall be
constructed in the area designated for the tennis
court, which shall include 2 goals appropriate for the
3v3 format. In addition, the second playground shall
be enlarged to accommodate a commercial quality 2-
bay/4-station full-size swing set, a full-size
commercial quality slide, a commercial quality
climbing station (monkey bars, ring climber, chin-up
bar, and balance beam), and 2 commercial quality park
benches. The floor area of the playground will be
recessed and mulched so as to prevent weeds and
grasses from growing and to promote a safe play area.
The drawing for the playground, swing set, slide,
climbing station, benches, soccer field, pavilion,

volleyball court, and putting green shall be
incorporated herein.

4. The outside construction of the buildings to be built thereon shall have the appearance and exterior material makeup as shown on Exhibit I hereto attached and made a part hereof. The playground facilities described in Paragraph 3 above are also shown on said Exhibit I, and the same are hereby incorporated herein and made a part hereof. The variance set forth in Paragraph 1 above is also shown on said Exhibit I and incorporated herein and made a part hereof.

[SIGNATURES ON NEXT PAGE]

Second Amendment to Development Agreement
between the City of Stockbridge, Georgia and
Timberline Group, LLC dated December, 2004

CITY OF STOCKBRIDGE, GEORGIA

This the 13th day
of August, 2007.

By: *R. G. Kelley* (L.S.)
R. G. KELLEY, Mayor

ATTEST:

Merle Manders
Merle Manders, City Clerk

[SEAL]

TIMBERLINE GROUP, LLC

BY: *Brian W. Cagle* (L.S.)
BRIAN W. CAGLE
MEMBER (Title)

Signed, sealed and delivered
before me this 31st day of
AUGUST, 2007.

Peggy Malcom
Notary Public

[SEAL]



ATTEST:

Jeffrey A. Martin, Secretary
JEFFREY A. MARTIN

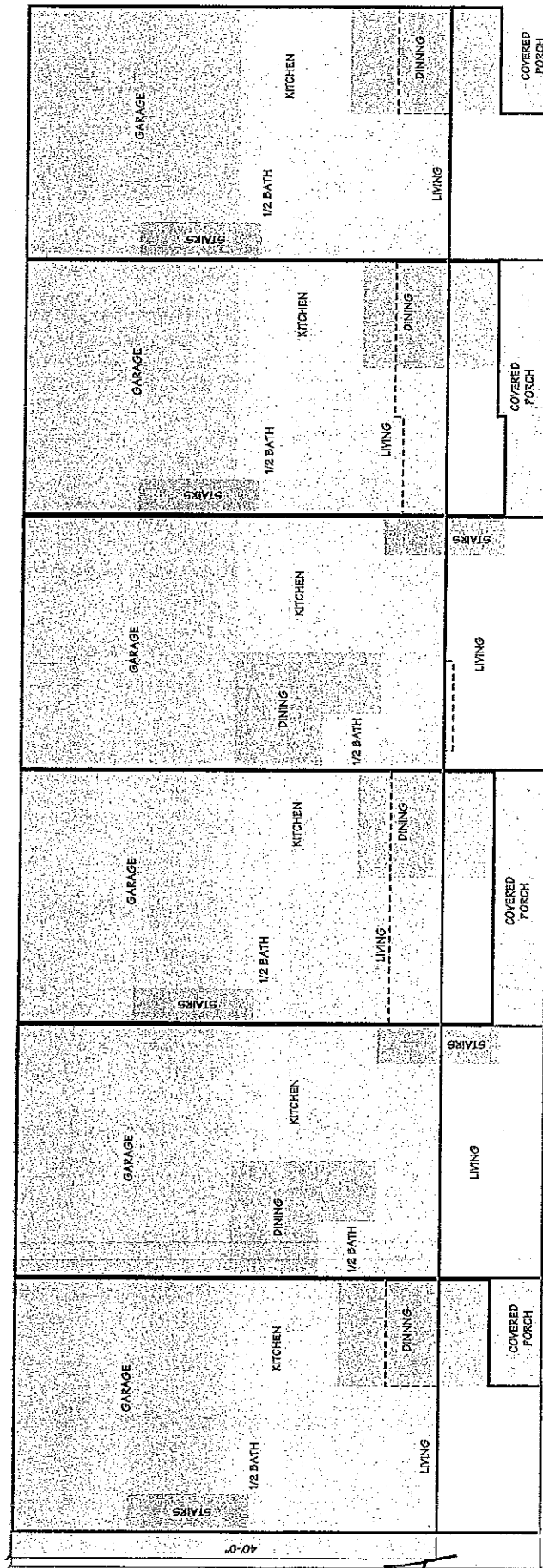
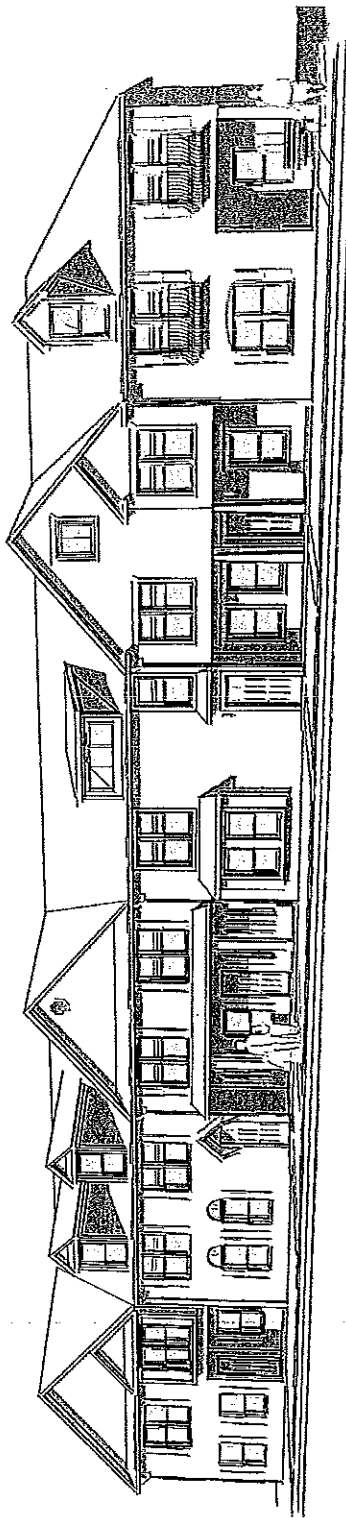
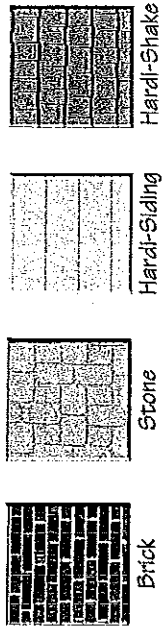
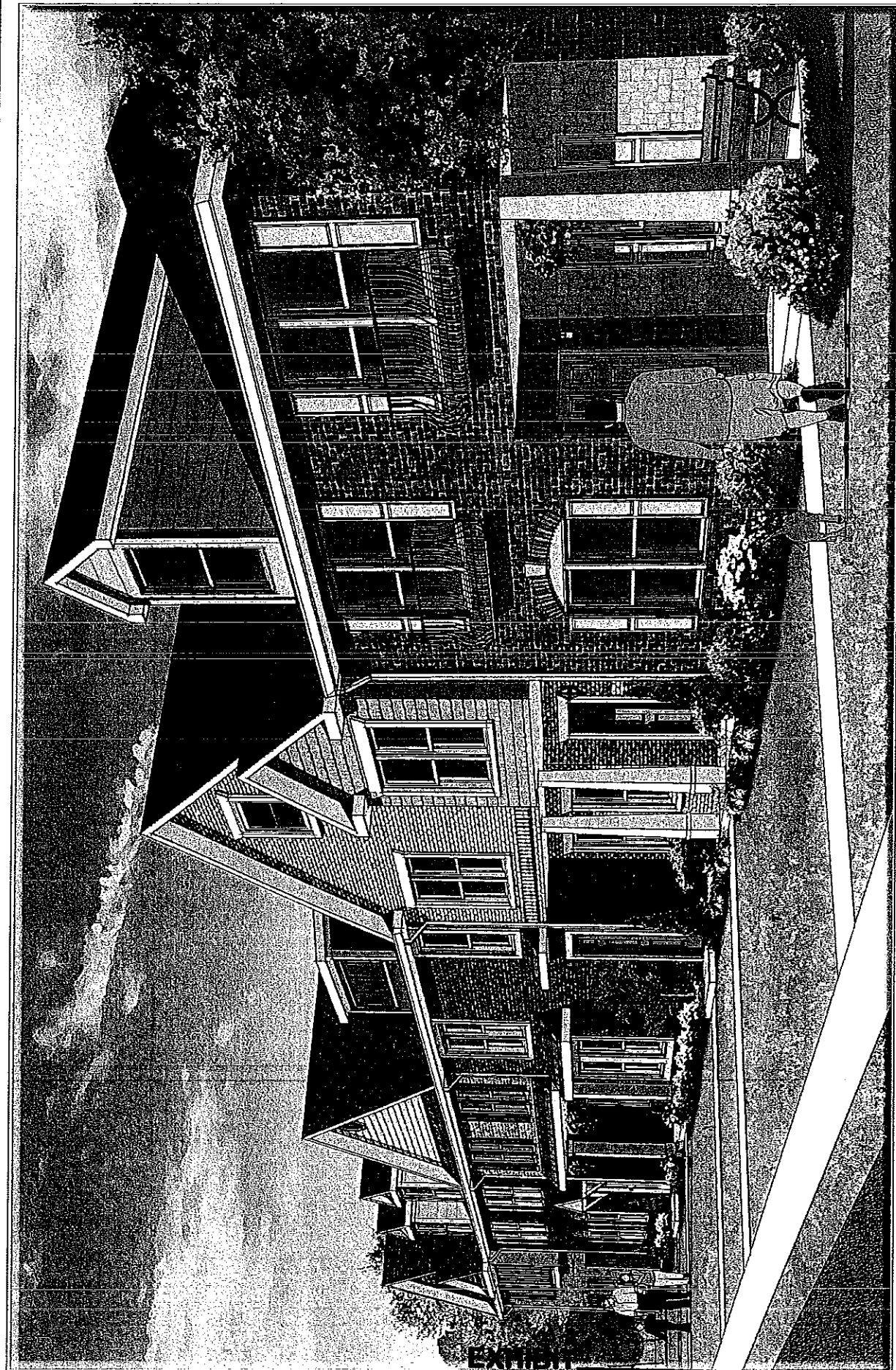


EXHIBIT F

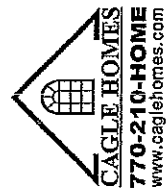
Page 1 of 3

- _____ - Current Building Lines
- - Necessary Offsets to achieve Bays, Covered Porches, etc. to meet Building/Zoning Conditions
- _____ - Requested 10' to achieve necessary Living and Dining Space

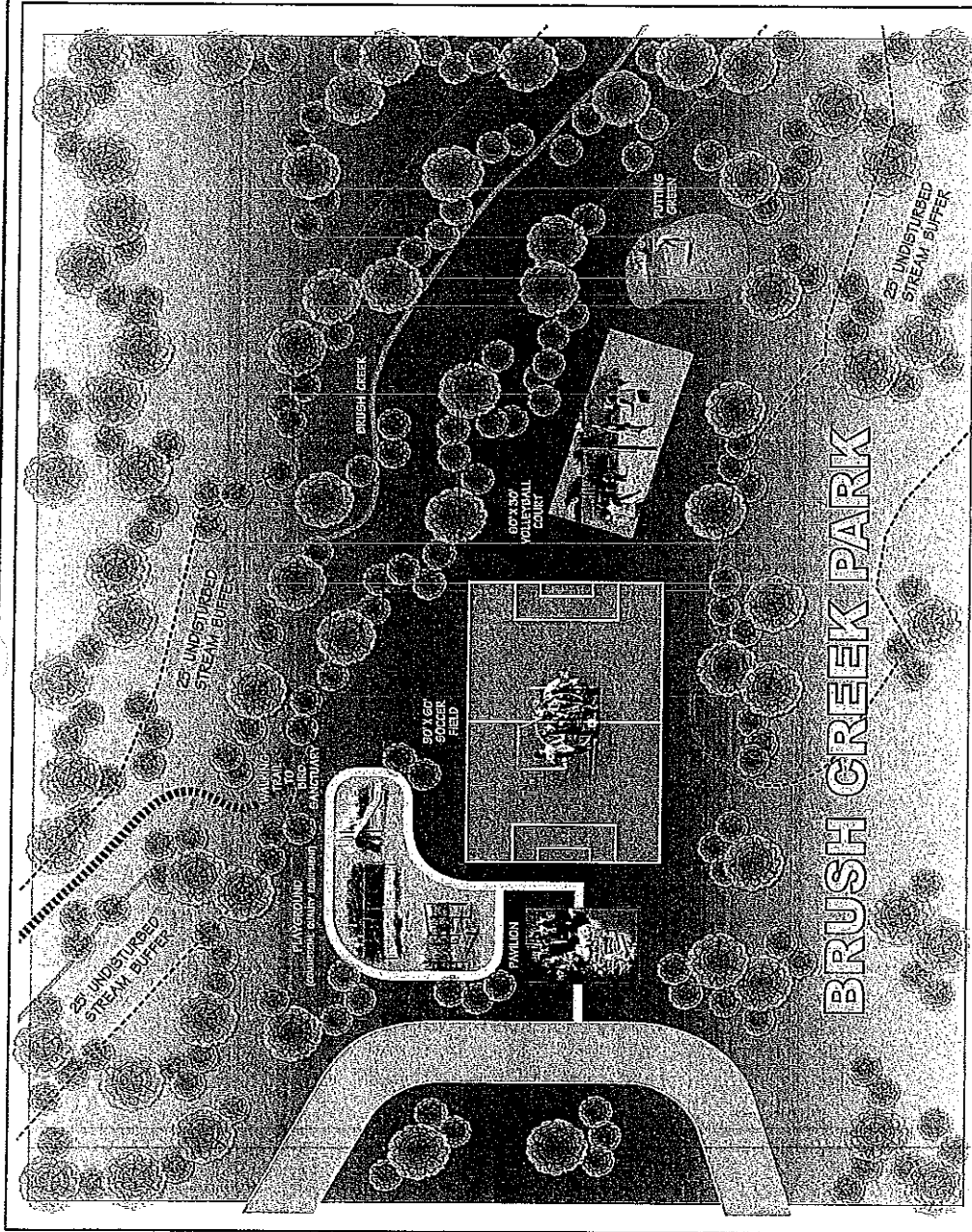


Elevations Information

Individual detail is achieved with a mixture of covered entryways, porches, bay windows, and balconies. Each home is separate and distinct with varying roof lines, dormers, and gables. Facades are predominantly brick, with stone, Hardi-plank or Hardi-shake accents.



EXHIBIT



Brush Creek Commons Amenity Package

- * Gazebo at entrance of development to serve as a waiting area for school bus pickup
- * Sodded Sports Area adjacent to Gazebo
- * 1300 Square Foot Clubhouse with Full Kitchen and Fitness Equipment
- * Fenced Tot Lot (Ages: 2 - 5) located adjacent to Clubhouse
- * Brush Creek Park
 1. Covered Pavilion with Picnic Area and Fireplace
 2. Regulation 60' X 30' Beach Volleyball Court
 3. Regulation 60' X 90' S on 3 Soccer Field with Goals
 4. Putting Green with multiple holes and sand trap
 5. Upgraded and Enlarged, commercial quality playground:
 - 2 Bay, 4 Station Swing Set with Buckets and Belts
 - Climbing Station: "Monkey Bars", Ring Climbers, Chin-up Bar, and Balance Beam
 - Free Standing Wave Slide with 5' Deck
 - 2 Commercial Quality Park Benches
 7. Over 1400 Ft. of Walking Trail
 8. Bird Sanctuary with Feeders, Houses, and Benches for observation



COPY

DEVELOPMENT AGREEMENT

FOR

BRUSH CREEK COMMONS

Location off North Henry Blvd.-behind the QT and Waffle House

Royce Grant

JULY 21, 2003

AMENDED DECEMBER 13, 2004

STATE OF GEORGIA

COUNTY OF HENRY

COPY

AMENDMENT TO

DEVELOPMENT AGREEMENT

COMES NOW the CITY OF STOCKBRIDGE, GEORGIA, a municipal corporation chartered under the laws of the State of Georgia (hereinafter "City") and TIMBERLINE GROUP, LLC (hereinafter referred to as "Owner" or "Developer"). The City and Owner do hereby amend that certain Development Agreement (hereinafter "Agreement") dated July 21, 2003, entered into between the City and Royce Grant; and

WHEREAS, Royce Grant has transferred its interest in the Property to Owner; and

WHEREAS, Owner has requested an amendment to said Agreement because the site plan presented to the City Council for consideration of zoning misrepresented the floodplain; and

WHEREAS, said site plan indicated the floodplain consisted of approximately three point eight seven (3.87) acres; and

WHEREAS, the actual floodplain is approximately five point six nine eight (5.698) acres, thereby significantly reducing the buildable area on the property for townhouses; and

WHEREAS, the modifications contained herein are the minimum necessary for the Owner to develop the Property for townhouses; and

WHEREAS, pursuant to Section 11 of the Agreement, the City and Owner desire to amend said Agreement as follows:

ARTICLE I

Section 1 of the Agreement is hereby amended by striking the second paragraph in its entirety and inserting in lieu thereof the following paragraph:

The parties also acknowledge that the net density restrictions imposed by the Stockbridge Zoning Ordinance are applicable to the Project, and that the Project shall feature no more than forty-one (41) units. Owner's request to develop single-family residences along Shields Drive is withdrawn, and Owner agrees to not request any variances concerning the use of the two hundred foot (200') buffer area along Shields Drive.

ARTICLE II

Section 2, Paragraph C) of the Agreement is hereby amended by striking subparagraph f) in its entirety and inserting in lieu thereof the following paragraph f):

f) All exterior facades shall consist of brick. The cornices and gables shall consist of stucco, stone, and/or hardiplank.

ARTICLE III

Section 2, Paragraph C) of the Agreement is hereby amended by striking subparagraph k) in its entirety and inserting in lieu thereof the following paragraph k):

- k) Owner shall not construct an entrance or exit onto Shields Drive for access to the Project.

ARTICLE IV

Section 2, Paragraph C) of the Agreement is hereby amended by striking subparagraph l) in its entirety and inserting in lieu thereof the following paragraph l):

- l) Owner shall maintain a two hundred foot (200') buffer between the Project and Shields Drive. An exemption to this condition shall automatically arise should the City Council approve a rezoning of said buffer area to a single family detached residential zoning classification.

Article V

Section 2, Paragraph C) of the Agreement is hereby amended by inserting the following after subparagraph m) as follows:

- n) Amenities shall consist of:

- 1,300 square foot clubhouse with full kitchen and fitness equipment;
- Two (2) separate age-specific playgrounds: a fenced tot lot adjacent to the club house and another

playground for older children located nearby to the
club house;

- Covered pavilion with fireplace;
- Volleyball Court;
- Sodded sports area;
- Putting green;
- Tennis Court - lighted and enclosed featuring a
minimum of one (1) Basketball Goal at each end;
- Walking Trails at least fourteen hundred feet
(1,400') in length and three feet (3') in width;
- Bird Sanctuary including a variety of bird feeders
and bird houses with benches for observation;
- Gazebo at entrance of development to serve as a
waiting area for school bus pick-up; and
- Owner shall be bound by the amenity representations
made in its October 7, 2004 proposed site plan
attached hereto as **Exhibit "A"**, submitted to the City
Council and on file with the City Clerk.

ARTICLE VI

Section 3 of the Agreement is hereby amended by inserting
the following paragraphs:

- a) The maximum units per building may increase from five (5) units to six (6) units per building.
- b) The minimum distance between buildings may be reduced from forty feet (40') to twenty feet (20').
- c) Reduction in buffer from thirty feet (30') to ten feet (10') along the proposed entrance and between the proposed location of the first building from the entrance and the Property line as depicted in the proposed site plan included in Owner's October 7, 2004 proposal attached hereto as **Exhibit "A"**, submitted to the City Council and on file with the City Clerk.
- d) Individual residential garbage pick-up may be permitted.

ARTICLE VII

A new Section 20 shall be added to the Agreement as follows:

20.

Attorney's Fees

The Owner hereby agrees to reimburse the City for all reasonable and necessary legal fees and costs, not to exceed normal hourly rate paid by City, that are incurred by the City regarding the preparation of this Agreement, any amendments thereto and any reasonable and necessary litigation expenses incurred by the City in any civil action or administrative

action regarding this Agreement whether same is filed by the City, Owner, Developer, or third person or entity. The Owner shall remit payment of all said legal fees and costs to the City within ten (10) days of receipt of an invoice for same.

ARTICLE VIII

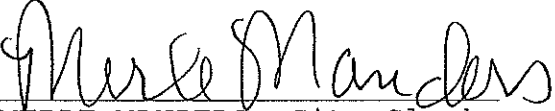
It is the parties intent that this amendment shall take effect immediately.

IN WITNESS WHEREOF, the undersigned parties have hereunto set their hands and affixed their seals this 13th day of December, 2004.

CITY OF STOCKBRIDGE, GEORGIA

By:  (L.S.)
R. G. KELLEY, Mayor

ATTEST:


MERLE MANDERS, City Clerk

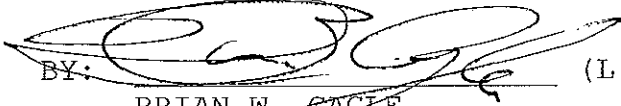
(Seal)

Version 8

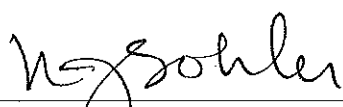
Amendment to Development Agreement
between the City of Stockbridge, Georgia and
Timberline Group, LLC dated December, 2004

OWNER:

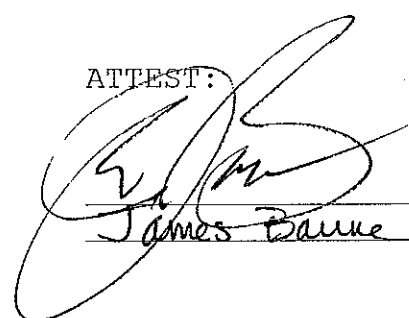
TIMERLINE GROUP, LLC

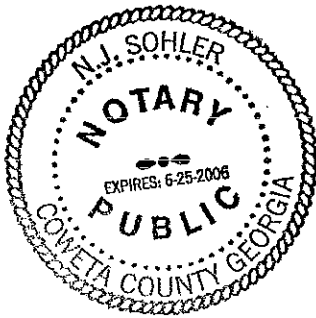
BY:  (L.S.)
BRIAN W. CAGLE
Managing Partner [Title]

Signed, sealed and delivered
before me this 13 day of
December, 2004.


Notary Public

ATTEST:


James Baume, Secretary



COPY

Development Agreement between the City of Stockbridge
and Royce Grant dated July 21, 2003

STATE OF GEORGIA

COUNTY OF HENRY

DEVELOPMENT AGREEMENT

THIS DEVELOPMENT AGREEMENT ("Agreement") is made and entered into this 21st day of July, 2003, by and between the **CITY OF STOCKBRIDGE, GEORGIA**, a municipal corporation chartered under the laws of the State of Georgia (hereinafter "City") and **ROYCE GRANT** (hereinafter "Owner"). The Property encumbered by this Agreement shall consist one tract of land described in **Exhibit "A,"** which is incorporated herein by reference.

P R E A M B L E :

WHEREAS, Owner owns a tract of land consisting of 15.96 acres, more or less, that is depicted and described in the attached **Exhibit "A"**;

WHEREAS, the Owner desires to develop the Property with townhouses in a profitable manner (the "Project") as depicted in the attached **Exhibit "B"**, consistent with the zoning ordinances of the City (the "Zoning Ordinance"), and has an filed application (a copy of which is included in the Henry County Planning and Zoning Staff Report RZ-03-04 incorporated herein as **Exhibit "C"**) to have the property rezoned to Multi-Family Residence district (RM-2 Townhouses) under the City's Zoning Ordinance;

WHEREAS, the Owner proposes to develop the Property similar to that shown in **Exhibit "B"** hereto attached;

WHEREAS, the State of Georgia has enacted The Georgia Development Impact Fee Act,

codified at O.C.G.A. §§ 36-71-1, *et seq.*, which provides that impact fees may be imposed by counties and municipalities;

WHEREAS, the City is investigating and considering the enactment of impact fee ordinances;

WHEREAS, the City has not represented, nor can it guarantee that its infrastructure and existing public facilities as defined by O.C.G.A. § 36-71-2, are sufficient to accommodate the proposed Project;

WHEREAS, the parties require assurances from the other that certain essential elements will occur in order to facilitate the development of the Property; to insure that the Property will be developed pursuant to the Zoning Ordinance, the zoning conditions imposed by the City, and this Agreement, and any amendments thereto; to preclude litigation; and to coordinate development efforts;

WHEREAS, execution of this Development Agreement is a condition of rezoning;

WHEREAS, the City and Owner are willing to execute this Agreement to verify and achieve all of said purposes.

NOW, THEREFORE, for and in consideration of the covenants and agreements hereinafter stated and for the sum of ONE AND 00/100 DOLLARS (\$1.00) in hand paid, the receipt and sufficiency of which is hereby acknowledged and undisputed, the parties agree as follows:

A G R E E M E N T :

1.

Rezoning Application

The City has found that the application filed with the City for the rezoning of the Property is consistent with zoning policies and goals of the City. Said application has been approved subject to this Agreement and certain conditions. All parties agree that said conditions shall be made a part of the ordinance rezoning the Property. Said zoning shall become effective after the City of Stockbridge City Council passes the Rezoning Ordinance and the parties execute this Agreement.

The parties also acknowledge that the net density restrictions imposed by the Stockbridge Zoning Ordinance are applicable to the Project, and that the Project shall feature no more than forty-eight (48) units.

2.

Zoning Requirements of the Property

The validity and enforceability of this Agreement is conditional upon the City rezoning the Property to the zoning classification as follows.

