

STOCKBRIDGE CITY COUNCIL

Mayor Anthony S. Ford
At-Large

Mayor Pro Tem Kyle D. Berry, Sr.
Council District 3

Councilmember Elton Alexander
Council District 5

Councilmember Yolanda Barber
Council District 4

Councilmember LaKeisha Gantt
Council District 1

Councilmember Alphonso Thomas
Council District 2

CITY MANAGER

Frederick Gardiner

CITY CLERK

Vanessa Holiday

INTERIM CITY TREASURER

Lakeisha Gaines

CITY ATTORNEY

Quinton G. Washington

Council Meeting Agenda October 14, 2024 6:00 PM



STOCKBRIDGE CITY HALL

4640 NORTH HENRY BLVD.

STOCKBRIDGE, GA 30281

Website: www.stockbridgega.org

Phone: 770-389-7900

Fax: 770-389-7912

Translation and Interpretation Services are available with (7) days prior notice. Please contact the City's HR Manager at 770-389-7908 for assistance.



AGENDA COUNCIL MEETING CITY OF STOCKBRIDGE

MONDAY, OCTOBER 14, 2024 6:00 PM

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

PUBLIC HEARING DEFERRED ITEM(S) ANNOUNCEMENT

- 1 The following items have been deferred to the November 12, 2024 meeting:
TEXT AMENDMENT CASE #TX-2024-05. (Citywide)
SPECIAL USE PERMIT CASE #SP-2024-01. (To be located in Council District 3)
SPECIAL USE PERMIT CASE #SP-2024-02. (To be located in Council District 4)
SPECIAL USE PERMIT CASE #SP-2024-03. (To be located in Council District 4)

ADOPTION OF THE AGENDA

ADOPTION OF THE MINUTES

- 2 Approval of the August 12, 2024 Council Meeting Minutes
Approval of the August 21, 2024 Council Budget Retreat Meeting Minutes
Approval of the August 22, 2024 Council Budget Retreat Meeting Minutes
Approval of the August 23, 2024 Council Budget Retreat Meeting Minutes
Approval of the August 27, 2024 Council Work Session Meeting Minutes
Approval of the September 9, 2024 Council Meeting Minutes
Approval of the September 24, 2024 Council Meeting Minutes

CEREMONIAL REVIEW

- 3 Review of the following ceremonial items: Proclamations for Breast Cancer Awareness Month, Red Ribbon Week, World Mental Health Day, Domestic Violence Prevention and Awareness Month, Fire Prevention Month, Women's Small Business Month, and VyStar Good is Everywhere Day.

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

CONSENT AGENDA

- 4 Council Consideration to appoint Bishop Laray Tillman to fill the unexpired term for the Clergy Representative position on the Citizens-Police Advisory Council. - Presented by: Frank Trammer
- 5 Exercise of First Option Renewal for Contract RFQ No. 2023-0012, Civic Wayfinding Signage Project with DeNyse Companies, Inc. - Presented by: Frederick Gardiner

NEW BUSINESS

- 6 Council consideration to adopt the restated GMEBS Retirement Plan Adoption Agreement and General Addendum with Plan Amendments. - Presented by: Renee Wheeler, Michele Warner
- 7 Council consideration to approve the proposed budget amendment as outlined within the attached Ordinance to purchase a National Integrated Ballistic Information Network system ("NIBIN") in the amount of \$277,918.00. This is a sole source purchase from Forensic Technology. Funding Source: General Fund - Presented by: Richard Godfrey
- 8 Council consideration to adopt an Ordinance and approve the job description, organizational chart and pay and classification for the newly created position, Property Tax Specialist. - Presented by: Lakeisha Gaines, Renee Wheeler

PUBLIC HEARING

- 9 REZONING CASE #RZ-2024-07 FOR THE PATRICK HENRY PARKWAY MASTER PLAN. (To be located in Council District 5.)
Consideration of the Patrick Henry Parkway Master Plan, which was prepared by the TSW consulting firm. It proposes a mixture of retail, commercial, residential, and entertainment uses for areas along the southern end of Patrick Henry Parkway, with some properties lying within the Stockbridge City Limits and others lying within unincorporated Henry County. - Presented by: Frederick Gardiner
- 10 CITY OF STOCKBRIDGE 2025-2029 SHORT TERM WORK PROGRAM/CAPITAL IMPROVEMENT ELEMENT (STWP/CIE) The Community Development Department is requesting that the City Council approve the Transmittal of the 2025-2029 Short-Term Work Program/Capital Improvement Element (STWP/CIE) to the Department of Community Affairs & the Atlanta Regional Commission for their review and recommendations. - Presented by: Ryan Anderson

- 11 **COMPREHENSIVE PLAN AMENDMENT CASE #CP-2024-01.** (To be located in Council District 5.)
 Consideration of a Comprehensive Plan Amendment Request to change the future land use designation of property on the north side of Hudson Bridge Drive, comprising Parcel #032-01026000, from 'Medium-Density Mixed-Use' to 'Medium-Density Residential' to allow for the construction of a townhome development. Applicant: Lennar Georgia, LLC. Agent: Battle Law, P.C. The property is located in Land Lot 21 of District 6, and it contains 20.367 +/- acres. - Presented by: Ryan Anderson
- 12 **REZONING CASE #RZ-2024-01.** (To be located in Council District 5.)
 Consideration of a request to rezone property on the north side of Hudson Bridge Drive, comprising Parcel #032-01026000, from the C-2 (General Commercial) zoning district to the MFR (Multiple Family Residential) zoning district to allow for the construction of a townhome development. The property also lies within the PMU (Parkway Mixed-Use) Overlay District. Applicant: Lennar Georgia, LLC. Agent: Battle Law, P.C. The property is located in Land Lot 21 of District 6, and it contains 20.367 +/- acres. - Presented by: Ryan Anderson
- 13 **VARIANCE CASE #VR-2024-03. Variance Request #1.** (To be located in Council District 5). Consideration of a variance request for two variances on property on the north side of Hudson Bridge Drive, comprising of Parcel #032-01026000, to allow for the construction of a townhome development. Variance Request #1 would reduce the front yard setbacks of the townhome lots from the required 50 feet to 20 feet. The property also lies within the Pmu-Parkway Mixed-Use Overlay District. Applicant: Lennar Georgia LLC - Agent: Battle Law, P.C. The property is located Land Lot 21 of District 6, and it contains 20.367 +/- acres.

 - Presented by: Ryan Anderson
- 14 **VARIANCE CASE #VR-2024-03: Variance Request #2.** (To be located in Council District 5.)
 Consideration of a variance request for two variances on property on the north side of Hudson Bridge Drive, comprising Parcel #032-01026000, to allow for the construction of a townhome development. Variance Request #2 would reduce the side yard setbacks of the townhome lots, between buildings, from the required 15 feet to 10 feet. The property also lies within the PMU (Parkway Mixed-Use) Overlay District. Applicant: Lennar Georgia, LLC. Agent: Battle Law, P.C. The property is located in Land Lot 21 of District 6, and it contains 20.367 +/- acres. - Presented by: Ryan Anderson

ANNOUNCEMENTS OF UPCOMING MEETINGS & EVENTS

UPCOMING MEETINGS & ANNOUNCEMENTS: Council meetings will be held in the City Council Chamber. Meeting dates, locations and times are subject to change or contact City Hall offices at 770-389-7900 or visit the website www.stockbridgega.org for updates.

- **Downtown Development Authority Meeting, 3rd Tuesday of each month**
Stockbridge Downtown Center 130 M L King, Sr. Heritage Trail (Oct 15)
- **Youth Council Advisory Committee Meeting, 6:30 p.m.- 3rd Tuesday of each month**
Levi Meeting Room - City Hall (Oct 15)
- **Planning Commission Meeting, 3rd Thursday of each month, 6:30 p.m. -**
City Hall Council Chamber - (Oct 17)
- **Community Meeting to discuss the Stockbridge Trails Plan on**
Wednesday, October 23rd from 6pm – 7:30pm at Downtown Stockbridge
Connection Center (formerly TSCC) (Oct 23)
- **Community Homestead Exemption Townhall – Saturday, October 26th at**
11am – City Hall Council Chamber (Oct 26)
- **City Council Work Session Meeting, Last Tuesday of each month at**
6:00 p.m. - City Hall Council Chamber (Oct 29)
- **Youth Council Meeting 1st Monday of each month at 6:30 p.m. - City**
Hall Levi Meeting Room (Nov 4)
- **ELECTION DAY – TUESDAY, NOVEMBER 5th from 7am – 7pm – visit**
mvp.sos.ga.gov for your polling location.
- **Community Zoning and Information Meeting: Wednesday, November 6th**
from 6:00 p.m. – 7:00 p.m. at City Hall in the Council Chamber (Nov 6)
- **Stockbridge Citizens-Police Advisory Council meeting 1st Thursday of**
each month at 6:30 p.m. at the Stockbridge Police Community
Room 4545 N. Henry Blvd. – (Nov 7)
- **The Main Street Advisory Board Meeting on the 2nd Friday of each**
month at 9am – Location is the Downtown Connection Center 130 M L
King Sr. Heritage Trail. (Nov 8)
- **City Council Meeting, SPECIAL DATE – TUESDAY, NOVEMBER 12TH at**
6:00 p.m. - City Hall Council Chamber (Nov 12) Due to Veterans Day
Holiday
- **Citywide Development Authority Meeting, 2nd Tuesday of each month,**
6:00 p.m.- City Hall Levi Meeting Room (Nov 12)
- **Downtown Development Authority Meeting, November meeting date is**
to be announced.

UPCOMING CITY EVENTS/INITIATIVES

- **Join Councilman Alphonso Thomas for the monthly Senior Bingo Bash**
on Wednesday, October 16th from 10am - 12pm at the Merle Manders
Conference Center, 111 Davis Rd. for raffles, prizes, games, snacks and
fun!
- **Join the City of Stockbridge for the 50 Shades of Pink Love Walk to**
highlight breast cancer awareness and survivors at Clark Community
Park 111 Davis Rd. on Saturday, October 19th from 10:30am – 1:00 p.m.

- Join Councilwoman Lakeisha Gantt for the Annual Fall Festival at Clark Community Park 111 Davis Rd. on Saturday, October 26th from 12pm – 4:00 p.m.
- Join Mayor Anthony Ford for the monthly *Meet the Mayor* on Wednesday, October 28th from 10am – noon at Stockbridge City Hall.
- Join Councilwoman LaKeisha Gantt in partnership with Atlanta Food Truck Park for Night Market at the Stockbridge Amphitheater Parking Lot from 6pm – 9:30pm – November 7th, and November 21st. There will be vendors, Food Trucks, Activities, Games, Music, and Vibes. Contact Tan Bowers at thepeaceofmine@gmail.com for registration and additional information.
- Join Councilman Thomas for the *Don't Trash Stockbridge* initiative centered around education highlighting the causes and effects of Littering and Illegal Dumping. More information to follow.
- Councilman Thomas is honoring Veterans with a Continuous Salute all year long. Please send your pictures of Veterans with their name, branch, rank, and years of service.
- Councilman Thomas will distribute FREE Smoke Detectors along with Fire Marshal Demetrius Wells. The date and location will be announced soon. Stay tuned.

Please contact Rosalynd Rawls to schedule an appointment for *Meet the Mayor* and for more information on Council Initiatives and events at 678-833-3348 or via email: rrawls@stockbridgega.org

2024 Stockbridge Amphitheater Concert Series

1. Sunday, October 20, 2024, (Rescheduled Show) featuring Charlie Wilson with Special Guest El DeBarge
2. Saturday, October 26, 2024, Boney James Slow Burn Tour with Special Guest Damien Escobar.
3. Saturday, November 2, 2024, Dirty South Throwback Hip-Hop Fest featuring Eastside Boys, DJ Holiday, 95 South, Tray Bills, Raheem the Dream, DJ Unk, MC Shy D and Kilo Ali.

MAYOR'S COMMENTS (Mayor Anthony Ford)

EXECUTIVE SESSION (Exemptions to the Georgia Open Meetings Acts)

ADJOURNMENT



CITY COUNCIL MEETING SUMMARY MINUTES

MONDAY, August 12, 2024 6:00 P.M.

Mayor & City Council

Mayor Anthony S. Ford At-Large
Mayor Pro Tem Kyle Berry – Council District 3
Councilmember Elton Alexander – Council District 5
Councilmember Yolanda Barber – Council District 4
Councilmember LaKeisha Gantt – Council District 1
Councilmember Alphonso Thomas – Council District 2

Administration

Frederick Gardiner – City Manager
Vanessa Holiday – City Clerk
Cassandra Lester – Deputy City Clerk
Lakeisha Gaines – Interim City Treasurer
Quinton Washington – City Attorney

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

Invocation by Mayor Ford at 6:09 p.m.

Invocation by: Ms. Sadria Strong

The Pledge of Allegiance was recited by all in attendance.

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

Motion to amend the Agenda to remove Item #4, noting the item is already addressed in the City's Comprehensive Plan was made by Mayor Pro Tem Berry; seconded by Councilmember Alexander. The motion passed unanimously 5-0.

Motion to adopt the Agenda was made by Councilmember Alexander; seconded by Councilmember Barber. The motion passed unanimously 5-0.

Motion to approve the Council Meeting Minutes July 8, 2024, Special Called Meeting Minutes - SPLOST VI July 15, 2024, Millage Rate Public Hearing Meeting Minutes July 15, 2024, Millage Rate Public Hearing Meeting Minutes July 19, 2024, Millage Rate Public Hearing Meeting Minutes July 22, 2024, Council Work Session Meeting Minutes July 30, 2024 was made by Councilmember Alexander; seconded by Mayor Pro Tem Berry. The motion passed unanimously 5-0.

PUBLIC COMMENTS

There were no public comments.

CEREMONIAL REVIEW

2. Mayor Ford reviewed the proclamations presented to Briana's Heart of Gold; Dr. Amanda Phillips and for National Black History Month; reviewed the swearing in for Samantha Samuels and Antonio Gordon to the Public Facilities Authority Board; and recognized the Stockbridge Citizens-Police Advisory Council for runner up for the "Dr. Curtis McClung Award of Excellence."

OLD BUSINESS

3. DE-ANNEXATION CASE #DX-2024-02 for the Manderley Subdivision – Phase 2. Consideration of an Ordinance to de-annex from the Corporate Limits of the City of Stockbridge nine parcels within the Manderley Subdivision, representing Phase I, as are listed below. The request was made by the owners of the nine parcels, which are located in Land Lots 8 and 9 of District 12. The parcels would become part of unincorporated Henry County. The City Council previously approved (on April 30, 2024) De-Annexation Case #DX-2024-01 for the Manderley Subdivision, Phase I, which concerned ten nearby parcels.

1. 160 Jasper Drive (Parcel #013A01023000).
2. 165 Jasper Drive (Parcel #013A01024000).
3. 195 Jasper Drive (Parcel #013A01050000).
4. 310 Kerrith Drive (Parcel #013A01039000).
5. 320 Kerrith Drive (Parcel #013A01038000).
6. 325 Kerrith Drive (Parcel #013A01025000).
7. 510 Portloe Court (Parcel #013A01049000).
8. 515 Portloe Court (Parcel #013A01047000).
9. 520 Portloe Court (Parcel #013A01048000).

Presented by: Ryan Anderson, Community Development Director
Mr. Anderson noted the de-annexation application was received June 14, 2024 and presented an aerial photo of the proposed area; noting the request has been vetted by the city's legal counsel.

Councilmember Alexander noted unincorporated Henry County residents will pay more in taxes due to the County's tax increase, and the City of Stockbridge Millage Rate will remain the same.

Councilmember Gantt noted she had met with some residents, and the concern was promises made and unkept, and would abide by the law; noting a great majority of residents in the city wanted public safety, and that the millage was implemented to help pay for those services; and expects the County to govern the same way regarding annexation and de-annexation requests.

Motion to approve De-Annexation DX-2024-02 was made by Councilmember Gantt; seconded by Councilmember Alexander. The motion passed unanimously 5-0. De-Annexation effective in approximately 45 days.

Mayor Ford read the Public Hearing Rules and Procedures

PUBLIC HEARING

4. COMPREHENSIVE PLAN CASE #CP-2024-04. (To be located in Council District 5.)

Consideration of a request for a Comprehensive Land Use Amendment of property at 425 Country Club Drive, to change the property's future land use designation from 'High-Density Residential' to 'Low-Density Mixed-Use' to allow for the conversion of an assisted living facility to a hotel boutique. The applicant is Stuart Hope, on behalf of Stockbridge Propco, LLC. The property is located in Land Lot 14 of District 7, with 6.92 +/- acres within the Stockbridge City Limits.

Presented by: Ryan Anderson, Community Development Director

Item was not heard, citing the item is addressed in the City's Comp Plan.

5. REZONING CASE #RZ-2024-05. (To be located in Council District 5.)

Consideration of a request for the Rezoning of property at 425 Country Club Drive, to rezone the property from 'OI' (Office Institutional) to 'C2' (General Commercial) to allow for a hotel boutique. The applicant is Stuart Hope, on behalf of Stockbridge Propco, LLC. The property is located in Land Lot 14 of District 7, with 6.92 +/- acres within the Stockbridge City Limits.

Presented by: Ryan Anderson, Community Development Director

Mr. Anderson gave an overview of Rezoning Case #RZ-2024-05, noting the property was previously a hotel and was rezoned as a senior living facility in 2004 and that the Planning Commission recommends denial, and staff recommends approval.

Mr. Jon W. Jordan, attorney for the applicant noted the property will close due to lack of funding no matter what is decided tonight with the rezoning, as the facility has fallen on hard times; and noted the proposed boutique hotel will benefit the community as a high-end establishment and provide new employment opportunities, revenue, and offer an excellent event center as well.

Ms. Venuss Gervin, the purchaser and developer noted she renovates hotels and brings them back to life; noted the city does not have any upscale hotels in the area, and this facility would fill that void.

Public Hearing Opened

Speakers in Favor: Susan Clowdus, Charles Marshall, Brenda Culpepper, Keith Thompson, and Rex Cagle

Speakers Opposed: Malinda Childs, Sophia Oliver, and Bruce Meadows

Mayor Ford asked the representatives to address the concerns regarding the closing of the facility, notification, and the cost of the new facility in comparison to their current rates, and transition of the residents to the new facilities, along with the displacement of staff.

Mr. Jon Jordan noted that he has been made aware that there is availability at other local facilities but could not confirm the cost comparisons, as he was unaware of any rate guarantees, and reiterated that no matter the outcome from today's meeting, the facility is closing.

Mr. Grant Milton, from the facility's Management Team noted their notification and transition of residents follows State law, as required.

Councilmember Alexander noted there is a 30-day legal notice requirement, and that the owner can work out extensions with residents.

Mr. Milton noted the management team is currently working to transition the (19) nineteen remaining residents.

Councilmember Gantt questioned the leases and terms for the residents.

Mr. Grant noted all residents are under a month-to-month lease.

Councilmember Thomas stated he wanted to make sure the remaining residents have a full opportunity to relocate in a humane way.

Councilmember Barber stated she was curious to know what the current rates were of the other facilities in comparison to the current rate that the exiting patients residents are paying, noting she had watched the Planning Commission meeting when this proposal was presented and heard the concerns expressed by a resident who lives in the adjacent neighborhood (The Villages) regarding access to her neighborhood; and asked the potential new property owner if she has plans to restrict access into the adjacent neighborhood.

Councilmember Gantt stated questions need to be answered by the owner (who was not present) and asked why the facility's website was still advertising for new residents, and scheduling visits if the facility is set to close, noting the owner needs to respond; and noted there needs to be compassion for the residents and staff, and not just the sell and development of property, but also a level of care for the residents, noting this is an aging population of people, and that she will not vote in approval on this matter tonight.

The website manager for the facility stated she had no idea the facility was closing.

Mayor Pro Tem Berry asked the representatives to elaborate on the "safe place," further asking where the residents would go once discharged; and asked if the employees are going to receive severance packages; noting there needs to be more communication regarding the transition, and asked how soon the matter can be addressed.

Mr. Jon Jordan suggested the matter be Tabled to meet with the team to seek answers.

Councilmember Thomas stated that he is on board with the progress of the facility, however, the owner needs to come back and answer questions.

Mr. Milton noted the owner does not live in the area; however, the Regional Operations Manager does, and would be able to come back with information for the Council.

Councilmember Alexander noted the 30-day timeframe is a great concern for the Council and asked Ms. Gervin if as the new owner, she would be amenable to extending the timeframe for the transition of residents to a 60–90-day timeframe.

Ms. Gervin stated that she believes in the project and is willing to wait to allow for the relocation of the residents.

Mr. Jon Jordan stated they would get notices out and asked the Council to Table the matter until the September 9, 2024 meeting.

Motion to Table to the September 9, 2024 Council Meeting, with the Requestor submitting a 50-90 plan to the relocation/transition of residents was made by Councilmember Alexander; seconded by Mayor Pro Tem Berry. The motion passed unanimously 5-0.

NEW BUSINESS

6. Council consideration to approve the Stormwater Division to use the \$573,653.00 allocated to SPLOST V to perform stormwater repairs within the stormwater management system. The Stormwater Division proposes to utilize Site Engineering, the City's On-Call Water & Sewer Emergency & Operational Repair/Maintenance and Construction Services vendor.

Presented by: Decius Aaron, Public Works Director

Mr. Aaron noted there were several Stormwater repair projects that are ongoing and asked for approval of the request.

Motion to approve was made by Councilmember Gantt; seconded by Mayor Pro Tem Berry. The motion passed unanimously 5-0.

7. Council consideration to fill a vacancy on the Ethics Committee and appointing a member to fill an unexpired term.

Presented by: Quinton Washington, City Attorney

Attorney Washington noted there is one vacancy and two applicants and asked the Council to select.

Councilmember Gantt noted she was not familiar with either applicant.

Councilmember Alexander asked the City Clerk if both candidates have been vetted.

City Clerk, Vanessa Holiday, noted both candidates meet the criteria as city residents, and have cleared background checks through the Municipal Court.

Motion to appoint Mary Scott to fill the unexpired term was made by Councilmember Barber; seconded by Councilmember Thomas. The motion passed 3-0-2. (Barber, Berry, and Thomas approved) (Alexander and Gantt Abstained).

8. Council consideration to fill a vacancy on the Downtown Development Authority Board and appoint a member to fill an unexpired term.
Presented by: Quinton Washington, City Attorney

Attorney Washington noted there is one vacancy on the board, and one applicant.

Councilmember Alexander noted a member of the DDA Board made the recommendation for Mr. Jerry Mays.

Motion to appoint Jerry Mays to fill the unexpired term was made by Councilmember Alexander; seconded by Mayor Pro Tem Berry. The motion unanimously 5-0.

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- Citywide Development Authority Meeting, 2nd Tuesday of each month, 6:00 p.m.- City Hall Levi Meeting Room (Aug 13)
- Planning Commission Meeting, 3rd Thursday of each month, 6:30 p.m. - City Hall Council Chamber - (Aug 15)
- Downtown Development Authority Meeting, 3rd Tuesday of each month Stockbridge Downtown Center 130 M L King, Sr. Heritage Trail (Aug 20)
- Youth Council Advisory Committee Meeting, 6:30 p.m.- 3rd Tuesday of each month Levi Meeting Room - City Hall (Aug 20)
- City Council Work Session Meeting, Last Tuesday of each month: Tuesday, July 30th at 6:00 p.m. - City Hall Council Chamber (Aug 27)
- Community Zoning and Information Meeting: Thursday, August 7th from 6:00 p.m. – 7:00 p.m. at City Hall in the Council Chamber (Sep 4)
- Stockbridge Citizens-Police Advisory Council meeting 1st Thursday of each month at 6:00 p.m. at the Stockbridge Police Community Room 4545 N. Henry Blvd. – (Sep 5)
- City Council Meeting, 2nd Monday of each month at 6:00 p.m. - City Hall Council Chamber (Sep 9)
- Youth Council Meeting 2nd Monday of each month at 6:30 p.m. - City Hall Levi Meeting Room (Sep 9)
- The Main Street Advisory Board Meeting on the 2nd Friday of each month at 9am – Location is the Downtown Connection Center 130 M L King Sr. Heritage Trail. Sep 13)

UPCOMING CITY EVENTS/INITIATIVES

- Join Councilman Alphonso Thomas for the monthly Senior Bingo Bash on Wednesday, August 14th from 10am - 12pm at the Merle Manders Conference Center, 111 Davis Rd. for raffles, prizes, games, snacks and fun!
- Join Councilwoman LaKeisha Gantt in partnership with Atlanta Food Truck Park for Night Market at the Stockbridge Amphitheater Parking Lot from 6pm – 9:30pm – August 15th. There will be vendors, Food Trucks, Activities, Games, Music, and Vibes. Contact Tan Bowers at tan@atlantafoodtruckpark.com for registration and additional information.
- Join Councilman Thomas for the 2nd District Curb, Gutter and Sidewalks Town Hall on Thursday, August 15th from 6:30pm – 8:00pm at Floyd Chapel Baptist Church Family Life Center located at 104 First Street Stockbridge, GA
- Join Mayor Anthony Ford for the monthly Meet the Mayor on Wednesday, August 26th from 10am – noon at Stockbridge City Hall.
- Join the Stockbridge Citizens-Police Advisory Council for the Zone 2 Public Safety Forum/ Back to School Safety Day on Monday, August 19th from 6:00 pm to 7:30 pm at Stockbridge First United Methodist Church 4863 N. Henry Blvd.
- Join Councilman Thomas for the Don't Trash Stockbridge initiative centered around education highlighting the causes and effects of Littering and Illegal Dumping. More information to follow.
- Councilman Thomas is honoring Veterans with a Continuous Salute all year long. Please send your pictures of Veterans with their name, branch, rank, and years of service.

Please contact Rosalynd Rawls to schedule an appointment for Meet the Mayor and for more information on Council Initiatives and events at 678-833-3348 or via email: rrawls@stockbridgega.org

SAVE THE DATE! Join the City of Stockbridge for the 9/11 Remembrance on Wednesday, September 11th beginning at 8am on the steps of City Hall. 4640 N. Henry Blvd. Stockbridge.

SAVE THE DATE! BridgeFest 2024 is coming! Are you ready! The City of Stockbridge Government is hosting this annual event for the COMMUNITY on Saturday, September 28, 2024! We will have a live concert, food trucks, vendors, and more! Get ready for fun at the Stockbridge Amphitheater! Questions? Please email bbradley@stockbridgega.org as soon as possible for vendor opportunities.

2024 Stockbridge Amphitheater Summer Concert Series

- Saturday, August 17th – Monica, featuring Tamar, Sevyn Streeter, and Pretty Tammy the DJ.
- Saturday, September 14th 3-yr Anniversary Celebration – Kool and the Gang, with Special Guest Morris Day and The Time.
- Sunday, October 20, 2024, (Rescheduled Show) Charlie Willson with Special Guest El DeBarge
- Saturday, October 26, 2024, Boney James Slow Burn Tour with Special Guest Damien Escobar.

Chris Tucker & Friends

- Saturday, August 24, 2024, Chris Tucker & Friends. Live Music and Comedy. Benefits the Chris Tucker Foundation.

Stockbridge Main Street Tiny Tent Concert Series

- Fridays (Weather Permitting) The show will start at 6 pm and will end at 8 pm. The show will take place at 130 MLK Sr Heritage Trail in Stockbridge, GA. Enjoy good music, local restaurants, and OUR community... all in ONE gorgeous location! Bring your family or make it a date night! Just don't forget your lawn chair!

MAYOR'S COMMENTS

Mayor Ford referenced the 2024 Olympics that just concluded in Paris with the USA at the top of the medal count; and noted Vanessa Holiday's cousin, Grant Holloway won the gold medal in the 110 Hurdles meet, and Daniel Roberts from Eagles Landing High School won the silver medal in the same race, and looks forward to the Olympics coming to Los Angeles in 2028; and referenced the golf events that took place at the Eagles Landing Country Club featuring the Legends of the LPGA, and the World Long Distance Drive Contest where he and Councilman Alexander attended and proclamations from the City were presented at both events.

Motion to adjourn the meeting at 8:28 p.m. was made by Councilmember Alexander; seconded by Mayor Pro Tem Berry. The motion passed unanimously 5-0.

Respectfully submitted by:

Vanessa Holiday, City Clerk CMC

Anthony S. Ford, Mayor



COUNCIL FY2025 BUDGET RETREAT
August 21, 2024
10:00 a.m.
Summary Minutes

Mayor & City Council

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

Administration

Frederick Gardiner, City Manager
Vanessa Holiday, City Clerk
Lakeisha Gaines, Interim City Treasurer
Quinton Washington, City Attorney

Staff in Attendance: Decius Aaron, Ryan Anderson, William Conner, Richard Godfrey, Demeatrius Ivey, Ron Momon, Rosalynd Rawls, Shana Thornton, Frank Trammer, and Renee Wheeler

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

The meeting was called to order at 10:09 a.m. by Mayor Ford.

Invocation by Mayor Ford

Pledge of Allegiance recited by all in attendance.

The City Clerk was asked to proceed with Roll Call. All the members were present except Councilmember Gantt.

DAY ONE AGENDA

Mr. Gardiner reviewed the Day One Agenda Outline and noted the City is trending significant growth and development and the budget needs to reflect anticipated needs to service the residents and businesses; noted the Henry County and Clayton County Water Authorities serve a large area of the city, with the City of Stockbridge Water only servicing the core residents and businesses, to include the downtown area, noting storm water & downtown development and infrastructure will be priority projects. Mr. Gardiner noted new development brings new value and increases the tax bases; and referenced million-dollar homes are currently under construction in the city; noted the City of Stockbridge has an opportunity to be the Beacon of the Southern Crescent; and noted opportunities are also lost when developers and investors view the city's Council meetings and have conversations with members from GMA. Mr. Gardiner noted the draft general fund budget presented today is \$29,182.11 and represents a 9% increase with no increases to development or impact fees; noted

LOST (Local Option Sales Tax) is expected to increase and referenced the Hotel/Motel Tax dollar revenue and is dictated by the price of the room rate per night, referencing the Red Roof Inn with annual reporting of Hotel/Motel Tax of \$6,000.00.

Councilmember Alexander suggested the city audit the annual hotel reporting; and referenced the Amphitheater payoff in 2025 that will free up funds once paid off.

Mr. Gardiner noted most municipalities carry debt service, and that in addition to the freed-up bond payments for the Amphitheater, a third-party option is recommended for the Amphitheater in 2025 that will also free up funds, and suggests the city be prudent by placing the savings from the Amphitheater payments and production of the concerts be placed in the bank for a rainy day.

NEW BUSINESS

1. Police Department FY2025 Budget Presentation – Presented by Chief Frank Trammer

Chief Trammer referenced the department coming on board in May 2022, and Code Enforcement being added in January 2023; referenced the Council's approval of the funding mechanism for the (4) four new Public Safety Officers (Council Retreat February 2024); noted the COPS Grant will expire in 2026; noted the current year budget is trending over budget and the proposed FY2025 represents a 15-17% increase with overtime cost increase of 64%; presented the FY22 – FY26 Budget Chart and comparisons; noted the department has 67 full-time sworn officers, 19 full-time civilian staff, 6 part-time staff for a total of 86 department staff; presented Historical Calls for Service for 2021-2023; presented Workload Based Calculations; noted 80 employees represent a fully staffed department for effective community policing; noted Key Challenges: Staffing Shortages, Relying on the Henry County Police Department for services; Inability to Respond to Accidents; Recruitment & Retention, ; and Resource Strains from Annexations; noted the Percentage Change in Violent Crime 2021-2023; presented Average Salary Comparisons in the metro area and the city of Dunwoody; noted the Key Opportunities: grant funding; Stockbridge Police Foundation; DEA Task Force Participation – One Officer (funds specifically earmarked); Crime Suppression Unit; Traffic Unit Implementation; and School Speed Detection Cameras; presented Traffic Unit Fines vs. Costs and Red Speed data.

Discussion included: fuel expenses and the city partnering with a local vendor for fuel at a discounted rate, likewise for pursuit rated tires; moving toward Lightning electric vehicles for the department fleet for budgeting and environmental purposes and tax credits, where applicable; meetings are being scheduled with the city's Grant Administrator to apply for new grants to offset expenses where possible; part-time officers being assigned to Municipal Court and City Hall; referenced maintenance agreements with outside vendors, specifically Henry County regarding for services; noted issues remain in the area of Code Enforcement, and more needs to be done regarding the enforcement of violations.

Chief Trammer noted there are currently (3) Code Enforcement Officers. (1) Working Supervisor and (2) Code Enforcement Officers with one officer on leave; and suggested there may need to be (6) Officers – (1) Supervisor, and (5) Officers, one for each District.

Ms. Gaines noted there is \$15,000.00 for Nuisance and Abatement in the Non-Departmental Budget.

Mr. Aaron stated \$15,000 is not enough to remedy the homeless encampments, illegal dumping throughout the city, and disposal costs, and suggests the city outsource the service.

Councilmember Gantt joined the meeting at 11:32 a.m.

Chief Trammer announced recent promotions within the department: Richard Godfrey to Assistant Chief; Paton to Major and Gilbert-Ramsey to Interim Captain, and highlighted department accomplishments:

Further discussion suggested the Code Enforcement department continues to struggle and is headed in the wrong direction and that the department will require someone well versed in Code Enforcement to make the department more of a priority; and noted the Community Development department knows and is familiar with the Code, and the police officers are not.

Mr. Gardiner noted that in regard to Code Enforcement and officers going onto private property, the Georgia Statute states that if you can see the violation from the street, the issue can be addressed and cited and is not trespassing.

Attorney Washington stated the Court would make the final determination, noting the Code allows for the complaint to be issued and a hearing within 10 days.

By consensus, the Council agreed to schedule a follow-up meeting specifically to discuss Code Enforcement and to determine which department is best suited to manage Code Enforcement.

Chief Trammer discussed the needs of the department, noting grant funding has helped a great deal to cover many of the expenses, and the COPS grant will expire in 2026; noted the department will continue to apply, noting the grant only covers new officers, who must remain with the department for three (3) years.