- A) **Rezoning.** The Property described in **Exhibit "A"** for a total of 15.96 acres, more or less, shall be rezoned from Single-Family Residence district (R-2) to Multi-Family Residence district (RM-2 Townhouses).
- B) **Requirements Generally.** Owner shall comply with all applicable rules, regulations, and conditions of the Zoning Ordinance, except where specifically excluded herein, in the development of the Property including those expressed herein. For specific

reference, RM ordinance number 03-60, effective on March 10, 2003, shall apply and is attached hereto as **Exhibit "D"** and incorporated herein by reference. In addition to said ordinances, the conditions contained in this Agreement shall apply. If there is a conflict between the Zoning Ordinances and this Agreement, the terms of this Agreement shall control.

C) Development Conditions.

- 1) The following conditions shall apply to the Property.
 - a) Revise site plan to adhere to all City of Stockbridge RM-2 Ordinance requirements. (Note that approval of this rezoning is not an approval of the site plan submitted.)
 - b) Maximum building height shall be shown on the site plan.
 - c) All townhouses shall have a mixture of front facade consisting of covered entryway, porches, bay windows and balconies. Garages shall be accentuated with variations of design porticos.
 - d) Owner shall submit elevations of buildings to be approved by the City. Note, however, that the City may approve elevations if it determines that waiting for Staff's review has unreasonably delayed Owner.
 - e) Each unit elevation per building shall be separate and distinct from the other and shall include variations in rooflines which may be accomplished with the use of dormers, gables and/or fireplaces.
 - f) Each unit shall have different brick, stucco and masonry theme from the other attached units.
 - g) Owner shall install street trees along all streets to be placed between the sidewalk and the front property lines, have a minimum two and one-half inch (2.5") caliber (d.b.h), shall have a minimum twenty-four foot (24 sq. ft.) planting area and shall be spaced an average of forty-five feet (45') apart. Owner shall provide a list of ten (10) trees to be

COPY

Development Agreement between the City of Stockbridge
and Royce Grant dated July 21, 2003

provided and subject to modification by the City.

- h) A street scaping plan shall be submitted to Henry County Planning and Zoning Staff for comments and approved by the City to include sidewalks, street trees, landscaping, street lighting and street furniture. Note, however, that the City may approve the street scape plan if it determines that waiting for Staff's review has unreasonably delayed Owner.
- i) Any flood plain alteration be supported by a certified engineer at the plan review stage.
- j) The Applicant shall submit, to the City Clerk and City Attorney, an updated legal description and plat, certified by an engineer or surveyor licensed in the State of Georgia, of the Property.
- k) Owner shall not construct an entrance or exit onto Shields Drive.
- l) Owner shall maintain a two hundred foot (200') buffer between the Project and Shields Drive.
- m) This rezoning applies to only the Property and shall not be construed as applying to the areas zoned commercial adjacent to the Property.

3.

Variances

No variances shall apply.

4.

Impact on Services

In conjunction with the development of the Property, the person or entity seeking to make such improvements shall satisfy the following requirements:

A) Submission of Plans and Specifications.

Owner shall submit plans and specifications for development of the Property and

construction of any and all improvements thereon in conformance with all applicable rules, regulations, and laws of the State of Georgia, and with all applicable rules, regulations, and ordinances of the City and this Agreement.

B) Traffic and Road Improvements

The person or entity seeking to make improvements on the Property shall pay for road improvement costs or complete road improvements as follows:

- 1) Deceleration lane into and from the Property.
- 2) Other road improvement required by Henry County Department of Transportation or the City after review of Plans referenced in subparagraph 4.A. above.

C) Water and Sewerage Improvements.

- 1) The Owner shall pay the cost to extend or extend at its own expense the existing water main to the Property.
- 2) The Owner shall pay the cost to extend or extend at its own expense the necessary sewage outfall line to service the Project.
- 3) The Owner shall be responsible for the development of all water and sewer lines located within the Property.

5.

Impact Fees and Credits

A) Traffic and Road Impact Fees.

If the Owner is assessed at any time in the future traffic and road impact fees by the

City, the Owner will be given credit against such impact fees as an amount equal to:

All funds expended by the Owner for improvement of North Henry Boulevard.

B) Water and Sewer Impact Fees.

If water or sewer impact fees are assessed at the time of issuance of building permits, said water or sewer impact fees shall be paid to the City.

6.

Covenants Running With the Land

The terms and conditions of this Agreement shall be binding upon each party and its successors in title and shall run with the title to the Property. Notice of this Agreement shall be filed of record in office of the Clerk of the Superior Court of Henry County, as shown on **Exhibit "E"** hereto attached. Any modifications agreed to by the parties also shall be subject to this notice of filing requirement.

7.

Date of Effectiveness of this Agreement

This Agreement shall be effective between the parties, their successors and assigns, immediately upon execution of this Agreement by all parties hereto.

8.

Date of Effectiveness of Rezoning

The rezoning set forth in this Agreement shall take effect upon: (i) approval of the rezoning ordinance by the City of Stockbridge City Council; and (ii) the execution of this Agreement.

9.

Relation to Zoning

The terms of this Agreement shall be incorporated into and made a part of any Zoning Approval of the City rezoning the Property. The zoning classifications set forth herein shall be conditioned on the terms of this Agreement and binding on the Owner's successors and assigns. If these terms are modified pursuant to Paragraph 11 of this Agreement, such modifications shall be likewise binding on Owner's successors and assigns.

10.

Previous Written and Oral Statements

All previously written or transcribed plans, documents, letters, notes, minutes, and memorandums, together with all oral representations and agreements concerning all matters set forth in this Agreement have been incorporated herein, and the terms and conditions of this Agreement shall supersede any previous agreements between the parties. The parties agree that time shall be of the essence of this Agreement. This Agreement may be executed in counterparts, and each counterpart, and all counterparts together, shall constitute the original Agreement.

11.

Amendment and Modification of Agreement

This Agreement represents the entire understanding of the parties hereto, and any amendments, changes, additions, or deletions shall be made in writing upon the mutual agreement of the parties, executed by the City and the Owner, or the Owner's assigns and successors in title.

12.

Binding Effect

This Agreement shall be binding upon the undersigned and their agents, heirs, administrators, executors, successors, and assigns. This Agreement shall be binding on any person or entity that develops or uses the Property under the zoning classifications granted herein. The parties expressly stipulate that there are no third party beneficiaries to this Agreement.

13.

Future Changes in Development Standards

All development regulations, guidelines, standards, rules, and conditions of the City in effect as of the date of this Agreement and the regulations, guidelines, standards, rules, and conditions of this Agreement shall control over any future changes in the City regulations, guidelines, standards, rules, and conditions.

14.

Captions and Definitions

Captions, the description headings of the separate articles, sections and paragraphs contained in this Agreement are inserted for convenience only and shall not control or affect the meaning or construction of any of the provisions hereof.

"Owner" includes Royce Grant and any developer, builder or other person who seeks land disturbance permits for the Property. "Owner" also includes any assignee or successor in interest to the Property.

All terms used in this Agreement which are not otherwise defined herein shall be defined in the manner prescribed by the Zoning Ordinance or RM Ordinance, as applicable.

15.

Severability

The invalidity or unenforceability of any provision of this Agreement shall not effect the validity or enforceability of any other provision of this Agreement, which shall remain in full force and effect.

Each person executing or attesting this Agreement warrants and represents that he or she is fully authorized to do so. Each person also stipulates that he or she has been afforded an adequate opportunity to read this Agreement and to consult with an attorney prior to executing the same, and that all signatures are given knowingly, voluntarily, and with full awareness of the terms contained herein. The parties also agree that this Agreement has been prepared after negotiations and, as a result, neither party may be considered the sole author thereof, and it should not be construed in favor or against either party by a court of competent jurisdiction.

16.

Applicable Law

The laws of the State of Georgia shall govern the validity, interpretation, performance and enforcement of this Agreement and any dispute involving this Agreement or the Property without regard to conflicts of laws principles.

17.

Enforcement

- 1) In the event that Owner, its successors, or its assignees fail to comply with the terms of this Agreement, the City shall be authorized to refuse occupancy permits, construction permits, development permits, and to terminate construction and development of the Property. If Owner, its successors, or its assignees bring an action of any nature or description under this Agreement, or if it becomes necessary for the City to bring such an action, Owner, its successors, or its assignees shall be responsible for reimbursing the City for all costs and expenses, including attorneys fees, incurred in connection with such a proceeding.
- 2) This agreement may be enforced by the Municipal Court of the City of Stockbridge or any other court having jurisdiction over the same.

18.

Rights Cumulative

All rights, powers and privileges conferred hereunder upon parties hereto shall be cumulative but not restrictive to those given by law. No waiver of any default hereunder shall be implied from any omission to take any action on account of such default if such default persists or is repeated, and no express waiver shall affect any default other than the default specified in the express waiver and that only for the time and to the extent therein stated. One or more waivers by a party shall not be construed as a waiver of a subsequent breach of the same covenant, term or condition.

In the event that Owner, its successors, or its assignees fail to comply with the terms of this Agreement, the City shall be authorized to refuse occupancy permits, construction permits, development permits, and to terminate construction and development of the Property. If Owner, its successors, or its assignees bring an action of any nature or description under this Agreement, or if it becomes necessary for the City to bring such an action, Owner, its successors, or its assignees shall be responsible for reimbursing the City for all costs and expenses, including attorneys fees, incurred in connection with such a proceeding.

19.

Stipulation and Waiver

Owner knowingly and voluntarily waives any right to challenge the validity of this Agreement, in whole or in part, in a court of competent jurisdiction or to seek monetary relief, including but not limited to damages, costs, sanctions, or fees, from the City in connection with this agreement, the zoning of the Property or the development of the Property. Each party agrees to execute this Agreement and any other documents necessary to encumber the Property so as to bind all successors in interest in a similar manner.

Development Agreement between the City of Stockbridge
and Royce Grant dated July 21, 2003

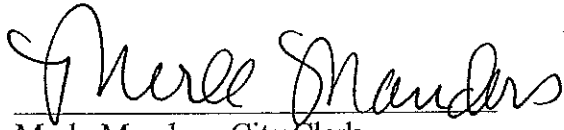
IN WITNESS WHEREOF, the undersigned parties have hereunto set their hands and
affixed their seals this 21st day of July, 2003.

CITY:

CITY OF STOCKBRIDGE, GEORGIA

By:  (L.S.)
Honorable R. G. Kelley, Mayor

ATTEST:


Merle Manders, City Clerk

[Seal]

[Signatures on following page]

Development Agreement between the City of Stockbridge
and Royce Grant dated July 21, 2003

OWNER:

Royce Grant (L.S.)
ROYCE GRANT

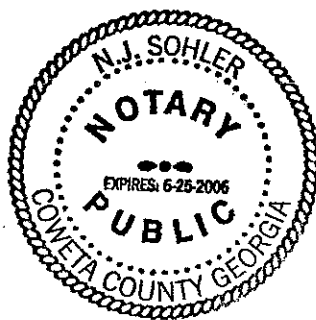
Signed, sealed and delivered
before me this 21st day of
July, 2003.

Joyce Moore
Witness

N.J. Sohler
Notary Public
(Seal)

My commission expires:

6-25-2006



Development Agreement between the City of Stockbridge
and Royce Grant dated July 21, 2003

EXHIBIT "A"

PLAT AND LEGAL DESCRIPTION OF PROPERTY

COPY

BRUSH CREEK COMMONS

Legal Description

All that tract or parcel of land, containing **15.96 acres** more or less, lying and being in Land Lot 70 and 59 of the 12th District of Henry County, Georgia, as shown on preliminary plat by Bunn Grading Company, Inc., dated 7/14/03, and being more particularly described according to said plat as follows:

COMMENCING at the intersection of the centerline of Askew Road and the northern right-of-way line of State Route 42 and State 138; thence, Southeasterly a distance of 467.58 feet to an iron pin; thence, North 44 degrees 7 minutes 55 seconds East a distance of 225.72 feet to the **POINT OF BEGINNING**; thence, North 44 degrees 22 minutes 29 seconds East a distance of 34.28 feet to a point; thence, South 51 degrees 13 minutes 8 seconds East a distance of 360.00 feet to a point; thence, North 38 degrees 35 minutes 37 seconds East a distance of 360.00 feet to a point; thence, North 51 degrees 32 minutes 18 seconds West a distance of 325.00 feet to a point; thence, North 44 degrees 8 minutes 4 seconds East a distance of 267.48 feet to a point; thence, North 3 degrees 30 minutes 52 seconds West a distance of 113.75 feet to a point; thence, South 89 degrees 57 minutes 37 seconds East a distance of 280.97 feet to a point; thence South 10 degrees 43 minutes 44 seconds West a distance of 45.70 feet to a point; thence, North 89 degrees 58 minutes 34 seconds East a distance of 694.39 feet to a point on the western right of way line of Shields Drive; thence, along a curve having a radius of 793.27 feet, a chord bearing of South 8 degrees 19 minutes 12 seconds East a distance of 115.57 feet to a point; thence, South 31 degrees 10 minutes 46 seconds a distance of 82.49 feet to a point; thence, South 33 degrees 14 minutes 43 seconds East a distance of 306.52 feet to a point; thence, South 35 degrees 31 minutes 23 seconds East a distance of 135.04 feet to a point; thence, North 89 degrees 4 minutes 1 second West a distance of 1032.00 feet to a point; thence, along the eastern right of way line of the proposed street as shown on the attached site plan by Bunn Grading Co. Inc. a distance of 481.91 feet to a point; thence, North 51 degrees 8 minutes 8 seconds West a distance of 25.00 feet to a point; thence, South 38 degrees 51 minutes 52 seconds West a distance of 28.67 feet to a point; thence, North 51 degrees 8 minutes 8 seconds West a distance of 460.68 **POINT OF BEGINNING**.

Henry County Environmental Health

137 Henry Parkway
McDONOUGH, GEORGIA 30253
770-954-2078 Voice
770-954-2987 Facsimile

June 23, 2003

Mr. Royce Grant
Mandalay Properties
Post Office Box 1274
Stockbridge, Georgia 30281

Re: Rezoning/Level 3 Soil Map
50.58 Acres
Land Lot 149, District 7
Hwy. 81 East and Mayo Road
Henry County

Dear Mr. Grant:

A Level 3 Soil Report by Thomas Macfie indicates that there is enough suitable soil on this tract for the installation of conventional and/or alternative onsite sewage management system. There are some soil classifications on the tract that are not suitable for any type of system. Several lots may also require Level 4 Soil Reports.

This letter is for rezoning purposes only and does not guarantee that Onsite Sewage Management System permits will be issued on every lot in this development. Prior to submission of applications for permits, an official Level 3 Soil Report showing lot lines, numbers and street names must be submitted to this office. The final plat must also have been submitted and lot numbers and locations on the soil report must correspond to the final plat.



Glinda A. Scott
Environmental Health County Manager

Cc: Planning and Zoning



Ray McDonald: "It seems strange, because half way between here and Stockbridge you run into the City limits."

Frank Patrick: "If we were in the City we could get sewer."

Chairman Schafer asked for any additional comments from the Board. He then asked for anyone in opposition or approval from the audience that would like to speak.

Whit Echols: "I am an associate real estate agent with Rucker Company. I am representing the two parties, the buyers and sellers in this thing. You asked about how close this property is to the City limits? (Mr. Echols jumped about two feet.) It is that far. It is one lot away from the City limits. It is right there at it."

The Chairman asked for any further comments. Seeing none, the Chairman reread the item and entertained the motion.

Michael Eddy: "Mr. Chairman, I am going to recommend approval for this facility with the five conditions placed by the Staff. I would like to modify the fifth condition. The applicant had mentioned four sided brick and I would like to have the condition to read 'The façade(s) of the proposed development shall be constructed of brick, stone, stucco or any combination thereof.' I would like to add a condition 6; all rental equipment shall be stored behind the main structure and/or fencing after hours.

Frank Patrick: "And along the side."

Michael Eddy: "As long as the equipment is behind the fence area.

Ray McDonald seconded the motion. The vote was unanimous to approve the motion.

RZ-03-04 Royce Grant of Stockbridge, GA requests a rezoning from RA (Residential Agriculture) and C-2 (General Commercial) to RM-2 (Multiple-Family Residence-Townhouses) in Land Lot(s) 59 and 70 of the 12th District, for property located between Hwy 42/US 23 and Shields Drive. The property contains 18.4+/- acres and the request is to develop a Multiple Family Residential Subdivision. **City of Stockbridge.**

Recommendation

Planning Staff recommends **Approval** of the request by Royce Grant to rezone the subject property from R-2 (Single Family Residence) and C-2 (General Commercial) to RM-2 (Multiple Family Residence District – Townhouses) with the following conditions:

1. Revise site plan to adhere to all City of Stockbridge RM-2 Ordinance requirements.
2. Maximum building height shall be shown on the site plan.

3. All townhouses shall have a mixture of front façade consisting of covered entryway, porches, bay windows and balconies. Garages shall be accentuated with variations of design porticos.
4. Developer shall submit elevations of the building to be approved by the Planning and Zoning Department.
5. Each unit elevation per building shall be separate and distinct from the other. To include variations in rooflines which may be accomplished with the use of dormers, gables and or fireplaces.
6. Each unit shall have different brick, stucco and masonry theme from the other attached units.
7. Developer shall install street trees along all streets to be placed between the sidewalk and the front property lines, have a minimum two & half inch (2.5") caliper (d.b.h.), shall have a minimum twenty-four square foot (24 sq.ft.) planting area and shall be spaced an average of forty-five feet (45') apart. Consisting of ginkgo (non-fruit bearing), Japanese zelkova and or oak family type.
8. The Building Department shall not issue a building permit until such a time as the Director of the Building Department has certified that for each prospective phase of development, sewer capacity is sufficient to accommodate the additional sewage that would be generated by the proposed development.
9. A streetscape plan shall be submitted to and approved by the Henry County Planning and Zoning Department to include sidewalks, street trees, landscaping, street lighting and street furniture.
10. Staff recommends that any floodplain alteration be supported by a certified engineer at the plan review stage.
11. *The applicant must supply adequate documentation to the Planning Staff to ensure right of way from the subject property to North Henry Boulevard, prior to advertising for the City Council.*

Kimberly Smith introduced the item; Dale Hall represented Staff.

Royce Grant and his father Jeff Grant represented this request.

Jeff Grant: "We would like this piece of property to be recommended for approval for single-family town houses. A portion of this property is zoned commercial and a portion is zoned residential. In talking to the City, they would like us to keep that portion commercial."

Chairman Schafer: "Are you aware of the Planning Staff report and their recommendation with ten (10) conditions?"

Jeff Grant: "Yes, we certainly are. Royce is giving out to you right now our response to the ten recommendations. We accept all ten of those with no problem. In particular I would like to point out on 4, 7 and 9, these deal with the elevation of the buildings. As far as the street tress and the landscaping plans, with this being in the City, I guess I will ask Mr. McDonald about this, but I guess the final approval will come from the City of Stockbridge."

Dale Hall: "If I might comment on that. These conditions are saying that Henry County Planning and Zoning Department will do the architectural review and approval of the plan. They want be coming back to the Planning Commission per say, but to the Planning and Zoning Department. The Planning and Zoning Department is the Planning Department for the City of Stockbridge."

Jeff Grant: "The reason I said that is sometimes the County regulations are different from those proposed from the Cities. That is the only reason I asked that. So, I do submit those to the County."

Chairman Schafer: "In reading the Staff's report, I noticed that your request does not comply with the Future Land Use Map; however it does comply with the City of Stockbridge zoning ordinance."

Jeff Grant: "Correct."

Chairman Schafer: "And also in looking at the report I believe there is some discussion about the flood plain and the potential discrepancy on that. I would like to ask Staff to elaborate on that."

Dale Hall: "The survey that was submitted with the application shows a different location of the flood plain area than the actual concept plain. It is very important that the applicant is aware of that because the floodplain shown on the survey is a larger area than what is shown on the conceptual plan, so that will need to be taken care of and will be during the plan review."

Jeff Grant: "We have already had the property engineered and an evaluation done and our engineer will have to put his stamp of approval on it. I don realize that."

Ray McDonald: "do you agree with all these recommendations?"

Jeff Grant: "Yes sir."

Ray McDonald: "I would like to add a number 11, the applicant must supply adequate documentation to the Planning Staff to ensure right of way from the subject property to North Henry Boulevard, prior to advertising for the City Council. There was a question about that."

Jeff Grant: "There was Mr. McDonald. That has already been approved. I think I read it was actually only 6" short. Mr. Welch, here in the City of McDonough, has already handled that for us. That has already been approved by the DOT and the City of Stockbridge."

Ray McDonald: "Could you give then something in writing to that effect?"

Jeff Grant: "Yes sir, we certainly could."

Ray McDonald: "That is what this is asking for."

Dale Hall: "If I may comment further on that. The information we have available says that the City Council approved and adjustment in the road width. The information that we have does not say anything about a right-of-way being deeded over or anything of that sort. We don't want to be sure that you are not a land locked piece and that you have road frontage."

Jeff Grant: "Actually, what we have done is quick Trip and also Stockbridge Commons, which own the property in front of us, both have deeded their right-of-way over to use and therefore we will be deeding that over to the City when the proper time comes. I think they are making us responsible for a bond period."

Ray McDonald: "You are going to call it Brush Creek Commons instead of Stockbridge Commons?"

Jeff Grant: "Brush Creek Commons sound good to us. That is fine."

Ray McDonald: "Yes, it does."

Jeff Grant: "I would like to say this too. It was brought up in some of the conversation. We had some with some of the City officials. I think they would, and you may want to add this as number 12, they would like for us to leave the commercial, it is about four acres as you go in to the right, they would like for us to leave that commercial. If you look at the plan, we will actually loose the first twenty-one lots and we are agreeable to doing that if that is what they require for us to do. We recently learned that the Stockbridge Commons in the front there is going to be a Waffle House going in up at the front right by the Quick Trip. I don't think I am going to build Town Houses behind the Waffle House. I eat there every now and then but I don't think I would want to smell that everyday if I were somebody living there. If that is what the City wants us to do that is what we wants us to do, we are happy to comply with that."

Chairman Schafer: "Sir, I have two questions for you. The first being about the amenities. I noticed that the Staff report also shows a thirteen hundred (1,300) square foot clubhouse, a multi-us trail, Olympic size pool, wading pool, a children's play area, and a basketball court. The applicant has shown the trail as two separate amenities. Staff is counting that as one, therefore the applicant will be required one additional amenity."

Jeff Grant: "That is correct."

Chairman Schafer: "Are you okay with that?"

Jeff Grant: "Yes sir."

Chairman Schafer: "In looking at what you have shown us tonight,"

Jeff Grant: "Mr. Schafer, can I say this. We will agree to whatever the amount of amenities the City of Stockbridge requires. I think their recommendations are you have to have so many amenities for so many units."

Dale Hall: "Yes, there is a sliding scale based upon the amount of buildings that you have. The plans that was shown, in our professional opinion did not meet the required amenities. But as you have just mentioned there is going to be some change due to the flood plain and the commercial area and there will be a reduction in the amenities required."

Jeff Grant: "Correct, and whatever is required we are agreeable to."

Chairman Schafer: "In looking at conditions number 6, 'Each unit shall have different brick, stone, or stucco and masonry theme from the other attached units.' What are you anticipating on the exterior?"

Jeff Grant: "Most of them will be of either brick, stone or stucco. We passed out a layout impacting what you are going to see. Most of those, we are finding out, years ago when people talked about town houses it was just one straight run and everybody's looked the same. Now we have learned that you can offset them a little bit, have different accents at different points as far as entry porches, you can have differences. Each one can have it's own individuality. All the facades will be of brick, stone or stucco."

Chairman Schafer: "In the picture here it looks like some siding."

Jeff Grant: "It will be brick."

Chairman Schafer: "What will the sides and back be?"

Jeff Grant: "The City of Stockbridge actually prefers, we have had conversation with them, they would like to see hardiplank. Also there is a new product out. Whenever you hear the word vinyl everybody says oh, like they don't want vinyl. There is a new product out that we are going to introduce to them and try and have these maintenance free. Most of the people that live there don't want any kind of maintenance whatsoever. The new one is a thicker gauge that if you looked at it you could not tell if I had it hear today if it were actually vinyl or not. It looks real similar to your siding as far as hardiplank. It looks real similar. It is actually more expensive than hardiplank. It is one that is getting a lot of use on the North side right now. It hasn't been used here in this area because of the expense of it. It is actually about 15%, 18% higher than your hardiplank."

Chairman Schafer: "Do you have any idea what these particular units will sell for?"

Jeff Grant: "They will probably start in the low 100s and then I would imagine by the time we get to the back section they would be around 115 to 120 range. We know we are going to start out in the mid 100s range and then go up to 115, 116 range."

Ray McDonald: "Mr. Grant, this plan shows two (2) detention ponds. Isn't there currently a detention pond there?"

Jeff Grant: "Yes sir. Actually there are two (2) of them there. We are reflecting both of them. What it looks like we are going to be able to do is probably consolidate those into one (1) and have one (1) big one for that hole basin area. Those were overbuilt according to our engineer. We hope to consolidate those into one."

Ray McDonald: "Are there two there now?"

Jeff Grant: "Yes sir."

Ray McDonald: "I was under the impression there was just one."

Michael Eddy: "What would be the square footage of most of these town houses?"

Jeff Grant: "Most of them start about thirteen hundred (1,300) square feet. That is about the minimum."

Michael Eddy: "Is that two bedroom, two bath?"

Jeff Grant: "Yes sir."

Michael Eddy: "So for each townhouse you are looking at the same bedroom and bathroom numbers?"

Jeff Grant: "Well you will have some, if you will notice there are runs of three and runs of six there. A lot of the units will go to three bedrooms. Those are like 1,500 and 1,600 square feet."

Ray McDonald: "What about garages?"

Jeff Grant: "Yes sir, they do have garages. There are one car garages."

Michael Eddy: "Where will the garages be at?"

Jeff Grant: "Actually they are going to be at the very front. There are several styles that we are going to build. Some have garages and some don't. It depends. Some people like them and some don't. There are different variations. We build pretty much, you name it and we build it."

Michael Eddy: "Have you built some of these town houses in the area before? Where have you mostly built?"

Jeff Grant: "Most of these, the Forest Homes will be actually building and selling the homes. They have built some in Henry County and built some also in Clayton County. They are a big builder in Clayton County right now."

Ray McDonald: "What are you going to put in that big hoe down there?"

Jeff Grant: "If you will notice Mr. McDonald, we have been hauling in some dirt that has been given to us. The small dent that we have made has been about 120 loads, and that is a very small dent. I think we have budgeted a six-digit figure for dirt, I can tell you. We are hoping we can get by with that."

Ray McDonald: "I trust that you will save as many of those trees as possible, because there are sure a lot of them there."

Jeff Grant: "Yes sir, we will. Let me say this, as being a registered forester, I sit on the City of Atlanta's Tree Ordinance Committee. I just spent one day a week for the last year of my life on the rewriting of the Tree Ordinance for the City of Atlanta. We are very big on tree preservation. We don't believe in this mass grading type of thing. Sometimes you have to if you have some cut and fill areas, but we try to leave it as natural as we possibly can. Yes sir."

The Chairman asked for any final questions from the Board.

Bill McLeer: "I just have one question. You r engineers, you say have looked at this. Are you sure you are going to get seventy-five (75) units?"

Jeff Grant: "Actually Mr. McLeer, I believe what is going to happen is the front four acres as you go in between, where the front 21 lots are, is where the commercial is. It looks like it is going to be in the low to mid fifties to be quit honest with you. We won't be able to get that many."

Bill McLeer: "What will be an average price, about \$450 per town house?"

Jeff Grant: "Three to four is typical. A lot of times you have young couples that are just getting married, or single parents, and sometimes you have an elderly couple that is looking for a place that is maintenance free and is close in. That is mainly what out market is."

Chairman Schafer asked for any opposition to the request. Seeing none, he asked for any final comments from the Board, Staff or Mr. Grant. The chairman then reread the item and entertained the motion.

Ray McDonald: "Mr. Chairman, I move for approval of this request with the eleven (11) recommendations so stated." Thomas Solomon seconded the motion. The vote was unanimous to approve the request.

**Brush Creek Commons
Rezoning Application
Planning and Zoning Commission – May 15, 2003**

COPY

Zoning Conditions:

1. Revise site plan to adhere to all City of Stockbridge RM-2 Zoning Requirements
2. Maximum building height shall be shown on the site plan
3. All townhomes shall have a mixture of front façade consisting of covered entryway, porches, bay windows and balconies. Garages shall be accentuated with variations of design porticos.
4. Developer shall submit elevations of the buildings to be approved by Henry Co. Planning & Zoning staff.
5. Each unit elevation per building shall be Separate and distinct from the other. To include Variations in rooflines, etc.
6. Each unit shall have different brick, etc.
7. Developer shall install street trees,....,etc.
8. The Building Department shall not issue a Permit until the sewer capacity is verified...

Response:

Agreed

Agreed

Agreed, please see the architectural elevations that are attached

We will provide a copy to HCPZ; we feel that the final approval should come from the Mayor & Council of Stockbridge.

Agreed, please see the architectural elevations that are attached.

Agreed, please see the architectural elevations that are attached.

We will provide a copy to HCPZ; we feel that the Final approval should come from the Mayor & Council of Stockbridge

Please note that a letter has been provided by the City of Stockbridge stating that water and sewer is available, the City of Stockbridge should make the final determination as to the sewer capacity.

9. A street scaping plan shall be submitted...,etc.

We will provide a copy to
HCPZ; we feel that final
Approval should come
from the Mayor and
Council of Stockbridge

10. Staff recommends that any floodplain
alteration be supported by a certified engineer
at the plan review stage.

Agreed

Development Agreement between the City of Stockbridge
and Royce Grant dated _____, 2003

EXHIBIT "D"

RM ORDINANCE NUMBER 03-60

Chapter 8.36 ZONING**Section 8.36.100 Multi-family residence district.**

A. Purpose. It is the intent of this district to provide for the development of multiple-family residences at moderate to high densities on lots where public water and sewer systems are provided.

B. Definitions. For purposes of this entire section, the following terms shall have the meaning prescribed, unless the context clearly indicates otherwise:

"Amenities" shall mean the area(s) set aside for active and passive recreation for the residents inside the development according to the standards set forth herein. Recreation areas may include passive areas, such as trails, picnic areas or parks with landscaping providing no facilities for active sports; and active areas, with ball fields, soccer facilities, swimming areas, and other facilities for sports activities.

"Carport" shall mean a covered structure used for housing two (2) vehicles that has the following minimum dimensions: vehicular entrance height, eight feet (8'); interior height, eight feet (8'); vehicular entrance width, sixteen feet (16'); and overall carport width and depth, twenty-four feet (24'). The floor shall be constructed of concrete. Concrete floors shall be reinforced, where appropriate, and a minimum of four inches (4") in thickness with appropriate fill and base. Where carports are constructed, such structures shall not be enclosed for living space, storage purposes or any other purpose without first obtaining a variance from the city and constructing an attached residential parking garage.

"Central park" shall mean a park for active or passive recreational use consisting of buildable land. The total area of a central park shall be equal to one (1) acre. A central park must be located in the approximate center of the development relative to the residential buildings located therein.

"City" shall mean the city of Stockbridge or its designee.

"Classification" shall mean the RM-1, RM-2 or RM-3 district referred to herein.

"Commercial area outside the development" means an area not associated within or part of the development in which at least three (3) of any of the following operating commercial establishments are located: retail, office, industrial or manufacturing industrial.

"County" shall mean Henry County or its designee.

"Development plan" shall mean a written and graphic submission for a development which represents a tract of land, proposed development, the location and bulk of buildings and other structures, the calculation of all impervious surfaces, density of development, public and private streets, parking facilities, common open space, sidewalks and multiuse paths, and all amenities.

"Dwelling unit" shall mean one (1) room, or rooms connected together, constituting a separate, independent housekeeping establishment for tenant occupancy, for rental or lease on a weekly, monthly or longer basis and physically separated from any other rooms or dwelling units which may be in the same structure, and containing independent living, sleeping, toilet and single cooking facilities.

"Facade" shall mean all exterior faces of a building except eaves and corners.

"Impervious cover" or impervious surface shall mean any roads, driveways, parking areas, buildings, swimming pools, concrete, pavement, rooftop landscapes and other impermeable construction covering the natural land surface which impedes or blocks the free passage of water, air or nutrients through the soil to the natural watershed, aquifer or water zone located below the surface. Surface materials which have been tested and marketed as providing some level of perviousness (e.g., such as pavers) and have a life span comparable to or better than that of asphalt may be used and its rated perviousness may be factored into the calculation of impervious cover after review and approval of the rating by the city or its designee. Except as otherwise provided in this section, impervious cover is the total horizontal area of covered spaces, paved areas, walkways and driveways in a proposed development. Impervious cover excludes ponds and areas with gravel placed over pervious surfaces that are used only for

landscaping or by pedestrians. For an uncovered wood deck that has drainage spaces between the deck boards and that is located over a pervious surface, fifty percent (50%) of the horizontal area of the deck is included in the measurement of impervious cover.

"Maximum allowable net density" shall mean the total number of dwelling units or housing structures per unit of land based on the net useable acres. The maximum allowable net density shall not exceed the density established by this section and applicable law.

"Multiple family dwellings" shall mean apartment buildings and other multiple family dwellings other than fee simple town homes and fee simple condominiums.

"Net useable acres" (n.u.a.) shall mean the total acreage of a proposed development under this classification, less any streets, rights-of-way and public lands.

"One hundred (100) year flood plain" shall mean any land susceptible to being flooded or inundated by water during a storm or other weather event with accumulated precipitation of a measured amount which occurs, on average, once every one hundred (100) years. This definition shall include, without limitation, any land identified on the Flood Insurance Rate Map as being within a delineated zone of special flood hazard.

"Owner" shall mean all parties applying for rezoning, including but not limited to the property owner and his agents or assigns.

"Parking space, off-street" shall mean any off-street parking space consisting of a space adequate for parking an automobile with room for opening doors on both sides, together with properly related access to a public street or alley and maneuvering room.

"Pocket park" shall mean a park for active or passive recreational uses consisting of buildable land. The total area of the pocket park shall be one (1) acre. This area requirement for pocket parks may be divided in half where the development will provide two or more pocket parks. Where required, pocket parks shall be located in those parts of the development which are at the greatest walking distance from the highest amenities based upon the area occupied by that amenity.

"Private alleyway" shall mean an alley located in the rear of apartments, townhouses or condominiums in RM-1, RM-2 or RM-3 districts, respectively, that provides residents with vehicular access. Private alleyways shall be maintained pursuant to the rules, regulations and policies of the city at the expense of the adjoining property owners, homeowners' associations or condominium associations. The developer or landowner shall grant the appropriate easement so that the public may use the private alleyway. Private alleyways shall be constructed to meet the following requirements: Private alleyways shall be a minimum of eighteen feet (18') in width, and sixteen feet (16') thereof shall be paved with concrete or asphalt. Concrete alleyways shall be reinforced and have a minimum depth of six inches (6"). Asphalt alleyways shall consist of a minimum of two inches (2") of type "E" or "F" asphalt topping, binder and six inches (6") of aggregate base. Curbs and gutters are not required. Private alleyways shall not have dead-ends. Private alleyways, at a minimum, shall be constructed so as to provide adequate turning radii onto public streets, driveways, residential parking garages and carports for full-size, noncommercial, two-axle vehicles. Curbs and gutters should be provided, but are not required. Private alleyways shall not have dead-ends.

"Residential parking garage" shall mean an enclosed structure attached to or part of the principal dwelling used for housing at least two (2) vehicles that has the following minimum dimensions: vehicular entrances height, ten feet (10'); interior height, eight feet (8'); vehicular entrance width, sixteen feet (16'); and overall garage width and depth, twenty-four feet (24'). The overall garage width and depth of a residential parking garage for a town home unit can be twenty feet (20'). The floor shall be constructed of concrete. Concrete floors shall be reinforced, where appropriate, and a minimum of four inches (4") in thickness with appropriate fill and base. Where residential parking garages are constructed, such structures shall not be enclosed for living space, storage purposes or any other purpose without first obtaining a variance from the city and constructing an attached residential parking garage to the main residential structure. The residential parking garage shall be kept clear so that a minimum of one (1) vehicle may be parked in the garage at all times.

C. Multi-family residential districts are divided into three (3) categories: apartments (RM-1), fee simple town homes (RM-2) and condominiums (RM-3).

D. Multi-Family Residential District--Apartments--RM-1.

1. Permitted Uses.
 - a. Multiple-family dwellings, excluding fee simple townhouses and fee simple condominiums.
 - b. Local, state and federal governmental buildings.
 - c. Publicly owned and operated parks and recreation areas.
 - d. Temporary buildings and storage of materials in conjunction with construction of a building on a lot or adjacent lots where residential construction is taking place.
2. Accessory Uses. None.
3. Conditional Uses. There are no conditional uses.
4. Conditional Exceptions. There are no conditional exceptions.
5. Development Standards. The following development standards shall apply except to the extent permitted under subsection 9 below:

a.	Per acre that is located outside of the one hundred (100) year flood plain	Four (4) apartment dwelling units.
b.	Minimum lot width	One hundred feet (100').
c.	Minimum front yard	Sixty feet (60') from right-of-way line.
d.	Minimum side yard	Twenty feet (20').
e.	Minimum distance between buildings	Forty feet (40').
f.	Minimum rear yard	Forty feet (40').
g.	Maximum height	The lesser of forty-five feet (45') or four (4) stories.
h.	Minimum floor area (heated space)	Nine hundred (900) square feet for a one (1) bedroom unit; one thousand two hundred (1,200) square feet per two (2) bedroom unit; and for three (3) or more bedroom units, two hundred (200) additional square feet per bedroom.
i.	Curb and	Required.

	gutter	
j.	Paved driveway	Required; located in rear of residential structure.
k.	Public alleyway	Required.
l.	Public sewage system	Required.
m.	Public water system	Required.
n.	Parking	Required; for units without residential parking garages, two (2) off-street parking spaces for each one (1) or two (2) bedroom apartment and one (1) additional off-street parking space for each additional bedroom are required. For units with a residential parking garage, one (1) additional off-street parking space is required for the third and each additional bedroom. Where residential parking garages are provided, driveways shall not count as off-street parking spaces in satisfaction of this requirement.
o.	Residential parking garage	A residential parking garage is required for at least twenty-five percent (25%) of the units; such structures shall be attached to the main structure.
p.	Sidewalk	Required; on both sides of all streets within any development developed under

		the standards of this district. Sidewalks must be made of concrete a minimum of four inches (4") in depth and four feet (4') in width and located at least four feet (4') from the backside of the curb so as to provide a buffer between the street and sidewalk. A multiuse path, as described in subparagraph (q), may be substituted for a sidewalk.
q.	Multiuse paths	(1) Multiuse paths are required in all developments developed under the standards of this district. Such paths shall be constructed to connect residential lots with all the amenity areas of the development. (i) To ensure the greatest practicable connectivity, multiuse paths shall be located in accordance with either or a combination of both of the following plans: (1) multiuse paths constructed along the perimeter of the development shall be accessible to residents within the interior of the development via sidewalks, streets or alleys and/or (2) multiuse paths constructed in the interior of the development shall run along at least one (1) side of

COPY

each street in the development so as to be accessible to residents living along those streets. The final placement of the multiuse paths under either or a combination of the above plans shall be approved during the review and approval process for the final plat or each final plat if the development is developed in phases.

(ii) The land owner or developer shall extend the multiuse path from the development to the nearest commercial area outside the development or to the nearest existing multiuse path that provides such connectivity. Upon application by the owner or developer, however, the city reserves the right to reduce, eliminate or modify this requirement if: (1) the landowner or developer tenders to the city or its designee funds, equal to the amount which would be expended by the developer to design and construct the multiuse path extension required under this subsection; (2) the city or its designee confirm that the funds deposited will be used for design and

construction of a multiuse path benefitting the public at large, consistent with applicable law; (3) the city or its designee votes to accept such funds and exercise the right to reduce, eliminate or modify the multiuse path requirement in this subsection in a manner and to a degree acceptable to the landowner or developer; (4) the city or its designee places such funds in escrow to be used solely for the purposes outlined in this section; and (5) all documents necessary to satisfy this section are executed, subject to approval by the city attorney as to form. In determining whether to reduce, eliminate or modify the multiuse path requirement under this subsection, the city or its designee shall consider whether doing so will promote public health, safety and welfare by enabling the public at large to receive a higher quality multiuse path in a more cost-efficient manner than would be provided by the developer.

(iii) Multiuse paths may not be constructed in lieu of streets or alleyways, nor may streets or alleyways

constitute any portion of multiuse paths except where such paths cross over the width of a street or alleyway. An alleyway may constitute a multiuse path where it is at least twenty-two feet (22') in width with demarcations, either by different shaded surfaces or a solid or dashed line, to designate that at least four feet (4') of the width of the path is solely for pedestrian use, and it connects to all areas of the development. At least twenty feet (20') of such an alleyway shall be paved with concrete or asphalt.

(iv) The developer or land owner shall grant the appropriate easement so that the public may use the multiuse paths or

dedicate the multiuse path to the city for public use.

(v) Multiuse paths shall be constructed of concrete, asphalt, some pervious material approved by the city or a combination thereof. If pervious material is used, it shall not be a loose material (e.g., wood chips, gravel, sand or dirt), and it shall have a life

		span comparable to or better than that of asphalt. Multiuse paths shall be a minimum of four inches (4") in depth, ten feet (10') in width with demarcations, either by different shaded surfaces or a solid or dashed line, to designate that at least four feet (4') of the width of the path is for pedestrian use while the remaining portion of the width of the path may be used for bicycles and motorized carts.
r.	Central garbage facility	Required development shall provide centralized garbage facilities for garbage and refuse collection. Individual residential garbage pick-up per unit shall not be permitted.
s.	School children waiting area	A covered structure to house school-aged children waiting for transportation to school is required at the main entrance in all developments developed under the standards of this district. (i) The structure must be built of sufficient size to house all children of school age residing within the development. (ii) The main entrance to all developments must also provide a turnaround area

		with a minimum turning radius of forty feet (40') to allow any Henry County school bus to turn around in one (1) continuous movement.
--	--	---

6. Amenities.

a. **Required Amenities.** Except as otherwise provided for herein, all developments under this section shall feature a clubhouse consisting of a minimum of one thousand three hundred (1,300) square feet, a junior-size Olympic pool and a children's play area, and, if subject to the requirements in subsection 9 below, additional amenities shall be required. The developer of the property shall satisfy this requirement prior to the completion of fifty percent (50%) of the development. When additional amenities are required, the developer of the property shall select from the following list the additional required amenities, or such other amenities of equal or greater value as the city council may approve:

A wading pool for children, in addition to the adult sized pool, consisting of a minimum of two hundred (200) square feet.

Tennis courts—one lighted and enclosed facility featuring a minimum of two (2) playing courts.

Walking trails—at least two thousand feet (2,000') in length, three feet (3') in width. Multiuse paths can constitute walking trails so long as they are appropriately demarcated to designate that at least four feet (4') of the width is solely for pedestrian use.

A central park or pocket park; unless approved by city council, only one (1) of either type of park may be counted towards satisfaction of the amenity requirement.

A baseball field—(reg.) regulation size.

A baseball field—(LL) little league size.

A softball field regulation size—(adult).

A soccer field—regulation size.

A multiuse field—football and soccer.

A multiuse field—football and baseball.

A football field—regulation size.

A lake—with fishing dock and boat access.

A regulation-size basketball court with two backboards, hoops, net structures, and enclosed with wire fencing eight feet (8') in height.

b. **Multiple District Development.** Where a development developed under these standards includes any combination of RM-1, RM-2 or RM-3 districts, the amenity package required can be consolidated. The city shall determine the required amenity package at the time of zoning.

7. **Residential Facades.** Within a development developed under the standards of this district, building facades shall consist of no less than fifty percent (50%) brick. The remaining facades shall consist, in any ratio the developer chooses, of stucco, stone, hardiplank or other masonry siding approved by the council, wood, or any combination thereof. Vinyl or aluminum siding shall not be permitted, except by variance.

8. **Maximum Density.** Except as otherwise provided for in subsection 9 below, the maximum permissible density for a multiple-family development shall be four (4) apartment dwelling units per acre.

9. Increased Density Provisions.

a. Apartment developers may request an increase in density up to eight (8) apartment dwelling units per usable acre.

b. If an applicant seeks increased density under this subsection, the following rules shall apply:

(1) Applicant must establish, with multiple surveys and calculations certified by a registered engineer, that increasing the maximum height of the structures to be constructed in a manner not to exceed four (4) stories will permit the increased number of dwelling units to occupy land equal to or less than the amount of land which would be otherwise occupied by the number of multi-family units that could ordinarily be constructed on the property under the provisions of this section.

(2) Applicant shall construct the required amenities under subsection 6 above.

(3) Applicant shall construct the additional amenities based upon the number of apartment units included in each development, as follows:

Units	Amenities Required
0--25	Required amenities
26--50	Three (3) additional amenities

One (1) additional amenity for each fifty (50) units, or part thereof, above fifty (50).

(4) None of the facilities referred to in this section may be used jointly for the purpose of complying with the foregoing requirements.

(5) All areas that are not transferred as provided under the definition of net useable acres, used for the construction of amenity packages, parking and other nonresidential components required under the ordinance, or for the apportioned dwelling units themselves, shall be left in their natural state and shall remain part of the title to the zoned property and shall not be conveyed as a separate tract of land.

(6) A notice shall be filed of record in the office of the clerk of the Henry County Superior Court sufficient to give notice of these restrictions to subsequent owners of the property.

(7) Building Facades. Building facades should consist of no less than seventy percent (70%) brick or rock. The remaining facade shall consist of hardiplank, stucco or other masonry siding approved by the council.

(8) Applicant shall provide, for units without a residential parking garage, two (2) off-street parking spaces for each one (1) bedroom apartment and three (3) off-street parking spaces per dwelling unit with two (2) or three (3) bedrooms and one (1) additional off-street parking space per apartment with over three (3) bedrooms. Where residential parking garages are provided, driveways shall not count as parking spaces in satisfaction of this provision.

(9) Applicant shall maintain a thirty foot (30') planted buffer along the proposed development where it abuts adjoining properties and public roadways. Where vegetation is limited in density, the developer shall plant trees consistent with existing vegetation and the approved buffer plan.

10. Maximum Acreage. The maximum permissible acreage for a multiple-family development shall be thirty (30) acres, unless the development is part of a planned development district as defined in Section 3-17-157.

11. Miscellaneous Provisions.

a. Any portion of a multiple-family site that is located in the one hundred (100) year flood plain area or consists of a wetland will not normally be included in the density calculation. However, the city reserves the right to issue a variance on the method of calculation of maximum permissible density as it applies to areas designated as flood plain or wetland on a case by case basis, consistent with this section. Fifty percent (50%) of the acreage within the one hundred (100) year flood zone, or wetlands may be included in the computation of the n.u.a. if such acreage has been deeded, in accordance with the procedures under this definition, in fee simple to the city, some other public entity or a nonprofit organization; any of which will maintain such

land in its natural, undeveloped state in perpetuity. The deeding process of land in the one hundred (100) year flood zone or wetlands shall be as follows: (1) such land must be offered first to the city; (2) if the city declines to accept the deed to such land, then it may be offered to some other public entity; (3) if no other public entity accepts the deed to such land, then it may be offered to a non-profit organization after such organization has been approved by the city to accept the deed to such land. Easements for drainage, sanitary sewer, buffers, etc., shall not be excluded from the calculation of net usable acres.

b. Impervious Cover Requirements. The development plan shall demonstrate that the development will comply with all impervious cover requirements set forth in the city zoning ordinance, watershed ordinances, wetland ordinance, soil erosion and sedimentation control ordinance, stormwater ordinance and groundwater recharge ordinance, as applicable. Under no circumstances, however, shall impervious cover exceed twenty-five percent (25%) of the land area of any parcel on which a new development is placed that is located in a watershed protection district. The impervious requirement shall be certified by a licensed surveyor, engineer, landscape architect or any other professional authorized to render similar services under state law.

c. If the property is developed as a gated community, the gate must be maintained and monitored by the owners of the property at their expense.

d. Final plans of the development showing lot dimensions, buffers, landscaping, amenities and all calculations required by this section shall be reviewed and approved by the city or its designee prior to building permits being issued.

e. All yards referenced in this code section shall be sodded yards.

f. In the event of a conflict between this section and any other code provision, the terms of this section shall control.

E. Multiple Family Residence District--Townhouses--RM-2.

1. Purpose. It is the intent of this district to provide for the development of fee simple townhouses at moderate to high densities on lots where public water and sewer systems are provided.

2. Definitions. These definitions apply to this subsection E only.

"Lot" shall mean that parcel of land used to develop more than one (1) townhouse unit as part of a common development, rather than each individual parcel of real property owned in fee simple by the individual townhouse owner.

"Townhouse" shall mean a fee simple townhome and the land upon which it is located, which is a type of dwelling unit normally having two (2), but sometimes three (3), stories; connected to another townhome by a common wall that entirely adjoins the dwelling units; and commonly sharing ownership in common the surrounding grounds.

3. Permitted Uses;

- a. Fee simple townhouses;
- b. Local, state and federal governmental buildings;
- c. Publicly owned and operated parks and recreation areas;
- d. Temporary buildings and storage of materials in conjunction with construction of a building on a lot or adjacent lots where residential construction is taking place.

4. Accessory Uses. None.

5. Conditional Uses. Upon application to and recommendation by the planning commission, and favorable decision thereon by the city council, the following conditional uses are permitted in this district:

There may be an exception to the definition townhome granted where, for instance, the contour, shape, size, location, geology and topography of the land do not allow the adjoining common walls to be connected in their entirety. If any such exception is granted, the units shall be one hundred percent (100%) brick or stone on all exterior facades.

6. Conditional Exceptions. There are no conditional exceptions.

7. Development Standards. The following development standards shall apply except to

the extent permitted under subsection 11:

a.	Per acre that is located outside of the one hundred (100) year flood plain	Five (5) townhouse dwelling units per acre.
b.	Minimum lot width	One hundred (100) feet.
c.	Minimum unit width	Twenty (20) feet.
d.	Minimum front yard	Twenty (20) feet from right-of-way line.
e.	Minimum distance between buildings	Forty (40) feet.
f.	Minimum rear yard	Thirty (30) feet.
g.	Maximum height	The lesser of forty-five (45) feet or four (4) stories.
h.	Minimum floor area (heated space)	One thousand (1,000) square feet for a one (1) bedroom unit; one thousand three hundred (1,300) square feet per two (2) bedroom unit; one thousand four hundred (1,400) square feet per three (3) bedroom unit; and two hundred (200) additional square feet per additional bedroom.
i.	Maximum units per building	Five (5).
j.	Curb and gutter	Required.
k.	Paved driveway	Required; located in rear of building.
l.	Private alleyway	Required.

m.	Public sewage system	Required.
n.	Public water system	Required.
o.	Parking	Required; one (1) additional off-street parking space for the third and each additional bedroom. Where residential parking garages are provided, driveways shall not count as parking spaces in satisfaction of this requirement.
p.	Residential parking garage	A residential parking garage is required for each unit; such structures shall be attached to the main structure, and only accessible from the rear of the building. A private alleyway for access to all garages is required.
q.	Sidewalk	Required; on both sides of all streets within any development developed under the standards of this district. Sidewalks must be made of concrete a minimum of four inches (4") in depth and four feet (4') in width and located at least four feet (4') from the backside of the curb so as to provide a buffer between the street and sidewalk. A multiuse path, as described in subparagraph (r), may be substituted for a

		sidewalk.
r.	Multiuse paths	(1) Multiuse paths are required in all developments developed under the standards of this district. Such paths shall be constructed to connect residential lots with all the amenity areas of the development. (i) To ensure the greatest practicable connectivity, multiuse paths shall be located in accordance with either or a combination of both of the following plans: (I) multiuse paths constructed along the perimeter of the development shall be accessible to residents within the interior of the development via sidewalks, streets or alleys and/or (2) multiuse paths constructed in the interior of the development shall run along at least one (1) side of each street in the development so as to be accessible to residents living along those streets. The final placement of the multiuse paths under either or a combination of the above plans shall be approved during the review and approval process for the final plat or each final plat if the development is developed in

phases.