Council discussion: perception of police presence and neighborhood patrol, and not wanting to over police, while remaining safe; and noted with the city's growth, annexations and development, the department must meet those needs and continue to be able to provide police services.

Mr. Gardiner stated he would work with Chief Trammer and the Treasurer to find a way to add the requested positions, if it is the will of the Council.

2. Public Works FY2025 Budget Presentation - Presented by: Decius Aaron

Mr. Aaron reviewed the FY2025 Budget Objects noting the increasing demands of a growing community, improving service levels and working with a constraint on resources and maintaining staffing levels; reviewed the Public Works Budget Principles; FY2025 Budget Priorities: Identify a funding source to renovate the Public Works Maintenance Shop; Conduct an in-depth financial assessment of the infrastructure of the annexed areas and develop a master plan for addressing capital projects and maintenance issues; conduct a facilities assessment of all City buildings; close the transfer station and incorporate the land into Memorial Park for additional parking; and traffic signals maintenance; reviewed highlights of the department, receiving the Platinum Award for the Water System, and a Gold Award for the Wastewater Treatment Facility; resurfaced eight miles of road; completed the East Atlanta Rd/Lee Street improvement project; completed the Mays Crossing lift station rehabilitation project and repaired the Amphitheater retention pond.

Mr. Aaron reviewed the staffing requests for FY2025, requesting the replacement of the Assistant Public Works Director to a Project Manager position; the addition of three (3) Stormwater Technicians; reclassification of the Executive Assistant position to Public Works Administrative Analyst; and the addition of an Automated Metering Infrastructure (AMI) Technician.

Councilmember Alexander noted the Council was intentional with the Assistant Public Works Director having an Engineering Degree.

Councilmember Thomas agreed, noting the City needs to have an Engineer on staff; and stated that when adding new positions to the city, there is a process, and each new proposed position would need to go through the proper procedures.

Mr. Aaron stated should the position be approved; the applicant would be required to have an Engineering Degree.

Mr. Aaron referenced the new 2023 EPA rule for water line replacements, noting lines installed after 1997, there is an assumption of no lead, and the initial survey is due to the EPD on October 15th.

Mr. Aaron noted Enterprise Fleet Management will present at the upcoming Work Session on August 27th to discuss lease/purchase options; and noted the Stormwater Department has incurred a number of major expenses, especially in the newly annexed areas.

Mr. Aaron reviewed the Department Challenges: Department funding; Inability to replace critical vehicles and equipment in a timely manner; providing services in the annexed areas; increasing solid waste collection and disposal costs; changes in the federal lead and copper

rules; changes in NPDES permit discharge limits; federal and state stormwater management mandates; recruitment challenges; aging infrastructure for which replacement costs were underfunded over the years; and homeless encampments; and reviewed the Opportunities: Upgrade infrastructure, parks, and city buildings via SPLOST and TSPLOST funds; implement annual Consumer Price Index (CPI) adjustments to ensure that Enterprise Funds remain self-supporting; and improve compensation for Public Works staff to reduce turnover.

Councilmember Thomas noted that he was not aware of the Council denying any requests brought to the Council to fund Public Works projects and replacement of vehicles, and increasing contracts cover the newly annexed areas.

Councilmember Gantt asked where Public Works is using outside contractors for services.

Mr. Aaron noted contractors are providing Right-of-Way services, sanitation, stormwater, sidewalks, and landscaping.

Councilmember Thomas asked what the General Maintenance daily duties consist of.

Mr. Aaron noted the General Maintenance maintains the parks, litter pickup, mowing and bush hog cutting, repairing potholes and chipper services, noting staff cannot encroach upon the Norfolk Southern/Railroad areas.

Mayor Ford noted the city needs a plan on how to increase Public Works salaries, noting the Minimum Wage is \$15/hr.

Councilmember Barber asked if there are any opportunities to bring Landscaping in-house.

Mr. Aaron noted that bringing those contracted services in-house would increase salary and benefits, noting there are fourteen (14) General Maintenance staff who are specifically assigned to mowing, litter control the maintenance of standard mowing of rights-of-way for the most part, and that you have to weigh the pros and cons where contractors have the responsibility of mowing and maintaining the major thoroughfares weekly.

Councilmember Alexander agreed, noting the contractors have saved the city money on salaries, benefits, and equipment.

Councilmember Barber noted the city needs to create opportunities to enter into the Public Works field by bringing in Interns for some of the Administrative positions, and Temporary positions, and cut back on some of the contract work.

Mr. Gardiner noted that the city can look at utilizing community service workers.

Ms. Wheeler noted they would not be covered under the city's Workers Compensation policy. Attorney Washington stated the City would have liability, and that it would depend on if the work was on a voluntary basis or mandated by the court.

Councilmember Thomas asked staff to research what would be required to use community service workers, especially on the weekend, and to put in the safeguards.

Councilmember Gantt noted a number of steps would be required to oversee community service.

Councilmember Barber noted the city should be looking to minimize the city's expenses, and every employee is potentially a liability, noted the city's population has grown and changed and there are other municipalities who are using community service, and the city of Stockbridge needs to look at how we can do the same.

Mr. Gardiner confirmed staff would look into it.

Councilmember Alexander noted he removed himself from the Keep Stockbridge Beautiful platform, and that the city would provide the service; and noted contractors deliver a high level of service, whereas, as temp worker would deliver a low level of service; and noted the city needs to apply for Keep America Beautiful, if not already done; and noted a salary survey should be routine to make sure the city is keeping in line with comparable salaries in the area.

Ms. Wheeler noted that not all employees and temporary workers are brought in at the \$15 minimum wage level.

Councilmember Alexander asked what the turnover numbers are for the city.

Ms. Wheeler noted the largest turnover is from the Police Department; and that other areas of the city are less than 2% and would provide a breakdown of turnovers.

3. Economic Development – Presented by: Frederick Gardiner

Mr. Gardiner gave an overview of the department, noting three positions, the Director, which is currently vacant, and two positions for Administrative Support and the Economic Development Coordinator, Office of Downtown Development, Office of Economic Vitality and Office of Marketing & Attraction.

Councilmember Alexander asked for the status to fill the vacancy of the Economic Development Director position.

Mr. Gardiner noted a prospect was interviewed yesterday, noting the search is active.

Mr. Gardiner reviewed the proposed FY2025 Department Budget; noted Major Initiatives include the TAD Project; and presented the Patrick Henry Parkway project.

Mr. Gardiner gave an overview of the Main Street Department and proposed FY2025 department budget, noting the department has two staff members, a Downtown Manager, and a Coordinator, and all are housed in the Economic Development offices; referenced the success of the Tiny Tent events taking place on Friday nights to energize the downtown area; referenced a proposed project to re-design the old police department and put in turf with no effect on the Alleyway Project; implement a lighting project in the downtown; and is speaking with the owners of the remaining vacant buildings (neither which has a kitchen).

Councilmember Gantt suggested the city consider a Community Grease Trap as a DDA Project.

Mr. Gardiner noted there have been discussions regarding a pad for two dumpsters and adding parking in the rear; cleaning up the railroad yard to add parking with brick pavers similar to downtown Locust Grove.

Councilmember Barber asked if there have been any discussions with Food Depot.

Mr. Gardiner noted the owner of Food Depot has expressed interest in improvements to the storefront and parking lot.

Councilmember Thomas noted Code Enforcement needs to address the car wash at the corner of N. Henry & Tye Street, and the former jewelry store; and also noted the Harrell Drive apartments were being renovated following a fire in a section of the units.

Councilmember Gantt noted the CDA (Citywide Development Authority) is looking at implementing the Citywide Façade Grant Program.

Mr. Gardiner noted the area under the bridge is considered for murals; and that he is meeting with the County Chair and County Manager to discuss the TAD, followed by a meeting with the Henry County School Board.

4. Community Development – Presented by: Ryan Anderson

Mr. Anderson referenced the Four Business Units for Community Development: Administration, Planning & Zoning (GIS), Building/Fire/Permitting & Inspections, and Business Services, all in support of economic growth; noted the Top Priorities are: Accountability (Taking Ownership), Consistency & Credibility, Efficiency & Expectation, and Statistical Measures (KPIs); reviewed the Department Organizational Chart, noting the request for positions and reclassifications; noting the request for FY2025 increase the number for Building Inspectors

from 1 to 2 personnel; Increase the Senior Planner from 1 to 2 personnel, and defund the Planner 1 position.

Mr. Anderson presented the city's Zoning Map, the Future Land Use Map, Council District Map; noted there are currently 1,325 units under construction in the city, noting the city is growing fast, and presented population forecasts near 50,000 by the year 2030, noting the need for long range, smart planning; and that beginning in 2025, the department will target two corridor studies to start planning for this growth and is requesting to begin partial on-boarding for In-House Building, Permitting Division in FY2025 modernizing the department, implementing new Sages software to replace EnerGov in the amount of \$100,000, and is a savings of \$30,000 annually compared to the current software; and requests to begin the Areas of Study: Hwy. 138, Eagles Landing, North Henry Blvd., East Atlanta Rd., and Rock Quarry Rd. noting most studies are only good for ten years, and is requesting the purchase of (2) two inspections vehicles (approximately \$65,000).

Mr. Anderson noted the proposed FY2025 Department Budget was comparable to FY2024, with a decrease to the overall budget.

Mr. Anderson noted the department will bring a Zoning map to the Council for approval based on the rezonings that have been approved by the City Council, along with a Comprehensive Plan Update; if approved, will move forward with Sages software; noted Veritas is no longer the contractor for the city, and that most positions have already been brought in-house with the exception of the Engineer; noted there is approximately 400 acres along the Western Parallel Connector for commercial development, noting the city is not land-locked.

Councilmember Thomas asked Mr. Anderson to thoroughly review the Comprehensive Plan to see what can be done within the city's Comprehensive Plan to stop all of the amendments from coming before the Council.

Councilmember Barber asked who is responsible for reviewing the city's housing inventory; and stated there have been more multifamily developments approved for Council District 4, and there has been a lack of development proposals for single family detached homes presented to the Council, and that diverse options are needed.

Mr. Anderson stated that developers receive funding based on a feasibility study that they have conducted.

Councilmember Barber asked who determines if the development meets the growth and planning needs of the city.

Mr. Anderson stated developments are market driven.

Mr. Gardiner noted that regarding the development of the City of Stockbridge, single-family detached homes were built first, then townhomes, followed by apartments.

Councilmember Alexander noted townhomes are only 2% of the city's housing inventory, noting townhomes are considered single-family homes without a yard, and single-family detached homes have a yard.

Councilmember Barber as the Council to consider as a Condition for new developments, to set aside a percentage of units for Public Services employees such as police officers, teacher, medical staff, etc.

Adjourn

Motion to adjourn the meeting at 5:00 p.m. was made by Councilmember Gantt; seconded by Mayor Pro Tem Berry. The motion passed unanimously 5-0.

Respectfully submitted by:

Vanessa Holiday, City Clerk

Anthony S. Ford, Mayor



COUNCIL FY2025 BUDGET RETREAT
August 22, 2024
9:00 a.m.
Summary Minutes

Mayor & City Council

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

Administration

Frederick Gardiner, City Manager
Vanessa Holiday, City Clerk
Lakeisha Gaines, Interim City Treasurer
Quinton Washington, City Attorney

Staff in Attendance: Decius Aaron, Ryan Anderson, William Conner, Econuel Ingram, Demeatrius Ivey, Rosalynd Rawls, Genea Stanley, Shana Thornton, Frank Trammer, Charisma Webster, and Renee Wheeler

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

The meeting was called to order by Mayor Ford at 9:43 a.m.

Invocation by Councilman Thomas

Pledge of Allegiance recited by all in attendance.

The Clerk was asked to proceed with the Roll Call. All the members were present except Councilmember Gantt.

Adoption of the Agenda: Motion to adopt the Agenda made by Mayor Pro Tem Berry; seconded by Councilmember Barber. The motion passed unanimously 4-0.

DAY TWO AGENDA

Day One Recap by Mr. Frederick Gardiner

Mr. Gardiner noted there were several concerns and issues around Code Enforcement, including where the department should be managed, and funding for nuisance and abatement; and reviewed the Agenda Outline for Day Two.

NEW BUSINESS

1. Municipal Court - Proposed FY2025 Budget - Presented by: Genea Stanley

Ms. Stanley reviewed the year to date citations, revenue and clearance rate of 79%, noting Pre-Trial Diversion cases can take up to six months to clear, and the numbers do not reflect school zone case, which a number of citizens are protesting; reviewed the 2021, 2022, 2023 noting significant increases beginning in 2022 with the implementation of the Stockbridge Police Department; reviewed the spending trends for 2022, 2023 and 2024; noted a request for a Capital Improvement Project that previously approved and has now stalled in the Procurement Department; requests additional training, the Public Defender, Municipal Judge Training and Hospitality.

Councilmember Alexander asked what the renovations are for the court.

Ms. Stanley referenced renovations to the Courtroom to accommodate the those who appear for court cases, and also to payment window for security purposes.

Ms. Stanley referenced Personnel with the current staffing level at three (3) members with a desire to increase staff in FY2026.

Councilmember Thomas asked about the case load for Code Enforcement citations.

Ms. Stanley noted the cases have increased, however, there needs to be more clarity in this area and seeks guidance from Judge McCord.

Attorney Washington noted he has spoken with Judge McCord, and noted the City Council needs to decide with regard to the issuance of warrants by local ordinance as it relates to Code Enforcement.

Mr. Gardiner noted a Bench Warrant can be issued for Failure To Appear (FTA).

Councilmember Thomas suggested that a conversation needs to take place for the Council to act to make the city's departments more efficient and asked the City Manager to follow up with Judge McCord. Mr. Gardiner confirmed.

Councilmember Alexander noted there is no reason to delay the action, noting the City Council approved stiff residential and commercial fines.

Ms. Stanley noted there are no penalties or late fees that are being assessed, nor are there warrant fees.

Councilmember Alexander noted that it is important for the behavior of the defendant to change.

Judge McCord joined the meeting at 10:15 a.m. and noted the court has approximately 10 -15 Failure to Appear cases each month; and noted several are renters, and that the businesses are being cited, and not the business owner, who may live in a different state, and recommends the City Attorney create a procedure that could shut down the business or place a lien on the business.

Councilmember Alexander agreed that a Lien or Business Shut Down would be appropriate to get the owners attention to act.

Mr. Gardiner stated that it was his understanding that the citation must be delivered in person and presented to someone at the business location, who would then notify the business owner.

Councilmember Thomas stated that the bottom line is to find ways to make the city more efficient and effective relating to Code Enforcement and Nuisance and Abatement, and recommends funding be placed in the budget.

Judge McCord stated in regard to homeless encampments, you can't fine individuals who have no money, and they can't do community service without an address, which makes jail the only option; and regarding the nuisance items such as failure to maintain properties, if the law is in place, the court can act and require the grass to be cut, or if cut by the city, send the resident a bill, and if the bill is not paid, they would receive a notice to appear in court and perhaps ending with a lien on the property; however, the court can only act if the law is in place, noting Municipal Court Judges are limited in their authority.

Councilmember Thomas stated the quality of life is diminished when there is no action taken against those who fail to comply and maintain their properties.

Judge McCord stated he welcomes the opportunity to meet with staff and others to produce a plan to address the issues, and commended Court Administrator, Genea Stanley, on her handling of the court and the volume of cases coming through the court.

Judge McCord noted FTA (Failure to Appear) Warrant Fees must be statutorily authorized and range from \$50 - \$100.

Motion to approve an Ordinance to set the FTA (Failure to Appear) fee at \$100.00 effective September 1, 2024 was made by Councilmember Alexander; seconded by Councilmember Barber. The motion passed unanimously 4-0.

Motion to approve an Ordinance to set the Warrant Fee at \$150.00 effective September 1, 2024 was made by Councilmember Alexander; seconded by Mayor Pro Tem Berry. The motion passed unanimously 4-0.

Councilmember Gantt joined the meeting at 10:39 a.m.

Councilmember Barber stated these discussions are the reasons she has requested the Departments present quarterly reports and keep the Council updated on matters of the City, noting this dialogue has been extremely helpful.

Mr. Gardiner noted he has proposed a true Work Session format and is open to moving in that direction.

Mr. Thomas stated he has received complaints about school zone signage, and perhaps that is why there are disputes regarding those citations.

Ms. Stanley reviewed the FY2024 highlights of the department; reviewed the proposed FY2025 budget; reviewed the List of Surcharges; reviewed the features and court schedule; and the requested items to consider in the FY2025 budget for the court.

Councilmember Barber asked Ms. Stanley if additional staff is needed now, instead of waiting until FY2026.

Ms. Stanley's responded that there is a need to bring in a Clerk I at \$35,000 salary, plus benefits.

Councilmember Barber asked Mr. Gardiner to add the position of Court Clerk 1 and funding to the FY2025 Budget as requested by Ms. Stanley.

2. Governing Body - Presented by: Rosalynd Rawls

Ms. Rawls presented the Governing Body's Proposed FY2025 Budget, noting in comparison to FY2024, a request is being made for additional overtime for the Administrative Assistant; Workers Compensation has moved to the Human Resources Department Budget, Copier Rental has moved to the IT Department Budget ; Miscellaneous Expenses have been reduced; Hospitality is being increased; and the Youth Council line item along with \$6000 from Civic Events is being moved to the Clerk's Department Budget, noting the Clerk's Office manages the Youth Council's In/Out expenditures and coordinates with the Youth Council Committee Chair and Treasurer directly, and manages and coordinates the annual Municipal Dinner.

Councilmember Gantt asked about the process of transferring funds within the department.

Ms. Gaines noted in some cases, sponsorships are received that offset the cost of the expenses that may not been seen on the department budget but are reflected in the total cost of the event, and that funds are also transferred to/from accounts if available.

Ms. Rawls reviewed the Civic Events to include: The NAACP Breakfast and Parade, South Metro Development Conference, Henry County Chamber Annual Dinners, ARC State of the Region Breakfast, State of Henry County Address, and First Readers Luncheon.

Councilmember Barber referenced a sponsorship she provided to the Stockbridge High School band, noting she conferred with the City Manager, and former City Treasurer, John Wiggins and there was no objection.

Councilmember Alexander noted he was advised there must be a benefit to the city.

Councilmember Thomas noted the Stockbridge High School band and ROTC perform for the City at several events including Memorial Day, 911, Veterans Day programs.

Attorney Washington noted that going forward, sponsorships should come from the City and not an individual initiative.

Councilmember Gantt requested the Council approve Resolution to reactivate the Henry County Schools Partners In Education Program.

Councilmember Thomas requested a listing of the schools to be included, and a copy of the overview of the program, noting the Stockbridge Cluster included Austin Road schools, and did not include Red Oak.

Ms. Rawls confirmed she had a list of the schools that include residents of the City and would provide the information to the Council.

Ms. Holiday notified the Council that she just provided the Mayor & Council the information for Partners in Education via email for review.

Motion to approve a Resolution to reactivate the Partners in Education Program was made by Councilmember Gantt; seconded by Councilmember Barber. The motion passed unanimously 5-0.

Councilmember Barber stated that only one newsletter was published and mailed out in 2023, noting the newsletter was not sent to the newly annexed residents; and stated she would be partnering with the schools again this year, noting she is preparing for a Council initiative for girls at eight elementary schools in the Stockbridge cluster.

Ms. Thornton advised the next edition is scheduled to be released in early September.

3. Office of the City Clerk - Presented by: Vanessa Holiday

Ms. Holiday gave an overview of the Clerk's Office noting the role and overall duties and responsibilities of the department with the Deputy beginning the Municipal Clerk certification process in September, noted no changes to the staffing levels for FY2025, and reviewed the various software applications utilized by the department; referenced the current boards and committees, noting the increased meetings and activity with two additional boards to be activated, pending the hiring of the Economic Development Director; presented the proposed FY2025 Department Budget, noting an increase in Elections and Committee Expenses, a decrease in computer software expenditures; and referenced the Civic Events and Youth Council line items that were moved from the Governing Body Budget to the Clerk's Office Budget as referenced in the previous presentation.

Councilmember Alexander asked about the publication of the upcoming SPLOST Referendum. Ms. Holiday noted that she has been in contact with the Henry County Elections Office and will notify the city's Public Information Officer once the notice is published to add to the city's social media platform, and the newsletter if received prior to distribution.

4. Human Resources - Presented by: Renee Wheeler

Ms. Wheeler introduced Mr. John Leggett with MSI Benefits who gave an overview of the proposed FY2025 Medical Benefits and Insurance Plans; noting this is the 2nd full year with United Health Care who is expected to hold the rates, noting the renewal is due in early September; noted pharmacy accounts for 25% of the claims for the city, however, based on the claims experience for the past year, a decrease of the plan's premium is expected; noted the average cost per employee is \$21,000 annually.

Mr. Leggett recommended the city move to the Veracity RX Pharmacy Benefits Program where prescriptions can be mailed to members' homes, noting the city's current avg. RX cost is \$160 and with Veracity, the cost would avg. \$80; and recommended the city move its EAP which offers three visits, and the new vendor offer unlimited visits.

Ms. Wheeler noted they will also market the Disability Plan for a better product; noting the Benefits Renewal Package will be presented to the Council for approval at the October 14th meeting.

Ms. Wheeler noted there have been a number of challenges in the Human Resources Department over the last year, citing the current statistics for the last 5 years: As of 8/20/2024 there are 185 active employees and 25 terminated, As of 8/20/2023 there were 155 active employees and 38 terminated; As of 8/20/2022 there were 146 active employees and 21 terminated; As of 8/20/2021 there were 78 active employees and 11 terminated; and as of 8/20/20 there were 79 active employees and 4 terminated.

Ms. Wheeler noted the workloads of various departments have increased tremendously since 2020, and the following department personnel requests have been submitted for FY2025, noting all job descriptions will be included in the Budget Book.

Finance – the addition of an Accounting Specialist and Accountant 2 position, and to reclassification for the Senior Accountant to an Accounting Manager position.

Procurement – Reclassification of the Procurement Clerk to Procurement Coordinator and Procurement Specialist to Contract Specialist.

Human Resources – Addition of a Human Resources Generalist position.

Economic Development – Reclassification of the Administrative Assistant to Executive Assistant.

Community Development – Addition of a Building Inspector position.

Events – Addition of a Conference Center Coordinator position.

Police – Addition of an Accountant 1 position.

Public Works – Addition of (3) three Stormwater Technicians and the reclassification of the Stormwater Technician to AMI Meter Technician, and reclassification of the Executive Assistant to Administration Analyst.

Ms. Wheeler referenced the Code Enforcement Department, noting the current challenges with finding a good Supervisor to lead the department.

Councilmember Alexander recommends a Director with the power and authority to act.

Councilmember Thomas agreed, noting the need for results; and noted it the department appears to rely on SeeClickFix, and that a 3-member department should be sufficient with no need for a Code Enforcement Officer in each district; and noted the Code Enforcement deficiency needs to be resolved before the budget is adopted; and noted the request for a Public Works Assistant Director with an Engineering background was intentionally approved by the Council and is not sure why the title needs to be changed when the person can do the same duties as outlined for the Project Manager.

Mr. Gardiner noted that the number of Code Enforcement Officers is not based on the size of the city, but rather the condition of the city, and recommends (4) four GAPE Certified, and one of the four being a highly trained working supervisor.

Chief Trammer noted the Police Department inherited Code Enforcement in 2023, and during that time, there have been a number of personnel changes.

Councilmember Barber noted there needs to be more focus on recruitment and interns for departments outside of city hall, and this may be an area where the city could try to use Stockbridge residents, and interns, and some type of apprenticeship, and asked Ms. Wheeler when and where intern positions are advertised.

Ms. Wheeler noted the department makes the request for an intern, and the positions are advertised on the city's website.

Ms. Wheeler reviewed the opportunities for city to include: Staff Training and Development; Compensation Tools; Employee Well-Being; and Semi-Annual Training; reviewed the city's eleven (11) Departments: Executive, Information Technology, Municipal Court, Finance, Economic Development, Community Development, Clerk's Office, Public Works, Police and Governing Body; and noted the goals for 2025: Succession Planning, Ongoing EEOC, ADA, FLSA Compliance Training; Leadership Training; Additional Staff Support and the Implementation of a Compensation Software Tool.

5. Events/Conference Center - Presented by: Charisma Webster & Econuel Ingram

Ms. Webster noted the Merle Manders Conference Center has booked 264 events to date, 13 citywide events, and an extensive advertising campaign with social media, flyers, radio promotions, billboards and digital banners; and noted the Events Department is seeking a 50% Budget Increase for FY2025 in the amount of \$808,750 for city events, noting the increase is needed to promote exciting events for the citizens who live and work in Stockbridge, and to appeal to, reach and draw attendees from outside of Stockbridge; referenced the City Events FY2024 and FY2025 Budgets noting the increases in performer's fees, fireworks costs, , supplies, entertainment equipment, décor and catering costs, specifically when events are held at the amphitheater, with holiday events where vendors charge for overtime or double time fees, and concert events require additional trailers used as dressing rooms and additional parking attendants; increased EMT staff due to the heat, and additional police officers (paid at overtime rate) for crowd control; and noted staff will continue to seek sponsorships.

Mayor Ford noted the budget costs appear to be too much, noting he would like to see the continuation of all proposed city events, but to cut back on the expenses.

Councilmember Gantt agreed, noting the events need to be streamlined, specifically July 4th, and Juneteenth, and referenced the Market Night Food Truck Themed events.

Staff noted there are currently two stage events during Food Truck Tuesdays where vendors pay \$80/each week for 15 weeks.

Councilmember Barber noted the city has imposed a city tax on its residents and year over year costs have increased the budget for free entertainment for residents and non-residents, and therefore cannot support this budget, noting there is too much being spent.

Councilmember Thomas noted the bottom line is \$808,000 is too much, and suggest the city can do a great job, as has been done in the past for BridgeFest, July 4th and Juneteenth with less funds, noting there is great local talent and does not need the big named groups for city events, leaving that to the paid Amphitheater Concert Series.

Councilmember Gantt agreed the costs needs to be reduced and more use of local acts.

Councilmember Alexander noted the events bring people into the downtown; noted the concerts have a later start time and the concerts have three to four artists; and noted the biggest issue is the city is failing on the sponsorship side, noting the Council has been kind to fund in perpetuity, however, it was only supposed to be seed money to grow the event, and that the major focus needs to be sponsorship; and supports mirroring the FY2024 budget. Councilmember Thomas suggested one headliner and local artists.

Councilmember Gantt suggested hosting BridgeFest on the lawn across from city hall, and not the Amphitheater, with more diverse artists; and to enhance the Food Truck events; noted the Volunteer Gala began following the 2018 Eagles Landing Referendum in 2018; and asked if the Council wants to bring in a skating rink.

Mayor Ford noted the 9/11 City Event was not included on the Events List for FY2025.

Mr. Ingram noted the event will take place, there is no budget.

By consensus of the Council, all events for FY2025 need to be streamlined and reduce the costs; and the following events will have performers as follows: One artist (Headliner) at Level 1, One artist at Level 3 (High Local) and One artist at Level 5 (Local).

Councilmember Barber reiterated that all events must be reduced.

Councilmember Thomas recommended putting the savings toward other needed services, such as Nuisance and Abatement.

Ms. Holiday noted, based on the Decoration Committee's recommendation, the Holiday Decoration Line Item was increased to add holiday décor in the newly annexed areas of the city.

Councilmember Gantt exited the meeting at 3:15 p.m.

6. Finance - Presented by: Lakeisha Gaines

Ms. Gaines reviewed the department's Mission; reviewed the department's Organizational Chart noting the request for additional positions and reclassification of positions within the department, noting if approved, the need for personnel services would be eliminated; reviewed the FY2025 Proposed Budget, noting the largest increase is in additional staffing; and reviewed the department highlights with successful reporting and receiving the Certificate of Achievement for Financial Reporting from GFOA, and noted the FY2023 Audit has been submitted timely, and will be presented at the September 9, 2024 Council Meeting; noted the City is now a member of the American Purchasing Society and the Procurement Team will be obtaining certifications related to their specific positions; and noted as the city continues to grow, staffing may need to increase to keep up with the needs of the city to insure accuracy, integrity and checks and balance; and noted the city will pay off the Series 2 Bonds in August 2025; and requests the city transfer to P-cards.

Councilmember Barber noted there is a \$2 million dollar budget approved by the Council for the Amphitheater Consultant and expenditures, and asked who is responsible for reconciling the Amphitheater reports; and stated that budget amendments should be presented to the Council.

Ms. Gaines noted the Amphitheater reports are being reconciled monthly, and are up to date, and have been distributed.

Councilmember Thomas noted as a matter of policy, all Budget Amendments are to be presented to the City Council for approval.

Mr. Gardiner stated two Budget Amendments will be presented to the Council at the next meeting: PD Budget Amendment, and Amphitheater Budget Amendment.

Councilmember Alexander noted the city needs to be more active with applying for grants to take the stress of the city's budget; and asked Ms. Gaines what would have been her ask for the city's millage rate.

Ms. Gaines responded 3.77 is not enough to provide services for a city of this size, noting taxes generate revenue to help fund services; noted the city is not a for profit entity; and noted the police department is the largest and most costly department of the budget.

Ms. Gaines noted there are processes that need to be put in place and utilizing the current ERP system to its full capabilities; noted there needs to be a backup for Payroll and Accounts Payable along with a separation of duties to account for better checks and balances.

Councilmember Alexander noted that once she gains access to FreshTix that she submit reports to the Governing Body and recommended the City Clerk also have access for recordkeeping; and referenced the McDonalds event.

There was discussion of the McDonalds event, ticket sales, payments, and reporting.

Councilmember Barber requested the Governing Body receive reporting following each event/concert and asked if the Finance department has a person in place to begin processing tax payments following the passing of the referendum in November.

Ms. Gaines asked the Council to consider this to be her official ask for the new Accounting position in 2024 to be in place when the 2025 year begins.

Councilmember Barber made a request of Mayor Ford to reactivate the Finance Committee; and stated that she would like to be appointed Chair of the Finance Committee; and noted she is the only member of Council currently not serving as a Council Liaison or on a Board or Committee in any capacity.

Mayor Ford noted he would take the appointment into consideration.

Ms. Holiday noted the city's Charter states the Mayor has the sole authority to appoint the Chair of each Committee, noting the Council Liaisons are not appointed to the Mayor's committees.

7. Information Technology: Presented By: Demeatrius Ivey

Mr. Ivey gave an overview of the proposed FY2025 IT Department budget noting an increase with a number of line items being removed from department budgets to the IT Department Budget; noted there are no requested personnel changes for 2025, but need to be considered for 2026 due to the city's growth; noted challenges with the department have been vendor coordination and backorders that have caused delays with the completion of projects; and better communication with internal and external clients; noted the opportunities include exploring grants to aid with financial support for technology upgrades, being able to implement new technology and remaining competitive and forward thinking; and presented new projects with include contract restructuring, consolidation of programs throughout the city and equipment upgrades.

Councilmember Gantt re-joined the meeting at 4:39 p.m.

Councilmember Alexander inquired about upgrading phones and laptops/tablets in 2024 if possible; positioning cameras in the Chamber to broadcast members as they speak, improving the ability to display documents for the public to view, and the installation of a voting system; and the capabilities to stream off site townhall meetings, and establish a channel for the city.

Mr. Ivey noted the current system allows two platforms to stream at the same time, and the city is streaming to Civic and Facebook.

Councilmember Thomas asked how often the city surpluses items no longer serviceable to the city.

Mr. Ivey noted a list of items are being compiled to be submitted to the City Council for approval.

Councilmember Barber asked for the status of OpenGov.

Mr. Gardiner noted the platform is currently being worked on by staff with a Go Live date in October or November 2024; and noted staff will come back with a new model for Events with hard cost associated with events that take place at the Amphitheater.

Adjourn

Motion to adjourn the meeting at 4:59 p.m. was made by Councilmember Barber; seconded by Councilmember Thomas. The motion passed 4-0. (Councilmember Gantt was not present for the vote).

Respectfully submitted by:

Vanessa Holiday, City Clerk CMC

Anthony S. Ford, Mayor



COUNCIL FY2025 BUDGET RETREAT
August 23, 2024
10:00 a.m.
Summary Minutes

Mayor & City Council

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

Administration

Frederick Gardiner, City Manager
Vanessa Holiday, City Clerk
Lakeisha Gaines, Interim City Treasurer
Quinton Washington, City Attorney

Staff in Attendance: Decius Aaron, William Conner, Demeatrius Ivey, Rosalynd Rawls, Shana Thornton, and Renee Wheeler

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

The meeting was called to order by Mayor Ford. At 10:05 a.m.

Invocation by Mayor Pro Tem Berry

Pledge of Allegiance recited by all in attendance.

The Clerk was asked to proceed with the Roll Call. All the members were present except Councilmember Gantt.

Adoption of the Agenda: Motion to adopt the Agenda made by Mayor Pro Tem Berry; seconded by Councilmember Barber. The motion passed unanimously 4-0.

NEW BUSINESS

1. Previous Day Recap - Presented by: Frederick Gardiner

Mr. Gardiner noted proposed budget presentations for the Governing Body, Clerk's Office, HR, Finance, IT and Events, noting feedback from the Council.

Councilmember Gantt joined the meeting at 10:15 a.m.

2. Executive Department - Presented by: Frederick Gardiner

Mr. Gardiner reviewed the department noting there are no requested personnel changes for FY2025; reviewed the following Major Projects: Norfolk Southern Railroad Depot, noting the culture at the railroad has changed, and the company seems to be more receptive to the community; Patrick Henry Master Plan Initiative; OpenGov Implementation Initiative; Downtown Mixed-Use Project Initiative; Tax Allocation District (TAD) Negotiation with Henry County Board of Commissioners and Henry County School Board members; Georgia Power Utilities Relocation (Stockbridge Downtown); Electric Charging Station Project Initiative (Police & Public Works); Annexation Planning Initiative; and North Henry Highway Streetscape (Obtaining renderings for a turning lane, Federal assistance and TSPLOST options); noted to make the Vision happen, the needs are: City Council Full Support of the Vision; Full Support of the Stockbridge Community, and Full Support of the Henry County Board of Commissioners and Henry County Board of Education; reviewed the proposed department budget, noting the training requirements and continuing education; reviewed renderings of downtown Stockbridge in 2018 and 2019 and the proposed renderings with the new downtown vision, estimating the GA Power cost to be around \$4 million dollars.