(ii) The land owner or developer shall extend the multiuse path from the development to the nearest commercial area outside the development or to the nearest existing multiuse path that provides such connectivity. Upon application by the owner or developer, however, the city reserves the right to reduce, eliminate or modify this requirement if:

(1) the landowner or developer tenders to the city or its designee funds, equal to the amount which would be expended by the developer to design and construct the multiuse path extension required under this subsection; (2) the city or its designee confirms that the funds deposited will be used for design and construction of a multiuse path benefitting the public at large, consistent with applicable law; (3) the city or its designee votes to accept such funds and exercise the right to reduce, eliminate or modify the multiuse path requirement in this subsection in a manner and to a degree acceptable to the landowner or

developer; (4) the city or its designee places such funds in escrow to be used solely for the purposes outlined in this section; and (5) all documents necessary to satisfy this section are executed, subject to approval by the city attorney as to form. In determining whether to reduce, eliminate or modify the multiuse path requirement under this subsection, the city or its designee shall consider whether doing so will promote public health, safety and welfare by enabling the public at large to receive a higher quality multiuse path in a more cost-efficient manner than would be provided by the developer.

(iii) Multiuse paths may not be constructed in lieu of streets or alleyways, nor may streets or alleyways constitute any portion of multiuse paths except where such paths cross over the width of a street or alleyway. An alleyway may constitute a multiuse path where it is at least twenty-two feet (22') in width with demarcations, either by different shaded surfaces or a solid or dashed line, to designate

that at least four feet (4') of the width of the path is solely for pedestrian use, and it connects to all areas of the development. At least twenty feet (20') of such an alleyway shall be paved with concrete or asphalt.

(iv) The developer or land owner shall grant the appropriate easement so that the public may use the multiuse paths or dedicate the multiuse path to the city for public use.

(v) Multiuse paths shall be constructed of concrete, asphalt, some pervious material approved by the city or a combination thereof. If pervious material is used, it shall not be a loose material (e.g., wood chips, gravel, sand or dirt) and it shall have a life span comparable to or better than that of asphalt. Multiuse paths shall be a minimum of four inches (4") in depth, ten feet (10') in width with demarcations, either by different shaded surfaces or a solid or dashed line, to designate that at least four feet (4') of the width of the path is for pedestrian use while the remaining portion

		of the width of the path may be used for bicycles and motorized carts.
s.	Central garbage facility	Required; development shall provide centralized garbage facilities for garbage and refuse collection. Individual residential garbage pick-up per unit shall not be permitted.
t.	School children waiting area	A covered structure to house school aged children waiting for transportation to school is required at the main entrance in all developments developed under the standards of this district. (i) The structure must be built of sufficient size to house all children of school age residing within the development. (ii) The main entrance to all developments must also provide a turnaround area with a minimum turning radius of forty feet (40') to allow any Henry County school bus to turn around in one (1) continuous movement.

8. Amenities.

a. Required Amenities. Except as otherwise provided for herein, all developments under this section shall feature a clubhouse consisting of a minimum of one thousand three hundred (1,300) square feet, a junior-size Olympic pool, and a children's play area. If subject to the requirements in subsection 11 below, additional amenities shall be required. The developer of the property shall satisfy this requirement prior to the completion of fifty percent (50%) of the development. When additional amenities are required, the developer of the property shall select from the following list of the additional required amenities or such other amenities of equal or greater value

as the city council may approve:

A wading pool for children, in addition to the adult sized pool, consisting of a minimum of two hundred (200) square feet.

Tennis courts—one lighted and enclosed facility featuring a minimum of two (2) playing courts.

Walking trails—at least two thousand feet (2,000') in length, three feet (3') in width; multiuse paths can constitute walking trails so long as they are appropriately demarcated to designate that at least four feet (4') of the width of the path is solely for pedestrian use.

A central park or pocket park; unless approved by city council, only one (1) of either type of park may be counted towards satisfaction of the amenity requirement.

A baseball field—(reg.) regulation size.

A baseball field—(LL) little league size.

A softball field—regulation size (adult).

A soccer field—regulation size.

A multiuse field—football and soccer.

A multiuse field—football and baseball.

A football field—regulation size.

A lake—with fishing dock and boat access.

A regulation-size basketball court with two (2) backboards, hoops, net structures and enclosed with wire fencing eight feet (8') in height.

b. Multiple District Development. Where a development developed under these standards includes any combination of RM-1, RM-2 or RM-3 districts, the amenity package required can be consolidated. The city shall determine the required amenity package at the time of zoning.

9. Residential Facades. Within any development developed under the standards of this district, a minimum of twenty percent (20%) of the townhome units shall be brick on all exterior facades, and twenty percent (20%) of the townhome units shall be stucco, stone, brick or any combination thereof on all exterior facades. In addition, thirty percent (30%) of the townhome units shall have a front facade consisting entirely of stucco, stone, brick or any combination thereof. The remaining fifty percent (50%) of the townhome units shall consist, in any ratio the developer chooses, of stone, brick, stucco, hardiplank, other masonry siding, wood or any combination thereof. Of the ten percent (10%) of the townhome units required to be brick on all exterior facades, no less than fifty percent (50%) must be units on the end of a building. The remaining facade shall consist of hardiplank, stucco or other masonry siding approved by the city council. Vinyl or aluminum siding shall not be permitted, except by variance.

10. Maximum Density. Except as otherwise provided for in subsection 11 below, the maximum permissible density for a multiple-family development shall be five (5) townhouse dwelling units per acre. Impervious area for any development shall not exceed twenty-five percent (25%) of the land developed.

11. Increased Density Provisions.

a. Townhouse developers may request an increase in density up to eight (8) townhouse dwelling units per usable acre.

b. If an applicant seeks increased density under this subsection, the following rules shall apply:

(1) Applicant must construct the required amenities under subsection 8 above.

(2) Applicant must construct the additional amenities based upon the number of townhouses included in each development, as follows:

Units	Amenities Required
0-25	Required amenities
26-50	Three (3) additional

One (1) additional amenity for each fifty (50) units, or part thereof, above fifty (50).

(3) None of the facilities referred to in this section may be used jointly for purpose of complying with the foregoing requirements.

(4) All areas that are not transferred as provided under the definition of net usable areas, used for the construction of amenity packages, parking and other nonresidential components required under the ordinance, or used for the townhomes themselves, shall be left in their natural state and shall remain part of the title to the zoned property and shall not be conveyed as a separate tract of land.

(5) A notice shall be filed of record in the office of the clerk of the Henry County Superior Court sufficient to give notice of these restrictions to subsequent owners of the property.

(6) No less than thirty-five percent (35%) of all townhome units shall be brick on all exterior facades, and thirty-five percent (35%) of the townhome units shall be stucco, stone, brick or any combination thereof on all exterior facades. Of those thirty-five percent (35%) townhome units required to be brick on all exterior facades, no less than fifty percent (50%) must be units on the end of a building. The remaining thirty percent (30%) of the townhome units shall consist, in any ratio the developer chooses, of stone, brick, stucco, hardiplank or any other masonry siding, wood or any combination thereof. The remaining facade shall consist of hardiplank, stucco or other masonry siding approved by the city council.

(7) Applicant shall maintain a thirty foot (30') planted buffer along the proposed development where it abuts adjoining properties and public roadways. Where vegetation is limited in density, the developer shall plant trees consistent with existing vegetation and the approved buffer plan.

12. Maximum Acreage. The maximum permissible acreage for a multiple-family development shall be thirty (30) acres, unless the development is part of a planned development district as defined in Section 3-17-157.

13. Miscellaneous Provisions.

a. Any portion of a multiple-family site that is located in the one hundred (100) year flood plain area or consists of a wetland will not normally be included in the density calculation. However, the city reserves the right to issue a variance on the method of calculation of maximum permissible density as it applies to areas designated as flood plain or wetland on a case by case basis, consistent with this section. Fifty percent (50%) of the acreage within the one hundred (100) year flood zone, or wetlands may be included in the computation of the n.u.a. if such acreage has been deeded, in accordance with the procedures under this definition, in fee simple to the city, some other public entity or a nonprofit organization, any of which will maintain such land in its natural, undeveloped state in perpetuity. The deeding process of land in the one hundred (100) year flood zone or wetlands shall be as follows: (1) such land must be offered first to the city; (2) if the city declines to accept the deed to such land, then it may be offered to some other public entity; (3) if no other public entity accepts the deed to such land, then it may be offered to a nonprofit organization after such organization has been approved by the city to accept the deed to such land. Easements for drainage, sanitary sewer, buffers, etc., shall not be excluded from the calculation of net usable acres.

b. Impervious Cover Requirements. The development plan shall demonstrate that the development will comply with all impervious cover requirements set forth in the city zoning ordinance, watershed ordinances, wetland ordinance, soil erosion and sedimentation control ordinance, stormwater ordinance and groundwater recharge ordinance, as applicable. Under no circumstances, however, shall impervious cover exceed twenty-five percent (25%) of the land area of any parcel on which a new development is placed that is located in a watershed protection district. The impervious requirement shall be certified by a licensed surveyor, engineer, landscape architect or any other professional authorized to render similar services under state law.

c. If the property is developed as a gated community, the gate must be maintained and monitored by the owners of the property at their expense.

d. Final plans of the development showing lot dimensions, buffers, landscaping, amenities and all calculations required by this section shall be reviewed and approved by the city or its

designee prior to building permits being issued.

- e. All yards referenced in this code section shall be sodded yards.
- f. In the event of a conflict between this section and any other code provision, the terms of this section shall control.

F. Multiple Family Residence District—Condominiums—RM-3.

1. It is the intent of this district to provide for the development of fee simple condominiums at moderate to high densities on lots where public water and sewer systems are provided.

2. Definitions. These definitions will apply to this subsection F only.

"Lot" shall mean that parcel of land used to develop more than one (1) condominium unit as part of a common development.

"Condominium" shall mean a system of separate ownership of individual units connected to another condominium by a common wall that adjoins the dwelling units in a multiple unit building whereby ownership of individual units is in fee simple, together with an undivided (or shared) ownership interest in certain common property referred to as common elements.

3. Permitted Uses.

- a. Fee simple condominiums;
- b. Local, state and federal governmental buildings;
- c. Publicly owned and operated parks and recreation areas;
- d. Temporary buildings and storage of materials in conjunction with construction of a building on a lot or adjacent lots where residential construction is taking place.

4. Accessory Uses. None.

5. Conditional Uses. There are no conditional uses.

6. Conditional Exceptions. There are no conditional exceptions.

7. Development Standards. The following development standards shall apply except to the extent permitted under subsection 9 below:

a.	Per acre that is located outside of the one hundred (100) year flood plain	Six (6) condominium dwelling units per acre.
b.	Minimum lot width	One hundred feet (100').
c.	Minimum front yard	Sixty feet (60') from right-of-way line.
d.	Minimum rear	Forty feet (40').
e.	Minimum distance between buildings	Forty feet (40').
f.	Maximum height	The lesser of forty-five feet (45') or four (4) stories.
g.	Minimum floor area (heated space)	One thousand (1,000) square feet for a one (1)

		bedroom unit; one thousand three hundred (1,300) square feet per two (2) bedroom unit; and for units with three (3) or more bedrooms, two hundred (200) additional square feet per additional bedroom.
h.	Maximum units per building	Eight (8).
i.	Curb and gutter	Required.
j.	Paved driveway	Required; located in rear of residential structure.
k.	Private alleyway	Required.
l.	Public sewage system	Required.
m.	Public water system	Required.
n.	Parking	Required; one (1) additional off-street parking space for the third and each additional bedroom. Where residential parking garages or carports are provided, driveways shall not count as parking spaces in satisfaction of this requirement.
o.	Residential parking garage/carport	Either a residential parking garage or carport is required for each unit; such structures shall be attached to the main structure and only accessible from the rear of the building. A private alleyway for access to all

		garages is required.
p.	Sidewalk	Required; on both sides of all streets within any development developed under the standards of this district. Sidewalks must be made of concrete a minimum of four inches (4") in depth and four feet (4') in width and located at least four feet (4') from the backside of the curb so as to provide a buffer between the street and sidewalk. A multiuse path, as described in subparagraph (q), may be substituted for a sidewalk.
q.	Multiuse paths	(1) Multiuse paths are required in all developments developed under the standards of this district. Such paths shall be constructed to connect residential lots with all the amenity areas of the development. (i) To ensure the greatest practicable connectivity, multiuse paths shall be located in accordance with either or a combination of both of the following plans: (I) multiuse paths constructed along the perimeter of

the development shall be accessible to residents within the interior of the development via sidewalks, streets or alleys and/or (2) multiuse paths constructed in the interior of the development shall run along at least one (1) side of each street in the development so as to be accessible to residents living along those streets. The final placement of the multiuse paths under either or a combination of the above plans shall be approved during the review and approval process for the final plat or each final plat if the development is developed in phases.

(ii) The land owner or developer shall extend the multiuse path from the development to the nearest commercial area outside the development or to the nearest existing multiuse path that provides such connectivity. Upon application by the owner or developer, however, the city reserves the right to reduce, eliminate or modify this

requirement if: (1) the landowner or developer tenders to the city or its designee funds, equal to the amount which would be expended by the developer to design and construct the multiuse path extension required under this subsection; (2) the city or its designee confirms that the funds deposited will be used for design and construction of a multiuse path benefitting the public at large, consistent with applicable law; (3) the city or its designee votes to accept such funds and exercises the right to reduce, eliminate or modify the multiuse path requirement in this subsection in a manner and to a degree acceptable to the landowner or developer; (4) the city or its designee places such funds in escrow to be used solely for the purposes outlined in this section; and (5) all documents necessary to satisfy this section are executed, subject to approval by the city attorney as to form. In determining whether to

reduce, eliminate or modify the multiuse path requirement under this subsection, the city or its designee shall consider whether doing so will promote public health, safety and welfare by enabling the public at large to receive a higher quality multiuse path in a more cost-efficient manner than would be provided by the developer.

(iii) Multiuse paths may not be constructed in lieu of streets or alleyways, nor may streets or alleyways constitute any portion of multiuse paths except where such paths cross over the width of a street or alleyway. An alleyway may constitute a multiuse path where it is at least twenty-two feet (22') in width with demarcations, either by different shaded surfaces or a solid or dashed line, to designate that at least four feet (4') of the width of the path is solely for pedestrian use, and it connects to all areas of the development. At least twenty feet (20') of such an alleyway shall be paved with

		concrete or asphalt. (iv) The developer or land owner shall grant the appropriate easement so that the public may use the multiuse paths or dedicate the multiuse path to the city for public use. (v) Multiuse paths shall be constructed of concrete, asphalt, some pervious material approved by the city or a combination thereof. If pervious material is used, it shall not be a loose material (e.g., wood chips, gravel, sand or dirt) and it shall have a life span comparable to or better than that of asphalt. Multiuse paths shall be a minimum of four inches (4") in depth, ten feet (10') in width with demarcations, either by different shaded surfaces or a solid or dashed line, to designate that at least four feet (4') of the width of the path is for pedestrian use while the remaining portion of the width of the path may be used for bicycles and motorized carts.
r.	Central garbage facility	Required; development shall provide

		centralized garbage facilities for garbage and refuse collection. Individual residential garbage pick-up per unit shall not be permitted.
s.	School children waiting area	A covered structure to house school aged children waiting for transportation to school is required at the main entrance in all developments developed under the standards of this district. (i) The structure must be built of sufficient size to house all children of school age residing within the development. (ii) The main entrance to all developments must also provide a turnaround area with a minimum turning radius of forty feet (40') to allow any Henry County school bus to turn around in one (1) continuous movement.

8. Amenities.

a. Required Amenities. Except as otherwise provided for herein, all developments under this section shall feature a clubhouse consisting of a minimum of one thousand three hundred (1,300) square feet, a junior-size Olympic pool, and a children's play area. If subject to the requirements in subsection 11 below, additional amenities shall be required. The developer of the property shall satisfy this requirement prior to the completion of fifty percent (50%) of the development. When additional amenities are required, the developer of the property shall select from the following list of the additional required amenities or such other amenities of equal or greater value as the city council may approve:

A wading pool for children, in addition to the adult sized pool, consisting of a minimum of two hundred (200) square feet.

Tennis courts--one lighted and enclosed facility featuring a minimum of two (2) playing courts.

Walking trails--at least two thousand feet (2,000') in length, three feet (3') in width; multiuse paths can constitute walking trails so long as they are appropriately demarcated to designate that at least four feet (4') of the width of the path is solely for pedestrian use.

A central park or pocket park; unless approved by city council, only one (1) of either type of park may be counted towards satisfaction of the amenity requirement.

A baseball field--(reg.) regulation size.

A baseball field--(LL) little league size.

A softball field--regulation size (adult).

A soccer field--regulation size.

A multiuse field--football and soccer.

A multiuse field--football and baseball.

A football field--regulation size.

A lake--with fishing dock and boat access.

A regulation-size basketball court with two (2) backboards, hoops, net structures and enclosed with wire fencing eight feet (8') in height.

b. Multiple District Development. Where a development developed under these standards includes any combination of RM-1, RM-2 or RM-3 districts, the amenity package required can be consolidated. The city shall determine the required amenity package at the time of zoning.

9. Residential Facades. Within any development developed under the standards of this district, building facades shall consist of no less than fifty percent (50%) brick. The remaining facades shall consist, in any ratio the developer chooses, of stucco, stone, hardiplank or other masonry siding approved by the council, wood, or any combination thereof. Vinyl or aluminum siding shall not be permitted, except by variance.

10. Maximum Density. Except as otherwise provided for in subsection 11 below, the maximum permissible density for a multiple-family development shall be six (6) condominium dwelling units per acre. Impervious area for any development shall not exceed twenty-five percent (25%) of the land developed.

11. Increased Density Provisions.

a. Condominium developers may request an increase in density up to eight (8) condominium dwelling units per usable acre.

b. If an applicant seeks increased density under this subsection, the following rules shall apply:

(1) Applicant shall construct the required amenities under subsection 8 above.

(2) Applicant shall construct the additional amenities based upon the number of condominium units included in each development, as follows:

Units	Amenities Required
0--25	Required amenities
26-50	Three (3) additional amenities

One (1) additional amenity for each fifty (50) units, or part thereof, above fifty (50).

(3) None of the facilities referred to in this section may be used jointly for purpose of complying with the foregoing requirements

(4) All areas that are not transferred as provided under the definition of net usable areas, used for the construction of amenity packages, parking and other nonresidential components required

under the ordinance, or used for the condominium units themselves, shall be left in their natural state and shall remain part of the title to the zoned property and shall not be conveyed as a separate tract of land.

(5) A notice shall be filed of record in the office of the clerk of the Henry County Superior Court sufficient to give notice of these restrictions to subsequent owners of the property.

(6) Building facades shall consist of no less than seventy-five percent (75%) brick or rock. The remaining facade shall consist of hardiplank, stucco or other masonry siding approved by the city council.

(7) Applicant shall maintain a thirty foot (30') planted buffer along the proposed development where it abuts adjoining properties and public roadways. Where vegetation is limited in density, the developer shall plant trees consistent with existing vegetation and the approved buffer plan.

12. Maximum Acreage. The maximum permissible acreage for a multiple-family development shall be thirty (30) acres, unless the development is part of a planned development district as defined in Section 3-17-157.

13. Miscellaneous Provisions.

a. Any portion of a multiple-family site that is located in the one hundred (100) year flood plain area or consists of a wetland will not normally be included in the density calculation. However, the city reserves the right to issue a variance on the method of calculation of maximum permissible density as it applies to areas designated as flood plain or wetland on a case by case basis, consistent with this section. Fifty percent (50%) of the acreage within the one hundred (100) year flood zone, or wetlands may be included in the computation of the n.u.a. if such acreage has been deeded, in accordance with the procedures under this definition, in fee simple to the city, some other public entity or a nonprofit organization, any of which will maintain such land in its natural, undeveloped state in perpetuity. The deeding process of land in the one hundred (100) year flood zone or wetlands shall be as follows: (1) such land must be offered first to the city; (2) if the city declines to accept the deed to such land, then it may be offered to some other public entity; (3) if no other public entity accepts the deed to such land, then it may be offered to a nonprofit organization after such organization has been approved by the city to accept the deed to such land. Easements for drainage, sanitary sewer, buffers, etc. shall not be excluded from the calculation of net usable acres.

b. Impervious Cover Requirements. The development plan shall demonstrate that the development will comply with all impervious cover requirements set forth in the city zoning ordinance, watershed ordinances, wetland ordinance, soil erosion and sedimentation control ordinance, stormwater ordinance and groundwater recharge ordinance, as applicable. Under no circumstances, however, shall impervious cover exceed twenty-five percent (25%) of the land area of any parcel on which a new development is placed that is located in a watershed protection district. The impervious requirement shall be certified by a licensed surveyor, engineer, landscape architect or any other professional authorized to render similar services under state law.

c. If the property is developed as a gated community, the gate must be maintained and monitored by the owners of the property at their expense.

d. Final plans of the development showing lot dimensions, buffers, landscaping, amenities and all calculations required by this section shall be reviewed and approved by the city or its designee prior to building permits being issued.

e. All yards referenced in this code section shall be sodded yards.

f. In the event of a conflict between this section and any other ordinance or code provision, the terms of this section shall control. (Ord. 03-60 § 1, 2003; Ord. 02-54 § 1, 2002)

Development Agreement between the City of Stockbridge
and Royce Grant dated July 21, 2003

EXHIBIT "E"

NOTICE OF DEVELOPMENT AGREEMENT

Development Agreement between the City of Stockbridge
and Royce Grant dated July 21, 2003

EXHIBIT "B"

MASTER PLAN FOR PROPERTY

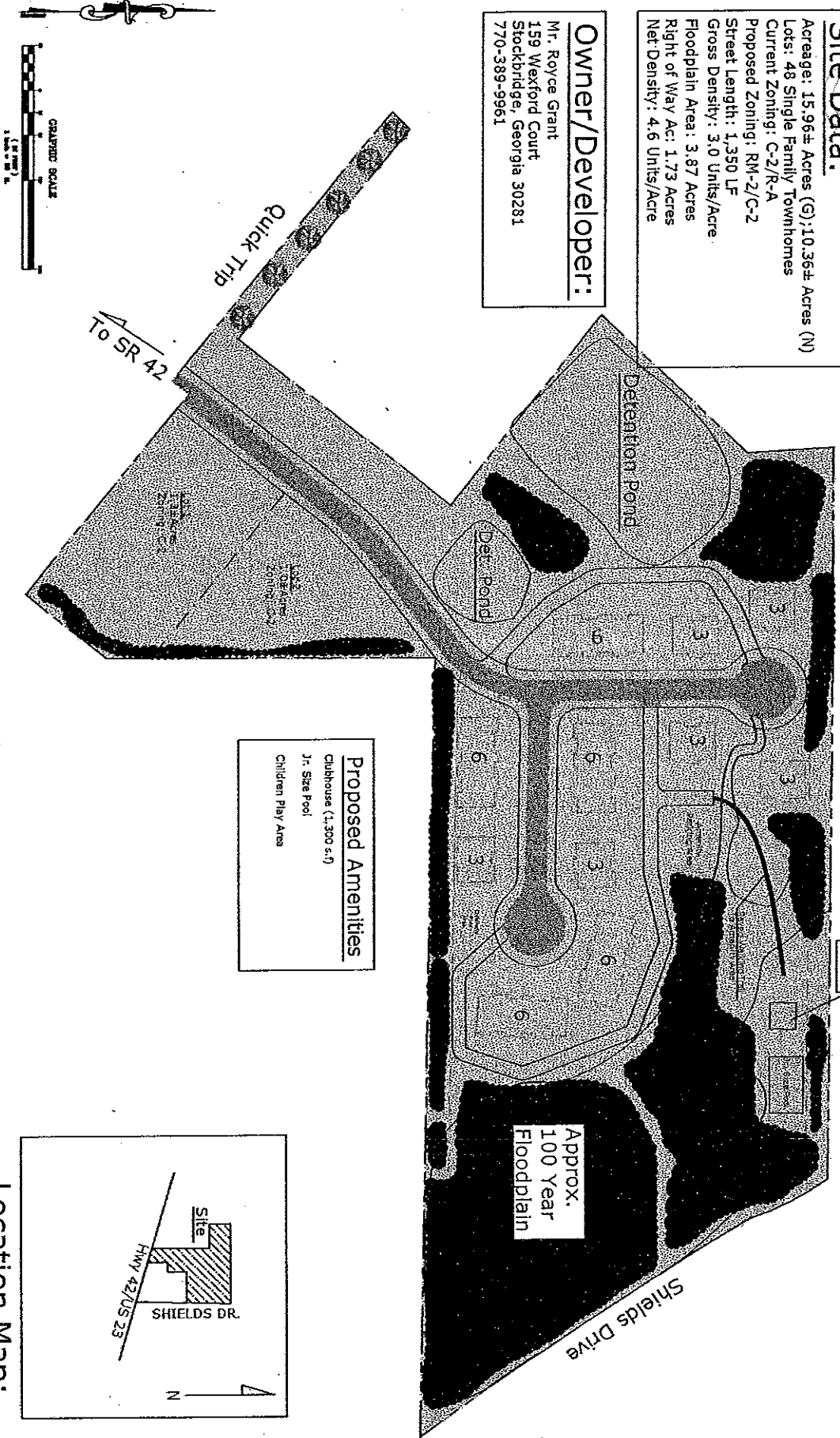
BRUSH CREEK COMMONS

Site Data:

Acreage: 15.96± Acres (S); 10.36± Acres (N)
 Lots: 48 Single Family Townhomes
 Current Zoning: C-2/R-A
 Proposed Zoning: RM-2/C-2
 Street Length: 1,350 LF
 Gross Density: 3.0 Units/Acre
 Floodplain Area: 3.87 Acres
 Right of Way Ac: 1.73 Acres
 Net Density: 4.6 Units/Acre

Owner/Developer:

Mr. Royce Grant
 159 Wexford Court
 Stockbridge, Georgia 30281
 770-389-9961

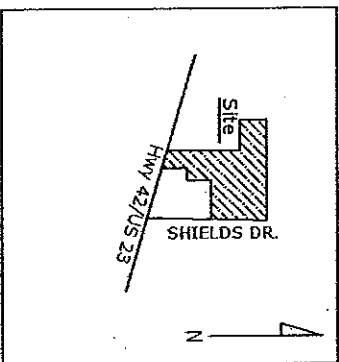


Proposed Amenities

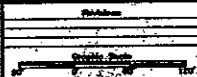
Clubhouse (1,300 s.f.)
 Jr. Size Pool
 Children Play Area

Location Map:

(Not to Scale)



DATE: 7/14/03 DRAWN BY: ME
 HOME SCALE: 1" = 40' PLE NOTE: 1 inch = 100 feet
 THIS PLAN IS NOT VALID UNLESS IT BEARS THE
 ORIGINAL SIGNATURE OF THE REGISTRANT
 ACROSS THE REGISTRANT'S SEAL.



Prepared by the
BRUSH CREEK COMMONS
 Located in:
 Land Lot 55 & 70 - 12th Land District
 Henry County, Georgia

Bunn Grading Company, Inc.
 Engineering & Land Surveying Division
 1187 Peachtree Road
 Atlanta, Georgia 30329
 Tel: (770) 957-5332 Fax: (770) 957-5333

SHEET
 1
 OF
 1

Development Agreement between the City of Stockbridge
and Royce Grant dated _____, 2003

EXHIBIT "C"

HENRY COUNTY REZONING EVALUATION REPORT



Henry County Planning and Zoning

Commission District: City of Stockbridge
Planning Board Member: Ray McDonald (770) 474-8654

Applicant: Royce Grant
159 Weysford Court
Stockbridge, GA 30253
(770) 389-9961

Location: The property is located in Land Lots 59 and 70 of the 12th District, between State North Henry Boulevard and Shields Drive.

Request: Rezoning from R-2 (Single Family Residence) and C-2 (General Commercial) to RM-2 (Multiple Family Residence District – Townhouses)

Proposed Use /Purpose: To permit a multi-family residential subdivision

Sign Posted: June 27, 2003

P&Z Meeting May 15, 2003 *Planning Commission Recommended Approval with 10 conditions*

City Meeting: July 14, 2003

Lot Size: The property consists of +/- 18.26 acres.

Road Access: North Henry Boulevard

Public Facilities

Water and Wastewater Treatment: A letter from the City of Stockbridge, dated February 4, 2003, states that public water and sewer service is available to the subject property.

Transportation: The subject property will be accessed from North Henry Boulevard, which is classified as a major arterial road on the Henry County Functional Road Map.

Zoning History

The proposed development is located within an R-2 (Single Family Residence) and C-2 (General Commercial) zoning district. Herein is the zoning for the adjacent properties:

- North – R-2 (Single Family Residence), RMH (Mobile Home Development)
- East – C-2 (General Commercial), RM (Multiple Family Residence), R-2 (Single Family Residence)
- South – C-2 (General Commercial), RM (Multiple Family Residence), R-3 (Single Family Residence)
- West – C-3 (Heavy Commercial), C-2 (General Commercial)

Current Land Use: Vacant

Future Land Use: Medium and High Density Residential, Commercial and Services

Development Regulations Affected by Request

All standards and regulations that fall under the RM-2 (Multiple Family Residence- Townhouses) zoning district. The applicant's request will be reviewed with regards to the following nine (9) criteria, as outlined in Section 3-7-313 of the Henry County Ordinance.

Analysis of Request (Sec. 3-7-313)

- *The possible effects of the change in the regulations or map on the character of the zoning district, a particular piece of property, neighborhood, area or community. (Criteria point 1)*

The land use and/or zoning character of the neighborhood and community will not be adversely impacted as a result of the proposed development. The subject property is located to the north of a commercial node and to the south of single family residential uses and would serve as a good transition zone between those uses.

- *The relation that the proposed amendment bears to the purpose of the overall zoning scheme with due consideration given to whether or not the proposed change will help carry out the purposes of this chapter. (Criteria point 2)*

The proposed development is consistent with the overall purpose of the City of Stockbridge zoning ordinance with respect to the townhouse development proposed for the subject property. The applicant is proposing a net density of 6.1 units per acre and the maximum allowed, as stated in Section 8.36.100E. of the City of Stockbridge Zoning Ordinance, is eight (8) units per acre with the required amenities. The concept plan submitted by the applicant shows three (3) additional amenities above and beyond the required amenities consisting of a clubhouse, a junior-sized Olympic pool, and a children's play area. As a result of the proposed development having seventy-five (75) units, the applicant will be required to add an additional amenity.

- *Consistency with land use plan. (Criteria Point 3)*

The applicant's request does not comply with the Henry County Joint Comprehensive Plan and the Future Land Use Map. The Future Land Use Map designates the subject property for medium to high-density residential uses at a minimum of 2.9 dwelling units per acre and a maximum of 3.9 dwelling units per acre.

- *The impact of the proposed development on infrastructure, water, sewer, adjacent thoroughfares, pedestrian and vehicular circulation and traffic volumes. (Criteria Points 4 & 5)*

A letter from the City of Stockbridge, dated February 4, 2003, states that public water and sewer service is available to the subject property. With the absence of a traffic impact study, Staff is unable to comment on the impact the proposed development will have on the existing transportation network (North Henry Boulevard). The access road from North Henry Boulevard, which is twenty-six feet (26') in width, currently meets the requirements for the width of a paved local street for residential purposes as shown in Section 3-8-80 of the Henry County Subdivision Ordinance. The Planning & Zoning Department would recommend that the applicant submit supporting documentation from the City of Stockbridge stating that the existing access road off of North Henry Boulevard has been deeded to the City as a public road.

- *The impact upon adjacent property owners should the request be granted. (Criteria Point 6)*

There will be minimal, if any, impacts on adjacent properties. A buffer of thirty feet (30') will be required along all property lines that abut a commercially zoned property.

- *Can the subject land be developed as it is currently zoned? Criteria Point 7*

The subject property can be developed as currently zoned R-2 (Single Family Residence) and C-2 (General Commercial).

- *Consideration of the physical capability of the site to be developed as requested, including topography, drainage, access, size and shape of property. Criteria Point 8*

The eastern portion of the subject property is located within a one hundred (100) year floodplain area. The floodplain area on the concept plan does not represent the flood plain area on the FEMA (Federal Emergency Management Agency) Flood Insurance Rate Map. If the floodplain is being altered Staff recommend that a certified engineer submit a letter to the Development Plan Review Department at the plan review stage, explaining this discrepancy.

- *The merit of the requested change in zoning relative to any other guidelines and policies for development, which the planning commission and city council may use in furthering the objective of the land use plan. Criteria Point 9*

The merits of the applicant's requests to rezone the subject property from R-2 (Single Family Residence) and C-2 (General Commercial) to RM2 (Multiple Family Residence District – Townhouses) to permit a multi-family townhouse development, is reasonable and will be compatible with the surrounding land uses and zones.

Comments

The applicant's request to rezone the subject property from R-2 (Single Family Residence) and C-2 (General Commercial) to RM-2 (Multiple Family Residence District – Townhouses) to permit a multi-family townhouse development is consistent with the zoning district being requested but not consistent with the Future Land Use Map. The Future Land Use Map designated the subject property for medium to high-density residential uses at a minimum of 2.6 dwelling units per acre and a maximum of 3.9 dwelling units per acre. Staff however, recommends that the City of Stockbridge make the necessary amendment to their Future Land Use Map to make it compatible to the zoning district being requested. Staff would also recommend that the City of Stockbridge review the immediate area along North Henry Boulevard to identify and make similar adjustments to the Future Land Use Map.

The concept plan submitted by the applicant shows seventy-five (75) single family townhouse units on approximately 18.26 acres. The plan also shows a 1,300 square foot clubhouse, a multi-use trail, a junior sized Olympic pool, a wading pool, a children's play area, and a basketball court. The applicant has shown the trails as two (2) separate amenities but Staff is counting them as one (1). Therefore the applicant will be required to provide one (1) additional amenity.

Staff has a number of concerns regarding the concept plan submitted by the applicant. First of all, a few of the proposed units are fronting onto alleyways, and are required to front onto a public road. Second of all, the concept plan shows alleyways within the required buffer areas of thirty-feet (30'), which does not conform to the City of Stockbridge Zoning Ordinance. Lastly, a large portion of the subject property is located within a one hundred (100) year floodplain and Staff recommends that a certified engineer support any floodplain alteration at the plan review stage.

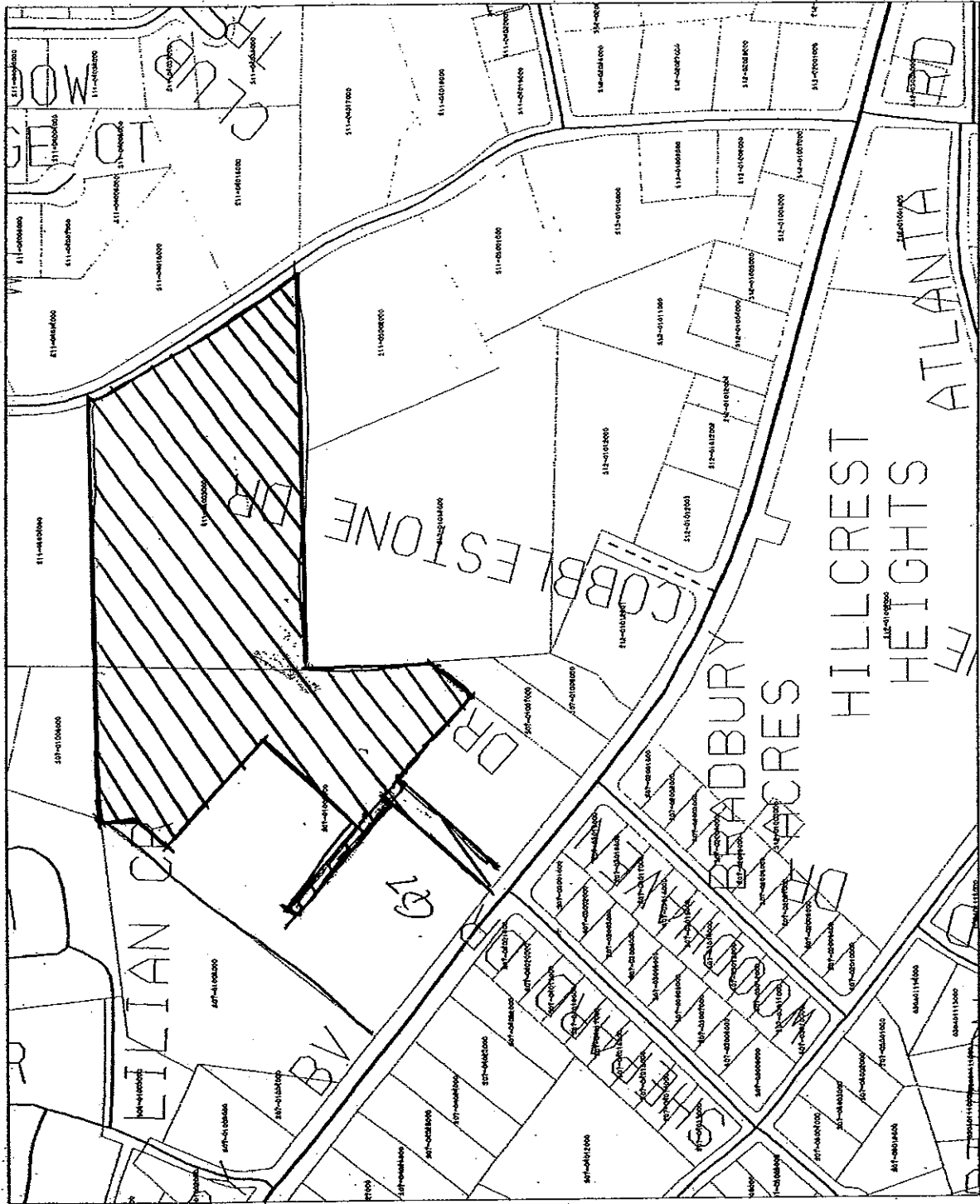
Recommendation

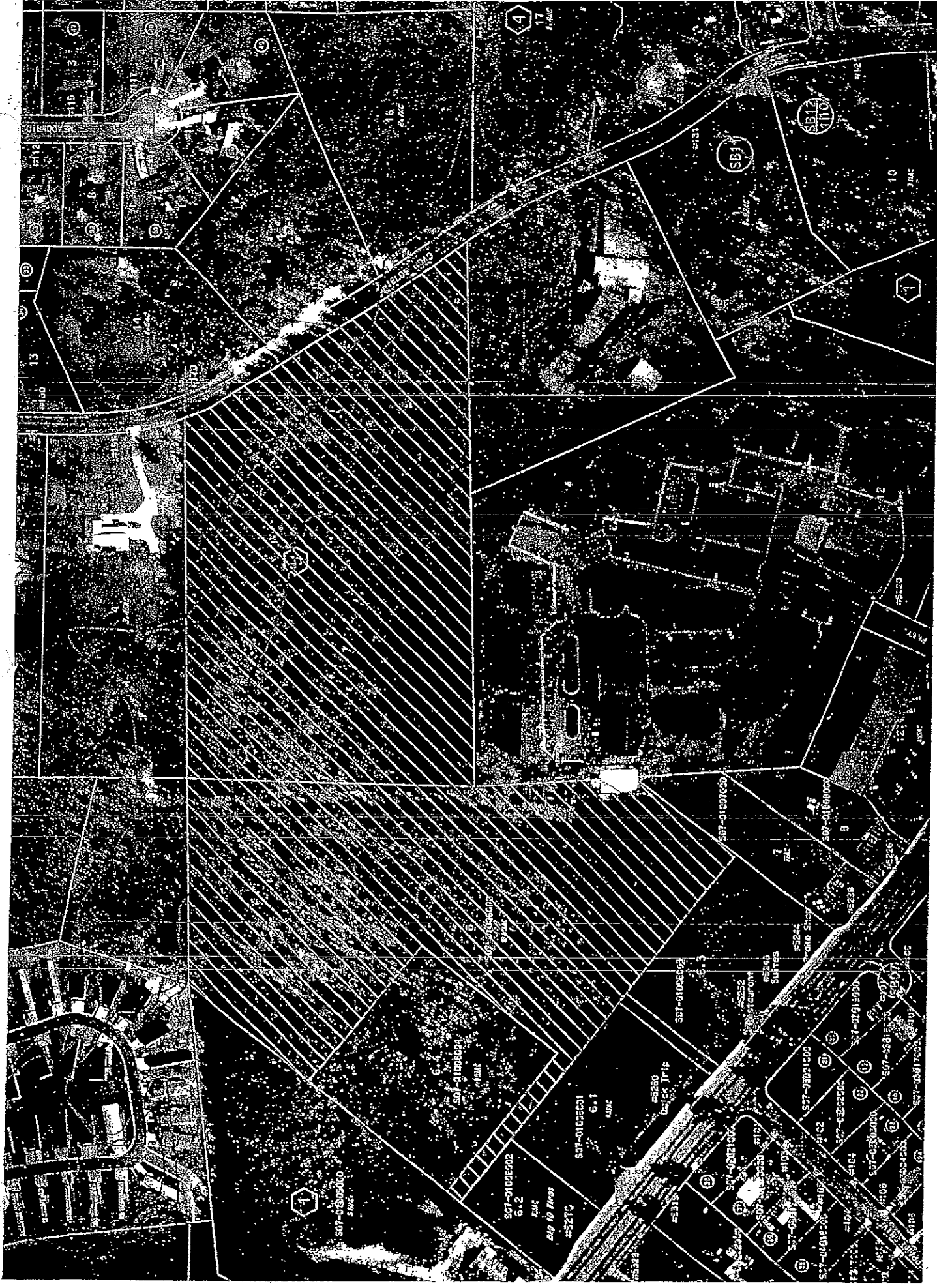
Planning Commission recommended **Approval** of the request by Royce Grant to rezone the subject property from R-2 (Single Family Residence) and C-2 (General Commercial) to RM-2 (Multiple Family Residence District – Townhouses) with the following conditions:

1. Revise site plan to adhere to all City of Stockbridge RM-2 Ordinance requirements.
2. Maximum building height shall be shown on the site plan.
3. All townhouses shall have a mixture of front façade consisting of covered entryway, porches, bay windows and balconies. Garages shall be accentuated with variations of design porticos.
4. Developer shall submit elevations of the building to be approved by the Planning and Zoning Department.
5. Each unit elevation per building shall be separate and distinct from the other. To include variations in rooflines which may be accomplished with the use of dormers, gables and or fireplaces.
6. Each unit shall have different brick, stucco and masonry theme from the other attached units.
7. Developer shall install street trees along all streets to be placed between the sidewalk and the front property lines, have a minimum two & half inch (2.5") caliper (d.b.h), shall have a minimum twenty-four square foot (24 sq.ft.) planting area and shall be spaced an average of forty-five feet (45') apart. Consisting of ginko (non-fruit bearing), Japanese zekova and or oak family type.
8. The Building Department shall not issue a building permit until such a time as the Director of the Building Department has certified that for each prospective phase of development, sewer capacity is sufficient to accommodate the additional sewage that would be generated by the proposed development.
9. A street scaping plan shall be submitted to and approved by the Henry County Planning and Zoning Department to include sidewalks, street trees, landscaping, street lighting and street furniture.
10. Staff recommends that any floodplain alteration be supported by a certified engineer at the plan review stage

Attachments

- Tax Map
- Aerial Map
- Application
- Applicant Disclosure Form
- Ownership and Letter of Intent
- City of Stockbridge
- Concept Plan
- Environmental Health Letter
- Planning Commission Meeting Minutes, May 15, 2003





.....

Henry County Planning & Zoning Petition for
Rezoning, Conditional Use, Variance and other
Board of Commissioners or City Appeals

Name: Royce Grant Date: 2/3/03 Phone: 770/389-9961
Address: 159 Weyford Court Pgr/Cell: _____
City: Stockbridge State: GA Zip: 30281 Fax: _____
E-mail: _____

The above named person, who affirms that they are the owner, or agent of the owner of the property described below, requests:

Indicate the type of request/appeal with an X:

Conditional Use: _____ Rezoning: X Variance: _____ Conditional Exception: _____

Modifications to Zoning Conditions: _____

Appeal Administrative _____ Non Conforming Use; Extension or Enlargement _____

Total Amount Paid \$ 1,200 Cash _____ Check# D1013 Received By: RG (FEES ARE NON-REFUNDABLE)

Zoning Request from R-A/C-2 to RM-2 (City of Stockbridge)
(Present Zoning) (Requested Zoning)

For the Purpose of Res. Subdivision (Type of Development)

Location (Attach Plat) _____
(Street Address, if Applicable, Nearest Intersection, Etc.)

Size of Tract: 18.26 acre(s) Land Lot(s): 70 District(s): 12th

Witness - signature Darold Williams

Signature of Owner Royce Grant

Witness - print DAROLD WILLIAMS

Printed Name of Owners

Notary Michael H. Ellett

Signature of Agent

(For Office Use Only)

Received by: _____

Pre-application meeting: _____ Date: _____

Application checked by: Pat Date: 2-04-03

Map#(s): 29

Recommendation of Planning Commission: _____

BOC Decision: _____

Planning Director's Signature: _____ Date: _____

COPY

Applicant Campaign Disclosure Form¹

Has the applicant² 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 Henry County Board of Commissioners or Planning Commission who will consider the application?

Yes _____ No ☒

If Yes, the applicant and the attorney representing the applicant must file a disclosure report with the Henry County Board of Commissioners within ten (10) days after this application is first filed. Please supply the following information that will be considered as the required disclosure:

Commissioner/Planning Commission Member Name	Dollar amount of Campaign Contribution	Description of Gift \$250 or greater given to Board Member

We certify that the foregoing information is true and correct, this 15th day of Jan., 2003.

Royce Grant
Applicant's Name - Printed

Royce Grant
Signature of Applicant

Applicant's Attorney, if applicable - Printed

Signature of Applicant's Attorney, if applicable

Sworn to and subscribed before me this 15th day of Jan., 2003

Kathy Lewis
Notary Public

Notary Public, Henry County, Georgia
My Commission Expires March 28, 2004

¹Copy to be filed with planning & zoning along with a copy of the zoning application

²Applicant means any individual or business entity (corporation, partnership, limited partnership, firm enterprise, franchise, association, or trust) applying for rezoning or other action.

February 3, 2003

Mr. Dale Hall
Henry County Planning and Development
140 Henry Parkway
McDonough, Georgia

**RE: Letter of Intent/Letter of Ownership
18.26+/- Acres, City of Stockbridge
Henry County, Georgia**

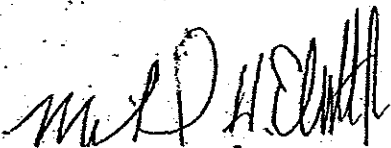
Dear Mr. Hall,

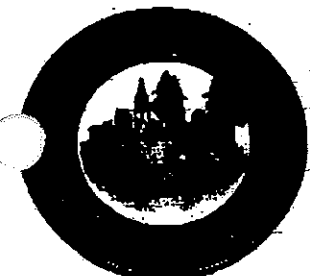
Please note that I am the current owner of said property and I am aware submitting the necessary information to your office in order to petition to rezone this property from R-A and C-2 to RM-2, per the City of Stockbridge's RM Ordinance dated August 12, 2002. If you should have any questions or comments, please do not hesitate to call me.

Sincerely,



Royce Grant
Owner





City of Stockbridge

4545 North Henry Boulevard • Stockbridge, Georgia 30281

Phone: (770) 389-7900 • Fax: (770) 389-7912

e-mail: cityhall@cityofstockbridge.com

MAYOR

R. G. Kelley

COUNCIL MEMBERS

Harold Cochran

Fred Evans

W. A. Gardner

Ronnie Simmons

Fletcher Turner, Jr.

CITY MANAGER

Ted Strickland

CITY CLERK

Merle Manders

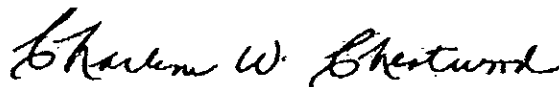
February 4, 2003

TO WHOM IT MAY CONCERN:

The City of Stockbridge has water/sewer services available for approximately 18.26 acres located in LL59 and 70, 12th Dist., Stockbridge, Georgia for Brush Creek Commons which will consist of 75 single family town homes.

If you have questions, please contact City Hall.

Sincerely,



Charlene W. Cheatwood
Utility Clerk

CWC/cc

SMITH, WELCH & BRITTAIN
ATTORNEYS AT LAW

ERNEST M. SMITH (1911-1992)
A.J. WELCH, JR.
J. MARK BRITTAIN
E. GILMORE MAXWELL (TN & GA)
BYRD GARLAND
BRUCE MCFARLAND
JOHN P. WEBB

2200 KEYS FERRY COURT
POST OFFICE BOX 10
MCDONOUGH, GEORGIA 30253

Telephone: 770-957-3937
Facsimile: 678-583-4888

www.swblawfirm.com

C. WALTER PENDERGRASS, III
WILLIAM A. WHITE
LEE MASON (USVI & GA)
L. SCOTT MAYFIELD
JOHNNY D. LATZAK, JR.
ANDREW J. WELCH, III (NY & GA)
TERRI S. SUTTON
PLEZ H. HARDIN
AMBER R. HOLLOWAY

December 4, 2003

Merle Manders
City of Stockbridge
4545 North Henry Boulevard
Stockbridge, Georgia 30281

Re: **City of Stockbridge – Development Agreement with Royce Grant**

Dear Merle:

Enclosed is the **original** Development Agreement between the City and Royce Grant which is ready to be signed by you and the Mayor. Please return a copy of the signature page to me for our files. Also, please execute the Notice of Development Agreement and return it to our office so we may have that filed of record. We will forward a copy to you once it is complete. Should you have any questions, do not hesitate to contact me.

With kindest regards, I am,

Sincerely,

SMITH, WELCH & BRITTAIN



A. J. Welch, Jr.

AJWjr/js
Enclosures

BOOK 6730 PAGE 132
DUC# 001016
FILED IN OFFICE
01/07/2004
10:28:34AM
BK:06730 PG:0132
JUDITH A. LEWIS
CLERK OF
SUPERIOR COURT
HENRY COUNTY, GA

SWB FILE NO. 379.0042

Return to: Smith, Welch & Brittain
P. O. Box 10
McDonough, Georgia 30253
(770) 957-3937
Attn: Andrew J. Welch, III

RE: PROPERTY OF ROYCE GRANT being located in
Land Lots 59 and 70 of the 12th Land District of
Henry County, Georgia containing 15.96 acres and
being particularly described in **Exhibit "A"** hereto
attached and made a part hereof.

**NOTICE OF EXECUTION OF
DEVELOPMENT AGREEMENT**

STATE OF GEORGIA

HENRY COUNTY

Notice is hereby given that the property described above is subject to a Development Agreement dated July 21, 2003 between the City of Stockbridge, Georgia, and Royce Grant. The original of said Development Agreement is maintained as part of the permanent records of the City of Stockbridge, Georgia. The terms and conditions of said Development Agreement are hereby incorporated herein and made a part hereof by reference.

CITY OF STOCKBRIDGE, GEORGIA

By: Merle Manders (L.S.)
Merle Manders, City Clerk

Signed, sealed and delivered
in the presence of the
undersigned this 15 day of
December, 2003.