Councilmember Alexander noted the idea was to attack the interstate corridors with commercial, noting Henry County has prevented development with a moratorium; noting with the county's millage rate and impact fee increase, developers are driven to other areas outside of the county, including Stockbridge.

Councilmember Thomas asked about the city's Wayfinding Project and Digital Reader Board.

Mr. Gardiner noted the vendor for the Wayfinding was approved by the City Council and is being incorporated in phases, noting ARPA funding must be used by December 31, 2024; and noted the location of the Digital Reader Board is in progress noting the locations to be East Atlanta Road on the city hall side of the street, and on Eagles Landing Parkway on the lawn.

Councilmember Barber referenced the residents in the downtown area, noting she does not want any resident to be displaced, and asked why the city abandoned the original plan for the residents in and around the downtown area.

Mr. Thomas noted the former broker, Mr. Capehart, presented a plan to the Council and that the contract has ended.

Councilmember Gantt noted the 2012 LCI (Livable Cities Initiative) needs to be updated due to the changes in population; and noted the City of Stockbridge was featured on the ARC webpage.

3. Amphitheater - Presented by: Harold Young and Tanya Barnhill

Mr. Young noted the Amphitheater is approaching its third year of success, noting the public loves the Amphitheater and noted his excitement for the many accolades received for the Stockbridge Amphitheater.

Mr. Young gave an overview of the Amphitheater staff, noting their roles and responsibilities, and introduced Tanya Barnhill of TM Consultants.

Ms. Barnhill noted this is her second-year marketing the Stockbridge Amphitheater, noting that in addition to the standard marketing via radio, television, social media, and billboards, the marketing campaign added WLCK (radio), Eblasts text emails and text messaging a Street Team who is distributing manual flyers, which is very labor intensive, but effective.

Councilmember Barber asked about the frequency and schedule of radio ads.

Ms. Barnhill noted advertising will begin no later than 30 days out and run from 6am to 10pm.

Councilmember Thomas asked if there is data tracking consumers who visit the Amphitheater.

Ms. Barnhill responded yes, noting zip codes are being used to reach out to consumers.

Councilmember Thomas noted the dedicated Uber/Lyft signage are not being utilized effectively, noting there is no signage to indicate the location.

Mr. Young noted it is difficult to relocate Rideshare concert goers in the event of rain, with no vehicle to return to, and there needs to be a designated area for those patrons; presented testimonials and reviews of the Amphitheater and noted the sponsors: VyStar and Piedmont Henry.

Councilmember Alexander expressed his concerns regarding concert advertising, attendance, and sponsorships.

Mr. Young responded that every show is not going to be a sellout, noting the McDonalds concert was a revenue-sharing show, not a rental, which did not go well, noting the lessons learned from this type of venture.

Councilmember Alexander noted the Council needs results, with city staff gaining access to ticket sales and other revenue centers, and reporting submitted to Ms. Gaines.

Mr. Young noted the city will be utilizing Ticketmaster.

Councilmember Alexander suggested more Amphitheater Concert signage along the major corridors of the city to alert local patrons of concerts; and noted there were issues with the stockbridgeamp.com website; and asked who is responsible for sponsorship.

Mr. Young noted Mr. James Smartt is the Director of Marketing, noting there are current talks with a potential sponsor for naming rights, and another major potential sponsor.

Councilmember Thomas noted the objective of the retreat is to see how we can be more productive and wants to see accomplishments come out of the retreat.

Mr. Young noted every concert has its own individual budget, noting rain insurance can range from \$30,000 to \$85,000 per show, and must be purchased two weeks in advance of the concert.

Mayor Pro Tem Berry suggested using the CodeRed Platform to determine whether or not to shut down the show.

Councilmember Barber asked for the pros and cons of using a third party such as Ticketmaster.

Mr. Young noted pros: Ticketmaster is being used in more than 120 Amphitheaters, they have a major database; great image and bring in top artists, and there would be no duplication of tickets.

Mr. Young noted cons: There is an 18% fee, a 5% fee and 15% royalties, and that a \$100 ticket would cost \$142.00.

There was a consensus of the Council to hold another meeting with Mr. Young regarding the Amphitheater, ticket sales and expenses.

Mayor Pro Tem Berry exited the meeting at 12:55 p.m.

Councilmember Barber agreed concert reports and information needs to be sent to the Interim Treasurer timely following each concert, and the city needs sponsorship information by category; and asked if any 2025 shows have been booked.

Mr. Young noted he is working with a top broker; however, no concerts can be booked until the budget is approved.

Mr. Gardiner noted the city's current model is not sustainable and will require a third party to book 2025 shows.

Councilmember Barber asked what the impact to the Amphitheater budget when concerts are canceled or rescheduled.

Mr. Young stated artists and production must be paid for the canceled and second show.

Councilmember Gantt stated there needs to be negotiations on behalf of the city to include a Force of Nature clause; noted the wayfinding and promotion of events is the responsibility of the city; and noted the online color of seats need to be shaded differently to show seat sold and those seats that are still available, noting there needs to be more contrast in color.

Mr. Gardiner noted \$500,000 was approved for Phase I of the Wayfinding Project.

Councilmember Barber asked why would the city pay 100% of the expenses for the rescheduled concert due to factors that are out of our control (such as weather), and asked if the rescheduled shows are being renegotiated.

Mr. Young presented the remaining upcoming concerts; and suggested a Winter Wonderland and Pop-Up Ice Skating Rink Event at the Amphitheater (Pit Area) to run from November 29th through December 25th, noting the event aims to create a festive holiday atmosphere for the community, providing a unique and enjoyable family-friendly experience.

4. Financial Advisor - Presented by: Edmund Wall

Mr. Wall reviewed the city's Long-Term Debt noting as of December 31, 2021 highlighted Governmental Activities: URA revenue bonds \$9,615,000; Public Facilities Authority revenue bonds \$28,805,000; Accrued compensated absences \$146,737; Net pension liability \$86,699/ Business type Activities: GEFA notes payable \$1,120,169; Accrued compensated absences \$61,918, Net pension liability \$54,490 for a total of Long-Term Debt Activity \$1,236,577; reviewed the URA Revenue Bonds noting the City entered into an agreement with a financial institution that provided the issuance of revenue bonds for the purchase of land and construction of structures and improvements for the New Town Center. Various bond issues were used by the City during the purchase and construction phases. During the year ended December 31, 2021, the City repaid various bond issues in the amount of \$745,000. Amounts outstanding at year-end of \$9,615,000 reflect total drawdowns to date net of repayments, if any. Urban Redevelopment Fund long-term liabilities outstanding at December 31, 2021, are as follows: Series 2005 B Revenue bonds payable to Capital One Bank, in the total amount of \$7,330,000, interest rate at 4.45%, matures 02/01/2031; Series 2006 A Revenue bonds payable to Capital One Bank, in the total amount of \$4,795,000, current interest at 4.58%, matures 02/01/2031; Series 2006 C Revenue bonds payable to Capital One Bank, in the total amount of \$5,000,000, current interest rate at 4.865%, matures 02/01/2031; reviewed the Public Facilities Authority Revenue Bonds noting the City entered into an agreement with a financial institution that provided for the issuance of revenue bonds for the purchase of land and equipment for the Amphitheater, and Cultural Arts Center, and the improvements of trails. Various bond issues were used by the City during the purchase and construction phases.

Amounts outstanding at year-end of \$25,808,000 reflect total drawdowns to date net of repayments, if any. Public Facilities Authority Fund long-term liabilities outstanding at December 31, 2021, are as follows: Series 2021 B Revenue Bonds payable to Truist Bank in the total amount of \$1,030,000, interest at 1.04%, matures 12/31/2025; Series 2021 A Revenue bonds payable to Truist Bank, in the total amount of \$9,910,000, current interest at 1/32%, matures 12/31/2025; Series 2021 C Revenue bonds payable to Truist Bank in the total amount of \$14,865,000, current interest at 2.53%, matures 12/31/2036; reviewed the Water and Sewer Long-term Debt, noting the City issues revenue bonds and enters into construction note agreements with the Georgia Environmental Finance Authority (GEFA) where in both types of debt the government pledges include derived from the acquired or constructed assets to pay debt service. Amounts outstanding at the end of the current fiscal year related to a note issued in 2010 to finance construction projects to improve the City's water distribution facilities. The note was issued by GEFA in the total amount of \$1,911,900. During the year ended December 31, 2021, the City repaid \$93,480 of the note payable. Amounts outstanding at year-end of \$1,120,169 reflect total drawdowns to date net of repayments, if any, and presented a chart of the annual requirement to pay GEFA's note outstanding; presented the proposed Phase I and Phase 2 of the TAD (Tax Allocation District Project), noting a potential project \$326 million dollars and potential revenue of \$4,911,000 for the city; presented the Stockbridge 2023 Tax Digest of \$1,925,738; presented the LOST Collections and proposed SPLOST VI share at 15% or \$9,000,000/year over 6 years for a total of \$54,000,000 or \$58,000,000 as projected.

Councilmember Alexander expressed excitement of paying off the Amphitheater, taking financial pressure off the General Fund Budget, and commended the Council for bonding at the low interest rates in the 1's.

Mr. Wall noted the City at the time had an \$18 million dollar fund balance that was turned into cash for projects; and agreed with great timing on the low interest rate compared to today; and noted the URA Bonds mature in 2031 and can be re-financed to take pressure off of the General Fund Budget.

Councilmember Barber asked if the funds can be re-allocated.

Mr. Wall's response was yes.

Councilmember Alexander noted there is Trail funding in TSPLOST.

Mr. Wall referenced HB581, a Statewide Referendum and would be a Statewide Constitutional Amendment that will be on the November 2024 ballot where the County can call for a 1% sales tax (LOST), and if passed, will reduce the City's millage rate, taking the burden off residents; noting there is no impact on businesses, and homeowners are automatically opted in and would have to opt out.

Councilmember Barber that this would be a win for homeowners, but a decrease in revenue for the City.

Recap - Presented by: Frederick Gardiner

Mr. Gardiner noted the take aways from the Budget Retreat – Evaluate Code Enforcement, Events, and the Amphitheater, noting the feedback from Council; noted revenues may be understated; and will revise the Budget Books to include page numbers and Department Tabs.

Councilmember Alexander asked for an update on the renovations of the roof collapse on North Henry Blvd.

Mr. Anderson noted he would provide the Council with an update on that project as well as the Best Western Plus hotel.

Councilmember Gantt asked if there is a time limit on projects, and if not recommended the Ordinance be changed.

Adjourn

Motion to adjourn the meeting at 2:47 p.m. was made by Councilmember Barber; seconded by Councilmember Alexander. The motion passed 4-0. (Mayor Pro Tem Berry was not present for the vote).

Respectfully submitted by:

Vanessa Holiday, City Clerk CMC

Anthony S. Ford, Mayor



CITY COUNCIL WORK SESSION MEETING SUMMARY MINUTES

TUESDAY, AUGUST 27, 2024 6:00 P.M.

Mayor & City Council

Mayor Anthony S. Ford At-Large
Mayor Pro Tem Kyle Berry – Council District 3
Councilmember Elton Alexander – Council District 5
Councilmember Yolanda Barber – Council District 4
Councilmember LaKeisha Gantt – Council District 1
Councilmember Alphonso Thomas – Council District 2

Administration

Frederick Gardiner – City Manager
Vanessa Holiday – City Clerk
Cassandra Lester – Deputy City Clerk
Lakeisha Gaines – Interim City Treasurer
Quinton Washington – City Attorney

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

The meeting was called to order by Mayor Ford at 6:09 p.m.

Invocation by Councilmember Gantt.

The Pledge of Allegiance was recited by all in attendance.

City Clerk, Vanessa Holiday was asked to proceed with a verbal roll call. All the members were present except Mayor Pro Tem Berry.

Motion to amend the Agenda to add a BUDGET AMENDMENT Section for an Amphitheater Item following the Consent Agenda was made by Councilmember Gantt; seconded by Councilmember Alexander. The motion passed unanimously 4-0.

Mayor Pro Tem Berry joined the meeting at 6:13 p.m.

Motion to adopt the Agenda was made by Councilmember Gantt; seconded by Councilmember Alexander. The motion passed unanimously 5-0.

REVIEW OF THE MINUTES

1. Review of the Minutes for the June 10, 2024 Council Meeting. There was no action taken.

PUBLIC COMMENTS

There were no public comments.

PRESENTATION

2. Henry County Transportation Advisory Group Update

Presented by: Eniel Gonzalez

Mr. Gonzalez presented the Henry County Transportation 2nd Quarter Update noting the Roads Projects (SPLOST & TSPLOST), Transit Service and Transportation Planning. Mr. Gonzalez referenced the Rock Quarry Rd. (TSPLOST) project that has moved to January 2025 due to environmental issues; referenced the Western Parallel Connect GDOT project that has been certified with a scheduled completion in 2026; referenced the US 23/State 42 Widening GDOT project from SR 138/North Henry Blvd. to I-675 is underway and is scheduled to be completed in 2027; referenced the US 42 Widening GDOT project from downtown McDonough to SR 138/North Henry Blvd. In Stockbridge will be obtaining ROW acquisition 2027-2028 and construction scheduled to begin in 2030; referenced the Henry County Transit Service, noting information was available online on the Henry County website including the tentative schedule, fees and routes; referenced the grant received by Henry County for Transportation of \$2 million dollars per year, with a local County match of \$400,000.00 and will support initial three years of operations; and presented the timeline with service proposed to begin in early 2025; noted local bus stop placemaking, with Henry County winning a \$125,000 Community Development Assistance Program (CDAP) grant in 2023 to create art and creative signage; referenced Henry County crash trends, noting Henry County won a SS4A safety grant for a Comprehensive Safety Action Plan, noting 2 of the 4 cities joined as partners to share a 20% local match; noted the County executed an agreement with the USDOT to receive an \$825K SMART grant; referenced the Henry County Trails and Wayfinding Plan for signage to be placed along the trails throughout the County; and referenced the SPLOST VI Referendum that will be on the November 5, 2024 ballot, noting more information can be found on the website under the SPLOST VI Information on the SPLOST Department page. Mr. Gonzalez noted he attends the Transportation meetings and receives a great deal of support and information from the Henry County staff.

The Mayor & members of Council thanked Mr. Gonzalez for his thorough presentation and updates.

DISCUSSION

3. Enterprise Fleet Lease Discussion

Presented by: Decius Aaron, Public Works Director and

TaJae Bodrick, Fleet Consultant – Enterprise Fleet Management

Mr. Bodrick noted he has been with Enterprise Fleet for eight years and has been working with Mr. Aaron the Public Works Director and Mr. Godfrey, Assistant Police Chief since April 2024. Mr. Bodrick reviewed the Fleet Synopsis for the City of Stockbridge noting the

current fleet age of vehicles, with 25% 10 years or older, 38% 6 years or older; noted older vehicles have higher fuel costs, maintenance costs and tend to be unreliable, causing increased downtime and loss of projectivity; reviewed the overall objective of converting to a lease plan and the savings of \$221,857 over a ten year span; the benefits of safety with a newer vehicle; and noted the plan would piggyback on the Sourcewell awarded RFP #060618-EFM; noted that a partnership between Enterprise Fleet Management and the City of Stockbridge will improve buying power, and implement a tighter controlled resale program to lower total cost of ownership and in turn minimize operational spending; noted the City of Stockbridge could reduce fuel costs by 72%, and by shifting from reactively replacing inoperable vehicles to proactively planning vehicle purchases, the City of Stockbridge will be able to replace all of its vehicles over the course of 5 years while creating an annual savings of \$22,185; and noted the City of Stockbridge will leverage Enterprise Fleet management's ability to sell vehicles at an average of 109% above Black Book value.

Mr. Bodrick noted Enterprise is considered the pioneer of Electric Vehicles, and that the city would need to determine the quantity of EV Charging Stations based on vehicles for city use only, or public use; noted cities and counties have a mixed bag of vehicles that include hybrid and electric vehicles, and that the infrastructure needs to catch up, noting Enterprise could tailor to the city's needs and goals, and identified cities and counties throughout the state that are currently utilizing the Enterprise Fleet Maintenance program;

Mr. Bodrick noted the City would have a dedicated, local account team with access to vehicle tracking, reporting and metrics.

Councilmember Alexander asked how many charging stations are required for the municipalities that are referenced, and inquired about the price point for EV's?

Mr. Bodrick noted the EV Market has a variety of vehicles to choose from, and that is where the cost would be determined.

Councilmember Barber noted majority of the city's Police Department pursuit vehicles are less than three years old with low mileage, and asked what the cost would be to replace the pursuit vehicles.

Mr. Bodrick noted the majority of the city's police vehicles are 2018 - 2022 models, and there are no plans to replace the fleet of pursuit vehicles.

Mayor Pro Tem Berry asked what the maintenance savings would look like vs. the city's current plan.

Mr. Bodrick noted belts, hoses, oils changes and transmission would go away with electric vehicles.

Councilmember Thomas referenced the fuel costs and consumption for the city is expecting that it is exceedingly high and requested an annual report for the Police and Public Works Departments to compare the actual savings in real dollars.

4. **CONSENT AGENDA**

Motion to remove Item #4 from the Consent Agenda was made by Councilmember Barber; seconded by Councilmember Alexander. The motion passed unanimously 5-0.

Council consideration to approve the third renewal of the City of Stockbridge On-Call Sidewalk Replacement and Repairs Contract No. 2021-0008 with DAF Concrete, Inc., in the amount of \$300,000.00. The funding source is from SPLOST and Department Budgeted Funds.

Presented by: Decius Aaron, Public Works Director

Mr. Aaron noted this is the vendor's third renewal and requested approval.

Councilmember Barber noted the contract amount was \$250,000.00 and asked for an explanation of the increase to \$300,000.00.

Mr. Aaron noted the additional funds are to cover the newly annexed areas of the city and that a list is being prepared.

Motion to approve was made by Councilmember Barber; seconded by Councilmember Alexander. The motion passed unanimously 5-0.

BUDGET AMENDMENT ADDED TO THE AGENDA:

Budget Amendment 2024-01 – Ordinance to amend the FY2024 Operating Budget to transfer funds from the General Fund (100) to the Amphitheater Fund (565) to cover the expenses for the remaining shows for 2024; and to be reimbursed to the General Fund following each concert.

Presented by: Lakeisha Gaines, Interim City Treasurer and Harold Young, Amphitheater General Manager.

Ms. Gaines noted the budget amendment request is to fund rescheduled shows that were rained out.

Councilmember Barber stated that going forward, the General Manager needs to negotiate the artists' contracts to include a force of nature clause, and other items beyond the city's control to prevent the reoccurrence of the city funding duplicate shows, and the negotiations will be solidified prior to the rider being signed.

Mr. Young confirmed, noting the rescheduled contracts have been renegotiated, and that all of the fees are not being paid by the City.

Councilmember Thomas asked Ms. Gaines to confirm that the funds would be reimbursed back to the original funding source following the concerts.

Ms. Gaines confirmed.

Councilmember Gantt asked if the budget amendment request is all that is needed, or will another request come to the Council for the remaining shows?

Mr. Young stated that based on discussions with Ms. Gaines, the requested budget amendment is sufficient at this time to conduct the remaining concerts.

Motion to approve the Amphitheater Budget Amendment in the amount of \$500,000.00 was made by Councilmember Alexander; seconded by Mayor Pro Tem Berry. The motion passed 5-0.

NEW BUSINESS

5. Council Consideration to approve the fourth renewal option of RFP (Request for Proposal) 201508-02, Sanitation Collections Services Contract with Waste Industries South Atlanta, LLC/GFL Environmental (formerly Waste Industries) in the amount of \$1,800,000.00. Funding Source: Sanitation Department Budget.
Presented by: Decius Aaron, Public Works Director

Mr. Aaron noted this is the fourth contract renewal for GFL; and that prices are good with residents paying \$22/per month in comparison to other surrounding municipalities and those of comparable size.

Mr. Thomas noted citizens need more information and education regarding bulk pickup services provided by the City to eliminate illegal dumping.

Councilmember Barber questioned the \$319,000.00 difference between the prior contract amount and the current request.

Mr. Aaron noted the GFL is now providing services to the entire city, to include the newly annexed residents.

Motion to approve was made by Councilmember Gantt; seconded by Mayor Pro Tem Berry. The motion passed 4-0-1 (Councilmember Alexander Abstained).

Mr. Gardiner asked for a point of privilege to introduce Mr. Isiah Tatum, a jazz musician and developer who has shown interest in building a hotel in the city along Hwy. 138.

Mr. Thomas noted Mr. Tatum performed at the city's annual Volunteer Gala.

6. Council consideration to approve the East Atlanta Road/Lee Street Roadway Improvement Change Order No.3 with Summit Construction for the additional work included in the supplemental plan set "Lee Street Improvements" all related infrastructure and pedestrian improvements to Bryant Street and along the Amphitheater Entrance Roadway in the amount of \$145,583.97. Funding Source is from SPLOST.
Presented by: Decius Aaron, Public Works Director
Mr. Aaron noted the request is to make improvements to add sidewalks to Bryant Street and add a retaining wall.

Motion to approve was made by Councilmember Barber; seconded by Mayor Pro Tem Berry. The motion passed unanimously 5-0.

7. Council Consideration to amend an Ordinance - Section 5.16.040 to add D) Owner shall be authorized to sell unused plots to the City of Stockbridge at the original purchase price. Authorize the City Clerk to record the transfer of unused plots from the owner to the City of Stockbridge.
Presented by: Vanessa Holiday, City Clerk
Ms. Holiday requested approval to amend the Ordinance to allow for the City Clerk to record the transfer of unused plots back to the City.

Motion to approve was made by Councilmember Gantt; seconded by Councilmember Alexander. The motion passed unanimously 5-0.

8. Council consideration to fill a vacancy and appoint a member to the Public Facilities Authority Board for a 4-year term.
Presented by: Quinton Washington, City Attorney
Attorney Washington referenced the vacancies and applicants for the Public Facilities Authority Board.

Ms. Holiday noted there are three vacancies and one applicant.

Councilmember Gantt asked where the city is on establishing Districts on each of the Boards and Committees.

Ms. Holiday noted the Planning Commission, and the Police Advisory Council are the only Boards/Committees at this time assigned by District, noting the Downtown Development Authority and the Citywide Development Authority, and Main Street Advisory Board have specific criteria for Board Members, and that the Council amended the Youth Council Advisory Committee to include Henry County residents, who are not assigned to District within the city limits, therefore making it difficult.

The Council agreed that the application should be revised whereas resumes are to be submitted.

Ms. Holiday noted page three of the current board application calls for a resume, however, it is not mandated.

Mr. Thomas noted the makeup of each board is different and needs to be addressed separately as the requirements for one board may not meet the requirements of another board; and recommended the Attorney draft a mockup of what that would look like.

Motion to Table the appointment at this time and tasked the City Attorney with drafting an amended application, mandating a resume of qualifications to be attached, and to draft a policy and procedures to appoint members by District with required minimum of one year of residency was made by Councilmember Gantt; seconded by Councilmember Alexander. The motion passed unanimously 5-0.

Attorney Washington noted he could bring a draft to the Council at the October 14, 2024 meeting.

9. Council consideration to fill a vacancy and appoint a member to the Youth Council Advisory Committee to fill an unexpired term.
Presented by: Quinton Washington, City Attorney

Motion to Table the appointment at this time and task the City Attorney with drafting an amended application, mandating a resume of qualifications to be attached, and to draft a policy and procedures to appoint members by District with required minimum of one year of residency was made by Councilmember Gantt; seconded by Mayor Pro Tem Berry. The motion passed unanimously 5-0.

UPCOMING MEETINGS & ANNOUNCEMENTS: Council meetings will be held in the City Council Chamber. Meeting dates, locations and times are subject to change or contact City Hall offices at 770-389-7900 or visit the website www.stockbridgega.org for updates.

- Community Zoning and Information Meeting: Wednesday, September 4th from 6:00 p.m. – 7:00 p.m. at City Hall in the Council Chamber (Sep 4)
- Stockbridge Citizens-Police Advisory Council meeting 1st Thursday of each month at 6:00 p.m. at the Stockbridge Police Community Room 4545 N. Henry Blvd. – (Sep 5)
- City Council Meeting, 2nd Monday of each month at 6:00 p.m. - City Hall Council Chamber (Sep 9)
- Youth Council Meeting 2nd Monday of each month at 6:30 p.m. - City Hall Levi Meeting Room (Sep 9)
- Citywide Development Authority Meeting, 2nd Tuesday of each month, 6:00 p.m.- City Hall Levi Meeting Room (Sep 10)
- The Main Street Advisory Board Meeting on the 2nd Friday of each month at 9am – Location is the Downtown Connection Center 130 M L King Sr. Heritage Trail. (Sep 13)
- Planning Commission Meeting, 3rd Thursday of each month, 6:30 p.m. - City Hall Council Chamber - (Sep 19)
- Downtown Development Authority Meeting, 3rd Tuesday of each month Stockbridge Downtown Center 130 M L King, Sr. Heritage Trail (Sep 17)
- Youth Council Advisory Committee Meeting, 6:30 p.m.- 3rd Tuesday of each month Levi Meeting Room - City Hall (Sep 17)
- City Council Work Session Meeting, Last Tuesday of each month: Tuesday, July 30th at 6:00 p.m. - City Hall Council Chamber (Sep 24)

UPCOMING CITY EVENTS/INITIATIVES

- Join the City of Stockbridge for the 9/11 Remembrance on Wednesday, September 11th beginning at 8am on the steps of City Hall. 4640 N. Henry Blvd. Stockbridge.
- Join Councilman Alphonso Thomas for the monthly Senior Bingo Bash on Wednesday, September 18th from 10am - 12pm at the Merle Manders Conference Center, 111 Davis Rd. for raffles, prizes, games, snacks and fun!
- Join Mayor Anthony Ford for the monthly *Meet the Mayor* on Wednesday, September 23RD from 10am – noon at Stockbridge City Hall.
- BridgeFest 2024 is coming! The City of Stockbridge Government is hosting this annual event for the COMMUNITY on Saturday, September 28, 2024! We will have a live concert, food trucks, vendors, and more! Get ready for fun at the Stockbridge Amphitheater! Questions? Please email bbradley@stockbridgega.org as soon as possible for vendor opportunities.
- Join Councilman Thomas for the *Don't Trash Stockbridge* initiative centered around education highlighting the causes and effects of Littering and Illegal Dumping. More information to follow.
- Councilman Thomas is honoring Veterans with a Continuous Salute all year long. Please send your pictures of Veterans with their name, branch, rank, and years of service. Please contact Rosalynd Rawls to schedule an appointment for *Meet the Mayor* and for more information on Council Initiatives and events at 678-833-3348 or via email: rrawls@stockbridgega.org

2024 Stockbridge Amphitheater Summer Concert Series

- Saturday, September 14th 3-yr Anniversary Celebration – Kool and the Gang, with Special Guest Morris Day and The Time.
- Saturday, October 5th featuring Monica, and Tamar (Rescheduled Show)
- Saturday, October 12th featuring That Girl Lay Lay and Friends Youth Concert
- Sunday, October 13th Kings and Queens of Southern Soul Show featuring King George, Tucka, Sir Charles Jones, Pokey Bear, TK Soul, West Love and Derek “The Change Man” Smith
- Sunday, October 20, 2024, (Rescheduled Show) featuring Charlie Wilson with Special Guest El Debarge
- Saturday, October 26, 2024, Boney James Slow Burn Tour with Special Guest Damien Escobar.

Stockbridge Main Street Tiny Tent Concert Series

- Fridays (Weather Permitting) The show will start at 6 pm and will end at 8 pm. The show will take place at 130 MLK Sr Heritage Trail in Stockbridge, GA. Enjoy good music, local restaurants, and OUR community... all in ONE gorgeous location! Bring your family or make it a date night! Just don't forget your lawn chair!

MAYOR'S COMMENTS

Mayor Ford noted it's Back to School for students at all levels from elementary to college and asked that everyone keep our students in prayer; noted the Labor Day weekend is approaching and marks the end of Summer, and the beginning of Fall, which also means football season and wished everyone a successful season. Mayor Ford also noted he received (3) Thank You Letters from members of the LPGA who were honored recently by the City of Stockbridge with a proclamation at the Eagles Landing Country Club and expressed their appreciation.

EXECUTIVE SESSION

Motion to convene Executive Session for Personnel, Litigation and Real Estate was made by Councilmember Gantt; Seconded by Councilmember Alexander. The motion passed unanimously 5-0.

Motion to adjourn Executive Session and sign and Affidavit was made by Councilmember Alexander; seconded by Councilmember Gantt. The motion passed unanimously 5-0.

Motion to reconvene the meeting was made by Councilmember Gantt; seconded by Mayor Pro Tem Berry. The motion passed unanimously 5-0.

Motion to enter into a MOU (Memorandum of Understanding) with the Downtown Development Authority for parking improvements with paving and striping on Burke Street was made by Councilmember Alexander; seconded by Councilmember Gantt. The motion passed 4-0-1 (Councilmember Barber Abstained citing her support of the efforts of the DDA, and noting that an invoice was not provided, nor was the cost or project details).

Councilmember Alexander noted the project is being paid for by the Downtown Development Authority.

Motion to adjourn the meeting at 8:10 p.m. was made by Mayor Pro Berry; seconded by Councilmember Gantt. The motion passed unanimously 5-0.

Respectfully submitted by:

Vanessa Holiday, City Clerk CMC

Anthony S. Ford, Mayor



CITY COUNCIL MEETING SUMMARY MINUTES

MONDAY, SEPTEMBER 9, 2024 6:00 P.M.

Mayor & City Council

Mayor Anthony S. Ford At-Large
Mayor Pro Tem Kyle Berry – Council District 3
Councilmember Elton Alexander – Council District 5
Councilmember Yolanda Barber – Council District 4
Councilmember LaKeisha Gantt – Council District 1
Councilmember Alphonso Thomas – Council District 2

Administration

Frederick Gardiner – City Manager
Vanessa Holiday – City Clerk
Cassandra Lester – Deputy City Clerk
Lakeisha Gaines – Interim City Treasurer
Quinton Washington – City Attorney

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

Invocation by Mayor Ford at 6:07 p.m.

Invocation by: Mr. Mark Glenn

The Pledge of Allegiance was recited by all in attendance.

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

Motion to amend the Agenda to remove Item #5, noting the item is already addressed in the City's Comprehensive Plan was made by Mayor Pro Tem Berry; seconded by Councilmember Alexander. The motion passed unanimously 5-0.

Motion to amend the Agenda to remove Item #7, #8, #9, and #10 noting the Applicant has requested a deferral to be presented at the October 14, 2024 meeting was made by Mayor Pro Tem Berry; seconded by Councilmember Gantt. The motion passed unanimously 5-0. Councilmember Alexander noted the Developer is preparing a plan with upgrades.

Motion to amend the Agenda to add a Discussion to reactivate the Finance Committee was made by Councilmember Barber. The motion died for lack of a Second.

Motion to amend the Agenda to add a Discussion to create a policy to dispose of city property was made by Councilmember Barber. The motion died for lack of a Second.

Councilmember Thomas noted that as it relates to Committees, the Mayor has the sole authority to appoint the Chair, and suggested Mayor Ford and Councilmember Barber meet to further discuss committee appointments and adhere to the process.

Councilmember Barber requested background information regarding the deactivation of the Finance Committee; referenced the Charter and the Mayor's appointments to committees; and referenced the makeup of Committees, Boards and Council Liaison, noting she is the only member of the Governing Body who is not serving on a Board or Committee, and suggests a discussion amongst the Council that would include renaming the Finance Committee to a Finance Board; noted this is the third request and rejection by the Mayor to appoint her to Chair a Committee.

Mayor Ford read a letter that was submitted to Councilmember Barber denying the appointment of Chair of the Finance Committee and cited the City's Charter relating to the appointment of Committee Chair made solely by the Mayor.

Motion to adopt the Agenda was made by Councilmember Gantt; seconded by Councilmember Alexander. The motion passed unanimously 5-0.

ADOPTION OF THE MINUTES

1. Council Meeting Minutes July 8, 2024
Special Called Meeting Minutes - SPLOST VI July 15, 2024
Millage Rate Public Hearing Meeting Minutes July 15, 2024
Millage Rate Public Hearing Meeting Minutes July 19, 2024
Millage Rate Public Hearing Meeting Minutes July 22, 2024
Council Work Session Meeting Minutes July 30, 2024
Motion to approve the Minutes with amendments submitted to the Clerk was made by Councilmember Barber.

Mayor Ford inquired with the City Clerk if the amendments were received. The City Clerk confirmed the amendments were submitted today by Councilmember Barber, and that there had not been an opportunity to make the changes.

Councilmember Gantt requested the amendments be read before she could adopt the Minutes.

Councilmember Barber noted that during her tenure on the Council, amendments have been submitted to the City Clerk and not read during the meeting and proceeded to cite the amendments. The City Clerk confirmed that has NOT been the precedence to read the amendments.

Councilmember Alexander called for a Point of Order to move forward with the business on the Agenda, noting the Minutes can be corrected offline.

The City Clerk noted the City's Charter directs the Minutes to be Summary and not Verbatim.

Councilmember Thomas suggested the City Clerk and Councilmember Barber review the Minutes in question, make the revisions, and bring them back to the Council for approval.

Motion to Table the Minutes for amendments was made by Councilmember Thomas; seconded by Councilmember Alexander. The motion passed unanimously 5-0.

PUBLIC COMMENTS

Mr. Tim Callahan spoke about traffic issues on Hudson Bridge Road resulting from increased development and cited safety concerns.

CEREMONIAL REVIEW

2. Mayor Ford reviewed the proclamations presented to Jimmy Fleming; Hispanic Heritage Month; Georgia Reads; and National Assisted Living; reviewed the swearing in for Mark Glenn to the Public Facilities Authority Board and Mary Scott to the Ethics Board; and recognized the Stockbridge the Public Works Waster Water and Water Department for the Platinum and Gold Awards for excellence in service.

PRESENTATION

3. FY2023 Audit Report

Presented by: Lakeisha Gaines, Interim City Treasurer and Hope Pendergrass of Mauldin & Jenkins, CPA Firm

Ms. Gaines introduced Ms. Pendergrass who gave a background of Mauldin & Jenkins and proceeded with a summary of the FY2023 Audit and Findings, noting the presentation includes the same information in the reports included in the Agenda Packets (Reports are available online and in the Office of the City Clerk).

Ms. Pendergrass noted the Report on 2023 Basic Financial Statements: unmodified ("clean") opinion on basic financial statements; presented fairly accordance with accounting principles generally accepted in the United States of America (GAAP); noted the firm's responsibility does not extend beyond financial information contained in the report; noted the Report on Internal Controls Over Financial Reporting and on Compliance in Accordance with GAS – 4 material weakness and 1 significant deficiency; referenced a Single Audit Required by the Uniform Guidance, noting the fiscal year ended December 31, 2023, the City had a Single Audit (expenditures of federal awards exceeded the \$750,000 threshold); the City's major federal programs for the year were CSLFRF (ARPA) and COPS; the City's compliance with statutes, laws, regulations, and requirements applicable to its federal award programs are the responsibility of the City's management; Report on Compliance and on Internal Controls Over Compliance Required by the Uniform Guidance: Unmodified ("clean") opinion on CSLFRF and Qualified opinion for COPS (Reporting); noted there were 6 findings and 5 financial statements; noted

there a number of staff changes and several accounting adjustments; noted processes have been put in place that will tighten up the audit for next year; noted there has been full cooperation and representation from management; proceeded with a 5-year comparison of revenue and expenditures noting Fund Balance as of December 31, 2023 is 18% compared to annual expenditures; and noted the various training opportunities available.

Councilmember Barber asked Ms. Pendergrass to confirm her email address, noting she had sent several emails to her and did not receive a response; expressed her concern about the delivery of the Audit being an Independent Report that should be delivered directly to the Governing Body, and inquired about the delivery of the Engagement Letter to the City.

Ms. Pendergrass noted it was her understanding that the Engagement Letter was presented to the City Council at the January 2024 meeting; and that industry standard, and history with the City of Stockbridge is to submit the Independent Audit to the Treasurer/Finance Director who distributes to the Governing Body as outlined in the Engagement Letter.

Councilmember Barber noted the Governing Body does not received the Engagement Letter, noting the copy if the packet is unsigned; and noted Auditor's Report is to be an Independent Audit of the City's finances and is a separate document from the Comprehensive Audit and Financial Report (CAFR) that is prepared by City Staff, and therefore the Auditor's Report should be submitted directly to the Governing Body, even if that includes the report going to the management and finance department at the same time; and noted she spent 10 months requesting the FY2022 Independent Audit Report; and asked if questions can be directed to the Auditor, or any vendor who the city has engaged for services.

Ms. Pendergrass noted the practice has been to direct questions to management.

Councilmember Barber noted the purpose of the Independent Audit is to make sure that the city has not engaged in waste, fraud, or abuse, noting questions should be addressed to the Auditor directly so that the Audit report remains uncompromised and will continue to push for transparency; and noted her request for Audit Adjustments for FY2022 and FY2023 have not been received.

Mayor Ford noted directives must come from the consensus of the Council.

Councilmember Alexander thanked Ms. Pendergrass for the Audit and asked if she stands by the Audit as presented to the City, noting any changes in the process would require a consensus of the Council.

Ms. Pendergrass confirmed that she stands behind the Audit, and noted the City is doing well.

Councilmember Thomas noted the Audit is an important process for any municipality as it helps the City to prepare for the future, and that it is important to establish a process for which questions are asked and answered, and asked when the Audit was presented to the City.

Ms. Pendergrass noted the adjustments were submitted to management; and noted the Audit was presented to Management on July 30, 2024.

Mr. Gardiner noted both Councilmember Thomas and Councilmember Barber are correct regarding the fiduciary responsibilities of the Governing Body.

Councilmember Gantt noted she believes the City is being transparent and agrees that the members of the Governing Body should expect answers, although there should not be a demand; and agreed regarding the change of any process should be by consent of three members of the Council.

Mayor Pro Tem Berry thanked Ms. Pendergrass for the Audit presentation, noting the message that seems to be getting lost is that the City of Stockbridge had a good Audit, and that is what needs to be echoed; noted questions have been asked and answered, and believes the City needs to improve with its housekeeping with policy and procedures.

Councilmember Barber noted she responsibility as an elected official very seriously, noting her initial inquiry for information started because the city was looking to implement a city tax, and the financial data would help her to make a sound decision on whether or not the tax needed to be imposed.

Councilmember Thomas noted each member of the Governing Body is duly elected by the citizens of Stockbridge with fiduciary responsibilities, and that the process should allow for any member of the Governing Body to ask questions, and those questions should not be stifled or go unanswered.

OLD BUSINESS

4. Streetlight Master Plan

Presented by: Decius Aaron, Public Works Director

Mr. Aaron introduced Mr. Joe Cobb of Georgia Power referenced areas where the original poles must remain, noting other utilities are tied into the poles and would be installed on a case-by-case basis.

Mr. Aaron noted the city recently adopted a Streetlight Policy whereas homeowners pay for streetlights on the property tax bills for those lights that are not along major thoroughfares, and noted the application process is similar to the petition for subdivision street humps.

Motion to approve the Streetlight Master Plan was made by Councilmember Alexander; seconded by Mayor Pro Tem Berry. The motion passed unanimously 5-0.

Mayor Ford read the Public Hearing Rules and Procedures

PUBLIC HEARING

5. COMPREHENSIVE PLAN AMENDMENT CASE #CP-2024-05. (To be located in Council District 5.)
Consideration of a request for the Comprehensive Land Use Amendment for property at 425 Country Club Drive, to change the property's future land use designation from 'High-Density Residential' to 'Low-Density Mixed-Use' to allow for the conversion of an assisted living facility to a hotel boutique. The applicant is Stuart Hope, on behalf of First National Land Trust, LLC. The property is located in Land Lot 68 of District 12, with 6.71 +/- acres within the Stockbridge City Limits.
Presented by: Ryan Anderson, Community Development Director
Item was not heard, citing the item is addressed in the City's Comp Plan.
6. REZONING CASE #RZ-2024-05. (To be located in Council District 5.) - CONTINUED - Consideration of a request for the Rezoning of property at 425 Country Club Drive, to rezone the property from 'OI' (Office Institutional) to 'C2' (General Commercial) to allow for a hotel boutique. The applicant is Stuart Hope, on behalf of Stockbridge Propco, LLC. The property is located in Land Lot 14 of District 7, with 6.92 +/- acres within the Stockbridge City Limits.
Presented by: Ryan Anderson, Community Development Director
Mr. Jon Jordan of Hecht, Walker, Jordan PC noted the applicant has provided a 90-day notice to the fourteen (14) remaining residents of Golden Crest as of August 19, 2024.

Ms. Rubyna Whitworth noted staff is working with the residents and coordinating the relocation of residents to its sister facilities, noting residents the new facility will accept the same rates being paid by residents; and noted recommendation letters and resume assistance is being provided to the employees as well.

Ms. Venuss Gervin, the purchaser and developer noted she has no objections and is hoping to bring an upper scale boutique hotel like a Hilton, IHG or Wyndam.

Public Hearing Closed.

Motion to approve RZ—2024-05 with 90-day notice to residents to vacate, Staff Recommended Conditions, and agreed upon lighting, flock cameras and functional gate was made by Councilmember Alexander; seconded by Mayor Pro Tem Berry. The motion passed unanimously 5-0.

7. COMPREHENSIVE PLAN AMENDMENT CASE #CP-2024-01. (To be located in Council District 5.)
Consideration of a Comprehensive Plan Amendment Request to change the future land use designation of property on the north side of Hudson Bridge Drive, comprising Parcel #032-01026000, from 'Medium-Density Mixed-Use' to 'Medium-Density Residential' to allow for the construction of a townhome development. Applicant: Lennar Georgia, LLC. Agent: Battle Law, P.C. The property is located in Land Lot 21 of District 6, and it contains 20.367 +/- acres.
Presented by: Ryan Anderson, Community Development Director
Item Deferred at the request of the Applicant to October 14, 2024.
8. REZONING CASE #RZ-2024-01. (To be located in Council District 5.)
Consideration of a request to rezone property on the north side of Hudson Bridge Drive, comprising Parcel #032-01026000, from the C-2 (General Commercial) zoning district to the MFR (Multiple Family Residential) zoning district to allow for the construction of a townhome development. The property also lies within the PMU (Parkway Mixed-Use) Overlay District. Applicant: Lennar Georgia, LLC. Agent: Battle Law, P.C. The property is located in Land Lot 21 of District 6, and it contains 20.367 +/- acres.
Presented by: Ryan Anderson, Community Development Director
Item Deferred at the request of the Applicant to October 14, 2024.
9. VARIANCE CASE #VR-2024-03: Variance Request #1. (To be located in Council District 5.)
Consideration of a variance request for two variances on property on the north side of Hudson Bridge Drive, comprising Parcel #032-01026000, to allow for the construction of a townhome development. Variance Request #1 would reduce the front yard setbacks of the townhome lots from the required 50 feet to 20 feet. The property also lies within the PMU- Parkway Mixed-Use) Overlay District.
Applicant: Lennar Georgia, LLC. Agent: Battle Law, P.C. The property is located in Land Lot 21 of District 6, and it contains 20.367 +/- acres.
Presented by: Ryan Anderson, Community Development Director
Item Deferred at the request of the Applicant to October 14, 2024.
10. VARIANCE CASE #VR-2024-03: Variance Request #2. (To be located in Council District 5.)
Consideration of a variance request for two variances on property on the north side of Hudson Bridge Drive, comprising Parcel #032-01026000, to allow for the construction of a townhome development. Variance Request #2 would reduce the side yard setbacks of the townhome lots, between buildings, from the required 15 feet to 10 feet. The property also lies within the PMU (Parkway Mixed-Use) Overlay District. Applicant: Lennar Georgia, LLC. Agent: Battle Law, P.C. The property is located in Land Lot 21 of District 6, and it contains 20.367 +/- acres.
Presented by: Ryan Anderson, Community Development Director
Item Deferred at the request of the Applicant to October 14, 2024.

11. COMPREHENSIVE PLAN AMENDMENT CASE #CP-2024-06. (To be located in Council District 5.)

Consideration of a request for a Comprehensive Plan Amendment to change the future land use designation of two parcels on the east side of Highway 42 North, south of Eagles Landing Parkway, from “Low-Density Mixed-Use” to “Medium Density-Residential” to allow for the construction of a townhome development. The applicant is LI Route 23, LLC and the agent is George Harper of Paramount Engineering. The property contains two parcels, as are listed below, with 13.64 +/- total acres within the Stockbridge City Limits. Parcel #069-01009000 – Contains 10.61 +/- acres in Land Lots 1 & 2 of Districts 7 & 11. Parcel #070-01001000 (2612 Highway 42 North)—Contains 3.03 +/- acres In Land Lot 1 of District 7. Presented by: Ryan Anderson, Community Development Director
Mr. Anderson presented CP-2024-06, RZ-2024-06, VR-2024-02 Variance Request #1, and Variance Request #2 related to Parcel #069-01009000 and Parcel #070-01001000.

Mr. George Harper presented an overview of the development on behalf of the Applicant, noting renderings were submitted to the city’s Planning & Zoning Department; referenced amenities with a black wrought ironed fence; and that the overhang over the front doors would consist of metal roofing instead of shingles; and noted the development will be an upscale townhome development; and noted one entry/exit point with and emergency fire access on Hwy. 42.

Councilmembers discussed entrance/exit points, additional amenities and conditions, a traffic analysis of approximately 17,000 cars per day, noting a study was not required as the number of units is under the required threshold and safety concerns with turning into and out of the development from Hwy. 42.

Public Hearing Opened

Speakers in Favor: None

Speakers Opposed to Item# 11, 12, 13 and 14: Ms. Tonia Jackson and Mr. Victor Hudson. Item #13 and 14: Ms. Janet Beuchler.

Public Hearing Closed

Motion to approve CP—2024-06 was made by Councilmember Alexander; seconded by Councilmember Gantt. The motion passed 4-0-1 (Barber Abstained).

12. REZONING CASE #RZ-2024-06. (To be located in Council District 5.)

Consideration of a request for a rezoning to rezone two parcels on the east side of Highway 42 North, south of Eagles Landing Parkway, from ‘C-2’ (General Commercial) to ‘MFR’ (Multiple-Family Residential) to allow for the construction of a townhome development. The applicant is LI Route 23, LLC and the agent is George Harper of Paramount Engineering. The property contains two parcels, as are listed below, with 13.64 +/- total acres within the Stockbridge City Limits. Parcel #069-01009000 – Contains 10.61 +/- acres in Land Lots 1 & 2 of Districts 7 & 11. Parcel

#070-01001000 (2612 Highway 42 North)—Contains 3.03 +/- acres In Land Lot 1 of District 7.

Presented by: Ryan Anderson, Community Development Director
Motion to approve RZ—2024-06 with Staff Recommended Conditions and the following Conditions: Number of units reduced from 100 to 97; 50% of the units w/100 % Brick Façade, Water Table in the Rear, Gated, Flock Cameras, 6' Sidewalks Interior, 10' Walking Path on Hwy 42/23, Clubhouse, Pool, Covered Pavilion, Outdoor Grill, Black Metal Decorative Lights along Hwy. 42, Acceleration Lane, Units 1800 – 2300 ft.; with suggestion to set aside a percentage for public safety housing, if allowable, was made by Councilmember Alexander; seconded by Councilmember Gantt. The motion passed unanimously 5-0.

13. VARIANCE CASE #VR-2024-02: Variance Request #1. (To be located in Council District 5.)

Consideration of a variance request for two variances on two parcels on the east side of Highway 42 North, south of Eagles Landing Parkway, to allow for the construction of a townhome development. Variance Request #1 would reduce the front yard setbacks of the townhome lots from the required 50 feet to 30 feet. The applicant is LI Route 23, LLC and the agent is George Harper of Paramount Engineering. The property contains two parcels, as are listed below, with 13.64 +/- total acres within the Stockbridge City Limits. Parcel #069-01009000 – Contains 10.61 +/- acres in Land Lots 1 & 2 of Districts 7 & 11. Parcel #070-01001000 (2612 Highway 42 North)—Contains 3.03 +/- acres In Land Lot 1 of District 7. Presented by: Ryan Anderson, Community Development Director
Motion to approve VR-2024-02 Variance Request #1 from 50' to 30' was made by Councilmember Alexander; seconded by Councilmember Gantt. The motion passed unanimously 5-0.

14. VARIANCE CASE #VR-2024-02: Variance Request #2. (To be located in Council District 5.)

Consideration of a variance request for two variances on two parcels on the east side of Highway 42 North, south of Eagles Landing Parkway, to allow for the construction of a townhome development. Variance Request #2 would reduce the side yard setbacks of the townhome lots, between buildings, from the required 15 feet to 10 feet. The applicant is LI Route 23, LLC and the agent is George Harper of Paramount Engineering. The property contains two parcels, as are listed below, with 13.64 +/- total acres within the Stockbridge City Limits. Parcel #069-01009000 – Contains 10.61 +/- acres in Land Lots 1 & 2 of Districts 7 & 11. Parcel #070-01001000 (2612 Highway 42 North)—Contains 3.03 +/- acres In Land Lot 1 of District 7.

Presented by: Ryan Anderson, Community Development Director
Motion to approve VR-2024-02 Variance Request #2 20' between the homes was made by Councilmember Alexander; seconded by Councilmember Gantt. The motion passed 4-1 (Barber Opposed).

NEW BUSINESS

15. Council consideration to approve Task Order No. 2024.07 with Falcon Design – Country Club Drive – Traffic and Pedestrian Safety Improvements in the amount of \$88,000.000. The funding source is from TSPLOST.

Presented by: Decius Aaron, Public Works Director

Mr. Aaron requested approval for safety improvements in the Country Club Drive area to include sidewalks included in the city's TSPLOST Capital Improvement Plan.

Motion to approve Task Order No. 2024.07 was made by Mayor Pro Tem Berry; seconded by Councilmember Alexander. The motion passed unanimously 5-0.

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- The Main Street Advisory Board Meeting on the 2nd Friday of each month at 9am – Location is the Downtown Connection Center 130 M L King Sr. Heritage Trail. (Sep 13)
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- Join the City of Stockbridge for the 50 Shades of Pink Love Walk to highlight breast cancer awareness and survivors at Clark Community Park 111 Davis Rd. on Saturday, October 19th from 10:30 am – 1:00 p.m.

UPCOMING CITY EVENTS/INITIATIVES

- Join the City of Stockbridge for the 9/11 Remembrance on Wednesday, September 11th beginning at 8am on the steps of City Hall. 4640 N. Henry Blvd. Stockbridge.

- Join Councilwoman LaKeisha Gantt in partnership with Atlanta Food Truck Park for Night Market at the Stockbridge Amphitheater Parking Lot from 6pm – 9:30pm – September 12th, September 26th, October 10th, November 7th, and November 21st. There will be vendors, Food Trucks, Activities, Games, Music, and Vibes. Contact Tan Bowers at tan@atlantafoodtruckpark.com for registration and additional information.
- Join Councilman Alphonso Thomas for the monthly Senior Bingo Bash on Wednesday, September 18th from 10am - 12pm at the Merle Manders Conference Center, 111 Davis Rd. for raffles, prizes, games, snacks and fun!
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- Fridays (Weather Permitting) The show will start at 6 pm and will end at 8 pm. The show will take place at 130 MLK Sr Heritage Trail in Stockbridge, GA. Enjoy good music, local restaurants, and OUR community... all in ONE gorgeous location! Bring your family or make it a date night! Just don't forget your lawn chair!

MAYOR'S COMMENTS

Mayor Ford also invited everyone to come out and attend Taste of Henry on Friday, September 13th at Southern Belle Farms from 5pm – 7pm; asked everyone to be safe and stay healthy noting Flu and COVID shots are available; noted it is football season and to cheer on your favorite team; and invited everyone to come out and attend the Stockbridge Amphitheater concerts before the 2024 season ends.

Motion to adjourn the meeting at 9:20 p.m. was made by Mayor Pro Berry; seconded by Councilmember Gantt. The motion passed unanimously 5-0.

Respectfully submitted by:

Vanessa Holiday, City Clerk CMC

Anthony S. Ford, Mayor



WORK SESSION MEETING SUMMARY MINUTES

TUESDAY, SEPTEMBER 24, 2024 6:00 P.M.

Mayor & City Council

Mayor Anthony S. Ford At-Large
Mayor Pro Tem Kyle Berry – Council District 3
Councilmember Elton Alexander – Council District 5
Councilmember Yolanda Barber – Council District 4
Councilmember LaKeisha Gantt – Council District 1
Councilmember Alphonso Thomas – Council District 2

Administration

Frederick Gardiner – City Manager
Vanessa Holiday – City Clerk
Cassandra Lester – Deputy City Clerk
Lakeisha Gaines – Interim City Treasurer
Quinton Washington – City Attorney

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

Invocation by Mayor Ford at 6:17 p.m.

Invocation by: Mayor Pro Tem Berry

The Pledge of Allegiance was recited by all in attendance.

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

Motion to amend the Agenda to convene Executive Session following Public Comments was made by Councilmember Barber; seconded Mayor Pro Tem Berry. The motion passed unanimously 5-0.

Motion to adopt the Agenda was made by Councilmember Alexander; seconded by Councilmember Barber. The motion passed unanimously 5-0.

REVIEW OF THE MINUTES – No Action

1. Review of the August 12, 2024 Council Meeting Minutes

Review of the August 21, 2024 Budget Retreat Meeting Minutes

Review of the August 22, 2024 Budget Retreat Meeting Minutes

Review of the August 23, 2024 Budget Retreat Meeting Minutes

Review of the August 27, 2024 Council Work Session Meeting Minutes

Review of the September 9, 2024 Council Meeting Minutes

PUBLIC COMMENTS

There were no public comments.

EXECUTIVE SESSION

Motion to convene Executive Session for Personnel, Litigation and Real Estate was made by Councilmember Barber; seconded by Mayor Pro Tem Berry. The motion passed unanimously 5-0.

(Councilmember Gantt exited the meeting at 6:50 p.m. due to illness.)

Motion to adjourn Executive Session and sign an Affidavit with No Action was made by Councilmember Thomas; seconded by Mayor Pro Tem Berry. The motion passed unanimously 4-0.

Motion to reconvene the meeting was made by Councilmember Alexander seconded by Mayor Pro Tem Berry. The motion passed unanimously 4-0.

PRESENTATION

2. Park System Plan – Schematic Presentation

Presented by: Decius Aaron, Public Works Director and Peyton Peterson and Anna Shoji of TSW

Mr. Aaron introduced staff from TSW to present the Schematic Design for Clark Community Park, Gardner Park, and Memorial Park, noting the community themes of the MLK Sr. History, Tye St. Neighborhood History, Railroad Heritage, Downtown History, Brush Creek, Reeves Creek, Upper Ocmulgee River Basin, Quarry History and Panola Mountain Piedmont Granit Outcrops; referenced the framework for each of the parks with enhanced programming, viewsheds, pedestrian circulation, splash pad and additional parking; noted improvements to connectivity, trail extensions and natural play areas, noting the water source for the splash pad would need to be brought in with the option of recycling or flow through; noted the signage would be the same as the current proposed

Mayor Ford (The full presentation is on file in the Clerk's Office).

Motion to approve the Grand Master Parks Plan with the contingency to bring a condensed 1–5-year Phase I plan with funding source for Council approval to the November 19, 2024 Work Session Meeting was made by Councilmember Thomas; seconded by Councilmember Alexander. The motion passed unanimously 4-0.

CONSENT AGENDA

3. A. Council consideration to approve the use of the Merle Manders Conference Center for the Police Department Annual Awards Gala

B. Council Consideration for the approval of Lichty Commercial Construction, Inc. contract for Court Renovation.

Motion to approve the Consent Agenda Items 3a and 3b was made by Mayor Pro Tem Berry; seconded by Councilmember Alexander. The motion passed unanimously 4-0.

NEW BUSINESS

4. Council consideration to approve a new position: Accountant II and the reclassification of Senior Accountant to Accounting Manager.
Presented by: Lakeisha Gaines, Interim City Treasurer and Renee Wheeler, Human Resources Manager
Ms. Gaines amended the request to include a second new position: Property Tax Specialist.

Ms. Gaines reviewed the job description of the proposed Accountant II position, noting the role and responsibilities; reviewed job description and responsibilities of the reclassified position for the Accounting Manager; and reviewed the role and responsibilities of the proposed Property Tax Specialist position.

Councilmember Thomas noted the City's Charter states job descriptions shall be approved by Governing Body for approval.

Motion to approve the Accountant II position and the reclassification of the Senior Accountant to Accounting Manager was made by Councilmember Barber; seconded by Councilman Alexander. The motion passed unanimously 4-0.

Motion to develop the job description for the Property Tax Specialist position for Council approval at the October 14, 2024 meeting was made by Councilmember Barber; seconded by Mayor Pro Tem Berry. The motion passed unanimously 4-0.

Councilmember Alexander inquired about the upcoming Homestead Exemption Referendum and townhalls for the public.

Mr. Gardiner stated there will be two townhall meetings regarding Homestead Exemptions, and the application to apply will go live on November 6th.

UPCOMING MEETINGS & ANNOUNCEMENTS: Council meetings will be held in the City Council Chamber. Meeting dates, locations and times are subject to change or contact City Hall offices at 770-389-7900 or visit the website www.stockbridgega.org for updates.

- Community Meeting to discuss the Stockbridge Trails Plan on Wednesday, September 25th from 6pm – 7:30pm at the Merle Manders Conference Center 111 Davis Rd.
- Community Zoning and Information Meeting: Wednesday, October 2nd from 6:00 p.m. – 7:00 p.m. at City Hall in the Council Chamber (Oct 2)
- Stockbridge Citizens-Police Advisory Council meeting 1st Thursday of each month at 6:00 p.m. at the Stockbridge Police Community Room 4545 N. Henry Blvd. – (Oct 3)
- Youth Council Meeting 1st Monday of each month at 6:30 p.m. - City Hall Levi Meeting Room (Oct 7)

- Citywide Development Authority Meeting, 2nd Tuesday of each month, 6:00 p.m.- City Hall Levi Meeting Room (Oct 8)
- The Main Street Advisory Board Meeting on the 2nd Friday of each month at 9am – Location is the Downtown Connection Center 130 M L King Sr. Heritage Trail. (Oct 11)
- City Council Meeting, 2nd Monday of each month at 6:00 p.m. - City Hall Council Chamber (Oct 14)
- Downtown Development Authority Meeting, 3rd Tuesday of each month Stockbridge Downtown Center 130 M L King, Sr. Heritage Trail (Oct 15)
- Youth Council Advisory Committee Meeting, 6:30 p.m.- 3rd Tuesday of each month Levi Meeting Room - City Hall (Oct 15)
- Planning Commission Meeting, 3rd Thursday of each month, 6:30 p.m. - City Hall Council Chamber - (Oct 17)
- City Council Work Session Meeting, Last Tuesday of each month: Tuesday, July 30th at 6:00 p.m. - City Hall Council Chamber (Oct 29)

UPCOMING CITY EVENTS/INITIATIVES

- Join Councilwoman LaKeisha Gantt in partnership with Atlanta Food Truck Park for Night Market at the Stockbridge Amphitheater Parking Lot from 6pm – 9:30pm – September 26th, October 10th, November 11th, and November 21st. There will be vendors, Food Trucks, Activities, Games, Music, and Vibes. Contact Tan Bowers at thepeaceofmine@gmail.com for registration and additional information.
- Join the City of Stockbridge for the Annual BridgeFest Event! The City of Stockbridge Government is hosting this annual event for the COMMUNITY on Saturday, September 28, 2024! We will have a live concert, food trucks, vendors, and more! Get ready for fun at the Stockbridge Amphitheater.
- Join Councilman Alexander for the District 5 Hudson Bridge Rd. Community Cleanup on Saturday, October 5th from 9am – 11am. Please park in the Walmart parking lot.
- Please come out and enjoy the Cops & Clergy Softball Game during Faith & Blue Weekend on Saturday, October 12th at 10am - 12pm, JP Moseley Park, 1041 Millers Mill Rd. Stockbridge
- Join Councilman Alphonso Thomas for the monthly Senior Bingo Bash on Wednesday, October 16th from 10am - 12pm at the Merle Manders Conference Center, 111 Davis Rd. for raffles, prizes, games, snacks and fun!
- Join the City of Stockbridge for the 50 Shades of Pink Love Walk to highlight breast cancer awareness and survivors at Clark Community Park 111 Davis Rd. on Saturday, October 19th from 10:30am – 1:00 p.m.
- Join Councilwoman Lakeisha Gantt for the Annual Fall Festival at Clark Community Park 111 Davis Rd. on Saturday, October 26th from 12pm – 4:00 p.m.
- Join Mayor Anthony Ford for the monthly *Meet the Mayor* on Wednesday, October 28th from 10am – noon at Stockbridge City Hall.
- Join Councilman Thomas for the *Don't Trash Stockbridge* initiative centered around education highlighting the causes and effects of Littering and Illegal Dumping. More information to follow.
- Councilman Thomas is honoring Veterans with a Continuous Salute all year long. Please send your pictures of Veterans with their name, branch, rank, and years of service. Please contact Rosalynd Rawls to schedule an appointment for *Meet the Mayor* and for more information on Council Initiatives and events at 678-833-3348 or via email: rrawls@stockbridgega.org

2024 Stockbridge Amphitheater Summer Concert Series

- Saturday, October 5th featuring Monica, Tamar, and Sevyn Streeter with a Salute to the Ladies of the Divine 9, (Rescheduled Show)
- Saturday, October 12th featuring That Girl Lay Lay and Friends Youth Concert
- Sunday, October 13th Kings, and Queens of Southern Soul Show featuring King George, Tucka, Sir Charles Jones, Pokey Bear, TK Soul, West Love and Derek "The Change Man" Smith

- Sunday, October 20, 2024, (Rescheduled Show) featuring Charlie Wilson with Special Guest El DeBarge
- Saturday, October 26, 2024, Boney James Slow Burn Tour with Special Guest Damien Escobar.
- Saturday, November 2nd, Dirty South Throwback Hip Hop Fest featuring Eastside Boys, DJ Holiday, 95 South, Tray Bills, Raheem the Dream, DJ Unk, MC Shy D and Kilo Ali.

Stockbridge Main Street Tiny Tent Concert Series - This event has ended for 2024.

MAYOR'S COMMENTS

Mayor Ford noted fall has arrived, and that it is cold and flu season, and encouraged everyone to get the flu shots and COVID vaccinations to remain healthy; and noted the last day to register to vote in the November 5th election is October 7th and that early voting begins October 17th and encouraged everyone to exercise their constitutional right to vote. Flu and COVID shots are available; noted it is football season and to cheer on your favorite team; and invited everyone to come out and attend the Stockbridge Amphitheater concerts before the 2024 season ends.

Motion to adjourn the meeting at 8:30 p.m. was made by Councilmember Barber; seconded by Councilmember Thomas. The motion passed unanimously 4-0.

Respectfully submitted by:

Vanessa Holiday, City Clerk CMC

Anthony S. Ford, Mayor



Where Community Connects

4640 North Henry Blvd. Stockbridge, GA 30281

APPLICATION FOR BOARD, COMMITTEE OR COMMISSION APPOINTMENT

Citizens provide a great insight and knowledge to City government. An avenue that the City of Stockbridge uses to get this insight is through the various Boards and Commissions of the City of Stockbridge. The members of the Boards and Commissions make decisions and help recommend and review policies for the City of Stockbridge and its Mayor and Council. This questionnaire will assist the Mayor and Council in the review process and in determining applicant eligibility requirements and qualifications for Board or Commission membership.

Questions to consider before applying for membership on a Board or Commission:

- Do I fully understand what this Board, Committee or Commission expects from me?
- Am I committed to the goals and mission of this Board, Committee or Commission?
- Can I afford the demands on my time, resources and energy?
- Will I attend meetings regularly, making them a priority for the duration of my appointment?
- Am I willing to perform a reasonable amount of work outside of regularly scheduled Board, Committee or Commission meetings and prepare for each meeting?
- Can I work effectively with the other members of the Board, Committee or Commission?
- Am I willing to participate in necessary Board, Committee or Commission training, education and development activities that will improve my effectiveness in my position?
- Am I willing to complete a Criminal Background Check upon selection?

APPLICANT INFORMATION

Applicant Name: Laray Tillman Jr

Occupation: Pastor Employer: Floyd Chapel Baptist Church

Home Address: 179 Moss Pointe Dr City: McDonough Zip: 30253

Home Phone: () Home E-Mail:

Work Phone: Work E-Mail:

Cell Phone: Preferred E-Mail: ☐ Home ☐ Work

Name and address of the business entity you own/operate, located within the city limits of Stockbridge (if applicable)

City of Stockbridge

BOARD, COMMITTEE OR COMMISSION APPLICATION

- a) Which Board(s) or Commission(s) do you wish to be appointed to? CPAC Citizens Police Advisory Counsel
If applying for the Main Street Advisory Board, which position? _____
(see positions noted below)
- b) How long have you been a resident or business owner/operator in the City of Stockbridge? 04 Years 10 Months
- c) Are you current with all your financial obligations to the City of Stockbridge? ☒ Yes ☐ No
- d) Are you willing and available to attend training sessions on-site and/or off-site if provided by the City? ☒ Yes ☐ No
- e) Available Boards and Commissions and their terms and meeting schedules are listed at the end of this application.
Are you able to meet the attendance requirements of the position for which you are applying? ☒ Yes ☐ No
- f) Do you know of any circumstances that would result in you having to abstain from voting on any action before the Board or Commission? ☐ Yes ☒ No If yes, please explain:

- g) Do you or your employer, or your spouse, child, relative or their employers, do business with the City of Stockbridge
☐ Yes ☒ No If yes, please explain:

- h) Do you have any employment or contractual relationship with the City of Stockbridge that would create a continuing or frequently recurring conflict regarding your participation on a Board or Commission? ☐ Yes ☒ No
If yes, please explain:

City of Stockbridge

BOARD, COMMITTEE OR COMMISSION APPLICATION

- i) Please briefly explain your reasons for wishing to serve on the Board or Commission you select:

~~As an active citizen in the city of Stockbridge I would like to serve on the Citizens Police Advisory Council (CPAC) to assist with the concerns of the people and the city and to be an active part of the community.~~

- j) Are you willing to be considered for appointment to any of the other Boards or Commissions of the City if a position is not available on the Board or Commission of your first choice? ☐ Yes ☒ No If yes, please list the Boards or Commissions for which you would like to be considered (in order of interest):

- k) Please attach a Resume of Qualifications for the Board position for which you are applying.

APPLICANT STATEMENT

I understand that I am applying for appointment to a Board, Committee or Commission office of the City of Stockbridge that the appointing authority may require an interview prior to consideration for appointment; that I will be required to take an oath of office to uphold the City's charter and ordinances; that I may be removed from office for any reason permitted by law or City charter; and that my application will remain on file for consideration for a period of six (6) months, after which time, I will need to file a new application. I always agree to comply with all requirements of the office for which I am applying and to which I may be appointed. All statements and information provided in this application are true to the best of my knowledge. I understand a Criminal Background Check will be completed if I am considered to go before the Mayor & Council prior to being appointed. Members who qualify for elected office shall be removed from the Board/Commission of which they serve.