[SEAL]

SEAL AFFIXED

Anita R. Hummer
Witness

Nancy W. Brown
Notary Public

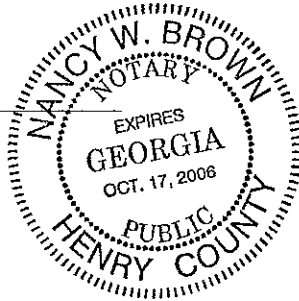


EXHIBIT "A"
LEGAL DESCRIPTION OF PROPERTY

BRUSH CREEK COMMONS**Legal Description**

All that tract or parcel of land, containing **15.96 acres** more or less, lying and being in Land Lot 70 and 59 of the 12th District of Henry County, Georgia, as shown on preliminary plat by Bunn Grading Company, Inc., dated 7/14/03, and being more particularly described according to said plat as follows:

COMMENCING at the intersection of the centerline of Askew Road and the northern right-of-way line of State Route 42 and State 138; thence, Southeasterly a distance of 467.58 feet to an iron pin; thence, North 44 degrees 7 minutes 55 seconds East a distance of 225.72 feet to the **POINT OF BEGINNING**; thence, North 44 degrees 22 minutes 29 seconds East a distance of 34.28 feet to a point; thence, South 51 degrees 13 minutes 8 seconds East a distance of 360.00 feet to a point; thence, North 38 degrees 35 minutes 37 seconds East a distance of 360.00 feet to a point; thence, North 51 degrees 32 minutes 18 seconds West a distance of 325.00 feet to a point; thence, North 44 degrees 8 minutes 4 seconds East a distance of 267.48 feet to a point; thence, North 3 degrees 30 minutes 52 seconds West a distance of 113.75 feet to a point; thence, South 89 degrees 57 minutes 37 seconds East a distance of 280.97 feet to a point; thence South 10 degrees 43 minutes 44 seconds West a distance of 45.70 feet to a point; thence, North 89 degrees 58 minutes 34 seconds East a distance of 694.39 feet to a point on the western right of way line of Shields Drive; thence, along a curve having a radius of 793.27 feet, a chord bearing of South 8 degrees 19 minutes 12 seconds East a distance of 115.57 feet to a point; thence, South 31 degrees 10 minutes 46 seconds a distance of 82.49 feet to a point; thence, South 33 degrees 14 minutes 43 seconds East a distance of 306.52 feet to a point; thence, South 35 degrees 31 minutes 23 seconds East a distance of 135.04 feet to a point; thence, North 89 degrees 4 minutes 1 second West a distance of 1032.00 feet to a point; thence, along the eastern right of way line of the proposed street as shown on the attached site plan by Bunn Grading Co. Inc. a distance of 481.91 feet to a point; thence, North 51 degrees 8 minutes 8 seconds West a distance of 25.00 feet to a point; thence, South 38 degrees 51 minutes 52 seconds West a distance of 28.67 feet to a point; thence, North 51 degrees 8 minutes 8 seconds West a distance of 460.68 **POINT OF BEGINNING**.

SMITH, WELCH & BRITTAIN
ATTORNEYS AT LAW

ERNEST M. SMITH (1911-1992)
A.J. WELCH, JR.
J. MARK BRITTAIN
E. GILMORE MAXWELL (TN & GA)
BYRD GARLAND
BRUCE MCFARLAND
JOHN P. WEBB

2200 KEYS FERRY COURT
POST OFFICE BOX 10
MCDONOUGH, GEORGIA 30253

Telephone: 770-957-3937
Facsimile: 678-583-4888

www.swblawfirm.com

C. WALTER PENDERGRASS, III
WILLIAM A. WHITE
LEE MASON (USVI & GA)
L. SCOTT MAYFIELD
JOHNNY D. LATZAK, JR.
ANDREW J. WELCH, III (NY & GA)
TERRI S. SUTTON
PLEZ H. HARDIN
AMBER R. HOLLOWAY

December 12, 2003

Merle Manders
City of Stockbridge
4545 North Henry Boulevard
Stockbridge, Georgia 30281

Re: **City of Stockbridge – Development Agreement with Royce Grant**

Dear Merle:

On December 4, 2003 our office forwarded the **original** Development Agreement between the City and Royce Grant to be signed by you and the Mayor. We have noted a typographical error on Page 11 and request that you substitute that page with the enclosure. Should you have any questions, please do not hesitate to contact me.

Sincerely,

SMITH, WELCH & BRITTAIN

Jenine Sohler
Jenine Sohler
Paralegal

Enclosure

17. *

Enforcement

- 1) In the event that Owner, its successors, or its assignees fail to comply with the terms of this Agreement, the City shall be authorized to refuse occupancy permits, construction permits, development permits, and to terminate construction and development of the Property. If Owner, its successors, or its assignees bring an action of any nature or description under this Agreement, or if it becomes necessary for the City to bring such an action, Owner, its successors, or its assignees shall be responsible for reimbursing the City for all costs and expenses, including attorneys fees, incurred in connection with such a proceeding.
- 2) This agreement may be enforced by the Municipal Court of the city of Locust Grove or any other court having jurisdiction over the same.

18.

Rights Cumulative

All rights, powers and privileges conferred hereunder upon parties hereto shall be cumulative but not restrictive to those given by law. No waiver of any default hereunder shall be implied from any omission to take any action on account of such default if such default persists or is repeated, and no express waiver shall affect any default other than the default specified in the express waiver and that only for the time and to the extent therein stated. One or more waivers by a party shall not be construed as a waiver of a subsequent breach of the same covenant, term or condition.

*This is the original page.
Replaced by corrected page. 12/16/03
no*

STATE OF GEORGIA

COUNTY OF HENRY

AMENDMENT TO

DEVELOPMENT AGREEMENT

Please Supplement these
pages in the
Brush Creek
Commons Dev
Agr. J9

COMES NOW the CITY OF STOCKBRIDGE, GEORGIA, a municipal corporation chartered under the laws of the State of Georgia (hereinafter "City") and TIMBERLINE GROUP, LLC (hereinafter referred to as "Owner" or "Developer"). The City and Owner do hereby amend that certain Development Agreement (hereinafter "Agreement") dated July 21, 2003, entered into between the City and Royce Grant; and

WHEREAS, Royce Grant has transferred its interest in the Property to Owner; and

WHEREAS, Owner has requested an amendment to said Agreement because the site plan presented to the City Council for consideration of zoning misrepresented the floodplain; and

WHEREAS, said site plan indicated the floodplain consisted of approximately three point eight seven (3.87) acres; and

WHEREAS, the actual floodplain is approximately five point six nine eight (5.698) acres, thereby significantly reducing the buildable area on the property for townhouses; and

WHEREAS, the modifications contained herein are the minimum necessary for the Owner to develop the Property for townhouses; and

WHEREAS, pursuant to Section 11 of the Agreement, the City and Owner desire to amend said Agreement as follows:

ARTICLE I

Section 1 of the Agreement is hereby amended by striking the second paragraph in its entirety and inserting in lieu thereof the following paragraph:

The parties also acknowledge that the net density restrictions imposed by the Stockbridge Zoning Ordinance are applicable to the Project, and that the Project shall feature no more than forty-one (41) units. Owner's request to develop single-family residences along Shields Drive is withdrawn, and Owner agrees to not request any variances concerning the use of the two hundred foot (200') buffer area along Shields Drive.

ARTICLE II

Section 2, Paragraph C) of the Agreement is hereby amended by striking subparagraph f) in its entirety and inserting in lieu thereof the following paragraph f):

f) All exterior facades shall consist of brick. The cornices and gables shall consist of stucco, stone, and/or hardiplank.

COPY

ARTICLE III

Section 2, Paragraph C) of the Agreement is hereby amended by striking subparagraph k) in its entirety and inserting in lieu thereof the following paragraph k):

- k) Owner shall not construct an entrance or exit onto Shields Drive for access to the Project.

ARTICLE IV

Section 2, Paragraph C) of the Agreement is hereby amended by striking subparagraph l) in its entirety and inserting in lieu thereof the following paragraph l):

- l) Owner shall maintain a two hundred foot (200') buffer between the Project and Shields Drive. An exemption to this condition shall automatically arise should the City Council approve a rezoning of said buffer area to a single family detached residential zoning classification.

Article V

Section 2, Paragraph C) of the Agreement is hereby amended by inserting the following after subparagraph m) as follows:

- n) Amenities shall consist of:
- 1,300 square foot clubhouse with full kitchen and fitness equipment;
 - Two (2) separate age-specific playgrounds: a fenced tot lot adjacent to the club house and another

playground for older children located nearby to the club house;

- Covered pavilion with fireplace;
- Volleyball Court;
- Sodded sports area;
- Putting green;
- Tennis Court - lighted and enclosed featuring a minimum of one (1) Basketball Goal at each end;
- Walking Trails at least fourteen hundred feet (1,400') in length and three feet (3') in width;
- Bird Sanctuary including a variety of bird feeders and bird houses with benches for observation;
- Gazebo at entrance of development to serve as a waiting area for school bus pick-up; and
- Owner shall be bound by the amenity representations made in its October 7, 2004 proposed site plan attached hereto as **Exhibit "A"**, submitted to the City Council and on file with the City Clerk.

ARTICLE VI

Section 3 of the Agreement is hereby amended by inserting the following paragraphs:

- a) The maximum units per building may increase from five (5) units to six (6) units per building.
- b) The minimum distance between buildings may be reduced from forty feet (40') to twenty feet (20').
- c) Reduction in buffer from thirty feet (30') to ten feet (10') along the proposed entrance and between the proposed location of the first building from the entrance and the Property line as depicted in the proposed site plan included in Owner's October 7, 2004 proposal attached hereto as **Exhibit "A"**, submitted to the City Council and on file with the City Clerk.
- d) Individual residential garbage pick-up may be permitted.

ARTICLE VII

A new Section 20 shall be added to the Agreement as follows:

20.

Attorney's Fees

The Owner hereby agrees to reimburse the City for all reasonable and necessary legal fees and costs, not to exceed normal hourly rate paid by City, that are incurred by the City regarding the preparation of this Agreement, any amendments thereto and any reasonable and necessary litigation expenses incurred by the City in any civil action or administrative

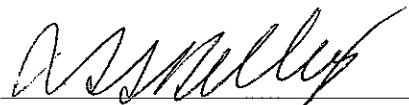
action regarding this Agreement whether same is filed by the City, Owner, Developer, or third person or entity. The Owner shall remit payment of all said legal fees and costs to the City within ten (10) days of receipt of an invoice for same.

ARTICLE VIII

It is the parties intent that this amendment shall take effect immediately.

IN WITNESS WHEREOF, the undersigned parties have hereunto set their hands and affixed their seals this 13th day of December, 2004.

CITY OF STOCKBRIDGE, GEORGIA

By:  (L.S.)
R. G. KELLEY, Mayor

ATTEST:


MERLE MANDERS, City Clerk

(Seal)

Version 8

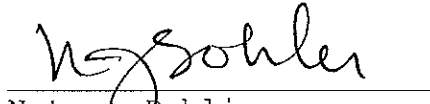
Amendment to Development Agreement
between the City of Stockbridge, Georgia and
Timberline Group, LLC dated December, 2004

OWNER:

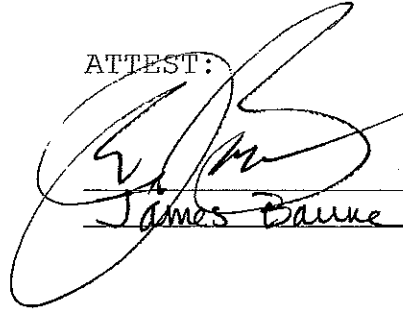
TIMERLINE GROUP, LLC

BY:  (L.S.)
BRIAN W. CAGLE
Managing Partner [Title]

Signed, sealed and delivered
before me this 13 day of
December, 2004.


Notary Public

ATTEST:


James Baune, Secretary

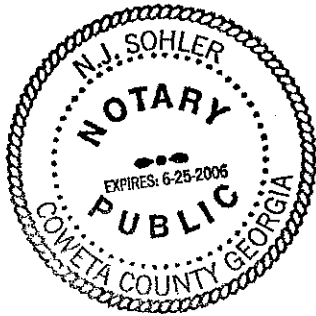


EXHIBIT "A"

TIMBERLINE GROUP, LLC PROPOSAL DATED OCTOBER 7, 2004

File No. 379-0000-02-23

Return to: SMITH, WELCH & BRITTAIN
2200 KEYS FERRY COURT
P. O. BOX 10
MCDONOUGH, GEORGIA 30253

RE: PROPERTY OF TIMERLINE GROUP, LLC being located
in Land Lots 59 and 70 of the 12th Land District of Henry
County, Georgia and being particularly described in
Exhibit "A" hereto attached and made a part hereof.

**NOTICE OF EXECUTION OF
AMENDMENT TO DEVELOPMENT AGREEMENT**

STATE OF GEORGIA

HENRY COUNTY

Notice is hereby given that the property described above is subject to an Amendment to Development Agreement dated December 13, 2004, between the City of Stockbridge and Timberline Group, LLC. The original of said Amendment to Development Agreement is maintained as part of the permanent records of the City of Stockbridge, Georgia. The terms and conditions of said Amendment to Development Agreement are hereby incorporated herein and made a part hereof by reference.

COPY

CITY OF STOCKBRIDGE, GEORGIA

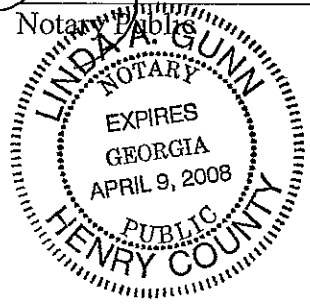
By: Merle Manders
Merle Manders
City Clerk

Signed, sealed and delivered
in the presence of the
undersigned this 18th day of
February, 2005.

[SEAL]

Shary Radford
Witness

Linda Gunn
Notary Public



BRUSH CREEK COMMONS

Legal Description

All that tract or parcel of land, containing **15.96 acres** more or less, lying and being in Land Lot 70 and 59 of the 12th District of Henry County, Georgia, as shown on preliminary plat by Bunn Grading Company, Inc., dated 7/14/03, and being more particularly described according to said plat as follows:

COMMENCING at the intersection of the centerline of Askew Road and the northern right-of-way line of State Route 42 and State 138; thence, Southeasterly a distance of 467.58 feet to an iron pin; thence, North 44 degrees 7 minutes 55 seconds East a distance of 225.72 feet to the **POINT OF BEGINNING**; thence, North 44 degrees 22 minutes 29 seconds East a distance of 34.28 feet to a point; thence, South 51 degrees 13 minutes 8 seconds East a distance of 360.00 feet to a point; thence, North 38 degrees 35 minutes 37 seconds East a distance of 360.00 feet a point; thence, North 51 degrees 32 minutes 18 seconds West a distance of 325.00 feet a point; thence, North 44 degrees 8 minutes 4 seconds East a distance of 267.48 feet to a point; thence, North 3 degrees 30 minutes 52 seconds West a distance of 113.75 feet to a point; thence, South 89 degrees 57 minutes 37 seconds East a distance of 280.97 feet to a point; thence South 10 degrees 43 minutes 44 seconds West a distance of 45.70 feet to a point; thence, North 89 degrees 58 minutes 34 seconds East a distance of 694.39 feet to a point on the western right of way line of Shields Drive; thence, along a curve having a radius of 793.27 feet, a chord bearing of South 8 degrees 19 minutes 12 seconds East a distance of 115.57 feet to a point; thence, South 31 degrees 10 minutes 46 seconds a distance of 82.49 feet to a point; thence, South 33 degrees 14 minutes 43 seconds East a distance of 306.52 feet to a point; thence, South 35 degrees 31 minutes 23 seconds East a distance of 135.04 feet to a point; thence, North 89 degrees 4 minutes 1 second West a distance of 1032.00 feet to a point; thence, along the eastern right of way line of the proposed street as shown on the attached site plan by Bunn Grading Co. Inc. a distance of 481.91 feet to a point; thence, North 51 degrees 8 minutes 8 seconds West a distance of 25.00 feet to a point; thence, South 38 degrees 51 minutes 52 seconds West a distance of 28.67 feet to a point; thence, North 51 degrees 8 minutes 8 seconds West a distance of 460.68 **POINT OF BEGINNING**.



CITY OF STOCKBRIDGE
4545 NORTH HENRY BLVD.
STOCKBRIDGE, GA 30281
770-389-7900
FAX 770-389-7912

DATE: February 22, 2005

FROM: Merle Manders
City Manager

TO: Jenine
Smith, Welch & Brittain
PO Box 10
McDonough, GA 30281

SUBJECT: Notice of Execution of Amendment
Bush Creek Commons dated 12-13-2

MESSAGE:

Included:
Original copy of the above referenced document-

*Bush Creek Commons
Return to
Jenine -
make copy
for City file*

SMITH, WELCH & BRITTAIN

ATTORNEYS AT LAW

ERNEST M. SMITH (1911-1992)
A. J. WELCH, JR.
J. MARK BRITTAIN
E. GILMORE MAXWELL (TN & GA)
BYRD GARLAND
BRUCE MCFARLAND
JOHN P. WEBB
C. WALTER PENDERGRASS, III
WILLIAM A. WHITE

2200 KEYS FERRY COURT
POST OFFICE BOX 10
MCDONOUGH, GEORGIA 30253

Telephone:
770-957-3937
Facsimile:
770-957-9165

www.swblawfirm.com

COPY
L. SCOTT MAYFIELD
JOHNNY D. LATZAK, JR.
ANDREW J. WELCH, III (NY & GA)
TERRI S. SUTTON
ANNA C. DOUGHERTY
PANDORA E. HUNT (HI & GA)
EARNELLE P. WINFREY
CARA D. WELCH
JOSEPH W. TAYLOR
DAVID M. WALDROUP

February 17, 2005

Merle Manders
City of Stockbridge
4545 North Henry Boulevard
Stockbridge, Georgia 30281

Re: **Notice of Execution of Amendment to Development Agreement**

Dear Mrs. Manders:

Enclosed is the original Notice of Execution of Amendment to Development Agreement between the City and Timberline Group, LLC. Please execute this document before a notary public, place the City's seal below your signature, and return the original to me for filing. Should you have any questions, please let me know.

Sincerely,

SMITH, WELCH & BRITTAIN

Jenine Sohler
Jenine Sohler
Paralegal

Enclosure



Brush Creek Commons

Timberline Group, LLC
October 7, 2004

COPY

Letter of Request
Conceptual Site Plan

2

Townhome Renderings

3

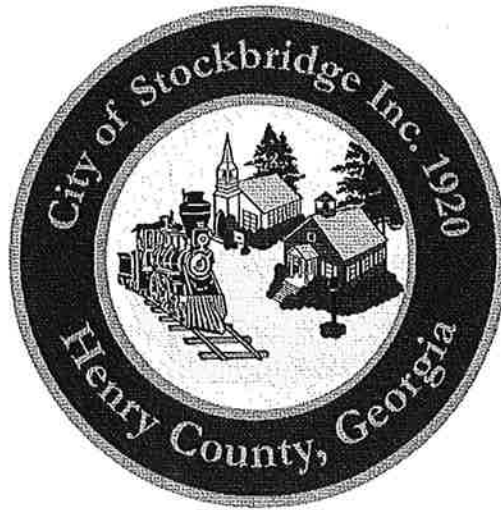
Amenities Table
Home Owner Letters
Proposed Amenities

4

Single Family Location on Concept Plan
Single Family Exterior House Photos
Single Family Interior House Photos

5

Full Size Concept Plan (24"x36")



COPY

DEVELOPMENT AGREEMENT

FOR

BRUSH CREEK COMMONS

Location off North Henry Blvd.-behind the QT and Waffle House

Royce Grant

JULY 21, 2003

AMENDED DECEMBER 13, 2004

STATE OF GEORGIA

COUNTY OF HENRY

COPY

AMENDMENT TO

DEVELOPMENT AGREEMENT

COMES NOW the CITY OF STOCKBRIDGE, GEORGIA, a municipal corporation chartered under the laws of the State of Georgia (hereinafter "City") and TIMBERLINE GROUP, LLC (hereinafter referred to as "Owner" or "Developer"). The City and Owner do hereby amend that certain Development Agreement (hereinafter "Agreement") dated July 21, 2003, entered into between the City and Royce Grant; and

WHEREAS, Royce Grant has transferred its interest in the Property to Owner; and

WHEREAS, Owner has requested an amendment to said Agreement because the site plan presented to the City Council for consideration of zoning misrepresented the floodplain; and

WHEREAS, said site plan indicated the floodplain consisted of approximately three point eight seven (3.87) acres; and

WHEREAS, the actual floodplain is approximately five point six nine eight (5.698) acres, thereby significantly reducing the buildable area on the property for townhouses; and

WHEREAS, the modifications contained herein are the minimum necessary for the Owner to develop the Property for townhouses; and

WHEREAS, pursuant to Section 11 of the Agreement, the City and Owner desire to amend said Agreement as follows:

ARTICLE I

Section 1 of the Agreement is hereby amended by striking the second paragraph in its entirety and inserting in lieu thereof the following paragraph:

The parties also acknowledge that the net density restrictions imposed by the Stockbridge Zoning Ordinance are applicable to the Project, and that the Project shall feature no more than forty-one (41) units. Owner's request to develop single-family residences along Shields Drive is withdrawn, and Owner agrees to not request any variances concerning the use of the two hundred foot (200') buffer area along Shields Drive.

ARTICLE II

Section 2, Paragraph C) of the Agreement is hereby amended by striking subparagraph f) in its entirety and inserting in lieu thereof the following paragraph f):

f) All exterior facades shall consist of brick. The cornices and gables shall consist of stucco, stone, and/or hardiplank.

ARTICLE III

Section 2, Paragraph C) of the Agreement is hereby amended by striking subparagraph k) in its entirety and inserting in lieu thereof the following paragraph k):

- k) Owner shall not construct an entrance or exit onto Shields Drive for access to the Project.

ARTICLE IV

Section 2, Paragraph C) of the Agreement is hereby amended by striking subparagraph l) in its entirety and inserting in lieu thereof the following paragraph l):

- l) Owner shall maintain a two hundred foot (200') buffer between the Project and Shields Drive. An exemption to this condition shall automatically arise should the City Council approve a rezoning of said buffer area to a single family detached residential zoning classification.

Article V

Section 2, Paragraph C) of the Agreement is hereby amended by inserting the following after subparagraph m) as follows:

- n) Amenities shall consist of:

- 1,300 square foot clubhouse with full kitchen and fitness equipment;
- Two (2) separate age-specific playgrounds: a fenced tot lot adjacent to the club house and another

playground for older children located nearby to the club house;

- Covered pavilion with fireplace;
- Volleyball Court;
- Sodded sports area;
- Putting green;
- Tennis Court - lighted and enclosed featuring a minimum of one (1) Basketball Goal at each end;
- Walking Trails at least fourteen hundred feet (1,400') in length and three feet (3') in width;
- Bird Sanctuary including a variety of bird feeders and bird houses with benches for observation;
- Gazebo at entrance of development to serve as a waiting area for school bus pick-up; and
- Owner shall be bound by the amenity representations made in its October 7, 2004 proposed site plan attached hereto as **Exhibit "A"**, submitted to the City Council and on file with the City Clerk.

ARTICLE VI

Section 3 of the Agreement is hereby amended by inserting the following paragraphs:

- a) The maximum units per building may increase from five (5) units to six (6) units per building.
- b) The minimum distance between buildings may be reduced from forty feet (40') to twenty feet (20').
- c) Reduction in buffer from thirty feet (30') to ten feet (10') along the proposed entrance and between the proposed location of the first building from the entrance and the Property line as depicted in the proposed site plan included in Owner's October 7, 2004 proposal attached hereto as **Exhibit "A"**, submitted to the City Council and on file with the City Clerk.
- d) Individual residential garbage pick-up may be permitted.

ARTICLE VII

A new Section 20 shall be added to the Agreement as follows:

20.

Attorney's Fees

The Owner hereby agrees to reimburse the City for all reasonable and necessary legal fees and costs, not to exceed normal hourly rate paid by City, that are incurred by the City regarding the preparation of this Agreement, any amendments thereto and any reasonable and necessary litigation expenses incurred by the City in any civil action or administrative

action regarding this Agreement whether same is filed by the City, Owner, Developer, or third person or entity. The Owner shall remit payment of all said legal fees and costs to the City within ten (10) days of receipt of an invoice for same.

ARTICLE VIII

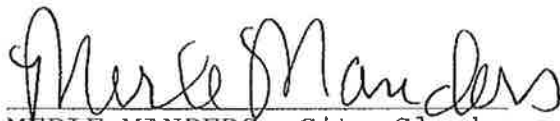
It is the parties intent that this amendment shall take effect immediately.

IN WITNESS WHEREOF, the undersigned parties have hereunto set their hands and affixed their seals this 13th day of December, 2004.

CITY OF STOCKBRIDGE, GEORGIA

By:  (L.S.)
R. G. KELLEY, Mayor

ATTEST:


MERLE MANDERS, City Clerk

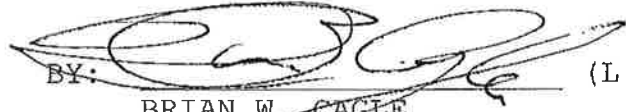
(Seal)

Version 8

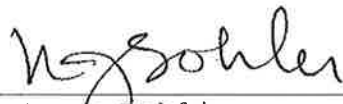
Amendment to Development Agreement
between the City of Stockbridge, Georgia and
Timberline Group, LLC dated December, 2004

OWNER:

TIMERLINE GROUP, LLC

BY:  (L.S.)
BRIAN W. CAGLE
Managing Partner [Title]

Signed, sealed and delivered
before me this 13 day of
December, 2004.


Notary Public

ATTEST:


James Baume, Secretary

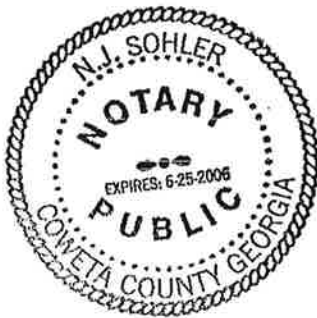


EXHIBIT "A"

TIMBERLINE GROUP, LLC PROPOSAL DATED OCTOBER 7, 2004

File No. 379-0000-02-23

Return to: SMITH, WELCH & BRITTAIN
2200 KEYS FERRY COURT
P. O. BOX 10
MCDONOUGH, GEORGIA 30253

RE: PROPERTY OF TIMERLINE GROUP, LLC being located
in Land Lots 59 and 70 of the 12th Land District of Henry
County, Georgia and being particularly described in
Exhibit "A" hereto attached and made a part hereof.

**NOTICE OF EXECUTION OF
AMENDMENT TO DEVELOPMENT AGREEMENT**

STATE OF GEORGIA

HENRY COUNTY

Notice is hereby given that the property described above is subject to an Amendment to Development Agreement dated December 13, 2004, between the City of Stockbridge and Timberline Group, LLC. The original of said Amendment to Development Agreement is maintained as part of the permanent records of the City of Stockbridge, Georgia. The terms and conditions of said Amendment to Development Agreement are hereby incorporated herein and made a part hereof by reference.

COPY

CITY OF STOCKBRIDGE, GEORGIA

By: Merle Manders
Merle Manders
City Clerk

Signed, sealed and delivered
in the presence of the
undersigned this 18th day of
February, 2005.