Signature

LaRay Tillman Jr

Printed Name

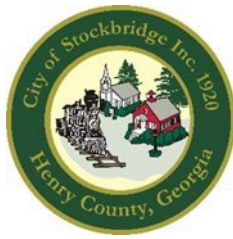
09-30-2024

Date

Please return signed application to:

City Clerk
City of Stockbridge
4640 North Henry Blvd.
Stockbridge, Georgia 30281

Fax: 770.389.7912
Email: cityclerk@cityofstockbridge-ga.gov



City of Stockbridge

AGENDA ITEM

MEETING DATE

October 14, 2024

FUNDING SOURCE

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

- ☐ GENERAL FUND
- ☐ FUND BALANCE
- ☐ SPLOST or TSPLOST
- ☐ ARPA
- ☐ GRANT
- ☐ HOTEL/MOTEL TOURISM
- ☐ COUNCIL INITIATIVE
- ☐ PARTNER/SPONSOR
- ☐ DEPARTMENT FUND BALANCE
- ☐ BONDING

ACCOUNT TRANSFER FROM:

ACCOUNT TRANSFER TO:

PRESENTER: Fred Gardiner

DEPARTMENT: City Manager Office

ITEM/PROJECT/EVENT:

Exercise of First Option Renewal for Contract RFQ No. 2023-0012, Civic Wayfinding Signage Project with DeNyse Companies, Inc.

BACKGROUND INFORMATION:

The City Manager's Office is requesting approval of the first (1st) option year renewal of the Civic Wayfinding Signage Project with DeNyse Companies, Inc.

The initial term of this contractual agreement is for one (1) year, with the option to renew for four (4) one (1) year periods, with options in the City's sole discretion.

Based on City Council's request all contracts shall be presented for renewal within 120 days of the expiration date. Contract effective date 09/06/2024.

BACKGROUND INFORMATION:

STAFF RECOMMENDATION:

The City Staff is requesting the City Council's approval to exercise the first option renewal.

The budget amount for this project is NOT TO EXCEED \$2.15 million. The project will be implemented in phases.

Phase 1- \$157,902.75

Phase 2- \$400,019.50

Phase 3- \$1,402,449.65

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

Fiscal Impact:
ARPA Funds

Attachments:
Contract Renewal Evaluation Form
Contract with Cost Proposal

APPROVALS:

CITY MANAGER _____

CITY TREASURER _____

CITY ATTORNEY _____

PROCUREMENT Shakera Hall

☐ FINANCIAL IMPACT ☒ N/A

AMOUNT \$
\$

ATTACHMENTS: ☒



CONTRACT RENEWAL EVALUATION FORM

Date: September 6, 2024

To: Frederick Gardiner, City Manager

From: Wanda J. Cooley, *Procurement Specialist*
Email: wcooley@stockbridge.org

Subject: Contract No. RFQ 2023-0012 – Civic Wayfinding Signage Project – DeNyse Companies, Inc. – Exercise of First Option

It is time to review the first option for Contract No. RFQ 2023-0012, Civic Wayfinding Signage Project with DeNyse Companies, Inc. The first year of this contract expires December 31, 2024.

Please indicate your recommendation as to exercising the option, along with the option-year amount budgeted, account number, and department head's signature. Return to Wanda J. Cooley, Procurement Department, no later than Monday, September 9, 2024. If you intend to disapprove this option, please provide a concise statement of your rationale for disapproval.

Per Section 1, please indicate whether you wish to renew this contract.

Complete the Survey (Section 2, below) evaluating the Contractor's performance during the past Contract Term. If answering "No" to any question, please explain briefly.

Section 1: Renewal

Approve Option: Fredrick Gardiner 9/9/2024
(Signature) (Date)

Disapprove Option: _____
(Signature) (Date)

Amount Budgeted for Option Year: \$ \$1,802,496.15

Account #: ARPA # SPLOST VI #

Department Head: Frederick Gardiner
(Signature)

Section 2: Contractor Evaluation

	YES	NO	N/A
1. Contractor performed all work in conformance with the Contract requirements?	—	—	—
2. Contractor was responsive and professional?	—	—	—
3. Are you satisfied with the quality of the work performed by the Contractor?	—	—	—
4. Did the Contractor anticipate your needs and provide value-added services beyond the scope/requirements of the Contract?	—	—	—

Comments: _____

For Approval:

Frederick Gardiner

Frederick Gardiner, City Manager

9/ 9 /2024

Date Approved:



**Contract for RFQu 2023-0012
Civic Wayfinding Project**

This CONTRACT Agreement made and entered into this _____ day of _____, 2024 (the "Agreement"); by and between The City of Stockbridge, Georgia (the "City"), having its principal place of business at 4640 North Henry Boulevard, Stockbridge, Georgia 30281 and DENYSE COMPANIES INC (the "Contractor/Service Provider").

NOW THEREFORE, for and in consideration of the mutual promises and obligations contained herein and under the conditions hereinafter set forth, the parties do hereby agree as follows:

1. TERMS:

This Agreement shall be effective upon its execution (the "Effective Date") The initial term of this Contract shall be through December 31, 2024. This Contract shall terminate absolutely and without further obligation on the part of the City on December 31, 2024, and each December 31 of each succeeding and renewed year, as required by O.C.G.A. §36-60-13, as amended, unless terminated earlier in accordance with the provisions of this Contract.

OPTION RENEWALS:

This Contract may be renewed at the sole discretion of the City for four (4) additional twelve-month terms, upon the same terms and conditions, as provided for in this Contract, unless terminated by the City, by notice to the service provider or termination and non-renewal by December 31 of the Contract year.

2. ATTACHMENTS:

The following documents are attached and are specifically incorporated herein by reference; and, along with this Contract and the General Conditions attached as Exhibit A encompass all of the Contract documents:

- I. Request for Qualification 2023-0012 Civic Wayfinding Project
- II. Contractor Response to RFQu
- III. Cost Proposal and Timeline

3. PERFORMANCE:

Service Provider agrees to furnish all skill and labor of every description necessary to carry out perform, perform the services in accordance with the Contract Documents (the "Work").

4. PRICE:

The City agrees to pay the Service Provider following receipt by the City of a detailed invoice reflecting the actual work performed by the Service Provider, provided, however, Service Provider guarantees that the maximum price for materials, labor and expenses, shall be the amount reflected in the Cost Proposal.

5. INDEMNIFICATION AND HOLD HARMLESS:

[See Section 13 of Exhibit A. -- General Conditions]

The Service Provider agrees to indemnify the City (including elected officials and employees) and hold the City harmless from and against any and all claims, liabilities, damages, losses, costs or expenses, including, without limitation, reasonable attorney's fees arising out of or related to: (a) a breach of the contract by Service Provider or (b) the performance of this Contract, whether by Service Provider, a subcontractor, or anyone directly or indirectly employed by them or anyone for whose acts they may be liable, except to the extent such claim, liability, damage, loss, cost or expense is caused by the acts, omissions, negligence or willful misconduct of a party indemnified hereunder. Service Provider's indemnification obligation shall not be limited by a limitation on amount or type of damages, compensation or benefits payable by or for Service Provider or subcontractor under any insurance required by the contract, including workers' compensation acts, disability benefit acts, other employee benefit acts, or any other insurance. Service Provider shall not settle or compromise any indemnifiable claims hereunder without the prior written consent of the City. The City cannot and does not agree to indemnify, hold harmless, exonerate or assume the defense of Service Provider or any other person or entity whatsoever, for any purpose whatsoever.

6. TERMINATION FOR CAUSE:

The City may terminate this Contract for cause upon ten (10) days prior written notice to the Service Provider of the Service Provider's default in the performance of any term of this Contract. Such termination shall be without prejudice to any City's rights or remedies provide by law.

7. TERMINATION FOR CONVENIENCE:

The City may terminate this Contract for its convenience at any time upon 30 days written notice to the Service Provider. In the event of the City's termination of this Contract for convenience, the Service Provider will be paid for those services actually performed. Partially completed performance of the Contract will be compensated based upon a signed statement of completion to be submitted by the Service Provider who shall itemize each element of performance.

8. TERMINATION FOR FUND APPROPRIATION:

The City may unilaterally terminate this Contract due to lack of funding at any time by written notice to the Service Provider. In the event of the City's termination of this Contract for fund appropriation, the Service Provider will be paid for those services actually performed. Partially completed performance of the Contract will be compensated based upon a signed statement of completion to be submitted by the Service Provider which shall itemize each element of performance.

9. CONTRACT NOT TO DISCRIMINATE:

During the performance of this Contract, the Service Provider will not discriminate against any employee or applicant for employment because of race, creed, color, color, sex, national origin, age, or disability which does not preclude the applicate or employee from performing the essential functions of the position. The Service Provider will also, in all solicitations or

advertisements for employees placed by qualified applicants, consider the same without regard to race, creed, color, sex, national origin, age, or disability which does not preclude the applicant from performing the essential functions of the job. The Service Provider will cause the foregoing provisions to be inserted in all subcontracts for any work covered by this Contract so that such provision will be binding upon each subservice providers for standard commercial supplies of raw materials.

10. ASSIGNMENT:

The Service Provider shall not sublet, assign, transfer, pledge, convey, sell or otherwise dispose of the whole or any part of this Contract or his right, title, or interest therein to any person, firm, or corporation without the previous consent of the City in writing

11. WAIVER:

A waiver by either party of any breach of any provision, term, covenant, or condition of this Contract shall not be deemed a waiver of any subsequent breach of the same or any other provision, term, covenant, or condition.

12. SEVERABILITY:

The parties agree that each of the provisions included in this Contract is separate, distinct and severable from the other and remaining provisions of this Contract, and that the invalidity of any Contract provision shall not affect the validity of any other provision or provisions of this Contract.

13. GOVERNING LAW:

The parties agree that this Contract shall be governed and construed in accordance with the laws of the State of Georgia. This Contract has been signed in Henry County, Georgia.

14. MERGER CLAUSE:

The parties agree that the terms of this Contract included the entire Contract between the parties, and as such, shall exclusively bind the parties. No other representations, either oral or written, may be used to contradict the terms of this Contract.

15. WARRANTY:

Bidder expressly warrants that all products purchased shall be of first quality material and workmanship, free from any defects, merchantable, fit for the purposes specified by City of Stockbridge (COS) in this solicitation and shall conform to all the requirements of the solicitation. All warranties shall run from the date of Acceptance and shall remain in place for a period of eighteen (18) months from the acceptance date. COS' representative or designee is responsible for inspection and acceptance of the goods. All non-conforming or defective products shall either be replaced at no cost to COS within thirty (30) days of request by COS or COS shall be provided with a refund for the purchase price of the defective good. Any replacement item must be of the same or comparable make and model.

IN WITNESS WHEREOF, the parties hereto, acting through their duly authorized agents, have caused this **CONTRACT** to be signed, sealed, and delivered.

Signatures on the following page.

STOCKBRIDGE, GEORGIA

By:


Anthony S. Ford
Mayor City of Stockbridge, Georgia

ATTEST:

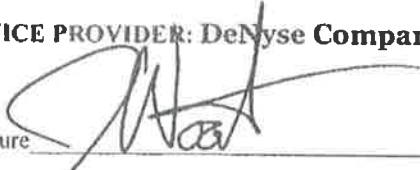
City Clerk

APPROVED AS TO FORM:

City Attorney

SERVICE PROVIDER: DeNyse Companies, Inc

Signature



Date

8-26-24

Print Name

Jason Wooten

Print Title

Sales Director

ATTEST:

Signature



Date

8-26-24

Print Name

Cheryl Whitson

Print Title

Sales / Project Management



City of Stockbridge

AGENDA ITEM

MEETING DATE

October 14, 2024

FUNDING SOURCE

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

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

ACCOUNT TRANSFER FROM:

ACCOUNT TRANSFER TO:

PRESENTER: Renee Wheeler, HR Manager and Michelle Warner, GMA Pension Director

DEPARTMENT: Citywide

ITEM/PROJECT/EVENT: [Restated GMEBS Retirement Plan Adoption Agreement and General Addendum](#)

Council consideration to adopt the restated GMEBS Retirement Plan Adoption Agreement and General Addendum with Plan Amendments.

BACKGROUND INFORMATION:

The Pension Committee held a series of meetings and reviewed the city's plan documents with Georgia Municipal Association Pension Director, Michelle Warner. The committee has recommended the following plan amendments:

Part-Time Hours = 30 or less; Police Officers need to be in service with Stockbridge when they meet the 55/20 requirement; Portable service from other GMEBS members toward the 20 years can be allowable.

Effective October 15, 2024.

SIGNATURES:

CITY MANAGER

CITY TREASURER

CITY ATTORNEY

☒ FINANCIAL IMPACT ☐ N/A

AMOUNT:

ATTACHMENTS:

ITEM/PROJECT/EVENT: (Continued)

GMEBS has recently received a favorable determination letter from the IRS for the Defined Benefit Retirement Plan. Each employer using the GMEBS Retirement Plan is required to adopt the restated Adoption Agreement and General Addendum as part of the restatement process. Documents include: Adoption Agreement, General Addendum, the restated GMEBS Basic Plan Document and Amendment 1, the Summary of Amendments and GMEBS Opinion Letter. The Pension Committee met with GMA Director as recommend the following amendments: he amendments are as follows: 1) Part-Time 2) Portable service from other GMEBS members toward the 20 years can be allowable. 3) Police Officers need to be in service with the City of Stockbridge when they meet the 55/20 requirement.

BACKGROUND INFORMATION:



**RISK MANAGEMENT AND
EMPLOYEE BENEFITS
SERVICES**

BOARD OF TRUSTEES

Chair

Marcia Hampton
City Manager, Douglasville

Vice-Chair

Shelly Berryhill
Commissioner, Hawkinsville

Secretary-Treasurer

Larry H. Hanson
CEO and Executive Director

Trustees:

Betty Cason
Mayor, Carrollton

Jason Holt
Mayor, Fitzgerald

Meg Kelsey
Asst. City Manager, Newnan

Jessica O'Connor
City Manager, Griffin

W.D. Palmer, III
Councilmember, Camilla

John Reid
Mayor, Eatonton

Sammy Rich
City Manager, Rome

Julie Smith
Mayor, Tifton

JoAnne Taylor
Mayor, Dahlonega

Albert Thurman
Mayor, Powder Springs

Rebecca L. Tydings
City Attorney, Centerville

Clemontine Washington
Mayor Pro Tem, Midway

Vince Williams
Mayor, Union City

EXECUTIVE STAFF

Randy Logan
Deputy Executive Director

August 15, 2024

TRANSMITTED VIA E-MAIL

vholiday@stockbridgega.org

Ms. Vanessa Holiday
City Clerk
City of Stockbridge
4640 N. Henry Blvd
Stockbridge, GA 30281

RE: City of Stockbridge Georgia Municipal Employees Benefit System (GMEBS) Defined Benefit Retirement Plan; Amendment to Change Hours Per Week Eligibility Condition from 20 to 30 Hours and Provide 55&20 Alternative Normal Retirement Qualification for Police Officers

Dear Ms. Holiday:

Per the city's request, attached please find a draft amended Adoption Agreement and General Addendum for the city of Stockbridge's Georgia Municipal Employees Benefit System ("GMEBS") Defined Benefit Retirement Plan ("Plan"). The amendment to the plan changes the hours per week eligibility condition from 20 hours to 30 hours per week for employees initially employed or reemployed on or after October 11, 2024 (see Adoption Agreement, pp. 6-7). The amendment also establishes a 55&20 alternative normal retirement ("ANR") qualification for police officers in service on or after October 11, 2024 (see Adoption Agreement, p. 20). A police officer will be eligible for the ANR benefit upon reaching age 55 and completing at least 20 years of service with the city. A police officer must be in the service of the city at the time the officer satisfies the qualifications for the ANR benefit.

The city's request for a plan amendment coincides with the restatement of the GMEBS Defined Benefit Retirement Plan document with the IRS. To protect the Plan's tax-qualified status, GMEBS filed draft restated Plan documents, updated to reflect recent amendments and comply with changes in federal tax law, with the IRS on June 29, 2022. On August 31, 2023, the IRS issued a favorable opinion letter ("IRS opinion letter") for the restated Plan documents. The IRS opinion letter provides assurance to employers providing retirement benefits for their employees through the GMEBS Plan that GMEBS is maintaining a qualified pension benefit program that allows employees to accrue benefits tax-free until retirement benefits are distributed to them.

To ensure continued tax-qualified status for all GMEBS-member retirement plans, we are asking all participating employers to readopt their plans using the most recent IRS-approved Adoption Agreement.

Ms. Vanessa Holiday
August 15, 2024
Page 2 of 2

The Adoption Agreement provides that the amended Plan documents will become effective October 11, 2024. **Please note that per O.C.G.A. § 47-5-40, the Adoption Agreement has been drafted in the form of an ordinance.**

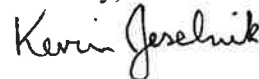
Please note the General Addendum contains certain provisions (Section 16) which do not fit squarely within the standard GMEBS General Addendum format. Thus, it will be necessary to file the city's Plan with the IRS for a separate opinion letter. Following the city's approval of the enclosed restated Plan documents, we will work with GMEBS's tax counsel to prepare the IRS filing documents for the city's signature.

We have also attached a copy of the restated Basic Plan Document and Amendment 1, which do not need to be adopted by the city. Finally, we have included a summary of key amendments to the Plan relating to the restatement.

If the draft documents are acceptable, please have the designated representatives sign and date it where indicated (Adoption Agreement, p. 38, and General Addendum, p. 2). Next, please scan and email the documents to Gina Gresham at rgresham@gacities.com. We will then countersign and return fully executed electronic copies. Please note, GMEBS will not execute documents that have been edited by the city. If the documents require revisions, please let us know before adopting them.

If you have any questions about the information provided in this letter or require further information, please feel free to contact me at (678) 686-6236 or kjeselnik@gacities.com.

Sincerely,



Kevin H. Jeselnik
Assistant General Counsel

Encl.

- C: Mr. Quinton Washington, City Attorney, City of Stockbridge (w/ encl.)
Ms. Marinetty Bienvenu, Director, Employee Benefit Services (w/o encl.)
Ms. Michelle Warner, Director, Retirement Field Services and DC Program (w/o encl.)
Ms. Gwin Hall, Senior Associate General Counsel (w/o encl.)

GEORGIA MUNICIPAL EMPLOYEES
BENEFIT SYSTEM

DEFINED BENEFIT RETIREMENT PLAN

AN ORDINANCE
and
ADOPTION AGREEMENT
for

City of Stockbridge

**Form Pre-approved Plan Adoption Agreement
Amended and Restated for Third Six-Year Cycle, 2020 Cumulative List**

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I. AN ORDINANCE

An Ordinance to amend and restate the Retirement Plan for the Employees of the City of Stockbridge, Georgia, in accordance with and subject to the terms and conditions set forth in the attached Adoption Agreement, any Addendum to the Adoption Agreement, the Georgia Municipal Employees Benefit System (GMEBS) Basic Plan Document, and the GMEBS Trust Agreement. When accepted by the authorized officers of the City and GMEBS, the foregoing shall constitute a Contract between the City and GMEBS, all as authorized and provided by O.C.G.A. § 47-5-1 et seq.

BE IT ORDAINED by the Mayor and Council of the City of Stockbridge, Georgia, and it is hereby ordained by the authority thereof:

Section 1. The Retirement Plan for the Employees of the City of Stockbridge, Georgia, is hereby amended and restated as set forth in and subject to the terms and conditions stated in the following Adoption Agreement, any Addendum to the Adoption Agreement, the Georgia Municipal Employees Benefit System (GMEBS) Basic Plan Document, and the GMEBS Trust Agreement.

Ordinance continued on page 38

II. GMEBS DEFINED BENEFIT RETIREMENT PLAN **ADOPTION AGREEMENT**

1. ADMINISTRATOR

Georgia Municipal Employees Benefit System
201 Pryor Street, SW
Atlanta, Georgia 30303
Telephone: 404-688-0472
Facsimile: 404-577-6663

2. ADOPTING EMPLOYER

Name: **City of Stockbridge, Georgia**

3. GOVERNING AUTHORITY

Name: **Mayor and Council**
Address: **4640 N. Henry Blvd., Stockbridge, GA 30281**
Phone: **(770) 389-7900**
Facsimile: **(770) 389-7912**

4. PLAN REPRESENTATIVE

[To represent Governing Authority in all communications with GMEBS and Employees]
(See Section 2.49 of Basic Plan Document)

Name: **City Manager**
Address: **4640 N. Henry Blvd., Stockbridge, GA 30281**
Phone: **(770) 389-7900**
Facsimile: **(770) 389-7912**

5. PENSION COMMITTEE

[Please designate members by position. If not, members of Pension Committee shall be determined in accordance with Article XIV of the Basic Plan Document]

Position: **City Manager**

Position: **City Treasurer**

Position: **City Clerk**

Position: **Human Resources Director**

Position: **Mayor**

Pension Committee Secretary: **City Clerk**

Address: **4640 N. Henry Blvd., Stockbridge, GA 30281**

Phone: **(770) 389-7900**

Facsimile: **(770) 389-7912**

6. TYPE OF ADOPTION

This Adoption Agreement is for the following purpose (**check one**):

- ☐ This is a new defined benefit plan adopted by the Adopting Employer for its Employees. This plan does not replace or restate an existing defined benefit plan.
- ☐ This is an amendment and restatement of the Adopting Employer's preexisting non-GMEBS defined benefit plan.
- ☒ This is an amendment and restatement of the Adoption Agreement previously adopted by the Employer, as follows (**check one or more as applicable**):
 - ☒ To update the Plan to comply with the PATH Act, and other applicable federal laws and guidance under IRS Notice 2020-14 (the 2020 Cumulative List).
 - ☐ To make the following amendments to the Adoption Agreement (**must specify below revisions made in this Adoption Agreement; all provisions must be completed in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i):** **This is an amendment to (1) change the minimum hours per week eligibility condition from 20 hours to 30 hours per week for Eligible Regular Employees initially employed or reemployed on or after October 11, 2024 (see Adoption Agreement, pp. 6-7); and (2) provide an Alternative Normal Retirement qualification for Police Officers, as defined by Section 2.51 of the Basic Plan Document, in Service on or after October 11, 2024, upon attainment of age 55 and completion of 20 years of Total Credited Service (see Adoption Agreement, p. 20).**

7. EFFECTIVE DATE

NOTE: This Adoption Agreement and any Addendum, with the accompanying Basic Plan Document, is designed to comply with Internal Revenue Code Section 401(a), as applicable to a governmental qualified defined benefit plan, and is part of the GMEBS Defined Benefit Retirement Plan. Plan provisions designed to comply with certain provisions of the Protecting Americans from Tax Hikes Act of 2015 ("PATH Act"); and Plan provisions designed to comply with certain provisions of additional changes in federal law and guidance from the Internal Revenue Service under Internal Revenue Service Notice 2020-14 (the 2020 Cumulative List) are effective as of the applicable effective dates set forth in the Adoption Agreement and Basic Plan Document. By adopting this Adoption Agreement, with its accompanying Basic Plan Document, the Adopting Employer is adopting a plan document intended to comply with Internal Revenue Code Section 401(a), as updated by the PATH Act and the 2020 Cumulative List with the applicable effective dates.

- (1) **Complete this item (1) only if this is a new defined benefit plan which does not replace or restate an existing defined benefit plan.**

The effective date of this Plan is _____.

(insert effective date of this Adoption Agreement but not earlier than the first day of the current Plan Year in which the Plan is adopted).

- (2) **Complete this item (2) only if this Plan is being adopted to replace a non-GMEBS defined benefit plan.**

Except as otherwise specifically provided in the Basic Plan Document or in this Adoption Agreement, the effective date of this restatement shall be _____ **(insert effective date of this Adoption Agreement but not earlier than the first day of the current Plan Year in which the Plan is adopted (unless a retroactive corrective amendment is permitted under EPCRS, Rev. Proc. 2021-30 (or subsequent updated guidance))).** This Plan is intended to replace and serve as an amendment and restatement of the Employer's preexisting plan, which became effective on _____ **(insert original effective date of preexisting plan).**

- (3) **Complete this item (3) only if this is an amendment and complete restatement of the Adopting Employer's existing GMEBS defined benefit plan.**

Except as otherwise specifically provided in the Basic Plan Document or in this Adoption Agreement, the effective date of this restatement shall be **October 11, 2024** **(insert effective date of this Adoption Agreement but not earlier than the first day of the current Plan Year in which the Plan is adopted (unless a retroactive corrective amendment is permitted under EPCRS, Rev. Proc. 2021-30 (or subsequent updated guidance))).**

This Plan is adopted as an amendment and restatement of the Employer's preexisting GMEBS Adoption Agreement, which became effective on **February 10, 2020** **(insert effective date of most recent Adoption Agreement preceding this Adoption Agreement).**

The Employer's first Adoption Agreement became effective January 1, 2003 (insert effective date of Employer's first GMEBS Adoption Agreement). The Employer's GMEBS Plan was originally effective January 1, 2003 (insert effective date of Employer's original GMEBS Plan). (If the Employer's Plan was originally a non-GMEBS Plan, then the Employer's non-GMEBS Plan was originally effective _____ (if applicable, insert effective date of Employer's original non-GMEBS Plan).)

8. PLAN YEAR

Plan Year means (check one):

- ☒ Calendar Year
- ☐ Employer Fiscal Year commencing _____.
- ☐ Other (must specify month and day commencing): _____.

9. CLASSES OF ELIGIBLE EMPLOYEES

Only Employees of the Adopting Employer who meet the Basic Plan Document's definition of "Employee" may be covered under the Adoption Agreement. Eligible Employees shall not include non-governmental employees, independent contractors, leased employees, nonresident aliens, or any other ineligible individuals, and this Section 9 must not be completed in a manner that violates the "exclusive benefit rule" of Internal Revenue Code Section 401(a)(2).

A. Eligible Regular Employees

Regular Employees include Employees, other than elected or appointed members of the Governing Authority or Municipal Legal Officers, who are regularly employed in the services of the Adopting Employer. Subject to the other conditions of the Basic Plan Document and the Adoption Agreement, the following Regular Employees are eligible to participate in the Plan (check one):

- ☒ **ALL** - All Regular Employees, provided they satisfy the minimum hour and other requirements specified under "Eligibility Conditions" below.
- ☐ **ALL REGULAR EMPLOYEES EXCEPT** for the following employees (must specify; specific positions are permissible; specific individuals may not be named): _____.

B. Elected or Appointed Members of the Governing Authority

An Adopting Employer may elect to permit participation in the Plan by elected or appointed members of the Governing Authority and/or Municipal Legal Officers, provided they otherwise meet the Basic Plan Document's definition of "Employee" and provided they satisfy any other requirements specified by the Adopting Employer. Municipal Legal Officers to be covered must be specifically identified by position. Subject to the above conditions, the Employer hereby elects the following treatment for elected and appointed officials:

- (1) Elected or Appointed Members of the Governing Authority (check one):

☐ **ARE NOT** eligible to participate in the Plan.

☒ **ARE** eligible to participate in the Plan.

Please specify any limitations on eligibility to participate here (e.g., service on or after certain date, or special waiting period provision): Each elected or appointed member of the Governing Authority who holds an office on January 1, 1997, shall be qualified to participate in the Plan on such date. Each other elected or appointed member of the Governing Authority who holds an office subsequent to such date shall be qualified to participate in the Plan on the first day of the month immediately following or coinciding with the first date after January 1, 1997, that such member occupies any elective office of the Governing Authority. (Participation became mandatory effective January 1, 2003. See Section 12 of this Adoption Agreement concerning mandatory participation in the Plan.) In accordance with Section 4.03(b) of the Basic Plan Document, an elected or appointed member of the Governing Authority who initially takes office or returns to office on or after January 1, 2015, shall be qualified to participate in the Plan on the date such member of the Governing Authority initially takes such office or returns to office.

(2) **Municipal Legal Officers (check one):**

☐ **ARE NOT** eligible to participate in the Plan.

☒ **ARE** eligible to participate in the Plan. The term "Municipal Legal Officer" shall include only the following positions (must specify - specific positions are permissible; specific individuals may not be named): City Attorney, City Solicitor and the Judge of the Municipal Court of the City of Stockbridge.

Please specify any limitations on eligibility to participate here (e.g., service on or after certain date) (must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)): _____.

10. ELIGIBILITY CONDITIONS

A. **Hours Per Week (Regular Employees)**

The Adopting Employer may specify a minimum number of work hours per week which are required to be scheduled by Regular Employees in order for them to become and remain "Eligible Regular Employees" under the Plan. **It is the responsibility of the Adopting Employer to determine whether these requirements are and continue to be satisfied.** The Employer hereby elects the following minimum hour requirement for Regular Employees:

- ☐ No minimum
- ☐ 20 hours/week (regularly scheduled)
- ☒ 30 hours/week (regularly scheduled)
- ☐ Other: _____ (must not exceed 40 hours/week regularly scheduled)

Exceptions: If a different minimum hour requirement applies to a particular class or classes of Regular Employees, please specify below the classes to whom the different requirement applies

and indicate the minimum hour requirement applicable to them.

Class(es) of Regular Employees to whom exception applies (**must specify - specific positions are permissible; specific individuals may not be named**): Eligible Regular Employees employed prior to October 11, 2024, provided they do not become reemployed after such date.

Minimum hour requirement applicable to excepted Regular Employees:

- ☐ No minimum
- ☒ 20 hours/week (regularly scheduled)
- ☐ 30 hours/week (regularly scheduled)
- ☐ Other: _____ (must not exceed 40 hours/week regularly scheduled)

B. Months Per Year (Regular Employees)

The Adopting Employer may specify a minimum number of work months per year which are required to be scheduled by Regular Employees in order for them to become and remain "Eligible Employees" under the Plan. **It is the responsibility of the Adopting Employer to determine whether these requirements are and continue to be satisfied.** The Employer hereby elects the following minimum requirement for Regular Employees:

- ☐ No minimum
- ☒ At least 5 months per year (regularly scheduled)

Exceptions: If different months per year requirements apply to a particular class or classes of Regular Employees, the Employer must specify below the classes to whom the different requirements apply and indicate below the requirements applicable to them.

Regular Employees to whom exception applies (**must specify - specific positions are permissible; specific individuals may not be named**): _____.

The months to year requirement for excepted class(es) are:

- ☐ No minimum
- ☐ At least _____ months per year (regularly scheduled)

11. WAITING PERIOD

Except as otherwise provided in Section 4.02(b) of the Basic Plan Document, Eligible Regular Employees shall not have a waiting period before participating in the Plan. Likewise, elected or appointed members of the Governing Authority and Municipal Legal Officers, if eligible to participate in the Plan, shall not have a waiting period before participating in the Plan.

12. ESTABLISHING PARTICIPATION IN THE PLAN

Participation in the Plan is considered mandatory for all Eligible Employees who satisfy the eligibility conditions specified in the Adoption Agreement, except as provided in Section 4.03(e) of the Basic Plan Document. However, the Employer may specify below that

participation is optional for certain classes of Eligible Employees, including Regular Employees, elected or appointed members of the Governing Authority, Municipal Legal Officers, City Managers, and/or Department Heads. If participation is optional for an Eligible Employee, then in order to become a Participant, the Employee must make a written election to participate within 120 days after employment, election or appointment to office, or if later, the date the Employee first becomes eligible to participate in the Plan. The election is irrevocable, and the failure to make the election within the 120 day time limit shall be deemed an irrevocable election not to participate in the Plan.

Classes for whom participation is optional (**check one**):

- ☒ None (Participation is mandatory for all Eligible Employees except as provided in Section 4.03(e) of the Basic Plan Document).
- ☐ Participation is optional for the following Eligible Employees (**must specify - specific positions are permissible; specific individuals may not be named; all positions or classes specified must be Eligible Employees**): _____.

13. CREDITED SERVICE

In addition to Current Credited Service the Adopting Employer may include as Credited Service the following types of service:

A. Credited Past Service with Adopting Employer

Credited Past Service means the number of years and complete months of Service with the Adopting Employer prior to the date an Eligible Employee becomes a Participant which are treated as credited service under the Plan.

(1) Eligible Employees Employed on Original Effective Date of GMEBS Plan.

With respect to Eligible Employees who are employed by the Adopting Employer on the original Effective Date of the Employer's GMEBS Plan, Service with the Adopting Employer prior to the date the Eligible Employee becomes a Participant (including any Service prior to the Effective Date of the Plan) shall be treated as follows (**check one**):

- ☒ All Service prior to the date the Eligible Employee becomes a Participant shall be credited (as Credited Past Service).
- ☐ All Service prior to the date the Eligible Employee becomes a Participant shall be credited (as Credited Past Service), except for Service rendered prior to _____ (**insert date**).
- ☐ All Service prior to the date the Eligible Employee becomes a Participant shall be credited (as Credited Past Service), except as follows (**must specify other limitation in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)**): _____.
- ☐ No Service prior to the date the Eligible Employee becomes a Participant shall be credited (as Credited Past Service).

(2) Previously Employed, Returning to Service after Original Effective Date. If an Eligible Employee is not employed on the original Effective Date of the Employer's GMEBS Plan, but returns to Service with the Adopting Employer sometime after the Effective Date, said Eligible Employee's Service prior to becoming a Participant (including any Service prior the Effective Date) shall be treated as follows (**check one**):

- ☐ All Service prior to the date the Eligible Employee becomes a Participant shall be credited (as Credited Past Service), subject to any limitations imposed above with respect to Eligible Employees employed on the Effective Date.
- ☒ All Service prior to the date the Eligible Employee becomes a Participant shall be credited (as Credited Past Service), provided that after returning to employment, the Eligible Employee performs Service equal to the period of the break in Service or one (1) year, whichever is less. Any limitations imposed above with respect to Eligible Employees employed on the Effective Date shall also apply.
- ☐ No Service prior to the date the Eligible Employee becomes a Participant shall be credited (as Credited Past Service).

Other limitation(s) on Recognition of Credited Past Service (**must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i): In addition to the above limitations, Credited Past Service shall not include any tenure of office as an elected or appointed member of the Governing Authority or Municipal Legal Officer unless the Participant was serving as an elected or appointed member of the Governing Authority, Municipal Legal Officer or Eligible Regular Employee on January 1, 1997.**

(3) Eligible Employees Initially Employed After Effective Date. If an Eligible Employee's initial employment date is after the original Effective Date of the Employer's GMEBS Plan, said Employee's Credited Past Service shall include only the number of years and complete months of Service from the Employee's initial employment date to the date the Employee becomes a Participant in the Plan.

(4) Newly Eligible Classes of Employees. If a previously ineligible class of Employees becomes eligible to participate in the Plan, the Employer must specify in an addendum to this Adoption Agreement whether and to what extent said Employees' prior service with the Employer shall be treated as Credited Past Service under the Plan.

B. Prior Military Service

Note: This Section does not concern military service required to be credited under USERRA – See Section 3.02 of the Basic Plan Document for rules on the crediting of USERRA Military Service.

(1) Credit for Prior Military Service.

The Adopting Employer may elect to treat military service rendered prior to a Participant's initial employment date or reemployment date as Credited Service under the Plan. Unless otherwise

specified by the Employer under "Other Conditions" below, the term "Military Service" shall be as defined in the Basic Plan Document. Except as otherwise required by federal or state law or under "Other Conditions" below, Military Service shall not include service which is credited under any other local, state, or federal retirement or pension plan.

Military Service credited under this Section shall not include any service which is otherwise required to be credited under the Plan by federal or state law. Prior Military Service shall be treated as follows **(check one)**:

- ☒ Prior Military Service is **not** creditable under the Plan **(if checked, skip to Section 13.C. – Prior Governmental Service)**.
- ☐ Prior Military Service shall be counted as Credited Service for the following purposes (check one or more as applicable):
 - ☐ Computing amount of benefits payable.
 - ☐ Meeting minimum service requirements for vesting.
 - ☐ Meeting minimum service requirements for benefit eligibility.

(2) Maximum Credit for Prior Military Service.

Credit for Prior Military Service shall be limited to a maximum of _____ years **(insert number)**.

(3) Rate of Accrual for Prior Military Service.

Credit for Prior Military Service shall accrue at the following rate **(check one)**:

- ☐ One month of military service credit for every _____ month(s) **(insert number)** of Credited Service with the Adopting Employer.
- ☐ One year of military service credit for every _____ year(s) **(insert number)** of Credited Service with the Adopting Employer.
- ☐ All military service shall be creditable (subject to any caps imposed above) after the Participant has completed _____ years **(insert number)** of Credited Service with the Employer.
- ☐ Other requirement **(must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i))**: _____.

(4) Payment for Prior Military Service Credit (check one):

- ☐ Participants shall **not** be required to pay for military service credit.
- ☐ Participants shall be required to pay for military service credit as follows:
 - ☐ The Participant must pay _____% of the actuarial cost of the service credit (as defined below).

- ☐ The Participant must pay an amount equal to **(must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i))**: _____.

Other Conditions for Award of Prior Military Service Credit **(must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i))**: _____.

(5) Limitations on Service Credit Purchases. Unless otherwise specified in an Addendum to the Adoption Agreement, for purposes of this Section and Section 13.C. concerning prior governmental service credit, the term "actuarial cost of service credit" is defined as set forth in the Service Credit Purchase Addendum. In the case of a service credit purchase, the Participant shall be required to comply with any rules and regulations established by the GMEBS Board of Trustees concerning said purchases.

C. Prior Governmental Service

Note: A Participant's prior service with other GMEBS employers shall be credited for purposes of satisfying the minimum service requirements for Vesting and eligibility for Retirement and pre-retirement death benefits as provided under Section 9.05 of the Basic Plan Document, relating to portability service. This Section 13(C) does not need to be completed in order for Participants to receive this portability service credit pursuant to Section 9.05 of the Basic Plan Document.

(1) Credit for Prior Governmental Service.

The Adopting Employer may elect to treat governmental service rendered prior to a Participant's initial employment date or reemployment date as creditable service under the Plan. Subject to any limitations imposed by law, the term "prior governmental service" shall be as defined by the Adopting Employer below. The Employer elects to treat prior governmental service as follows **(check one)**:

- ☒ Prior governmental service is **not** creditable under the Plan **(if checked, skip to Section 13.D. – Unused Sick/Vacation Leave)**.
- ☐ Prior governmental service shall be counted as Credited Service for the following purposes under the Plan **(check one or more as applicable)**:
- ☐ Computing amount of benefits payable.
 - ☐ Meeting minimum service requirements for vesting.
 - ☐ Meeting minimum service requirements for benefit eligibility.

(2) Definition of Prior Governmental Service.

Prior governmental service shall be defined as follows: **(must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i))**: _____.

Unless otherwise specified above, prior governmental service shall include only full-time service (minimum hour requirement same as that applicable to Eligible Regular Employees).

(3) Maximum Credit for Prior Governmental Service.

Credit for prior governmental service shall be limited to a maximum of _____ years **(insert number)**.

(4) Rate of Accrual for Prior Governmental Service Credit.

Credit for prior governmental service shall accrue at the following rate **(check one)**:

- ☐ One month of prior governmental service credit for every _____ month(s) **(insert number)** of Credited Service with the Adopting Employer.
- ☐ One year of prior governmental service credit for every _____ year(s) **(insert number)** of Credited Service with the Adopting Employer.
- ☐ All prior governmental service shall be creditable (subject to any caps imposed above) after the Participant has completed _____ years **(insert number)** of Credited Service with the Adopting Employer.
- ☐ Other requirement **(must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i))**: _____.

(5) Payment for Prior Governmental Service Credit.

- ☐ Participants shall **not** be required to pay for governmental service credit.
- ☐ Participants shall be required to pay for governmental service credit as follows:
 - ☐ The Participant must pay _____% of the actuarial cost of the service credit.
 - ☐ The Participant must pay an amount equal to **(must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i))**: _____.

Other Conditions for Award of Prior Governmental Service Credit **(must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i))**: _____.

D. Leave Conversion for Unused Paid Time Off (e.g., Sick, Vacation, or Personal Leave)

(1) Credit for Unused Paid Time Off.

Subject to the limitations in Section 3.01 of the Basic Plan Document, an Adopting Employer may elect to treat accumulated days of unused paid time off for a terminated Participant, for

which the Participant is not paid, as Credited Service. The only type of leave permitted to be credited under this provision is leave from a paid time off plan which qualifies as a bona fide sick and vacation leave plan (which may include sick, vacation or personal leave) and which the Participant may take as paid leave without regard to whether the leave is due to illness or incapacity. The Credited Service resulting from the conversion of unused paid time off must not be the only Credited Service applied toward the accrual of a normal retirement benefit under the Plan. The Pension Committee shall be responsible to certify to GMEBS the total amount of unused paid time off that is creditable hereunder.

Important Note: Leave cannot be converted to Credited Service in lieu of receiving a cash payment. If the Employer elects treating unused paid time off as Credited Service, the conversion to Credited Service will be automatic, and the Participant cannot request a cash payment for the unused paid time off.

The Employer elects the following treatment of unused paid time off:

- ☒ Unused paid time off shall **not** be treated as Credited Service (if checked, skip to **Section 14 – Retirement Eligibility**).
- ☐ The following types of unused paid time off for which the Participant is not paid shall be treated as Credited Service under the Plan (**check one or more as applicable**):
 - ☐ Unused sick leave
 - ☐ Unused vacation leave
 - ☐ Unused personal leave
 - ☐ Other paid time off (**must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)**): _____.

(2) Minimum Service Requirement.

In order to receive credit for unused paid time off, a Participant must meet the following requirement at termination (**check one**):

- ☐ The Participant must be 100% vested in a normal retirement benefit.
- ☐ The Participant must have at least _____ years (**insert number**) of Total Credited Service (not including leave otherwise creditable under this Section).
- ☐ Other (**must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)**): _____.

(3) Use of Unused Paid Time Off Credit. Unused paid time off for which the Participant is not paid shall count as Credited Service for the following purposes under the Plan (**check one or more as applicable**):

- ☐ Computing amount of benefits payable.
- ☐ Meeting minimum service requirements for vesting.

- ☐ Meeting minimum service requirements for benefit eligibility.

(4) Maximum Credit for Unused Paid Time Off.

Credit for unused paid time off for which the Participant is not paid shall be limited to a maximum of ____ months **(insert number)**.

(5) Computation of Unused Paid Time Off.

Unless otherwise specified by the Adopting Employer under "Other Conditions" below, each twenty (20) days of creditable unused paid time off shall constitute one (1) complete month of Credited Service under the Plan. Partial months shall not be credited.

(6) Other Conditions (please specify, subject to limitations in Section 3.01 of Basic Plan Document; must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i): _____.

14. RETIREMENT ELIGIBILITY

A. Early Retirement Qualifications

Early retirement qualifications are **(check one or more as applicable)**:

- ☒ Attainment of age **55** **(insert number)**
- ☒ Completion of **10** years **(insert number)** of Total Credited Service

Exceptions: If different early retirement eligibility requirements apply to a particular class or classes of Eligible Employees, the Employer must specify below the classes to whom the different requirements apply and indicate below the requirements applicable to them.

Eligible Employees to whom exception applies **(must specify - specific positions are permissible; specific individuals may not be named)**: _____.

Early retirement qualifications for excepted class(es) are **(check one or more as applicable)**:

- ☐ Attainment of age _____ **(insert number)**
- ☐ Completion of _____ years **(insert number)** of Total Credited Service

B. Normal Retirement Qualifications

Note: Please complete this Section and also list "Alternative" Normal Retirement Qualifications, if any, in Section 14.C.

(1) Regular Employees

Normal retirement qualifications for Regular Employees are **(check one or more as applicable)**:

- ☒ Attainment of age 65 (insert number)
- ☒ Completion of 5 years (insert number) of Total Credited Service
- ☐ In-Service Distribution to Eligible Employees permitted (i.e., a qualifying Participant may commence receiving retirement benefits while in service without first incurring a Bona Fide Separation from Service), if Participant meets minimum age and service requirements specified immediately above and satisfies the minimum age parameters for In-Service Distribution described in Section 6.06(a)(3) of the Basic Plan Document, subject to applicable Plan provisions concerning recalculation and offset applied at re-retirement to account for the value of benefits received prior to re-retirement. This rule shall apply to (check one): ☐ all Participants ☐ only the following class(es) of Participants (must specify - specific positions are permissible; specific individuals may not be named): _____.

Exceptions: If different normal retirement qualifications apply to a particular class or classes of Regular Employees, the Employer must specify below the classes to whom the different requirements apply and indicate below the requirements applicable to them.

Class(es) of Regular Employees to whom exception applies (must specify - specific positions are permissible; specific individuals may not be named): **Eligible Regular Employees who were in Service with the City during the period of March 11, 2013, until October 31, 2014, regardless of whether such Eligible Regular Employees Terminated before or after November 1, 2014, and regardless of whether such Eligible Regular Employees are reemployed on or after November 1, 2014.**

Normal retirement qualifications for excepted class(es) are (check one or more as applicable):

- ☒ Attainment of age 65 (insert number)
- ☒ Completion of 2 years (insert number) of Total Credited Service
- ☐ In-Service Distribution to Eligible Employees permitted (i.e., a qualifying Participant may commence receiving retirement benefits while in service without first incurring a Bona Fide Separation from Service), if Participant meets minimum age and service requirements specified immediately above and satisfies the minimum age parameters for In-Service Distribution described in Section 6.06(a)(3) of the Basic Plan Document, subject to applicable Plan provisions concerning recalculation and offset applied at re-retirement to account for the value of benefits received prior to re-retirement. This rule shall apply to (check one): ☐ all Participants ☐ only the following class(es) of Participants (must specify - specific positions are permissible; specific individuals may not be named): _____.

(2) **Elected or Appointed Members of Governing Authority**

Complete this Section only if elected or appointed members of the Governing Authority or Municipal Legal Officers are permitted to participate in the Plan. Normal retirement qualifications for this class are **(check one or more as applicable)**:

- ☒ Attainment of age 65 (insert number)
- ☐ Completion of _____ years (insert number) of Total Credited Service
- ☒ In-Service Distribution to Eligible Employees permitted (i.e., a qualifying Participant may commence receiving retirement benefits while in service without first incurring a Bona Fide Separation from Service), if Participant meets minimum age and service requirements specified immediately above and satisfies the minimum age parameters for In-Service Distribution described in Section 6.06(a)(3) of the Basic Plan Document, subject to applicable Plan provisions concerning recalculation and offset applied at re-retirement to account for the value of benefits received prior to re-retirement. This rule shall apply to **(check one)**: ☐ all Participants ☒ only the following class(es) of Participants **(must specify - specific positions are permissible; specific individuals may not be named)**: Participants who are elected or appointed members of the Governing Authority.

Exceptions: If different normal retirement qualifications apply to particular elected or appointed members of the Governing Authority or Municipal Legal Officers, the Employer must specify below to whom the different requirements apply and indicate below the requirements applicable to them.

Particular elected or appointed members of the Governing Authority or Municipal Legal Officers to whom exception applies **(must specify - specific positions are permissible; specific individuals may not be named)**: _____.

Normal retirement qualifications for excepted elected or appointed members of the Governing Authority or Municipal Legal Officers are **(check one or more as applicable)**:

- ☐ Attainment of age _____ (insert number)
- ☐ Completion of _____ years (insert number) of Total Credited Service
- ☐ In-Service Distribution to Eligible Employees permitted (i.e., a qualifying Participant may commence receiving retirement benefits while in service without first incurring a Bona Fide Separation from Service), if Participant meets minimum age and service requirements specified immediately above and satisfies the minimum age parameters for In-Service Distribution described in Section 6.06(a)(3) of the Basic Plan Document, subject to applicable Plan provisions concerning recalculation and offset applied at re-retirement to account for the value of benefits received prior to re-retirement. This rule shall apply to **(check one)**: ☐ all Participants ☐ only the following class(es) of Participants **(must**

specify - specific positions are permissible; specific individuals may not be named):_____.

C. Alternative Normal Retirement Qualifications

The Employer may elect to permit Participants to retire with unreduced benefits after they satisfy service and/or age requirements other than the regular normal retirement qualifications specified above. The Employer hereby adopts the following alternative normal retirement qualifications:

Alternative Normal Retirement Qualifications (check one or more, as applicable):

- (1) ☐ Not applicable (the Adopting Employer does not offer alternative normal retirement benefits under the Plan).
- (2) ☐ **Alternative Minimum Age & Service Qualifications (if checked, please complete one or more items below, as applicable):**
- ☐ Attainment of age _____ (insert number)
- ☐ Completion of _____ years (insert number) of Total Credited Service
- ☐ In-Service Distribution to Eligible Employees permitted (i.e., a qualifying Participant may commence receiving retirement benefits while in service without first incurring a Bona Fide Separation from Service), if Participant meets minimum age and service requirements specified immediately above and satisfies the minimum age parameters for In-Service Distribution described in Section 6.06(a)(3) of the Basic Plan Document, subject to applicable Plan provisions concerning recalculation and offset applied at re-retirement to account for the value of benefits received prior to re-retirement. This rule shall apply to (check one): ☐ all Participants ☐ only the following class(es) of Participants (**must specify - specific positions are permissible; specific individuals may not be named**): ____.

This alternative normal retirement benefit is available to:

- ☐ All Participants who qualify.
- ☐ Only the following Participants (**must specify - specific positions are permissible; specific individuals may not be named**): _____.

A Participant (**check one**): ☐ is required ☐ is not required to be in the service of the Employer at the time the Participant satisfies the above qualifications in order to qualify for this alternative normal retirement benefit.

Other eligibility requirement (**must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)**): _____.

- (3) ☐ **Rule of _____ (insert number).** The Participant's combined Total Credited Service and age must equal or exceed this number. Please complete additional items below:

To qualify for this alternative normal retirement benefit, the Participant (**check one or more items below, as applicable**):

- ☐ Must have attained at least age _____ (**insert number**)
- ☐ Must not satisfy any minimum age requirement
- ☐ In-Service Distribution to Eligible Employees permitted (*i.e.*, a qualifying Participant may commence receiving retirement benefits while in service without first incurring a Bona Fide Separation from Service), if the Participant meets the minimum age and service requirements specified immediately above and satisfies the minimum age parameters for In-Service Distribution described in Section 6.06(a)(3) of the Basic Plan Document, subject to applicable Plan provisions concerning recalculation and offset applied at re-retirement to account for the value of benefits received prior to re-retirement. This rule shall apply to (**check one**): ☐ all Participants ☐ only the following class(es) of Participants (**must specify - specific positions are permissible; specific individuals may not be named**): _____.

This alternative normal retirement benefit is available to:

- ☐ All Participants who qualify.
- ☐ Only the following Participants (**must specify - specific positions are permissible; specific individuals may not be named**): _____.

A Participant (**check one**): ☐ is required ☐ is not required to be in the service of the Employer at the time the Participant satisfies the Rule in order to qualify for this alternative normal retirement benefit.

Other eligibility requirement (**must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)**): _____.

- (4) ☐ **Alternative Minimum Service.** A Participant is eligible for an alternative normal retirement benefit if the Participant has at least _____ years (**insert number**) of Total Credited Service, regardless of the Participant's age.

- ☐ In-Service Distribution to Eligible Employees permitted (*i.e.*, a qualifying Participant may commence receiving retirement benefits while in service without first incurring a Bona Fide Separation from Service), if the Participant meets the minimum service requirement specified immediately above and satisfies the minimum age parameters for In-Service

Distribution described in Section 6.06(a)(3) of the Basic Plan Document, subject to applicable Plan provisions concerning recalculation and offset applied at re-retirement to account for the value of benefits received prior to re-retirement. This rule shall apply to **(check one)**: ☐ all Participants ☐ only the following class(es) of Participants **(must specify - specific positions are permissible; specific individuals may not be named)**: ____.

This alternative normal retirement benefit is available to:

- ☐ All Participants who qualify.
- ☐ Only the following Participants **(must specify - specific positions are permissible; specific individuals may not be named)**: _____.

A Participant **(check one)**: ☐ is required ☐ is not required to be in the service of the Employer at the time the Participant satisfies the qualifications for this alternative normal retirement benefit.

Other eligibility requirement **(must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i))**: _____.

(5) ☐ **Other Alternative Normal Retirement Benefit.**

Must specify qualifications (in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)): _____.

- ☐ In-Service Distribution to Eligible Employees permitted (i.e., a qualifying Participant may commence receiving retirement benefits while in service without first incurring a Bona Fide Separation from Service), if the Participant meets minimum age and service requirements specified immediately above and satisfies the minimum age parameters for In-Service Distribution described in Section 6.06(a)(3) of the Basic Plan Document, subject to applicable Plan provisions concerning recalculation and offset applied at re-retirement to account for the value of benefits received prior to re-retirement. This rule shall apply to **(check one)**: ☐ all Participants ☐ only the following class(es) of Participants **(must specify - specific positions are permissible; specific individuals may not be named)**: _____.

This alternative normal retirement benefit is available to:

- ☐ All Participants who qualify.
- ☐ Only the following Participants **(must specify - specific positions are permissible; specific individuals may not be named)**: _____.

A Participant (**check one**): ☐ is required ☐ is not required to be in the service of the Employer at the time the Participant satisfies the qualifications for this alternative normal retirement benefit.

Other eligibility requirement (**must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)**): _____.

(6) ☒ **Other Alternative Normal Retirement Benefit for Public Safety Employees Only.**

Must specify qualifications (in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i): Alternative Minimum Age & Service Qualification: Attainment of age 55 and completion of 20 years of Total Credited Service.

- ☐ In-Service Distribution to Eligible Employees who are Public Safety Employees permitted (*i.e.*, a qualifying Participant may commence receiving retirement benefits while in service without first incurring a Bona Fide Separation from Service), if the Participant meets minimum age and service requirements specified immediately above and satisfies the minimum age parameters for In-Service Distribution Described in Section 6.06(a)(3) of the Basic Plan Document, subject to applicable Plan provisions concerning recalculation and offset applied at re-retirement to account for the value of benefits received prior to re-retirement. This rule shall apply to (**check one**): ☐ all Participants ☐ only the following class(es) of Participants (**must specify - specific positions are permissible; specific individuals may not be named**): _____.

This alternative normal retirement benefit is available to:

- ☐ All public safety employee Participants who qualify.
- ☒ Only the following public safety employee Participants (**must specify - specific positions are permissible; specific individuals may not be named**): **Police Officers, as defined in Section 2.51 of the Basic Plan Document, in Service on or after October 11, 2024.**

A public safety employee Participant (**check one**): ☒ is required ☐ is not required to be in the service of the Employer at the time the Participant satisfies the qualifications for this alternative normal retirement benefit.

Other eligibility requirement (**must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)**): _____.

Note: "Public safety employees" are defined under the Internal Revenue Code for this purpose as employees of a State or political subdivision of a State who provide police protection, firefighting services, or emergency medical services for any area within the jurisdiction of such State or political subdivision.

D. Disability Benefit Qualifications

Subject to the other terms and conditions of the Basic Plan Document and except as otherwise provided in an Addendum to this Adoption Agreement, disability retirement qualifications are based upon Social Security Administration award criteria or as otherwise provided under Section 2.23 of the Basic Plan Document. The Disability Retirement benefit shall commence as of the Participant's Disability Retirement Date under Section 2.24 of the Basic Plan Document.

To qualify for a disability benefit, a Participant must have the following minimum number of years of Total Credited Service (**check one**):

- ☐ Not applicable (the Adopting Employer does not offer disability retirement benefits under the Plan).
- ☒ No minimum.
- ☐ _____ years (**insert number**) of Total Credited Service.

Other eligibility requirement (**must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)**): _____.

15. RETIREMENT BENEFIT COMPUTATION

A. Maximum Total Credited Service

The number of years of Total Credited Service which may be used to calculate a benefit is (**check one or all that apply**):

- ☒ not limited.
- ☐ limited to _____ years for all Participants.
- ☐ limited to _____ years for the following classes of Eligible Regular Employees:
 - ☐ All Eligible Regular Employees.
 - ☐ Only the following Eligible Regular Employees: _____.
- ☐ limited to _____ years as an elected or appointed member of the Governing Authority.
- ☐ limited to _____ years as a Municipal Legal Officer.

- ☐ Other (must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i): _____.

B. Monthly Normal Retirement Benefit Amount

(1) Regular Employee Formula

The monthly normal retirement benefit for Eligible Regular Employees shall be 1/12 of (check and complete one or more as applicable):

- ☒ (a) **Flat Percentage Formula. 3.0% (insert percentage)** of Final Average Earnings multiplied by years of Total Credited Service as an Eligible Regular Employee.

This formula applies to:

- ☒ All Participants who are Regular Employees.
☐ Only the following Participants (must specify - specific positions are permissible; specific individuals may not be named): _____.

- ☐ (b) **Alternative Flat Percentage Formula. _____% (insert percentage)** of Final Average Earnings multiplied by years of Total Credited Service as an Eligible Regular Employee. This formula applies to the following Participants (must specify - specific positions are permissible; specific individuals may not be named): _____.

- ☐ (c) **Split Final Average Earnings Formula. _____% (insert percentage)** of Final Average Earnings up to the amount of **Covered Compensation (see subsection (2) below for definition of Covered Compensation)**, plus _____% (insert percentage) of Final Average Earnings in excess of said Covered Compensation, multiplied by years of Total Credited Service as an Eligible Regular Employee.

This formula applies to:

- ☐ All Participants who are Regular Employees.
☐ Only the following Participants (must specify - specific positions are permissible; specific individuals may not be named): _____.

- ☐ (d) **Alternative Split Final Average Earnings Formula. _____% (insert percentage)** of Final Average Earnings up to the amount of **Covered Compensation (see subsection (2) below for definition of Covered Compensation)**, plus _____% (insert percentage) of Final Average Earnings in excess of said Covered Compensation, multiplied by years of Total Credited Service as an Eligible Regular Employee.

This formula applies to:

- ☐ All Participants.
- ☐ Only the following Participants (**must specify - specific positions are permissible; specific individuals may not be named**): _____.

[Repeat above subsections as necessary for each applicable benefit formula and Participant class covered under the Plan.]

(2) **Covered Compensation (complete only if Split Formula(s) is checked above):**

Covered Compensation is defined as (check one or more as applicable):

- ☐ (a) **A.I.M.E. Covered Compensation** as defined in Section 2.18 of the Basic Plan Document. This definition of Covered Compensation shall apply to (**check one**):
 - ☐ All Participants who are Regular Employees.
 - ☐ Only the following Participants (**must specify - specific positions are permissible; specific individuals may not be named**): _____.
- ☐ (b) **Dynamic Break Point Covered Compensation** as defined in Section 2.19 of the Basic Plan Document. This definition of Covered Compensation shall apply to (**check one**):
 - ☐ All Participants who are Regular Employees.
 - ☐ Only the following Participants (**must specify - specific positions are permissible; specific individuals may not be named**): _____.
- ☐ (c) **Table Break Point Covered Compensation** as defined in Section 2.20 of the Basic Plan Document. This definition of Covered Compensation shall apply to (**check one**):
 - ☐ All Participants who are Regular Employees.
 - ☐ Only the following class(es) of Participants (**must specify - specific positions are permissible; specific individuals may not be named**): _____.
- ☐ (d) **Covered Compensation** shall mean a Participant's annual Earnings that do not exceed \$ _____ (**specify amount**). This definition shall apply to (**check one**):
 - ☐ All Participants who are Regular Employees.
 - ☐ Only the following Participants (**must specify - specific positions are permissible; specific individuals may not be named**): _____.

(3) **Final Average Earnings**

Unless otherwise specified in an Addendum to the Adoption Agreement, Final Average Earnings is defined as the monthly average of Earnings paid to a Participant by the Adopting Employer for the **60** (insert number not to exceed 60) consecutive months of Credited Service preceding the Participant's most recent Termination in which the Participant's Earnings were the highest,

multiplied by 12. Note: GMEBS has prescribed forms for calculation of Final Average Earnings that must be used for this purpose.

This definition of Final Average Earnings applies to:

- ☒ All Participants who are Regular Employees.
- ☐ Only the following Participants (**must specify - specific positions are permissible; specific individuals may not be named**): _____.

[Repeat above subsection as necessary for each applicable definition and Participant class covered under the Plan.]

(4) Formula for Elected or Appointed Members of the Governing Authority

The monthly normal retirement benefit for members of this class shall be as follows (**check one**):

- ☐ Not applicable (elected or appointed members of the Governing Authority or Municipal Legal Officers are not permitted to participate in the Plan).
- ☒ **\$25.00 (insert dollar amount)** per month for each year of Total Credited Service as an elected or appointed member of the Governing Authority or Municipal Legal Officer (service of at least 6 months and 1 day is treated as a year of Total Credited Service; provided, however, than an elected or appointed member of the Governing Authority or Municipal Legal Officer may accrue a maximum of one year of Total Credited Service for every 12-month period of Service as an elected or appointed member of the Governing Authority or Municipal Legal Officer).

This formula applies to:

- ☐ All elected or appointed members of the Governing Authority or Municipal Legal Officers eligible to participate.
- ☒ Only the following elected or appointed members of the Governing Authority or Municipal Legal Officers eligible to participate (**must specify - specific positions are permissible; specific individuals may not be named**): Elected or appointed members of the Governing Authority or Municipal Legal Officers in such position(s) on or after January 1, 1997, and before January 1, 2020, with respect to years of Credited Service beginning before January 1, 2020.

The monthly normal retirement benefit for members of this class shall be as follows (**check one**):

- ☐ Not applicable (elected or appointed members of the Governing Authority or Municipal Legal Officers are not permitted to participate in the Plan).
- ☒ **\$50.00 (insert dollar amount)** per month for each year of Total Credited Service as an elected or appointed member of the Governing Authority or Municipal Legal Officer or major fraction thereof (6 months and 1 day).

This formula applies to:

- ☐ All elected or appointed members of the Governing Authority or Municipal Legal Officers eligible to participate.
- ☒ Only the following elected or appointed members of the Governing Authority or Municipal Legal Officers eligible to participate **(must specify - specific positions are permissible; specific individuals may not be named): Elected or appointed members of the Governing Authority or Municipal Legal Officers in such position(s) on or after January 1, 2020, but only with respect to years of Credited Service beginning on or after January 1, 2020.**

[Repeat above subsection as necessary for each applicable formula for classes of elected or appointed members covered under the Plan.]

C. Monthly Early Retirement Benefit Amount

Check and complete one or more as applicable:

- ☒ (1) **Standard Early Retirement Reduction Table.** The monthly Early Retirement benefit shall be computed in the same manner as the monthly Normal Retirement benefit, but the benefit shall be reduced on an Actuarially Equivalent basis in accordance with Section 12.01 of the Basic Plan Document to account for early commencement of benefits. This provision shall apply to:
 - ☒ All Participants.
 - ☐ Only the following Participants **(must specify - specific positions are permissible; specific individuals may not be named):**_____.
- ☐ (2) **Alternative Early Retirement Reduction Table.** The monthly Early Retirement benefit shall be computed in the same manner as the monthly Normal Retirement benefit, but the benefit shall be reduced to account for early commencement of benefits based on the following table. This table shall apply to:
 - ☐ All Participants.
 - ☐ Only the following Participants **(must specify - specific positions are permissible; specific individuals may not be named):**_____.

Alternative Early Retirement Reduction Table

<u>Number of Years Before</u> <u>[Age (Insert Normal</u> <u>Retirement Age)]</u> (check as applicable)	<u>Percentage of</u> <u>Normal Retirement Benefit*</u> (complete as applicable)
---	---

☐ 0	1.000
☐ 1	0.____
☐ 2	0.____
☐ 3	0.____
☐ 4	0.____

- | | |
|-----------------------------|--------|
| ☐ 5 | 0.____ |
| ☐ 6 | 0.____ |
| ☐ 7 | 0.____ |
| ☐ 8 | 0.____ |
| ☐ 9 | 0.____ |
| ☐ 10 | 0.____ |
| ☐ 11 | 0.____ |
| ☐ 12 | 0.____ |
| ☐ 13 | 0.____ |
| ☐ 14 | 0.____ |
| ☐ 15 | 0.____ |

*Interpolate for whole months

D. Monthly Late Retirement Benefit Amount (check one):

- ☒ (1) The monthly Late Retirement benefit shall be computed in the same manner as the Normal Retirement Benefit, based upon the Participant's Accrued Benefit as of the Participant's Late Retirement Date.
- ☐ (2) The monthly Late Retirement benefit shall be the greater of: (1) the monthly retirement benefit accrued as of the Participant's Normal Retirement Date, actuarially increased in accordance with the actuarial table contained in Section 12.05 of the Basic Plan Document; or (2) the monthly retirement benefit accrued as of the Participant's Late Retirement Date, without further actuarial adjustment under Section 12.06 of the Basic Plan Document.

E. Monthly Disability Benefit Amount

The amount of the monthly Disability Benefit shall be computed in the same manner as the Normal Retirement benefit, based upon the Participant's Accrued Benefit as of the Participant's Disability Retirement Date.

Minimum Disability Benefit. The Adopting Employer may set a minimum Disability Benefit. The Employer elects the following minimum Disability benefit (**check one**):

- ☐ Not applicable (the Adopting Employer does not offer disability retirement benefits under the Plan).
- ☐ No minimum is established.
- ☐ No less than (**check one**): ☐ 20% ☐ 10% ☐ ____% (if other than 20% or 10% insert percentage amount) of the Participant's average monthly Earnings for the 12 calendar month period (excluding any period of unpaid leave of absence) immediately preceding the Participant's Termination of Employment as a result of a Disability. (Unless otherwise specified in an Addendum to the Adoption Agreement, no minimum will apply to elected or appointed members of the Governing Authority or Municipal Legal Officers.)

- ☒ No less than **(check one):** ☐ 66 2/3 % ☒ **60% (if other than 66 2/3%, insert percentage amount)** of the Participant's average monthly Earnings for the 12 calendar month period (excluding any period of unpaid leave of absence) immediately preceding the Participant's Termination of Employment as a result of a Disability, less any monthly benefits paid from federal Social Security benefits as a result of disability as reported by the Employer. (Unless otherwise specified in an Addendum to the Adoption Agreement, no minimum will apply to elected or appointed members of the Governing Authority or Municipal Legal Officers.)

F. Minimum/Maximum Benefit For Elected Officials

In addition to any other limitations imposed by federal or state law, the Employer may impose a cap on the monthly benefit amount that may be received by elected or appointed members of the Governing Authority. The Employer elects **(check one)**:

- ☐ Not applicable (elected or appointed members of the Governing Authority do not participate in the Plan).
- ☒ No minimum or maximum applies.
- ☐ Monthly benefit for Service as an elected or appointed member of the Governing Authority may not exceed 100% of the Participant's final salary as an elected or appointed member of the Governing Authority.
- ☐ Other minimum or maximum **(must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i))**: _____.

G. Multiple Plans

In the event that the Employer maintains multiple plans, the following provisions will apply to the extent necessary to satisfy Code § 415.