[SEAL]

Sherry Radford
Witness

Linda Gunn
Notary Public

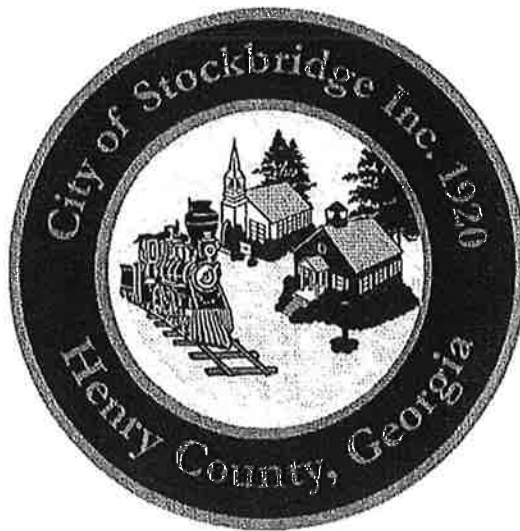


BRUSH CREEK COMMONS

Legal Description

All that tract or parcel of land, containing **15.96 acres** more or less, lying and being in Land Lot 70 and 59 of the 12th District of Henry County, Georgia, as shown on preliminary plat by Bunn Grading Company, Inc., dated 7/14/03, and being more particularly described according to said plat as follows:

COMMENCING at the intersection of the centerline of Askew Road and the northern right-of-way line of State Route 42 and State 138; thence, Southeasterly a distance of 467.58 feet to an iron pin; thence, North 44 degrees 7 minutes 55 seconds East a distance of 225.72 feet to the **POINT OF BEGINNING**; thence, North 44 degrees 22 minutes 29 seconds East a distance of 34.28 feet to a point; thence, South 51 degrees 13 minutes 8 seconds East a distance of 360.00 feet to a point; thence, North 38 degrees 35 minutes 37 seconds East a distance of 360.00 feet a point; thence, North 51 degrees 32 minutes 18 seconds West a distance of 325.00 feet a point; thence, North 44 degrees 8 minutes 4 seconds East a distance of 267.48 feet to a point; thence, North 3 degrees 30 minutes 52 seconds West a distance of 113.75 feet to a point; thence, South 89 degrees 57 minutes 37 seconds East a distance of 280.97 feet to a point; thence South 10 degrees 43 minutes 44 seconds West a distance of 45.70 feet to a point; thence, North 89 degrees 58 minutes 34 seconds East a distance of 694.39 feet to a point on the western right of way line of Shields Drive; thence, along a curve having a radius of 793.27 feet, a chord bearing of South 8 degrees 19 minutes 12 seconds East a distance of 115.57 feet to a point; thence, South 31 degrees 10 minutes 46 seconds a distance of 82.49 feet to a point; thence, South 33 degrees 14 minutes 43 seconds East a distance of 306.52 feet to a point; thence, South 35 degrees 31 minutes 23 seconds East a distance of 135.04 feet to a point; thence, North 89 degrees 4 minutes 1 second West a distance of 1032.00 feet to a point; thence, along the eastern right of way line of the proposed street as shown on the attached site plan by Bunn Grading Co. Inc. a distance of 481.91 feet to a point; thence, North 51 degrees 8 minutes 8 seconds West a distance of 25.00 feet to a point; thence, South 38 degrees 51 minutes 52 seconds West a distance of 28.67 feet to a point; thence, North 51 degrees 8 minutes 8 seconds West a distance of 460.68 **POINT OF BEGINNING**.



COPY

DEVELOPMENT AGREEMENT

FOR

BRUSH CREEK COMMONS

Location off North Henry Blvd.-behind the QT and Waffle House

ROYCE GRANT

JULY 21, 2003

AMENDED DECEMBER 13, 2004

AMENDED AUGUST 13, 2007

STATE OF GEORGIA

COUNTY OF HENRY

COPY

SECOND AMENDMENT TO
DEVELOPMENT AGREEMENT

COMES NOW the CITY OF STOCKBRIDGE, GEORGIA, a municipal corporation chartered under the laws of the State of Georgia ("City") and TIMBERLINE GROUP, LLC ("Owner" or "Developer"). The City and Owner do hereby amend that certain Development Agreement ("Agreement") dated July 21, 2003, entered into between the City and Royce Grant; and

WHEREAS, Royce Grant has transferred its interest in the Property to Owner; and

WHEREAS, Owner has presented evidence to the Mayor and Council that because of soil conditions Owner will be unable to construct the tennis court referenced in Article V, Section 2, Paragraph C of the Amended Development Agreement; and

WHEREAS, Owner has requested an amendment to Paragraph 3 of the Development Agreement entitled "Variances"; and

WHEREAS, pursuant to Section 11 of the original Development Agreement, the City and Owner desire to amend said agreement as follows:

NOW, THEREFORE, FOR AND IN CONSIDERATION OF THE MUTUAL
COVENANTS HEREINAFTER STATED, IT IS AGREED AS FOLLOWS:

1. Paragraph 3 is amended to add the following:

The front setback requirements for the buildings are hereby reduced to 10 feet.

2. The paragraph referencing the tennis court described in Article V of the Amended Development Agreement is stricken in its entirety.

3. A regulation 60' x 90' soccer field shall be constructed in the area designated for the tennis court, which shall include 2 goals appropriate for the 3v3 format. In addition, the second playground shall be enlarged to accommodate a commercial quality 2-bay/4-station full-size swing set, a full-size commercial quality slide, a commercial quality climbing station (monkey bars, ring climber, chin-up bar, and balance beam), and 2 commercial quality park benches. The floor area of the playground will be recessed and mulched so as to prevent weeds and grasses from growing and to promote a safe play area. The drawing for the playground, swing set, slide, climbing station, benches, soccer field, pavilion,

volleyball court, and putting green shall be
incorporated herein.

4. The outside construction of the buildings to be built thereon shall have the appearance and exterior material makeup as shown on Exhibit I hereto attached and made a part hereof. The playground facilities described in Paragraph 3 above are also shown on said Exhibit I, and the same are hereby incorporated herein and made a part hereof. The variance set forth in Paragraph 1 above is also shown on said Exhibit I and incorporated herein and made a part hereof.

[SIGNATURES ON NEXT PAGE]

CITY OF STOCKBRIDGE, GEORGIA

This the 13th day
of August, 2007.

By:

R. G. KELLEY (L.S.)
R. G. KELLEY, Mayor

ATTEST:

Merle Manders
Merle Manders, City Clerk

[SEAL]

TIMBERLINE GROUP, LLC

BY:

BRIAN W. CAGLE

MEMBER

(L.S.)

(Title)

Signed, sealed and delivered
before me this 31st day of
AUGUST, 2007.

Reggie Malcom
Notary Public

[SEAL]



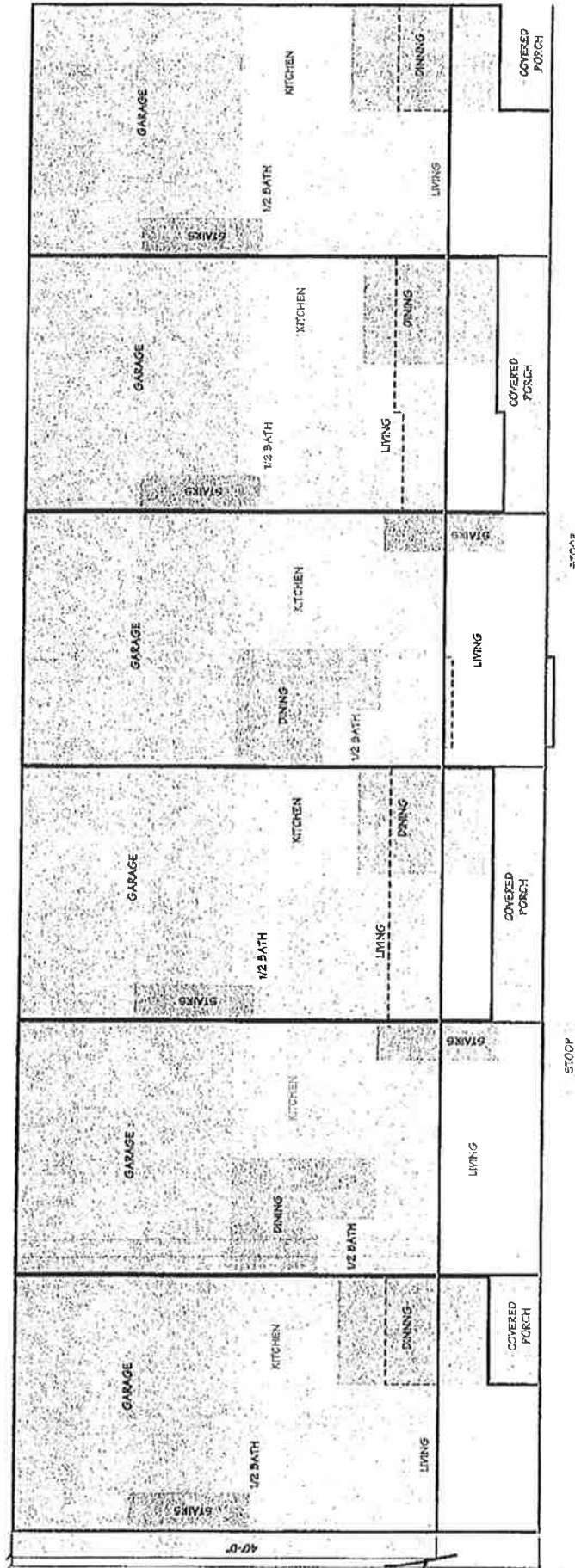
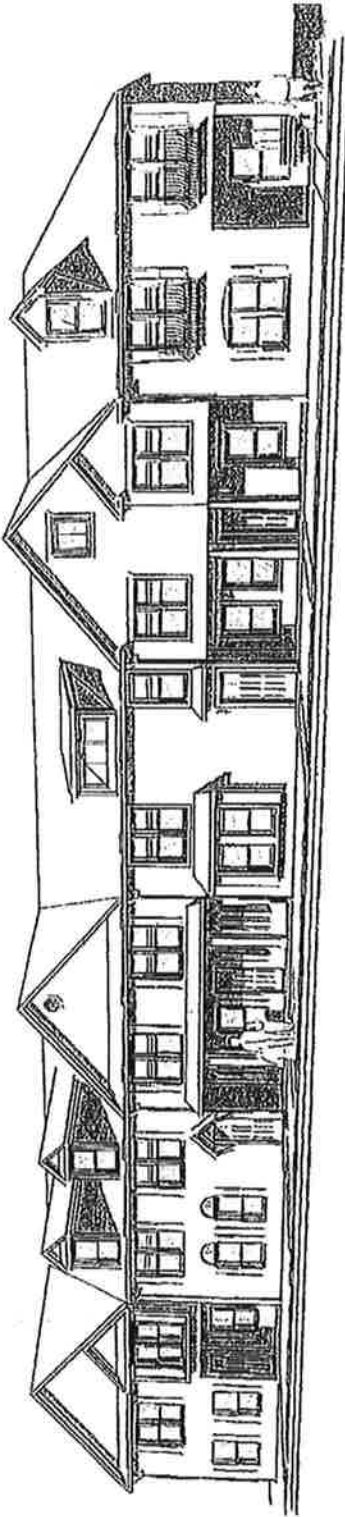
ATTEST:

Jeffrey A. Martin, Secretary
JEFFREY A. Martin



Brush Creek Commons

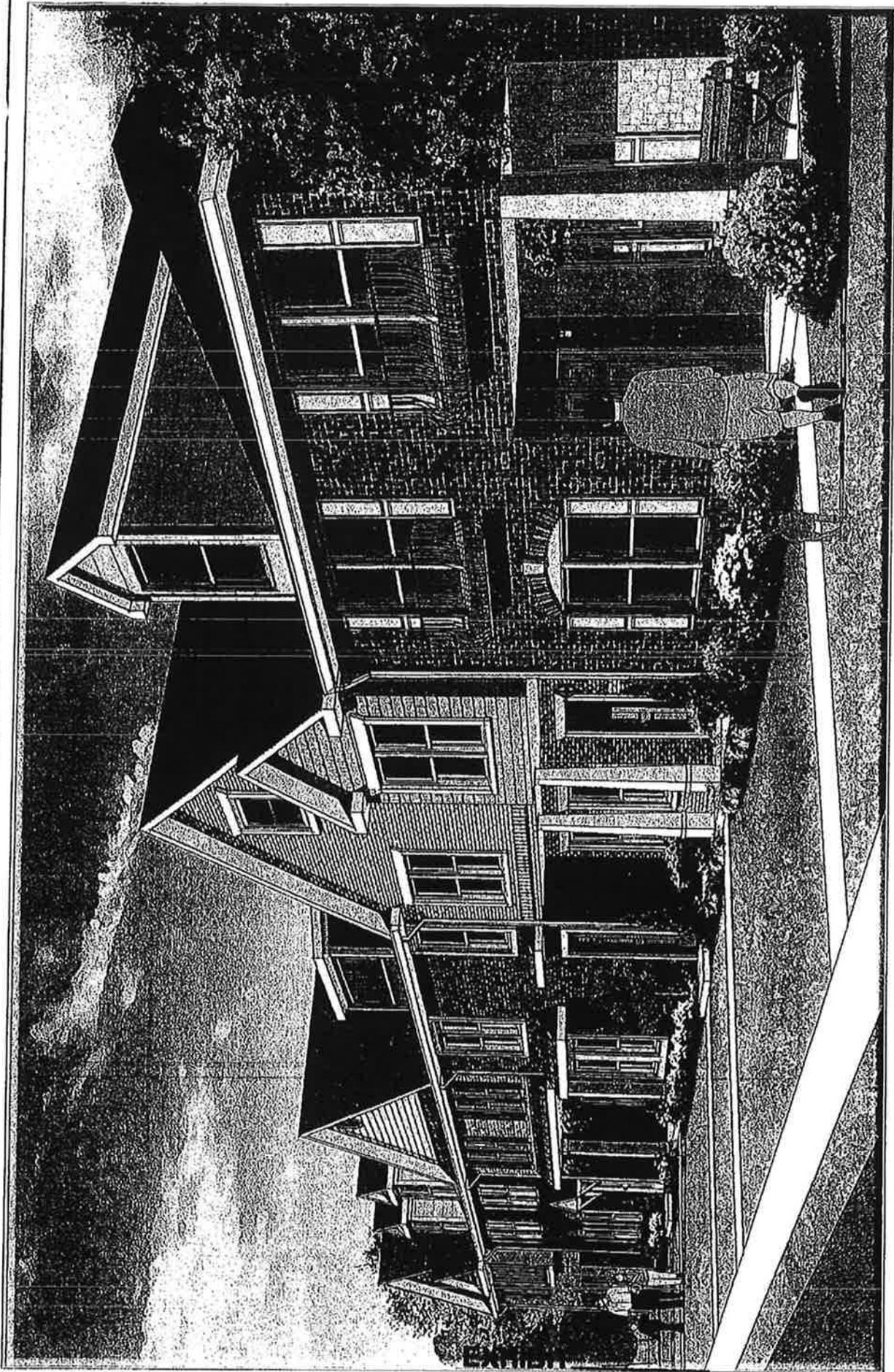
Timberline Group, LLC
October 7, 2004



_____ - Current Building Lines

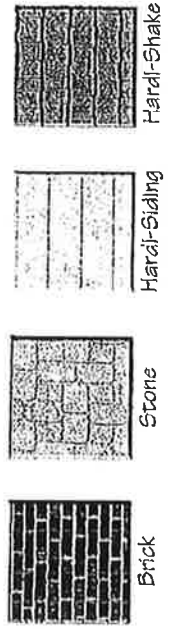
----- - Necessary Offsets to achieve Bays, Covered Porches, etc. to meet Building/Zoning Conditions

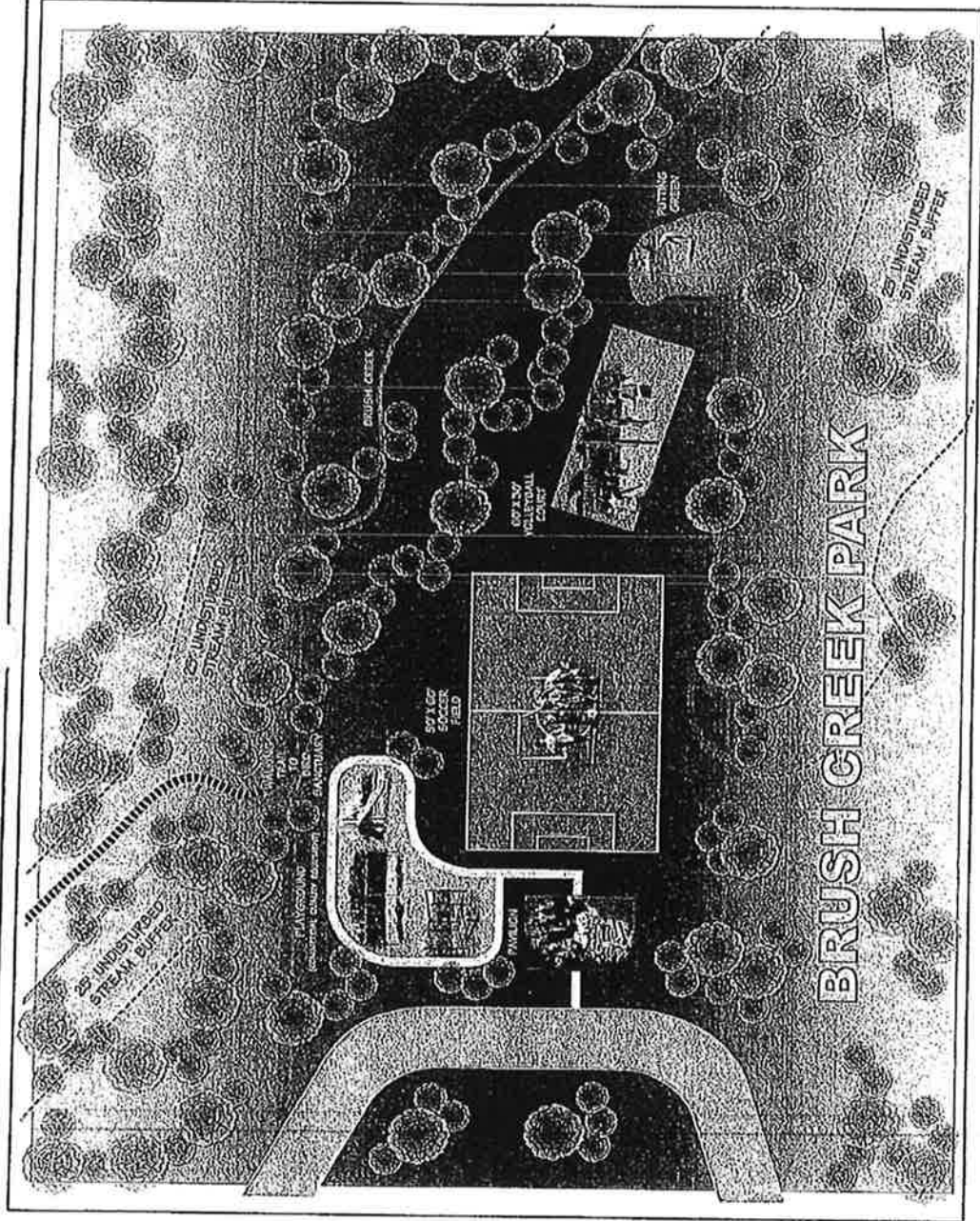
_____ - Requested 10' to achieve necessary Living and Dining Space



Elevations Information

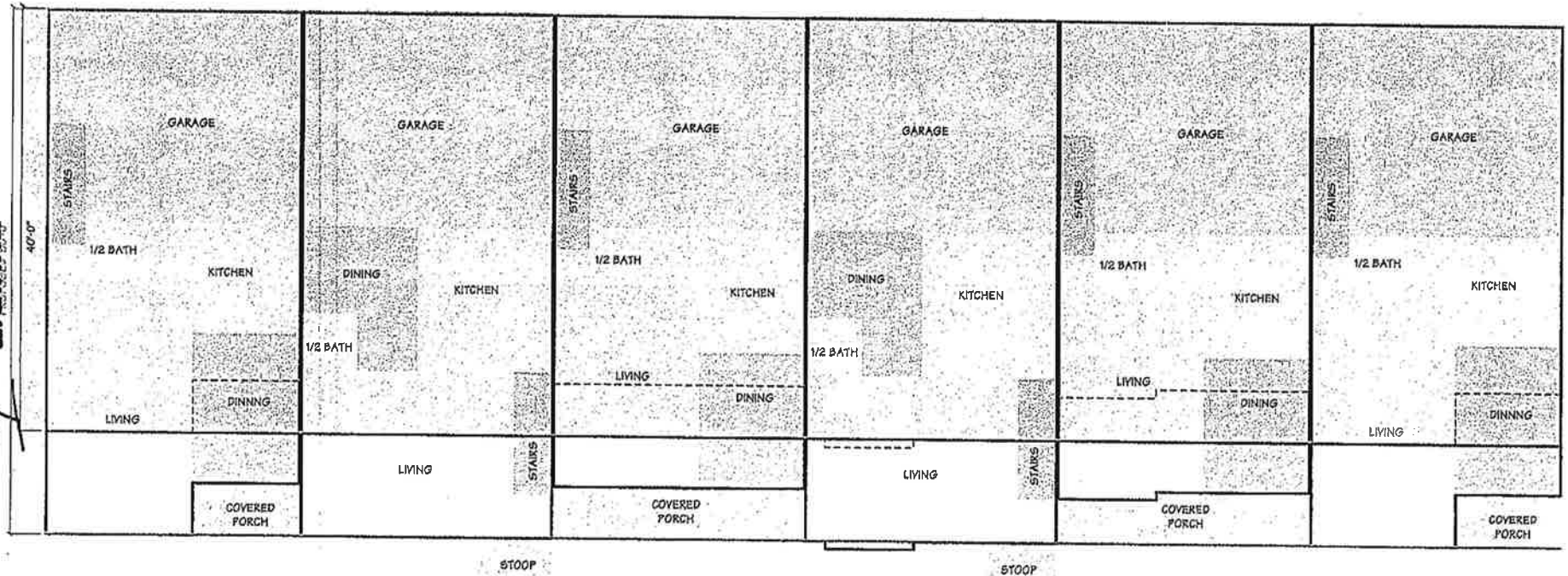
Individual detail is achieved with a mixture of covered entryways, porches, bay windows, and balconies. Each home is separate and distinct with varying roof lines, dormers, and gables. Facades are predominantly brick, with stone, Hardi-plank or Hardi-shake accents.



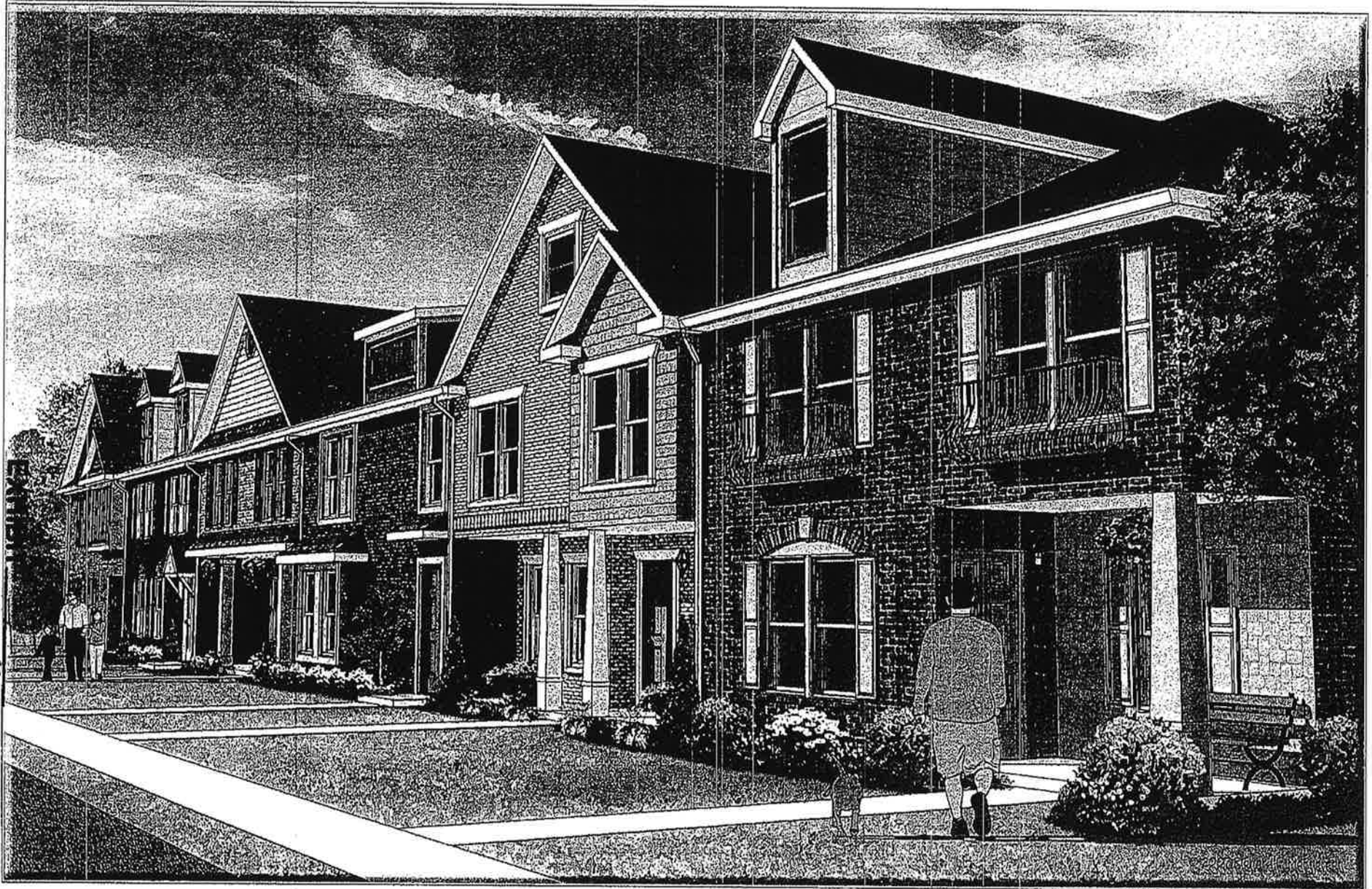


Brush Creek Commons Amenity Package

- * Gazebo at entrance of development to serve as a walking area for school bus pickup
- * Sodded Sports Area adjacent to Gazebo
- * 1300 Square Foot Clubhouse with Full Kitchen and Fitness Equipment
- * Fenced Tot Lot (Ages: 2 - 5) located adjacent to Clubhouse
- * Brush Creek Park
 1. Covered Pavilion with Picnic Area and Fireplace
 2. Regulation 60' X 90' Beach Volleyball Court
 3. Regulation 60' X 90' 5 on 5 Soccer Field with Goals
 4. Putting Green with multiple holes and sand trap
 5. Upgraded and Enlarged, commercial quality playground
 - 2 Bay, 4 Station Swing Set with Buckets and Belts
 - Climbing Station: "Monkey Bars", King Climbers, Chain-up Bar, and Balance Beam
 - Free Standing Wave Slide with 5' Deck
 - 2 Commercial Quality Park Benches
 7. Over 1400 Ft. of Walking Trail
- B. Bird Sanctuary with Feeders, Houses, and Benches for observation



- _____ - Current Building Lines
- - Necessary Offsets to achieve Bays, Covered Porches, etc. to meet Building/Zoning Conditions
- - Requested 10' to achieve necessary Living and Dining Space

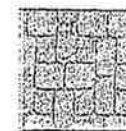


Elevations Information

Individual detail is achieved with a mixture of covered entryways, porches, bay windows, and balconies. Each home is separate and distinct with varying roof lines, dormers, and gables. Facades are predominantly brick, with stone, Hardi-plank or Hardi-shake accents.