16. SUSPENSION OF BENEFITS FOLLOWING BONA FIDE SEPARATION OF SERVICE; COLA

A. Re-Employment as Eligible Employee After Normal, Alternative Normal, or Early Retirement and Following Bona Fide Separation of Service (see Basic Plan Document Section 6.06(c) Regarding Re-Employment as an Ineligible Employee and Basic Plan Document Section 6.06(e) and (f) Regarding Re-Employment After Disability Retirement)

(1) Reemployment After Normal or Alternative Normal Retirement. In the event that a Retired Participant 1) is reemployed with the Employer as an Eligible Employee (as defined in the Plan) after the Participant's Normal or Alternative Normal Retirement Date and after a Bona Fide Separation from Service, or 2) is reemployed with the Employer in an

Ineligible Employee class, and subsequently again becomes an Eligible Employee (as defined in the Plan) due to the addition of such class to the Plan after the Participant's Normal or Alternative Normal Retirement Date, the following rule shall apply **(check one)**:

- ☐ (a) The Participant's benefit shall be suspended in accordance with Section 6.06(a)(1) of the Basic Plan Document for as long as the Participant remains employed.
- ☒ (b) The Participant may continue to receive retirement benefits in accordance with Section 6.06(b) of the Basic Plan Document. This rule shall apply to **(check one)**: ☐ all Retired Participants ☒ only the following classes of Retired Participants **(must specify (specific positions are permissible; specific individuals may not be named) - benefits of those Retired Participants not listed shall be suspended in accordance with Section 6.06(a) of the Basic Plan Document if they return to work with the Employer): Retired Participants who return to Service as an elected or appointed member of the Governing Authority.**

(2) Reemployment After Early Retirement. In the event a Participant Retires with an Early Retirement benefit after a Bona Fide Separation from Service 1) is reemployed with the Employer as an Eligible Employee before the Participant's Normal Retirement Date; or 2) is reemployed with the Employer in an Ineligible Employee class, and subsequently again becomes an Eligible Employee (as defined in the Plan) before the Participant's Normal Retirement Date due to the addition of such class to the Plan, the following rule shall apply **(check one or more as applicable)**:

- (a) ☐ The Participant's Early Retirement benefit shall be suspended in accordance with Section 6.06(a)(1) of the Basic Plan Document for as long as the Participant remains employed.

This rule shall apply to **(check one)**: ☐ all Retired Participants; ☐ only the following classes of Retired Participants **(must specify - specific positions are permissible; specific individuals may not be named)**:

- (b) ☒ The Participant's Early Retirement benefit shall be suspended in accordance with Section 6.06(a)(1) of the Basic Plan Document. However, the Participant may begin receiving benefits after satisfying the qualifications for Normal Retirement or Alternative Normal Retirement, as applicable, and after satisfying the minimum age parameters of Section 6.06(a)(3) of the Basic Plan Document, in accordance with Section 6.06(b)(2)(B)(i) of the Basic Plan Document.

This rule shall apply to **(check one)**: ☒ all Retired Participants; ☐ only the following classes of Retired Participants **(must specify - specific positions are permissible; specific individuals may not be named)**:

- (c) ☐ The Participant's Early Retirement benefit shall continue in accordance with Section 6.06(b)(2)(B)(ii) of the Basic Plan Document.

This rule shall apply to **(check one)**: ☐ all Retired Participants; ☐ only the following classes of Retired Participants **(must specify - specific positions are permissible; specific individuals may not be named)**:
_____.

B. Cost Of Living Adjustment

The Employer may elect to provide for an annual cost-of-living adjustment (COLA) in the amount of benefits being received by Retired Participants and Beneficiaries, which shall be calculated and paid in accordance with the terms of the Basic Plan Document. The Employer hereby elects the following **(check one)**:

- ☒ (1) No cost-of-living adjustment.
- ☐ (2) Variable Annual cost-of-living adjustment not to exceed _____% **(insert percentage)**.
- ☐ (3) Fixed annual cost-of-living adjustment equal to _____% **(insert percentage)**.

The above cost-of-living adjustment shall apply with respect to the following Participants (and their Beneficiaries) **(check one)**:

- ☒ All Participants (and their Beneficiaries).
- ☐ Participants (and their Beneficiaries) who terminate employment on or after _____ **(insert date)**.
- ☐ Other **(must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)); specific positions are permissible; specific individuals may not be named)**: _____.

The Adjustment Date for the above cost-of-living adjustment shall be (if not specified, the Adjustment Date shall be January 1): _____.

**17. TERMINATION OF EMPLOYMENT BEFORE RETIREMENT;
VESTING**

A. Eligible Regular Employees

Subject to the terms and conditions of the Basic Plan Document, a Participant who is an Eligible Regular Employee and whose employment is terminated for any reason other than death or retirement shall earn a vested right in the Participant's accrued retirement benefit in accordance with the following schedule **(check one)**:

- ☐ No vesting schedule (immediate vesting).

- ☒ **Cliff Vesting Schedule.** Benefits shall be 100% vested after the Participant has a minimum of 5 years (**insert number not to exceed 10**) of Total Credited Service. Benefits remain 0% vested until the Participant satisfies this minimum.
- ☐ **Graduated Vesting Schedule.** Benefits shall become vested in accordance with the following schedule (**insert percentages**):

<u>COMPLETED YEARS OF TOTAL CREDITED SERVICE</u>	<u>VESTED PERCENTAGE</u>
1	%
2	%
3	%
4	%
5	%
6	%
7	%
8	%
9	%
10	%

Exceptions: If a vesting schedule other than that specified above applies to a special class(es) of Regular Employees, the Employer must specify the different vesting schedule below and the class(es) to whom the different vesting schedule applies.

Regular Employees to whom exception applies (**must specify - specific positions are permissible; specific individuals may not be named**): Eligible Regular Employees who were in Service with the City during the period of March 11, 2013, until October 31, 2014, regardless of whether such Eligible Regular Employees Terminated before or after November 1, 2014, and regardless of whether such Eligible Regular Employees are reemployed on or after November 1, 2014.

Vesting Schedule for excepted class (**Must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i). Must be at least as favorable as one of the following schedules: (i) 15-year cliff vesting, (ii) 20-year graded vesting, or (iii) for qualified public safety employees, 20-year cliff vesting.**): 2-year cliff vesting schedule. Benefits shall be 100% vested after the Participant has a minimum of 2 years of Total Credited Service. Benefits remain 0% vested until the Participant satisfies this minimum.

B. Elected or Appointed Members of the Governing Authority

Subject to the terms and conditions of the Basic Plan Document, a Participant who is an elected or appointed member of the Governing Authority or a Municipal Legal Officer shall earn a vested right in the Participant's accrued retirement benefit for Credited Service in such capacity in accordance with the following schedule (**check one**):

- ☐ Not applicable (elected or appointed members of the Governing Authority are not permitted to participate in the Plan).

- ☒ No vesting schedule (immediate vesting).
- ☐ Other vesting schedule (**Must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i). Must be at least as favorable as one of the following schedules: (i) 15-year cliff vesting, (ii) 20-year graded vesting, or (iii) for qualified public safety employees, 20-year cliff vesting.**): _____.

18. PRE-RETIREMENT DEATH BENEFITS

A. In-Service Death Benefit

Subject to the terms and conditions of the Basic Plan Document, the Employer hereby elects the following in-service death benefit, to be payable in the event that an eligible Participant's employment with the Employer is terminated by reason of the Participant's death prior to Retirement (**check and complete one**):

- (1) ☐ **Auto A Death Benefit.** A monthly benefit payable to the Participant's Pre-Retirement Beneficiary, equal to the decreased monthly retirement benefit that would have otherwise been payable to the Participant, had the Participant elected a 100% joint and survivor benefit under Section 7.03 of the Basic Plan Document. In order to be eligible for this benefit, a Participant must meet the following requirements (**check one**):
 - ☐ The Participant must be vested in a normal retirement benefit.
 - ☐ The Participant must have _____ years (**insert number**) of Total Credited Service.
 - ☐ The Participant must be eligible for Early or Normal Retirement.
 - ☐ Other eligibility requirement (**must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)**): _____.
- (2) ☒ **Actuarial Reserve Death Benefit.** A monthly benefit payable to the Participant's Pre-Retirement Beneficiary, actuarially equivalent to the reserve required for the Participant's anticipated Normal Retirement benefit, provided the Participant meets the following eligibility conditions (**check one**):
 - ☒ The Participant shall be eligible upon satisfying the eligibility requirements of Section 8.02(c) of the Basic Plan Document.
 - ☐ The Participant must have _____ years (**insert number**) of Total Credited Service.
 - ☐ Other eligibility requirement (**must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-**

1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i): _____.

Imputed Service. For purposes of computing the actuarial reserve death benefit, the Participant's Total Credited Service shall include **(check one)**:

- ☐ Total Credited Service accrued prior to the date of the Participant's death.
- ☒ Total Credited Service accrued prior to the date of the Participant's death, plus **(check one)**: ☒ one-half ($\frac{1}{2}$) ☐ _____ **(insert other fraction)** of the Service between such date of death and what would otherwise have been the Participant's Normal Retirement Date. **(See Basic Plan Document Section 8.02(b) regarding 10-year cap on additional Credited Service.)**

Minimum In-Service Death Benefit for Vested Employees Equal to Terminated Vested Death Benefit. Unless otherwise specified under "Exceptions" below, if a Participant's employment is terminated by reason of the Participant's death prior to Retirement, and if as of the date of death the Participant is vested but does not qualify for the in-service death benefit, then the Auto A Death Benefit will be payable, provided the Auto A Death Benefit is made available to terminated vested employees under the Adoption Agreement (see "Terminated Vested Death Benefit" below).

(3) Exceptions: If an in-service death benefit other than that specified above applies to one or more classes of Participants, the Employer must specify below the death benefit payable, the class(es) to whom the different death benefit applies, and the eligibility conditions for said death benefit.

Alternative Death Benefit **(must specify formula that satisfies the definite written program and definitely determinable requirements of Treasury Regulations Sections 1.401-1(a)(2) and 1.401-1(b)(1)(i) and does not violate limits applicable to governmental plans under Code Sections 401(a)(17) and 415):** _____.

Participants to whom alternative death benefit applies **(must specify - specific positions are permissible; specific individuals may not be named):** _____.

Eligibility conditions for alternative death benefit **(must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)):** _____.

B. Terminated Vested Death Benefit

(1) Complete this Section only if the Employer offers a terminated vested death benefit. The Employer may elect to provide a terminated vested death benefit, to be payable in the event that a Participant who is vested dies after termination of employment but before Retirement benefits commence. Subject to the terms and conditions of the Basic Plan Document, the Employer hereby elects the following terminated vested death benefit **(check one)**:

- ☒ **Auto A Death Benefit.** A monthly benefit payable to the Participant's Pre-Retirement Beneficiary, equal to the decreased monthly retirement benefit that would have otherwise been payable to the Participant had the Participant elected a 100% joint and survivor benefit under Section 7.03 of the Basic Plan Document.
- ☐ **Accrued Retirement Benefit.** A monthly benefit payable to the Participant's Pre-Retirement Beneficiary which shall be actuarially equivalent to the Participant's Accrued Normal Retirement Benefit determined as of the date of death.

(2) **Exceptions:** If a terminated vested death benefit other than that specified above applies to one or more classes of Participants, the Employer must specify below the death benefit payable, the class(es) to whom the different death benefit applies, and the eligibility conditions for said death benefit.

Alternative Death Benefit (must specify formula that satisfies the definite written program and definitely determinable requirements of Treasury Regulations Sections 1.401-1(a)(2) and 1.401-1(b)(1)(i) and does not violate limits applicable to governmental plans under Code Sections 401(a)(17) and 415): _____.

Participants to whom alternative death benefit applies (must specify - specific positions are permissible; specific individuals may not be named): _____.

Eligibility conditions for alternative death benefit (must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)): _____.

19. EMPLOYEE CONTRIBUTIONS

(1) **Employee contributions (check one):**

- ☒ Are not required.
- ☐ Are required in the amount of _____ % (insert percentage) of Earnings for all Participants.
- ☐ Are required in the amount of _____ % (insert percentage) of Earnings for Participants in the following classes (must specify - specific positions are permissible; specific individuals may not be named): _____.

[Repeat above subsection as necessary if more than one contribution rate applies.]

(2) **Pre-Tax Treatment of Employee Contributions.** If Employee Contributions are required in Subsection (1) above, an Adopting Employer may elect to "pick up" Employee Contributions to the Plan in accordance with IRC Section 414(h). In such case, Employee Contributions shall be made on a pre-tax rather than a post-tax basis, provided the requirements of IRC Section 414(h) are met. If the Employer elects to pick up Employee Contributions, it is the Employer's responsibility to ensure that Employee Contributions are paid and reported in

accordance with IRC Section 414(h). The Adopting Employer must not report picked up contributions as wages subject to federal income tax withholding.

The Employer hereby elects (**check one**):

- ☐ To pick up Employee Contributions. By electing to pick up Employee Contributions, the Adopting Employer specifies that the contributions, although designated as Employee Contributions, are being paid by the Employer in lieu of Employee Contributions. The Adopting Employer confirms that the executor of this Adoption Agreement is duly authorized to take this action as required to pick up contributions. This pick-up of contributions applies prospectively, and it is evidenced by this contemporaneous written document. On and after the date of the pick-up of contributions, a Participant does not have a cash or deferred election right (within the meaning of Treasury Regulation Section 1.401(k)-1(a)(3)) with respect to the designated Employee Contributions, which includes not having the option of receiving the amounts directly instead of having them paid to the Plan.
- ☐ Not to pick up Employee Contributions.

(3) Interest on Employee Contributions. The Adopting Employer may elect to pay interest on any refund of Employee Contributions.

- ☐ Interest shall not be paid.
- ☐ Interest shall be paid on a refund of Employee Contributions at a rate established by GMEBS from time to time.
- ☐ Other rate of interest (**must specify rate in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)**):
_____.

20. MODIFICATION OF THE TERMS OF THE ADOPTION AGREEMENT

If an Adopting Employer desires to amend any of its elections contained in this Adoption Agreement (or any Addendum), the Governing Authority by official action must adopt an amendment of the Adoption Agreement (or any Addendum) or a new Adoption Agreement (or Addendum) must be adopted and forwarded to the Board for approval. The amendment of the new Adoption Agreement (or Addendum) is not effective until approved by the Board and other procedures required by the Plan have been implemented.

The Administrator will timely inform the Adopting Employer of any amendments made by the Board to the Plan.

21. TERMINATION OF THE ADOPTION AGREEMENT

This Adoption Agreement (and any Addendum) may be terminated only in accordance with the Plan. The Administrator will inform the Adopting Employer in the event the Board should decide to discontinue this pre-approved plan program.

22. EMPLOYER ADOPTION AND AUTHORIZATION FOR AMENDMENTS

Adoption. The Adopting Employer hereby adopts the terms of the Adoption Agreement and any Addendum, which is attached hereto and made a part of this ordinance. The Adoption Agreement (and, if applicable, the Addendum) sets forth the Employees to be covered by the Plan, the benefits to be provided by the Adopting Employer under the Plan, and any conditions imposed by the Adopting Employer with respect to, but not inconsistent with, the Plan. The Adopting Employer reserves the right to amend its elections under the Adoption Agreement and any Addendum, so long as the amendment is not inconsistent with the Plan or the Internal Revenue Code or other applicable law and is approved by the Board of Trustees of GMEBS. The Adopting Employer acknowledges that it may not be able to rely on the pre-approved plan opinion letter if it makes certain elections under the Adoption Agreement or the Addendum, and that the failure to properly complete the Adoption Agreement may result in a failure of the Adopting Employer's Plan to be a qualified plan.

The Adopting Employer hereby agrees to abide by the Basic Plan Document, Trust Agreement, and rules and regulations adopted by the Board of Trustees of GMEBS, as each may be amended from time to time, in all matters pertaining to the operation and administration of the Plan. It is intended that the Act creating the Board of Trustees of GMEBS, this Plan, and the rules and regulations of the Board are to be construed in harmony with each other. In the event of a conflict between the provisions of any of the foregoing, they shall govern in the following order:

- (1) The Act creating the Board of Trustees of The Georgia Municipal Employees' Benefit System, O.C.G.A. Section 47-5-1 *et seq.* (a copy of which is included in the Appendix to the Basic Defined Benefit Plan Document) and any other applicable provisions of O.C.G.A. Title 47;
- (2) The Basic Defined Benefit Plan Document and Trust Agreement;
- (3) This Ordinance and Adoption Agreement (and any Addendum); and
- (4) The rules and regulations of the Board.

In the event that any section, subsection, sentence, clause or phrase of this Plan shall be declared or adjudged invalid or unconstitutional, such adjudication shall in no manner affect the previously existing provisions or the other section or sections, subsections, sentences, clauses or phrases of this Plan, which shall remain in full force and effect, as if the section, subsection, sentence, clause or phrase so declared or adjudicated invalid or unconstitutional were not originally a part hereof. The Governing Authority hereby declares that it would have passed the remaining parts of this Plan or retained the previously existing provisions if it had known that such part or parts hereof would be declared or adjudicated invalid or unconstitutional.

This Adoption Agreement (and any Addendum) may only be used in conjunction with Georgia Municipal Employees Benefit System Basic Defined Benefit Retirement Plan Document approved by the Internal Revenue Service under opinion letter Q705465a dated August 31, 2023. The Adopting Employer understands that failure to properly complete this Adoption Agreement (or any Addendum), or to operate and maintain the Plan and Trust in accordance with the terms of the completed Adoption Agreement (and any Addendum), Basic Plan Document and Trust, may result in disqualification of the Adopting Employer's Plan under the Internal Revenue Code. Inquiries regarding the adoption of the Plan, the meaning of Plan provisions, or the effect of the IRS opinion letter should be directed to the Administrator. The Administrator is Georgia Municipal Employees Benefit System, with its primary business offices located at: 201 Pryor Street, SW, Atlanta, Georgia, 30303. The business telephone number is: (404) 688-0472. The primary person to contact is: GMEBS Legal Counsel.

Authorization for Amendments. Effective on and after February 17, 2005, the Adopting Employer hereby authorizes the pre-approved plan provider who sponsors the Plan on behalf of GMEBS to prepare amendments to the Plan, for approval by the Board, on its behalf as provided under Revenue Procedure 2005-16, as superseded by Revenue Procedure 2015-36, Revenue Procedure 2011-49, and Announcement 2005-37. Effective January 1, 2013, Georgia Municipal Association, Inc., serves as the pre-approved plan provider for the Plan. Employer notice and signature requirements were met for the Adopting Employer before the effective date of February 17, 2005. The Adopting Employer understands that the implementing amendment reads as follows:

On and after February 17, 2005, the Board delegates to the Provider the authority to advise and prepare amendments to the Plan, for approval by the Board, on behalf of all Adopting Employers, including those Adopting Employers who have adopted the Plan prior to the January 1, 2013, restatement of the Plan, for changes in the Code, the regulations thereunder, revenue rulings, other statements published by Internal Revenue Service, including model, sample, or other required good faith amendments (but only if their adoption will not cause such Plan to be individually designed), and for corrections of prior approved plans. These amendments shall be applied to all Adopting Employers. Employer notice and signature requirements have been met for all Adopting Employers before the effective date of February 17, 2005. In any event, any amendment prepared by the Practitioner and approved by the Board will be provided by the Administrator to Adopting Employers.

Notwithstanding the foregoing paragraph, no amendment to the Plan shall be prepared on behalf of any Adopting Employer as of either:

- the date the Internal Revenue Service requires the Adopting Employer to file Form 5300 as an individually designed plan as a result of an amendment by the Adopting Employer to incorporate a type of Plan not allowable in a pre-approved plan as described in Revenue Procedure 2017-41; or
- as of the date the Plan is otherwise considered an individually designed plan due to the nature and extent of the amendments.

If the Adopting Employer is required to obtain a determination letter for any reason in order to maintain reliance on the opinion letter, the Provider's authority to amend the Plan on behalf of the Adopting Employer is conditioned on the Plan receiving a favorable determination letter.

The Adopting Employer further understands that, if it does not give its authorization hereunder or, in the alternative, adopt another pre-approved plan, its Plan will become an individually designed plan and will not be able to rely on the pre-approved plan opinion letter.

Reliance on Opinion Letter. As provided in Revenue Procedure 2017-41, the Adopting Employer may rely on the Plan's opinion letter, provided that the Adopting Employer's Plan is identical to the GMEBS Plan, and the Adopting Employer has not amended or made any modifications to the Plan other than to choose the options permitted under the Plan, Adoption Agreement, and any Addendum.

AN ORDINANCE (continued from page 1)

Section 2. Except as otherwise specifically required by law or by the terms of the Basic Plan Document or Adoption Agreement (or any Addendum), the rights and obligations under the Plan with respect to persons whose employment with the City was terminated or who vacated office with the City for any reason whatsoever prior to the effective date of this Ordinance are fixed and shall be governed by such Plan, if any, as it existed and was in effect at the time of such termination.

Section 3. The effective date of this Ordinance shall be October 11, 2024 **(not earlier than the first day of the current Plan Year in which the Plan is adopted, unless a retroactive corrective amendment is permitted under EPCRS, Rev. Proc. 2021-30 (or subsequent updated guidance))**.

Section 4. All Ordinances and parts of ordinances in conflict herewith are expressly repealed.

Approved by the Mayor and Council of the City of Stockbridge, Georgia, this ____ day of _____, 20____.

Attest:

CITY OF STOCKBRIDGE, GEORGIA

City Clerk

Mayor

(SEAL)

Approved:

City Attorney

The terms of the foregoing Adoption Agreement are approved by the Board of Trustees of Georgia Municipal Employees Benefit System.

IN WITNESS WHEREOF, the Board of Trustees of Georgia Municipal Employees Benefit System has caused its Seal and the signatures of its duly authorized officers to be affixed this ____ day of _____, 20____.

Board of Trustees
Georgia Municipal Employees
Benefit System

(SEAL)

Secretary

**GENERAL ADDENDUM TO THE
GEORGIA MUNICIPAL EMPLOYEES BENEFIT SYSTEM
DEFINED BENEFIT RETIREMENT PLAN
ADOPTION AGREEMENT**

This is an Addendum to the Adoption Agreement completed by the City of Stockbridge, Georgia, as follows (complete one or more sections, as applicable):

Items (1) through (15) of the Pre-approved Addendum–Not Applicable

- (16) Other (May include, but shall not be limited to, provisions relating to Basic Plan Document Sections 6.03, 6.06, 8.04, 8.06, 8.08, 8.09, 8.10, 8.12, 9.01, and 9.02) (must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)):

(a) \$5,000.00 Post-Retirement Lump Sum Death Benefit Available to Certain Participants – Effective March 31, 1993, Participants who retire with 10 years of continuous Service immediately prior to Retirement or who have a minimum of 20 years of Total Credited Service, or who qualify for Disability Retirement after the completion of at least 10 years of Credited Service, are entitled to designate a beneficiary to receive a \$5,000 lump sum death benefit upon the death of the Retired Participant. This provision shall be administered in accordance with and subject to the terms of Article VII, Section 2c. of the City of Stockbridge Retirement Plan in effect immediately prior to January 1, 2003. Said terms are incorporated herein by reference. For purposes of this provision, Retired Participants shall include 1) Participants who have satisfied the qualifications for Normal Retirement and have begun drawing their retirement benefit even though they have not yet Terminated employment with the City (In-Service Distribution; see Adoption Agreement, Section 14(B)(2)); and 2) Retired Participants who return to Service with the City and continue to draw their Retirement benefits (See Adoption Agreement, Section 16(A)).

(b) Application of Lump Sum Post-Retirement Death Benefit Set Forth in Section 8.12(b) of the Basic Plan Document – Notwithstanding any provision of the Basic Plan Document, the Adoption Agreement, or this Addendum to the contrary, in the event that a Retired Participant to whom subsection 16(a) above applies elects Option A as described in Section 7.01 of the Basic Plan Document (single life annuity) upon the Participant's Retirement on or after July 1, 2011, and the Retired Participant dies prior to receiving at least 36 months of retirement payments, the following lump sum post-retirement death benefit shall be payable with respect to such Retired Participant in lieu of the benefit otherwise payable under Section 8.12(b) of the Basic Plan Document (check one):

☐ Only the lump sum post-retirement death benefit set forth in subsection 16(a) above shall be payable. The lump sum death benefit applicable to a Participant pursuant to subsection 16(a) of this Addendum shall be in lieu of, and not in addition to, the lump sum death benefit set forth in Section 8.12(b) of the Basic Plan Document. The lump sum death benefit set forth in Section 8.12(b) of the Basic Plan Document shall not be applicable under this Plan.

☒ Only the lump sum post-retirement death benefit set forth in subsection 16(a) above shall be payable; provided, however, that if the amount of the lump sum post-retirement death benefit which would be payable with respect to the Retired Participant pursuant to the provisions of Section 8.12(b) of the Basic Plan Document would be greater than the amount of the lump sum post-retirement death benefit set forth in subsection 16(a) above, then the lump sum post-retirement death benefit established in Section 8.12(b) of the Basic Plan Document shall be payable instead of the lump-sum post-retirement death benefit set forth in subsection 16(a) above.

☐ Both the lump sum post-retirement death benefit set forth in subsection 16(a) above and the lump sum post-retirement death benefit established in Section 8.12(b) of the Basic Plan Document shall be payable.

The terms of the foregoing Addendum to the Adoption Agreement are approved by the Mayor and Council of the City of Stockbridge, Georgia, this _____ day of _____, 20____.

Attest:

CITY OF STOCKBRIDGE, GEORGIA

City Clerk

Mayor

(SEAL)

Approved:

City Attorney

The terms of the foregoing Addendum are approved by the Board of Trustees of the Georgia Municipal Employees Benefit System.

IN WITNESS WHEREOF, the Board of Trustees of the Georgia Municipal Employees Benefit System has caused its Seal and the signatures of its duly authorized officers to be affixed this _____ day of _____, 20____.

**Board of Trustees
Georgia Municipal Employees
Benefit System**

(SEAL)

Secretary

**GEORGIA MUNICIPAL EMPLOYEES
BENEFIT SYSTEM**

**BASIC DEFINED BENEFIT RETIREMENT PLAN
DOCUMENT**

AMENDED AND RESTATED

Third Six-Year Cycle, 2020 Cumulative List

**Administered by:
Georgia Municipal Employees Benefit System
201 Pryor Street, SW
Atlanta, Georgia 30303
Telephone: 404-688-0472
Facsimile: 678-686-6289**

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BASIC PLAN DOCUMENT

ARTICLE I.

PURPOSE OF PLAN

The Georgia Municipal Employees Retirement System Plan ("Plan") is hereby amended and restated for the Third Six-Year Cycle, in compliance with the 2020 Cumulative List, pursuant to a resolution of the Board of Trustees of the Georgia Municipal Employees Benefit System. The Plan is a governmental qualified defined benefit plan under Internal Revenue Code Sections 401(a) and 414(d) and is intended to be adopted by Employers in Georgia.

The Plan is intended to comply with certain provisions of the Protecting Americans from Tax Hikes Act of 2015 ("PATH Act"); as well as the additional guidance included in the 2020 Cumulative List under Internal Revenue Service ("IRS") Notice 2020-14 to the extent applicable to the Plan. Except as otherwise specifically provided herein, the Plan establishes the rights and obligations with respect to individuals who are Employees on and after such dates, as applicable, and to transactions under the Plan on and after such dates, as applicable. Except as otherwise specifically provided herein, the rights and benefits, if any, of individuals who are not Employees on or after such dates, as applicable, shall be determined in accordance with the terms and provisions of the Plan that were in effect on the date that their employment terminated.

Any Municipal Corporation accepted by the Board as an Adopting Employer may become a party to the Plan as of the first day of any Plan Year, or such other date specified by the Adopting Employer, by delivering to the Administrator an appropriate Ordinance of the Governing Authority adopting the Plan. Any other Employer accepted by the Board as an Adopting Employer may become a party to the Plan as of the first day of any Plan Year, or such other date specified by the Adopting Employer, by delivering to the Administrator an appropriate resolution or ordinance (as applicable) of the Governing Authority adopting the Plan. With the

Section 2.01. **"Accrued Benefit"** shall mean, as of any date, the Normal Retirement benefit payable to a Participant at the Participant's Normal Retirement Date computed in accordance with the provisions of Article VI and the Adoption Agreement, based upon the Participant's Total Credited Service and Final Average Earnings (if applicable) as of the date that the Participant's Accrued Benefit is being determined.

Section 2.02. **"Actuarial Equivalent"** shall mean a benefit of approximately equal value when computed on the basis of the actuarial assumptions contained in Article XII.

Section 2.03. **"Actuary"** shall mean an individual, or firm, appointed or approved by the Board of Trustees to perform actuarial calculations necessary in the funding of the Plan.

Section 2.04. **"Addendum"** means any Addendum to an Adoption Agreement submitted to the IRS for review under the pre-approved program and entered into by an Adopting Employer.

Section 2.05. **"Adjustment Date"** means January 1 or such other date in a calendar year on which a Cost of Living Adjustment is applied to a Retired Participant's or Post-Retirement Beneficiary's benefit pursuant to an Adopting Employer's Adoption Agreement or any Addendum thereto.

Section 2.06. **"Administrator"** shall mean the Georgia Municipal Employees Benefit System or its designee.

Section 2.07. **"Adopting Employer"** shall mean an Employer who adopts this Plan through the adoption of the Adoption Agreement.

Section 2.08. **"Adoption Agreement"** shall mean the Adoption Agreement adopted by an Adopting Employer, which Adoption Agreement contains certain terms of the Plan, and

(22) as of the date of the Participant's or Terminated Vested Participant's death. The term "adopted child" shall include any child who is legally adopted by the Participant and any child who is a member of the Participant's household if placed with the Participant by an authorized placement agency for legal adoption by the Participant. The term "child" does not include a foster child.

Section 2.13. **"Code"** shall mean the Internal Revenue Code of 1986, as applicable to governmental plans, as amended from time to time, and the Internal Revenue Code of 1954, as applicable to governmental plans.

Section 2.14. **"Code Section 415(d) Cost of Living Adjustment"** shall mean the cost of living adjustment prescribed by the Secretary of the Treasury under Code Section 415(d) for any applicable year.

Section 2.15. **"Contract"** shall mean the entire contents of the Ordinance or Resolution adopting this Plan, the Employer's Adoption Agreement and any Addendum thereto, the Basic Plan Document, the GMEBS Trust Agreement, and any amendments made hereafter.

Section 2.16. **"Contributions"** shall mean payments made by Employers (and Employees, if applicable) to GMEBS to provide the benefits specified in the Plan.

Section 2.17. **"Cost of Living Base Figure"** shall mean, with respect to Employers who elect in the Adoption Agreement to provide cost-of-living adjustments in benefits received under the Plan, the Consumer Price Index figure (All Urban Consumers Table – All Items, 1982-1984 Base Period) issued by the Bureau of Labor Statistics of the United States Department of Labor for the month that is 14 months prior to the month of the Adjustment Date used to determine the Current Cost-of-Living Index Figure. However, if a Participant or Beneficiary has been drawing benefits for less than twelve (12) months, the Cost-of-Living Base

1905	5,352	1918	6,528	1931	7,080
1906	5,520	1919	6,576	1932	7,176
1907	5,652	1920	6,612	1933	7,260
1908	5,784	1921	6,660	1934	7,332
1909	5,892	1922	6,696	1935	7,416
1910	6,000	1923	6,720	1936	7,500
1911	6,084	1924	6,756	1937	7,572
1912	6,168	1925	6,792	1938	7,656
1913	6,240	1926	6,816	1939	7,728
1914	6,312	1927	6,840	1940	7,764
1915	6,372	1928	6,864	1941	7,800
				or later	

Section 2.21. "Current Average Cost-of-Living Index Figure" shall mean, with respect to Employers who elect in the Adoption Agreement to provide cost-of-living adjustments in benefits received under the Plan, the Consumer Price Index figure (All Urban Consumers Table – All Items, 1982-1984 Base Period) that was most recently issued by the Bureau of Labor Statistics of the United States Department of Labor for the month that is two months prior to the month of the Adjustment Date.

Section 2.22. "Default Beneficiary" shall mean, with respect to a Participant who dies prior to July 1, 2015, the person(s) or entity to whom a pre-retirement death benefit is payable in the absence of a beneficiary designation by the Participant or in the event there is no designated Primary or Secondary Pre-Retirement Beneficiary to whom a pre-retirement death benefit is payable, determined in accordance with and subject to Section 8.06.

Section 2.23. "Disability" shall mean, with respect to those Adopting Employers who elect in the Adoption Agreement to provide disability retirement benefits and unless otherwise provided in an Addendum to the Adoption Agreement, the following:

(a) A physical or mental disability of a Participant who because of such disability becomes entitled to receive disability insurance benefits under the Federal Social Security Act, as amended, provided that the following conditions are satisfied:

a certificate signed by at least two (2) physicians, (one physician selected and paid by the disabled Participant and one selected and paid by the Employer) stating that:

(1) The Participant is permanently disabled as defined in Internal Revenue Code Section 72(m); and

(2) Such disability commenced on a specified date during the period of the Participant's employment with the Adopting Employer; and

(3) Such disability was not intentionally self-inflicted, incurred in the commission of a felonious enterprise, or the result of the abuse or illegal use of narcotics or drugs.

(c) Neither the Adopting Employer nor the Administrator is required to independently investigate or confirm the cause(es) of a Participant's disability.

Section 2.24. "Disability Retirement Date" shall mean, with respect to those Adopting Employers who elect to provide Disability retirement benefits in the Adoption Agreement and with respect to Participants who Terminate Employment due to Disability, the first day of the first calendar month coinciding with or next following: (a) the date on which a Participant becomes entitled to receive a monthly disability insurance benefit under the Federal Social Security Act, as amended; (b) the date on which the Participant's Disability is determined by the Pension Committee to have commenced, in the case of Disability determinations made by the Pension Committee pursuant to Section 2.23(b); or (c) the date determined in accordance with the provisions of an Employer's General Addendum, as applicable. However, in no event will the Disability Retirement Date be earlier than the first day of the calendar month coinciding with or next following the date of the Participant's Termination of Employment as a result of Disability.

Plan Year occurs, the annual earnings limit is an amount equal to the otherwise applicable annual earnings limit multiplied by a fraction, the numerator of which is the number of months in the short Plan Year, and the denominator of which is twelve (12).

Section 2.27. **"Effective Date"** shall mean the original effective date of the Adopting Employer's GMEBS-administered defined benefit plan as specified in the Adoption Agreement.

Section 2.28. **"Eligible Employee"** shall mean any Employee who is designated as an Eligible Employee in the Adoption Agreement and who satisfies any eligibility conditions applicable to the class of Eligible Employees to which the Employee belongs.