Brick



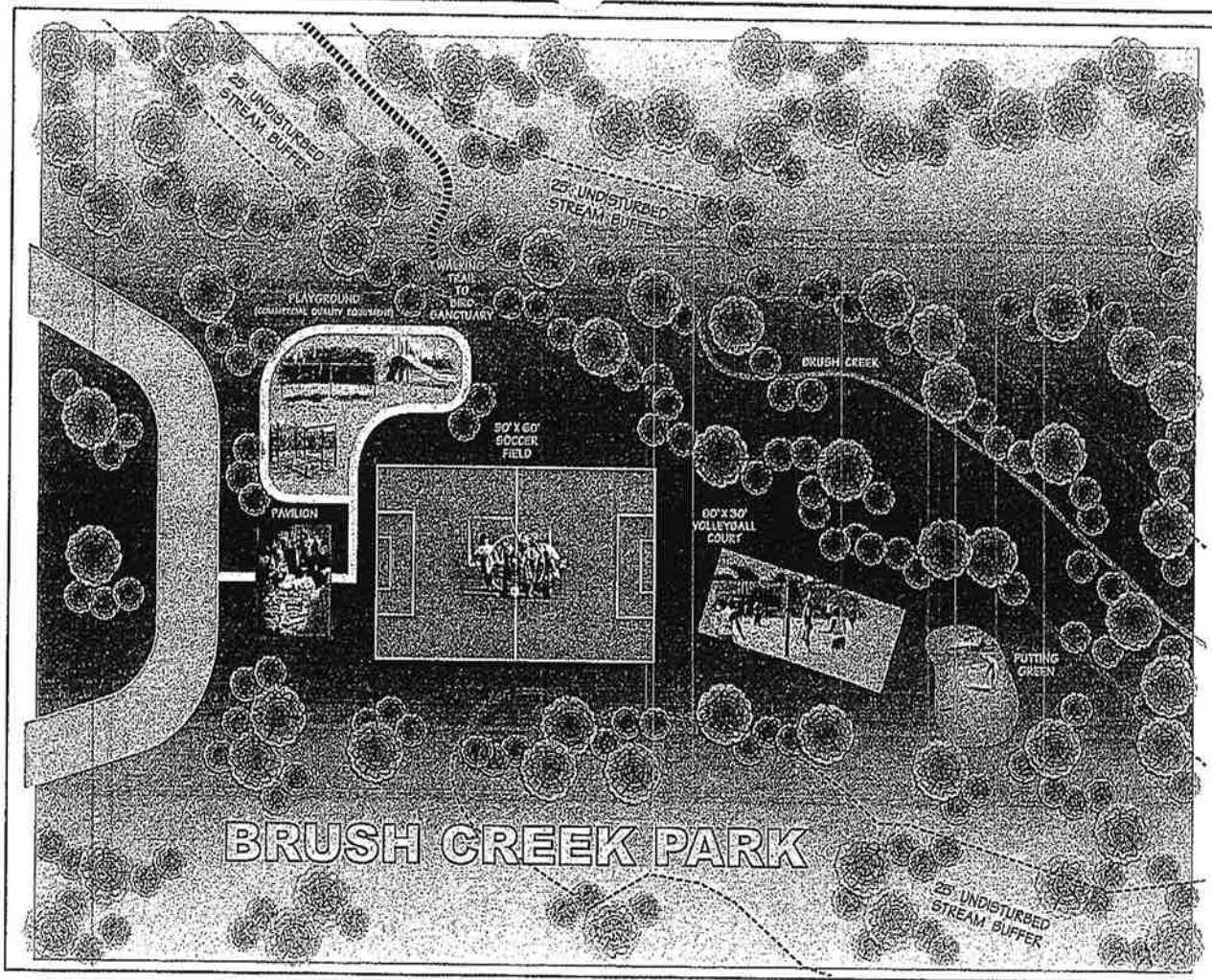
Stone



Hardi-Siding



Hardi-Shake



Brush Creek Commons Amenity Package

- * Gazebo at entrance of development to serve as a waiting area for school bus pickup
- * Sodded Sports Area adjacent to Gazebo
- * 1300 Square Foot Clubhouse with Full Kitchen and Fitness Equipment
- * Fenced Tot Lot (Ages: 2-5) located adjacent to Clubhouse
- * Brush Creek Park
 1. Covered Pavilion with Picnic Area and Fireplace
 2. Regulation 60' X 30' Beach Volleyball Court
 3. Regulation 60' X 90' 3 on 3 Soccer Field with Goals
 4. Putting Green with multiple holes and sand trap
 5. Upgraded and Enlarged, commercial quality playground:
 - 2 Bay, 4 Station Swing Set with Buckets and Belts
 - Climbing Station: "Monkey Bars", Ring Climbers, Chin-up Bar, and Balance Beam
 - Free Standing Wave Slide with 5' Deck
 - 2 Commercial Quality Park Benches
 7. Over 1400 Ft. of Walking Trail
 - B. Bird Sanctuary with Feeders, Houses, and Benches for observation



City of Stockbridge

4545 North Henry Boulevard • Stockbridge, Georgia 30281
Phone: (770) 389-7900 • Fax: (770) 389-7912
e-mail: cityhall@cityofstockbridge.com

January 28, 2008

Development Plan Review
Henry County
100 Windy Hill Rd
McDonough, Georgia 30253

RE: Brush Creek Commons – City Acceptance of Plan Modifications

Dear Sir/Madam:

The purpose of this letter is to provide the Henry County Development Plan Review (DPR) with written acknowledgement of the modifications to the approved site development plans at the Brush Creek Commons town house development, so that the project may proceed through the final plat process.

The City of Stockbridge has received a copy of the latest revisions to the site development plans that reflect the modifications to the approved plans made during the construction phase and has reviewed these plans with the developer's engineer.

The City of Stockbridge acknowledges that the developer was able to construct the detention pond with no retaining walls and that the design professional has provided an As-built Pond Certification certifying that the pond has been constructed to function as designed. The City of Stockbridge will accept the modifications to the detention pond and pond certification.

The City of Stockbridge acknowledges that the grading company encroached into a portion of the stream buffer during the grading of the detention pond, that the contractor took corrective action as directed by Henry County Building Department, that a representative of Henry County oversaw the corrective action, and that the City of Stockbridge in the capacity of Local Issuing Authority for the EPD accepts the corrective action and did not require an after the fact stream buffer variance.

The City of Stockbridge acknowledges that the slope at the end of Natasha Court was constructed without a retaining wall and that the slope is steeper than the standard fill slope. Based on a letter dated November 8, 2007 from Land Engineering and Development, and upon installation of the guard rail, the City of Stockbridge will accept the modifications to the slope at the end of Natasha Court.

Ted Strickland
City Manager

* See Admin. Variance file

MAYOR

R. G. Kelley

COUNCIL MEMBERS

Harold Cochran

Fred Evans

W. A. Gardner

Steve Moon

Leila S. Turner

CITY MANAGER

Ted Strickland

CITY CLERK

Merle Manders

REZONING ORDINANCE

CITY OF STOCKBRIDGE
STATE OF GEORGIA

ORDINANCE NO. 03-152

AN ORDINANCE FOR THE PURPOSE OF AMENDING THE OFFICIAL ZONING MAP OF THE
CITY OF STOCKBRIDGE, GEORGIA

WHEREAS, application was filed by:

Royce Grant

to rezone the property of Royce Grant
located in the Land Lot 59, 70, of the 12th District, Henry County, Georgia,
at Between State North Henry Boulevard and Shields Drive

and being more particularly described on Exhibit "A" attached hereto and incorporated herein by
reference (hereinafter "property");

WHEREAS, the application seeks to have the property zoned form its current zoning classification
of R-3 single Family Residential City of Stockbridge
to RM - 2 Multiple Family Residence District - Townhouses
for the purpose of: To permit a multi - family residential subdivision

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF
STOCKBRIDGE, GEORGIA, AND IT IS HEREBY ORDAINED BY THE AUTHORITY THEREOF:

1.

That the above described property is hereby zoned to the RM-2 Multiple Family Residence Dist-Townhouses
zoning classification in accordance with the Zoning Ordinance of the City of Stockbridge, Georgia.

2.

That the zoning of the above described property is subject to:

- (☒) The conditions set forth on Exhibit "c" attached hereto and incorporated herein by reference.
- (☐) The terms of Development Agreement Attached hereto as Exhibit "B" and incorporated
herein by reference.
- (☐) If no Exhibit "B" is attached hereto, then the property is zoned without special conditions.

3.

That the zoning map for the City of Stockbridge is hereby amended to reflect such zoning
classification for the property.

4.

The zoning of the property shall become effective the first day of the month following the date hereof.

SO ORDAINED by the Mayor and Council of Stockbridge the

14th day of July

ATTEST:

Theresa Manders
CITY CLERK

R.G. Kelley
R.G. KELLEY, MAYOR

EXHIBIT "C"

CONDITIONS

Conditions. The Mayor and Council grant this rezoning request subject to the following conditions:

- A. Revise site plan to adhere to all City of Stockbridge RM-2 Ordinance requirements. (Note that approval of this rezoning is not an approval of the site plan submitted to the Henry County Planning and Zoning Department.)
- B. Maximum building height shall be shown on the site plan.
- C. All townhouses shall have a mixture of front facade consisting of covered entryway, porches, bay windows and balconies. Garages shall be accentuated with variations of design porticos.
- D. Developer shall submit elevations of the building to be approved by the Planning and Zoning Department. (Note that approval of this rezoning is not an approval of the site plan submitted to the City Council.)
- E. Each unit elevation per building shall be separate and distinct from the other. To include variations in rooflines which may be accomplished with the use of dormers, gables and/or fireplaces.
- F. Each unit shall have different brick, stucco and masonry theme from the other attached units. No vinyl siding will be allowed.
- G. Developer shall install street trees along all streets to be placed between the sidewalk and the front property lines, have a minimum two and one-half inch (2.5") caliber (d.b.h), shall have a minimum twenty-four foot (24 sq. ft.) planting area and shall be spaced an average of forty-five feet (45') apart. Consisting of ginko (non-fruit bearing), Japanese zelkova and/or oak family type.
- H. The Building Department shall not issue a building permit until such time as the Director of the Building Department has certified that for each prospective phase of development, sewer capacity is sufficient to accommodate the additional sewage that would be generated by the proposed development.
- I. A street scaping plan shall be submitted to and approved by the Henry County Planning and Zoning Department to include sidewalks, street trees, landscaping, street lighting and street furniture.
- J. Any flood plain alteration be supported by a certified engineer at the plan review stage.

- K. The Applicant shall submit, to the City Clerk and City Attorney, an updated legal description and plat, certified by an engineer or surveyor licensed in the State of Georgia, of the Property.
- L. This rezoning is subject to the property owner's and developers execution of a Development Agreement which will embody these conditions.



1 BUILDING FRONT ELEVATION
A1.1 SCALE: 3/16" = 1'-0"

SAMPLE FRONT ELEVATION

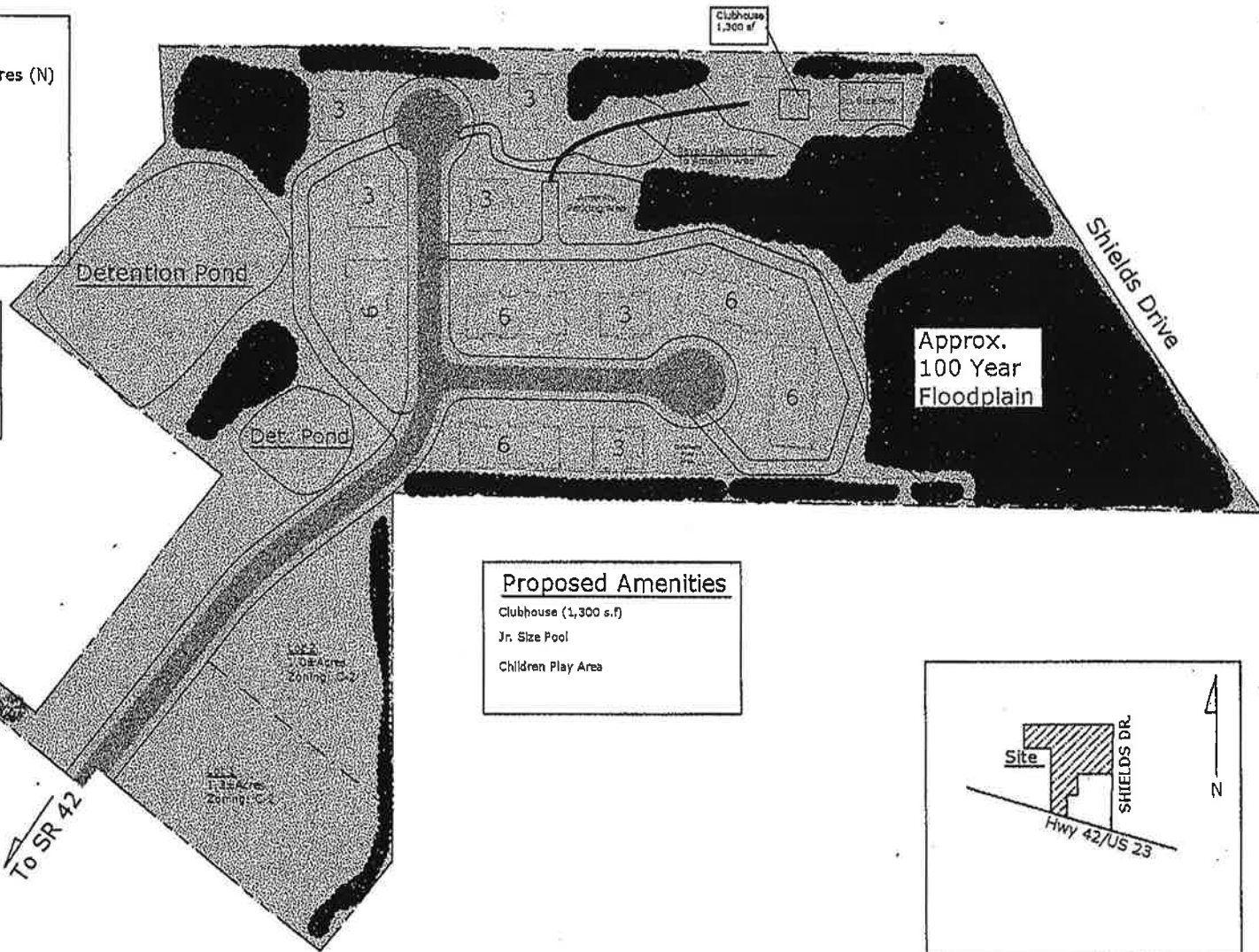
BRUSH CREEK COMMONS

Site Data:

Acreage: 15.96± Acres (G); 10.36± Acres (N)
 Lots: 48 Single Family Townhomes
 Current Zoning: C-2/R-A
 Proposed Zoning: RM-2/C-2
 Street Length: 1,350 LF
 Gross Density: 3.0 Units/Acre
 Floodplain Area: 3.87 Acres
 Right of Way Ac: 1.73 Acres
 Net Density: 4.6 Units/Acre

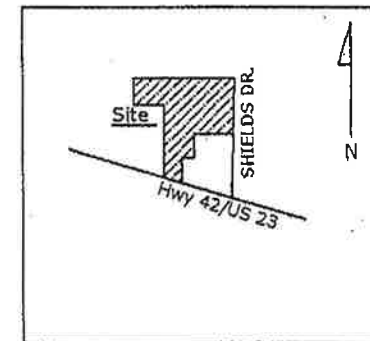
Owner/Developer:

Mr. Royce Grant
 159 Wexford Court
 Stockbridge, Georgia 30281
 770-389-9961



Proposed Amenities

Clubhouse (1,300 s.f.)
 Jr. Size Pool
 Children Play Area



Location Map:
 (Not to Scale)

ZONING CONDITIONS FROM APPROVED DEVELOPMENT AGREEMENT (12/13/04)

ZONING CONDITIONS

ZONING REQUIREMENTS OF PROPERTY (REFER TO THE DEVELOPMENT AGREEMENT DATED DECEMBER 13, 2004.)

THE VALIDITY AND ENFORCEABILITY OF THIS AGREEMENT IS CONDITIONAL UPON THE CITY REZONING THE PROPERTY TO THE ZONING CLASSIFICATION AS FOLLOWS:

A. REZONING. THE PROPERTY DESCRIBED IN EXHIBIT A, FOR A TOTAL OF 15.96 ACRES, MORE OR LESS, SHALL BE REZONED FROM SINGLE-FAMILY RESIDENCE DISTRICT (R-2) TO MULTI-FAMILY RESIDENCE DISTRICT (RM-2 TOWNHOUSES). PROJECT NOT EXCEED 41 UNITS TOTAL.

B. REQUIREMENTS GENERALLY. OWNER SHALL COMPLY WITH ALL APPLICABLE RULES, REGULATIONS, AND CONDITIONS OF THE ZONING ORDINANCE, EXCEPT WHERE SPECIFICALLY EXCLUDED HEREIN, IN THE DEVELOPMENT OF THE PROPERTY INCLUDING THOSE EXPRESSED HEREIN. FOR SPECIFIC REFERENCE, RM ORDINANCE NUMBER 03-80, EFFECTIVE ON MARCH 10, 2003, SHALL APPLY AND IS ATTACHED HERETO AS EXHIBIT D, AND INCORPORATED HEREIN BY REFERENCE. IN ADDITION TO SAID ORDINANCES, THE CONDITION CONTAINED IN THIS AGREEMENT SHALL APPLY. IF THERE IS A CONFLICT BETWEEN THE ZONING ORDINANCES AND THIS AGREEMENT, THE TERMS OF THIS AGREEMENT SHALL CONTROL.

C. DEVELOPMENT CONDITIONS.

1. THE FOLLOWING CONDITIONS SHALL APPLY TO THE PROPERTY.

A. REVISE SITE PLAN TO ADHERE TO ALL CITY OF STOCKBRIDGE RM-2 ORDINANCE REQUIREMENTS. (NOTE THAT APPROVAL OF THIS REZONING IS NOT AN APPROVAL OF THE SITE PLAN SUBMITTED.)

B. MAXIMUM BUILDING HEIGHT SHALL BE SHOWN ON THE SITE PLAN.

C. ALL TOWNHOUSES SHALL HAVE A MIXTURE OF FRONT FAÇADE CONSISTING OF COVERED ENTRYWAY, PORCHES, BAY WINDOWS AND BALCONIES. GARAGES SHALL BE ACCENTUATED WITH VARIATIONS OF DESIGN PORTICOS.

D. OWNER SHALL SUBMIT ELEVATIONS OF BUILDINGS TO BE APPROVED BY THE CITY. NOTE, HOWEVER, THAT THE CITY MAY APPROVE ELEVATIONS IF IT DETERMINES THAT WAITING FOR STAFF'S REVIEW HAS UNREASONABLY DELAYED OWNER.

E. EACH UNIT ELEVATION PER BUILDING SHALL BE SEPARATE AND DISTINCT FROM THE OTHER AND SHALL INCLUDE VARIATIONS IN ROOFLINES WHICH MAY BE ACCOMPLISHED WITH THE USE OF DORMERS, GABLES AND/OR FIREPLACES.

F. ALL EXTERIOR FACADES SHALL CONSIST OF BRICK. THE CORNICES AND GABLES SHALL CONSIST OF STUCCO, STONE, AND/OR HARDI-PANK.

G. OWNER SHALL INSTALL STREET TREES ALONG ALL STREETS TO BE PLACED BETWEEN THE SIDEWALK AND THE FRONT PROPERTY LINES, HAVE A MINIMUM TWO AND ONE-HALF INCH (2.5) CALIBER (D.B.H.), SHALL HAVE A MINIMUM TWENTY-FOUR FOOT (24 SQ.FT.) PLANTING AREA AND SHALL BE SPACED AN AVERAGE OF FORTY-FIVE FEET (45) APART. OWNER SHALL PROVIDE A LIST OF TEN (10) TREES TO BE PROVIDED AND SUBJECT TO MODIFICATION BY THE CITY.

H. A STREET SCAPING PLAN SHALL BE SUBMITTED TO HENRY COUNTY PLANNING AND ZONING STAFF FOR COMMENTS AND APPROVED BY THE CITY TO INCLUDE SIDEWALKS, STREET TREES, LANDSCAPING, STREET LIGHTING AND STREET FURNITURE. NOTE, HOWEVER, THAT THE CITY MAY APPROVE THE STREET SCAPING PLAN IF IT DETERMINES THAT WAITING FOR STAFF'S REVIEW HAS UNREASONABLY DELAYED OWNER.

I. ANY FLOOD PLAIN ALTERATION BE SUPPORTED BY A CERTIFIED ENGINEER AT THE PLAN REVIEW STAGE.

J. THE APPLICANT SHALL SUBMIT, TO THE CITY CLERK AND CITY ATTORNEY, AN UPDATED LEGAL DESCRIPTION AND PLAT, CERTIFIED BY AN ENGINEER OR SURVEYOR LICENSED IN THE STATE OF GEORGIA, OF THE PROPERTY.

K. OWNER SHALL NOT CONSTRUCT AN ENTRANCE OR EXIT ONTO SHIELDS DRIVE FOR ACCESS TO THE PROJECT.

L. OWNER SHALL MAINTAIN A TWO HUNDRED FOOT (200.) BUFFER BETWEEN THE PROJECT AND SHIELDS DRIVE. AN EXEMPTION TO THIS CONDITION SHALL AUTOMATICALLY ARISE SHOULD THE CITY COUNCIL APPROVE A REZONING OF SAID BUFFER AREA TO A SINGLE FAMILY DETACHED RESIDENTIAL ZONING CLASSIFICATION.

M. THIS REZONING APPLIES TO ONLY THE PROPERTY AND SHALL NOT BE CONSTRUED AS APPLYING TO THE AREAS ZONED COMMERCIAL ADJACENT TO THE PROPERTY.

N. AMENITIES SHALL CONSIST OF:

- 1,300 SQUARE FOOT CLUB HOUSE WITH FULL KITCHEN AND FITNESS EQUIPMENT;
- TWO (2) SEPARATE AGE-SPECIFIC PLAYGROUNDS: A FENCED TOT LOT ADJACENT TO THE CLUB HOUSE AND ANOTHER PLAYGROUND FOR OLDER CHILDREN LOCATED NEARBY TO THE CLUB HOUSE;
- COVERED PAVILION WITH FIREPLACE;
- VOLLEYBALL COURT;
- SODDED SPORTS AREA;
- PUTTING GREEN;
- TENNIS COURT, LIGHTED AND ENCLOSED FEATURING A MINIMUM OF TWO (2) PLAYING COURTS WITH A BASKETBALL GOAL;
- WALKING TRAILS AT LEAST FOURTEEN HUNDRED FEET (1,400.) IN LENGTH AND THREE FEET (3.) IN WIDTH;
- BIRD SANCTUARY INCLUDING A VARIETY OF BIRD FEEDERS AND BIRD HOUSES WITH BENCHES FOR OBSERVATION;
- GAZEBO AT ENTRANCE OF DEVELOPMENT TO SERVE AS A WAITING AREA FOR SCHOOL BUS PICK-UP; AND
- OWNER SHALL BE BOUND BY THE AMENITY REPRESENTATIONS MADE IN ITS OCTOBER 7, 2004 PROPOSED SITE PLAN ATTACHED HERETO AS EXHIBIT A., SUBMITTED TO THE CITY COUNCIL AND ON FILE WITH THE CITY CLERK.

VARIANCES

A. THE MAXIMUM UNITS PER BUILDING MAY INCREASE FROM FIVE (5) UNITS TO SIX (6) UNITS PER BUILDING.

B. THE MINIMUM DISTANCE BETWEEN BUILDINGS MAY BE REDUCED FROM FORTY FEET (40.) TO TWENTY FEET (20.).

C. REDUCTION IN BUFFER FROM THIRTY FEET (30.) TO TEN FEET (10.) ALONG THE PROPOSED ENTRANCE AND BETWEEN THE PROPOSED LOCATION OF THE FIRST BUILDING FROM THE ENTRANCE AND THE PROPERTY LINE AS DEPICTED IN THE PROPOSED SITE PLAN INCLUDED IN OWNER'S OCTOBER 7, 2004 PROPOSAL ATTACHED HERETO AS EXHIBIT A., SUBMITTED TO THE CITY COUNCIL AND ON FILE WITH THE CITY CLERK.

D. INDIVIDUAL RESIDENTIAL GARBAGE PICK-UP MAY BE PERMITTED.