Section 2.29. **"Eligible Regular Employee"** shall mean any Regular Employee who satisfies the minimum hour and other eligibility conditions applicable to Regular Employees in the Employer's Adoption Agreement.

Section 2.30. **"Employee"** shall mean any person who is regularly employed in the services of the Employer as an employee and shall include elected or appointed members of the Governing Authority and Municipal Legal Officers if they are included as Eligible Employees in the Adoption Agreement. However, notwithstanding any other provision of the Plan to the contrary, the term "Employee" does not include: (a) an individual who is a nonresident alien and who receives no earned income (within the meaning of Code Section 911(d)(2)) from an Employer which constitutes income from sources within the United States within the meaning of Code Section 861(a)(3); (b) a leased employee; or (c) any person treated in good faith by an Employer as an independent contractor, regardless of whether such person is later determined to be a common law employee for tax purposes.

Section 2.31. **"Employer"** shall mean an Employer as defined in O.C.G.A. § 47-5-2(9) (a copy of which is included in the Appendix hereto). No employer which is not

(a) If a Participant terminates employment or is on an unpaid leave of absence and later returns to employment with the Employer, the period(s) prior to and following such absence from employment shall be considered consecutive.

(b) If a Participant has not completed the number of consecutive months of Credited Service necessary to compute Final Average Earnings under this Section as of the date of such Participant's most recent Termination preceding Retirement, then Final Average Earnings shall be determined by dividing total Earnings for the Participant's entire period of Credited Service by such Participant's total number of months of Credited Service and multiplying the quotient by twelve (12). In computing the number of months of Credited Service for this purpose, incomplete months of Credited Service shall be converted to fractional equivalents of months and included in the computation.

Section 2.36. **"Governing Authority"** shall mean the entity named in the Adoption Agreement which is authorized to act for the Adopting Employer.

Section 2.37. **"In-Service Distribution"** shall mean commencement of benefits to a Participant who has satisfied the requirements for Retirement prior to the Participant's Termination of Employment or continuation of benefits to a Retired Participant who returns to service without first completing a Bona Fide Separation from Service.

Section 2.38. **"Ineligible Employee"** shall mean an Employee of the Adopting Employer who is not an Eligible Employee.

Section 2.39. **"Interest"** shall mean a pro rata share of any and all interest, dividends, and capital gains or losses earned on the invested or reinvested funds of the GMEBS Investment Fund.

An Employer may also establish alternative Normal Retirement qualifications in the Adoption Agreement. In such case, the Participant's Alternative Normal Retirement Date shall mean the first day of the month coinciding with or next following the date the Participant meets the alternative Normal Retirement qualifications.

Section 2.46. **"Participant"** or **"Participating Employee"** shall mean any Eligible Employee who is or may become eligible to receive a benefit of any type from the Plan and who has commenced participation in the Plan under Article IV.

Section 2.47. **"Pension Committee"** shall mean the committee named in the Adoption Agreement to represent the Adopting Employer in the administration of the Plan.

Section 2.48. **"Plan"** shall mean the provisions of this Basic Plan Document, along with the Employer's Adoption Agreement (including any Addendum to the Adoption Agreement, if applicable), setting forth the Employees to be covered, the benefits to be provided, and the conditions of retirement, and all amendments thereto which may hereafter be made.

Section 2.49. **"Plan Representative"** shall mean the Plan Representative designated in the Employer's Adoption Agreement. The Plan Representative must have full authority to represent the Governing Authority in all communications with GMEBS and the Adopting Employer's Employees. The Pension Committee Secretary may serve as the Plan Representative.

Section 2.50. **"Plan Year"** shall mean a twelve (12) consecutive month period specified as such in the Adoption Agreement.

Section 2.51. **"Police Officer"** shall mean an Eligible Regular Employee employed by the Adopting Employer's Police Department who is either certified or registered as a peace officer pursuant to O.C.G.A. § 35-8-2(8) (a copy of which is included in the Appendix hereto).

Section 2.61. **"Section"** shall mean, when not preceded by the word Code or ERISA, a section of the Basic Plan Document.

Section 2.62. **"Spouse"** shall mean, notwithstanding any other provision in an Adopting Employer's Adoption Agreement or Addendum to the contrary, (i) effective on or after September 16, 2013, to the extent required by federal law, and (ii) effective on or after September 26, 2014, for all purposes, a person who, as of the date of the Participant's, Retired Participant's or Terminated Vested Participant's death, as applicable, is lawfully joined with the Participant or Terminated Vested Participant in a marriage which is recognized under the laws of any state or foreign jurisdiction, whether opposite-sex or same-sex and regardless of whether or not the spouse resides in the state or foreign jurisdiction in which such marriage occurred.

Section 2.63. **"Terminated Vested Participant"** shall mean any Participant who has Terminated Employment with the Adopting Employer and who has a Vested Benefit under any provision of the Adopting Employer's Plan but is not yet a Retired Participant.

Section 2.64. **"Termination," "Terminate Employment," "Termination of Employment," or "Terminated"** shall mean a severance of employment with the Employer, including Retirement, resignation or discharge, lapse of recall rights after layoff, death, or vacation of office by a Regular Employee, an elected or appointed member of the Governing Authority or a Municipal Legal Officer. Provided, however, that Termination shall not include: (i) absence from active employment which is not treated by the Adopting Employer as a Termination of Employment; (ii) absence due to military service to the extent required under USERRA and Code Section 414(u)(8)(A), (iii) absence due to leave which qualifies as family or medical leave under the FMLA, to the extent required under the FMLA; or (iv) absence due to an authorized leave of absence for any reason if approved by the Adopting Employer. Unless

and/or vacation leave plan for purposes of Code Section 409A and Treasury Regulation § 1.409A-1(a)(5), (iii) the Plan provides for service credit for an Employee's unused paid time off, provided that the eligibility requirements for participation in the Plan do not permit an Employee to become a Participant only in the Plan Year in which the Employee terminates employment, (iv) the conversion is automatic, the employee has no right to request a cash payment for the leave, and no such payment is made, (v) the unused paid time off is converted to service credit under a formula specified in the Adoption Agreement and which satisfies the definitely determinable standard of Treasury Regulation § 1.401-1(b)(1)(i), (vi) the Adopting Employer's Plan otherwise provides for service credit unrelated to the conversion of any Employee's unused paid time off, and (vii) the Participant's annual benefit, as adjusted by the leave conversion, does not exceed the limit under Code Section 415(b).

Section 3.02. "USERRA Military Service Credit."

(a) USERRA Military Service Credit. Notwithstanding any provision of this Plan to the contrary, contributions, benefits, and service credit with respect to qualified military service shall be provided in accordance with Code Section 414(u). Code Section 414(u) provides that: (i) individuals reemployed under the Uniform Services Employment and Reemployment Rights Act of 1994 ("USERRA") must be treated as not having incurred a break in Service because of qualified military service, (ii) periods of qualified military service must be counted for vesting and benefit accrual purposes, except that periods of qualified military service must not be counted for benefit accrual purposes where the individual would have been required to make Employee Contributions under the Adopting Employer's Plan if the individual had remained continuously employed by the Adopting Employer during said period of qualified military service and the individual fails to make-up said Employee Contributions as provided herein,

such ordered military service and ends no later than five (5) years after the period of military service ends. If the Participant dies during the period of military service, the Participant's Pre-Retirement Beneficiary or the legal representative of the Participant's estate must make up the required Employee Contributions no later than one (1) year following proof of the Participant's death. The amount of Employee Contributions required to be made to receive Credited Service for a period of military service shall be determined in the same manner as provided under USERRA and HEART and subsection (a) above.

(c) Effective with respect to deaths occurring on or after January 1, 2007, while a Participant is performing qualified military service (as defined in chapter 43 of title 38, United States Code), to the extent required by Code Section 401(a)(37), survivors of the Participant are entitled to any additional benefits that the Plan would provide if the Participant had resumed employment and then died, such as accelerated vesting or survivor benefits that are contingent on the Participant's death while employed. In any event, a deceased Participant's period of qualified military service must be counted for vesting purposes.

(d) Beginning January 1, 2009, to the extent required by Code Sections 3401(h) and 414(u)(2), an individual receiving differential wage payments (while the individual is performing qualified military service (as defined in chapter 43 of title 38, United States Code)) from an Employer shall be treated as employed by that Employer, and the differential wage payment shall be treated as compensation for purposes of applying the limits on annual additions under Code Section 415(c). This provision shall be applied to all similarly situated individuals in a reasonably equivalent manner.

(e) Effective with respect to deaths occurring on or after January 1, 2009, while a Participant is performing qualified military service (as defined in chapter 43 of title 38, United

limitations specified in the Basic Plan Document, Adoption Agreement or Addendum. For those Employers who elect in the Adoption Agreement to include elected or appointed members of the Governing Authority or Municipal Legal Officers as Eligible Employees, Service also means any tenure of office held by an elected or appointed member of the Governing Authority or a Municipal Legal Officer, provided that such tenure of office does not include any calendar period during which any elected or appointed member of the Governing Authority or Municipal Legal Officer is also in the regular service of the Employer as an Eligible Employee in another capacity. No Participant may receive credit for more than one (1) year of Service in any twelve (12) month period.

Section 3.07. "Total Credited Service" shall mean the sum of the Participant's Current Credited Service, Credited Past Service, Prior Military Service, and Prior Governmental Service, as specified in this Article and covered per the Employer's Adoption Agreement, subject to any limitations imposed under the Basic Plan Document or the Employer's Adoption Agreement or Addendum. The term Total Credited Service includes any Service required to be included in Total Credited Service by USERRA, or any other applicable federal or state law. Full months of Total Credited Service shall be treated as fractions of one (1) year. Partial months shall not be included in the calculation. The Employer may specify in the Adoption Agreement a maximum number of years that may be included as Total Credited Service. If an Employer elects in its Adoption Agreement to require Employee Contributions, Total Credited Service shall not include any period of time for which the Employee is required but fails to make such Employee Contributions to the Plan. If a Participant has received a cash single sum payment of the present value of the Participant's Plan benefit pursuant to Section 7.05 of the Basic Plan Document upon or following termination with an Adopting Employer and

Eligible Employee, unless and until such requirements are satisfied. If an Eligible Regular Employee who has not yet become a Participant no longer meets said minimum service requirement but remains an Employee of the Employer, such Employee shall no longer be considered an Eligible Regular Employee, unless and until the Employee again satisfies the minimum requirement.

(2) No period of employment during which an Employee fails to satisfy the Employer's minimum service requirement and no leave of absence granted to such Employee shall be counted in determining whether any waiting period for participation established by the Employer pursuant to subsection (b) below has been satisfied. However, provided the Employee remains continuously employed by the Employer, such periods shall not be considered a break in Service under subsection (c)(1) below for purposes of satisfying said waiting period.

(b) Waiting Period. Effective January 1, 2015 with respect to Eligible Regular Employees in service with the Adopting Employer on or after said date, Eligible Regular Employees shall not have a waiting period before participating in the Plan. Likewise, effective January 1, 2015, elected or appointed members of the Governing Authority and Municipal Legal Officers, if eligible to participate in the Plan, shall not have a waiting period before participating in the Plan. Notwithstanding subsection 20.01(f) of the Basic Plan Document, in the event that an Adopting Employer has specified in an Addendum to the Adoption Agreement in effect immediately prior to January 1, 2015 that any class or classes of Eligible Employees shall be subject to a waiting period before participating in the Plan, such provision shall no longer be effective on or after January 1, 2015.

participation in the Plan on the first day of the month immediately following or coinciding with the date that the Employee completes the minimum period of continuous, uninterrupted service as an Eligible Regular Employee necessary to satisfy the required waiting period.

(4) Employed After the Effective Date. If an Eligible Regular Employee is initially employed by the Adopting Employer after the Effective Date of the Plan, said Employee shall be eligible to commence participation in the Plan on the first day of the month immediately following or coinciding with the date that the Employee completes the minimum period of continuous, uninterrupted service as an Eligible Regular Employee necessary to satisfy the required waiting period.

(5) Treatment of Leaves of Absence. For purposes of determining whether the waiting period for participation has been satisfied, service shall include any period of absence from employment which is required to be taken into account for such purpose under USERRA, the FMLA, or any other applicable federal or state law. Unless otherwise required by law or unless the terms of the leave otherwise specify, an authorized leave of absence granted to an Eligible Regular Employee by the Adopting Employer shall be counted as Credited Service for purposes of determining whether the waiting period for participation has been satisfied. However, unless otherwise required by law or unless the terms of the leave otherwise specify, if an Eligible Regular Employee on an authorized leave of absence fails to return to active employment or office upon expiration of the leave of absence, the Eligible Regular Employee shall be considered to have incurred a break in service for purposes of meeting the waiting period for participation as of the date preceding the approved leave period.

(7) Prior Participation in Another GMEBS Plan. An Eligible Regular Employee who is hired after the Effective Date of the Plan shall be eligible to become a Participant on the first day of the month immediately following or coinciding with the date on which the Employee is employed by the Adopting Employer, regardless of any waiting period requirement established by the Employer, provided that: (i) said Employee's immediate prior employment was with another Adopting Employer in the GMEBS; (ii) said Employee was a Participant in the previous Adopting Employer's GMEBS retirement plan; and (iii) said Employee satisfies any minimum service requirement established by the Adopting Employer pursuant to Section 4.02(a) for the Employee's class.

Section 4.03. Establishing Participation in the Plan.

(a) Mandatory vs. Optional Participation. Participation in the Plan shall be considered mandatory for all classes of Eligible Employees unless, with respect to a particular class, the Employer specifies in the Adoption Agreement that participation is optional for members of said class.

(b) Mandatory Participation. If participation is mandatory for a class of Eligible Employees, then, except as otherwise provided in subsection (e) below, all Eligible Employees in the class shall become Participants in the Plan as of the date they are employed, provided that they satisfy the Adopting Employer's eligibility requirements for participation. With respect to Eligible Employees initially employed or reemployed prior to January 1, 2015, if participation is mandatory for a class of Eligible Employees, then except as provided in subsection (e) below, all Eligible Employees in the class shall become Participants in the Plan on the first day of the month immediately following or coinciding with the date they satisfy the applicable waiting

Adopting Employer's Plan, then Eligible Employees who apply for participation within the 120 day period may be required to make retroactive contributions in order to receive credit under the Plan for creditable Service prior the date they apply to participate in the Plan.

(d) Participation in the Plan shall not give any Eligible Employee the right to be retained in the employ of the Adopting Employer nor, upon dismissal, to have any right or interest in the Trust Fund other than as herein provided.

(e) Notwithstanding anything in this Section 4.03 to the contrary, if within 120 days following the date on which an Employee is first employed or first takes office with an Adopting Employer, the Employee enters into a written agreement or employment contract with the Adopting Employer pursuant to which the Employee agrees that the Employee will not participate in the Plan, the Employee shall be ineligible to participate in the Plan regardless of whether the Employee otherwise satisfies the eligibility requirements for participation in the Plan. The Employer shall notify the Administrator if and when an Employee has entered into such an agreement with the Employer and provide such information to the Administrator as necessary to confirm the existence of said agreement. A subsequent change in the terms of said agreement will not make the Employee eligible to participate in the Plan unless the Adopting Employer amends its Adoption Agreement to specifically require participation by said Employee.

Section 4.04. Change in Employment Status.

(a) Transfer to Ineligible Status. Unless otherwise specified by the Employer in the Adoption Agreement, if a Participant's employment status changes such that the Participant becomes an Ineligible Employee, said Employee shall cease to accrue benefits under the Plan for any purpose and the Employee's interest under the Plan, if any, shall be only such as existed immediately before the Employee became an Ineligible Employee, unless and until the

(b) Other Leaves of Absence. Unless otherwise required by law or unless the terms of the leave otherwise specify, an authorized leave of absence granted to a Participant by the Adopting Employer will be counted as Current Credited Service for the purpose of computing the amount of any benefit payable under the Plan, and for purposes of meeting the Plan's minimum service requirements for vesting and benefit eligibility. However, if the Participant does not return to active employment upon expiration of the authorized leave period, then subsection (c) shall apply.

(c) Failure to Return to Service. Unless otherwise required by law or unless the terms of the leave otherwise specify, if a Participant does not return to active employment with the Employer upon expiration of a leave of absence, the Participant's interest under the Plan, if any, including the Participant's Current Credited Service for the purpose of computing the amount of any benefit payable under the Plan, and for purposes of meeting the Plan's minimum service requirements for vesting and any minimum service requirements for retirement or death benefit eligibility, will be limited to that accrued as of the date preceding the approved leave period.

(d) Unused Leave. The Adopting Employer may elect in the Adoption Agreement to credit certain unused leave at termination or retirement for which the Participant is not paid as Credited Service, subject to the terms and limits specified in the Basic Plan Document, Adoption Agreement or Addendum.

Section 4.06. Non-Vested Participant Breaks in Service.

Except as otherwise provided in the Adoption Agreement, this Section shall apply only to Participants who are Eligible Regular Employees. If a non-vested Participant experiences a break in service, the Participant's Current Credited Service shall not include any Service rendered

was regularly employed by the Employer immediately prior to the Participant's leave of absence and the Participant is reemployed by the Employer upon expiration of the leave of absence. Unless otherwise required by law or unless the terms of the leave otherwise specify, if a Participant does not return to active employment upon expiration of the approved leave period, the Participant will be considered to have incurred a break in Service under this Section as of the date immediately preceding the approved leave period.

(d) Transfer to Ineligible Employee Status. Unless otherwise specified by the Employer in the Adoption Agreement, if a Participant's employment status changes such that the Participant becomes an Ineligible Employee pursuant to Section 4.04, the period of time spent as an Ineligible Employee shall not be considered a break in Service under this Section, provided the Participant remains employed by the Adopting Employer. Unless otherwise specified by the Adopting Employer, leaves of absence granted to an Ineligible Employee will not be considered a break in Service under this Section, provided the Ineligible Employee returns to active employment with the Employer upon expiration of the approved leave period and the requirements of subsection (c) are otherwise satisfied with respect to such leave of absence.

(e) Graduated Vesting. If the Adopting Employer has established a graduated vesting schedule in the Adoption Agreement, and a Participant who is partially vested Terminates Employment with the Adopting Employer and subsequently returns to employment with the Adopting Employer, the Participant shall not be deemed to have incurred a break in service. Except as otherwise required under this Section, however, the time the Participant was absent shall not be taken into account for any purpose under the Plan.

(f) Repeated Breaks in Service. If a non-vested Participant has a break in Service, returns to employment with the Adopting Employer, and experiences one or more additional

(b) Provided a Participant is otherwise eligible to receive a Retirement benefit under the Plan, Retirement is contingent upon the satisfactory completion of the Applicable Form provided for such purpose and the acceptance of the Applicable Form by the Pension Committee.

(c) Retirement applications shall be prepared and submitted at such time as to reach the office of GMEBS no earlier than ninety (90) days and no later than thirty (30) days prior to a Participant's effective Retirement Date. A Participant's effective Retirement date shall be the first day of the month coinciding with or following the date the Participant has satisfied all of the prerequisites for Retirement as specified in this Article V, and actually Retires.

ARTICLE VI.

RETIREMENT BENEFITS

Section 6.01. Normal Retirement Benefit.

(a) A Participant, upon Retirement on or after the Participant's Normal Retirement Date (or Alternative Normal Retirement Date, as applicable), shall receive a Monthly Retirement Benefit under which payments shall commence on the first day of the month in which the Participant's effective Retirement Date occurs and shall be payable on the first day of each month thereafter during the Participant's lifetime. Normal Retirement benefits (not including Alternative Normal Retirement benefits or the In-Service Distribution of Normal or Alternative Normal Retirement benefits) shall be paid retroactively to the first day of the month following the month in which the Participant's Termination occurs (or, if the Participant's Termination occurs on the first of the month, the first day of the month in which the Participant's Termination occurs) or if later, the first day of the month in which the Participant's Normal Retirement Date occurs. The amount of the Monthly Retirement Benefit shall be determined based upon the applicable benefit formula specified in the Adoption Agreement and in effect at the Participant's Termination. If the Participant elects a form of benefit payment other than the standard form, the

6.04(b) relating to making application for retroactive payments of Disability Retirement benefits are met. If said requirements are not met but the Participant otherwise qualifies for a Disability Retirement benefit, the Participant's benefit will be changed to a Disability Retirement benefit as of the first day of the month coinciding with or following the date that the Participant submits documentation sufficient to confirm the Participant's eligibility for a Disability Retirement benefit, as described in Section 6.04(c). However, no change in the form of benefit payment or designation of the Post-Retirement Beneficiary may be made, and no Post-Retirement Beneficiary may be named if one had not been previously named.

(c) Early Retirement benefits shall be paid retroactively to a date (first day of the month) designated on the Participant's retirement application, provided that such date may be no earlier than the later of: 1) four (4) full calendar months prior to the date of the Pension Committee Secretary's execution of the Participant's retirement application; or 2) the Participant's Early Retirement Date. No interest shall be paid on the retroactive payment of Early Retirement benefits.

Section 6.03. Late Retirement Benefit.

(a) A Participant may Retire from the active Service of the Adopting Employer on the first day of any month after the Participant's Normal Retirement Date, in which case the Participant shall receive a Late Retirement benefit. For purposes of this provision and except as otherwise provided in an Employer's Adoption Agreement or Addendum, a Participant will be treated as having Retired from the active service of the Adopting Employer if the Participant submits a GMEBS retirement application no later than thirty-one (31) days after the Participant's Termination of Employment and said application is approved by GMEBS. The Late Retirement benefit shall be calculated in the same manner as the Normal Retirement benefit. However, the

of Employment due to Disability or within six (6) months after the date of such award or determination, whichever is later:

- (i) the Participant's GMEBS Retirement Application Form;
- (ii) the SSA Disability Award (or, if applicable under Section 2.23, the Pension Committee determination of Disability) reflecting a disability onset date on or before the Participant's Termination date; and
- (iii) documentation the Administrator deems sufficient to establish that the Participant filed an application for a federal SSA disability award (or, if applicable under Section 2.23, an application for determination of Disability by the Pension Committee) before the expiration of one (1) year following Termination of employment due to Disability. Such documentation may include a copy of such application, a copy of the Disability award or determination received in response to such application, or an affidavit completed by the Participant (on the GMEBS retirement application or another Applicable Form provided for such purpose) in which the Participant affirms that such application has been filed.

(3) Special Rule in Case of Disability Award on Subsequent SSA Disability Application - In the event that a Participant's application for a SSA disability award is denied, the Participant must make any subsequent application for a SSA disability award within six (6) months following such denial becoming final, must allege in the subsequent SSA application a disability onset date that is on or before the Participant's Termination date, and where the Participant is subsequently granted a SSA disability award, the Participant must submit the following to the Pension Committee Secretary

following or coinciding with the date of acceptance of the Participant's completed GMEBS retirement application form by the Pension Committee, provided such application includes: (1) a Social Security Administration (SSA) disability award reflecting a disability onset date on or before the Participant's Termination date; or (2) if applicable under Section 2.23, a Pension Committee determination of Disability reflecting a Disability onset date on or before the Participant's Termination date; or (3) where the Participant has received a SSA disability award in response to a subsequent SSA disability application as provided under Section 2.23, documentation which the Administrator deems sufficient to establish that the disability onset date reflected in the SSA disability award immediately follows the date of denial of the Participant's prior SSA disability application (due to application of Social Security Administration res judicata rules) and that the Participant's actual Disability onset date was on or before the Participant's Termination date. In no event shall Disability Retirement benefits be payable before the Participant's Disability Retirement Date.

(d) Amount of Disability Retirement Benefit - The amount of the monthly Disability Retirement benefit shall be determined as provided in the Adoption Agreement. The Adopting Employer may elect in the Adoption Agreement to specify another method for calculation of the benefit, and require an offset against the monthly Disability Retirement benefit for other types of payments received by the Participant. The Participant shall receive the monthly Disability Retirement benefit provided in this Section, or any other Monthly Retirement Benefit granted under the Plan for which the Participant is eligible if such benefit is greater than the aforesaid monthly Disability Retirement benefit. However, under no circumstances shall any Retired Participant be entitled at one time to more than one type of Retirement benefit granted under the Plan.

(2) Notwithstanding the foregoing provisions, no increase in the amount of a Monthly Retirement Benefit due to changes in the Current Average Cost-of-Living Index Figure effective at any annual Adjustment Date shall be in excess of a certain percentage of the amount of the Monthly Retirement Benefit payable immediately prior to each Participant's or Beneficiary's applicable adjustment date. Said percentage limit shall be designated by the Employer in the Adoption Agreement.

(d) An Adopting Employer may implement one-time or ad-hoc cost-of-living adjustments by adopting an Addendum to the Adoption Agreement to effect said increase.

(e) In lieu of the variable cost-of-living adjustment referred to in subsections (a)-(c) above, the Employer may elect in the Adoption Agreement to provide for a fixed annual cost-of-living adjustment, subject to any limitations imposed by the Internal Revenue Code or regulations issued thereunder.

Section 6.06. In-Service Distribution; Suspension of Benefits Following Return to Service.

(a) **General Rules.**

(1) Unless otherwise provided in this Section and in the Adoption Agreement or any Addendum thereto, a Participant shall be required to Terminate Employment with an Adopting Employer prior to commencing Early, Normal or Alternative Normal Retirement benefits under such Employer's GMEBS Plan. Likewise, unless otherwise provided in this Section and in the Adoption Agreement or any Addendum thereto, if a Retired Participant returns to service as an Eligible Employee with an Adopting Employer from whose Trust Fund the Retired Participant is receiving a Monthly

(3) Minimum Age Parameters for In-Service Distribution. In order to commence or continue receiving Normal or Alternative Normal Retirement benefits without a Bona Fide Separation from Service, if permitted under the Employer's Plan, a Participant shall be required to satisfy the following minimum age and other requirements:

(A) For a Participant who is not a "public safety employee" at the time the Participant applies for Normal or Alternative Normal Retirement benefits (and a Participant who is a public safety employee at the time the Participant applies for Normal or Alternative Normal Retirement benefits unless subparagraph 6.06(a)(3)(B) below applies), the Participant must be at least age sixty-two (62) (or such lower age specified under applicable federal law as a safe-harbor age for distributions during working retirement) to receive an In-Service Distribution.

(B) For a Participant who is a "public safety employee" in the service of the Employer at the time the Participant applies for Normal or Alternative Normal Retirement benefits, the Participant must be at least age sixty-two (62) (or such lower age specified under applicable federal law as a safe-harbor age for distributions during working retirement) to receive an In-Service Distribution; provided, however, that if the Adopting Employer's Plan provides for a Normal Retirement Age or Alternative Normal Retirement Age which applies only to public safety employees and which is at least age fifty (50) (or such lower age specified under applicable federal law as a safe-harbor age for distributions during working retirement), the Participant may receive an In-Service Distribution as long as the Participant is at least such age. For purposes of this subparagraph (B),

Alternative Normal Retirement, as applicable, (ii) satisfied the minimum age parameters set forth in subparagraph 6.06(a)(3), and (iii) applied for such Retirement benefits on the Applicable Form to apply for and begin receiving their Retirement benefit as an In-Service Distribution while in service as an Eligible Employee even though they have not yet Terminated Employment with the Employer or to continue receiving Normal or Alternative Normal Retirement benefits following a return to Service as an Eligible Employee without first incurring a Bona Fide Separation from Service.

(2) Exception to General Rule; Continuing to Draw Early, Normal or Alternative Normal Retirement Benefits After Returning to Service as Eligible Employee Following a Bona Fide Separation from Service. Notwithstanding the requirement for suspension of benefits upon reemployment under subsection 6.06(a)(1) above, an Adopting Employer may elect in the Adoption Agreement or any addendum thereto to permit Retired Participants or certain classes of Retired Participants who return to service as Eligible Employees following a Bona Fide Separation from Service to continue receiving Early, Normal or Alternative Normal Retirement benefits following such return to service, regardless of the Participant's age, in accordance with and subject to the following requirements:

(A) Reemployment as Eligible Employee after Normal Retirement Date. An Adopting Employer may elect (notwithstanding required suspension under Section 6.06(a)(1)) in the Adoption Agreement or any Addendum thereto to permit Retired Participants or certain classes of Retired Participants to continue receiving Retirement benefits if they return to service with the Adopting Employer as an Eligible Employee on or after their Normal Retirement Date or

Date (or Alternative Normal Retirement Date, as applicable), notwithstanding continued service with the Employer, provided that the Participant satisfies the minimum age parameters for an In-Service Distribution pursuant to Section 6.06(a)(3). Said Monthly Retirement Benefit shall be computed in accordance with this Article, based upon the Participant's Total Credited Service and Final Average Earnings, if applicable, through the date the Participant recommences receipt of a Monthly Retirement Benefit pursuant to this subsection. However, except as otherwise provided in the Adoption Agreement or in an Addendum thereto, said Monthly Retirement Benefit shall be reduced by the Actuarial Equivalent of any Retirement benefits received by the Participant prior to said suspension, and by any actuarial factors used in calculating the benefit payable at the time of the previous Retirement. For purposes of this subsection, the term "Actuarial Equivalent" shall mean an amount equal to the value of Retirement benefit payments received, determined as of the date the Participant recommences receipt of a Monthly Retirement Benefit, and computed on the basis of the actuarial assumptions contained in Section 12.06. In no event shall the resulting Monthly Retirement Benefit be less than the Participant's benefit payable immediately prior to said suspension.

(ii) Exception to General Rule: Continuation of Early Retirement Benefits Upon Return to Service as Eligible Employee Following Bona Fide Separation from Service. Notwithstanding the

(4) With respect to Participants described in Section 6.06(b)(1) and (2) above, except as otherwise provided in the Adoption Agreement or in an Addendum thereto, upon said Participants' subsequent termination of employment or vacation of office, as applicable, their Monthly Retirement Benefit shall be computed in accordance with this Article on the basis of their aggregate Total Credited Service and Final Average Earnings, if applicable, at the time of such termination of employment or vacation of office, but it shall be reduced by the Actuarial Equivalent of any Retirement benefits received prior to re-retirement, and by any actuarial factors used in calculating the benefit payable at the previous Retirement. For purposes of this subsection, the term "Actuarial Equivalent" shall mean an amount equal to the value of Retirement benefits received, determined as of the date of the Participant's re-retirement and computed on the basis of the actuarial assumptions contained in Section 12.06. In no event shall the resulting benefit be less than the benefit payable immediately prior to the Participant's re-retirement.

(c) Exception to General Rule; In-Service Distribution for Individuals Who Are Not Eligible Employees; Continuation of Retirement Benefits Following Return to Service in a Capacity Other Than as an Eligible Employee After a Bona Fide Separation from Service.

(1) In-Service Distribution Prior to Termination. Notwithstanding the general rule in Section 6.06(a)(1) and except as may be otherwise provided in the Adoption Agreement or an Addendum thereto, regardless of whether an Employer elects to permit active Participants to receive In-Service Distributions while serving as Eligible Employees under the Plan pursuant to paragraph 6.06(b)(1) above, an individual who is in service with the Adopting Employer, who previously accrued a benefit as an Eligible Employee under the Plan but who is not currently an Eligible Employee under the Plan,

Employer in a capacity other than as an Eligible Employee pursuant to paragraph 6.06(c)(1) or 6.06(c)(2) shall not accrue benefits or service credit for any purpose under the Plan during the individual's period of continued service with the Adopting Employer during which the individual is not an Eligible Employee.

(4) In the event that an individual described in paragraph 6.06(c)(1) or (2) subsequently becomes an Eligible Employee under the Plan, the provisions applicable to In-Service Distribution to Eligible Employees or to Retired Participants who return to Service with the Adopting Employer as an Eligible Employee, as applicable, under subsection 6.06(b) above and the Adopting Employer's Adoption Agreement or Addendum shall apply with respect to such individual. Except as otherwise provided in the Adoption Agreement or in an Addendum thereto, upon such a Participant's subsequent Termination of Employment or vacation of office, as applicable, the Participant's Monthly Retirement Benefit shall be computed in accordance with this Article on the basis of the Participant's aggregate Total Credited Service and Final Average Earnings, if applicable, at the time of such Termination of Employment or vacation of office. However, this Monthly Retirement Benefit shall be reduced by the Actuarial Equivalent of any Retirement benefits received prior to re-retirement, and by any actuarial factors used in calculating the benefit payable at the previous Retirement. For purposes of this subsection, the term "Actuarial Equivalent" shall mean an amount equal to the value of Retirement benefits received, determined as of the date of the Participant's re-retirement and computed on the basis of the actuarial assumptions contained in Section 12.06. In no event shall the resulting benefit be less than the benefit payable immediately prior to the Participant's re-retirement.

respect to Participants whose entitlement to a Disability benefit is based upon a determination by the Pension Committee, the date as of which the Pension Committee determines that the Participant is no longer disabled as defined under Code Section 72(m), based upon an examination by a physician chosen by the Pension Committee. With respect to those Participants whose entitlement to a Disability benefit is based upon receipt of disability insurance benefits under the Federal Social Security Act, the Participant shall be required to notify the Pension Committee Secretary within sixty (60) days after the Participant receives notice that the Social Security Administration has determined that the Participant is no longer disabled. With respect to those Participants whose entitlement to a Disability benefit is based upon receipt of disability insurance benefits under the Federal Social Security Act, the Pension Committee shall have the right to require the Participant to prove at any time, as a condition for continued receipt of Disability benefits under the Plan, continued eligibility for receipt of disability insurance benefits under the Federal Social Security Act, as amended. With respect to Participants whose entitlement to a Disability benefit is based upon a determination of Disability by the Pension Committee, the Pension Committee shall have the right to require, as a condition for continued receipt of Disability benefits, that the Participant be examined at any time by a physician chosen by the Pension Committee. In the event that any Participant fails or refuses to submit to a physical examination or to obtain and provide other information requested by the Pension Committee to confirm continuation of a Disability, then the Participant's Disability benefits shall be suspended as of the first day of the month following expiration of the ninety (90) day period following the Pension Committee's request for such examination or information, unless the Pension Committee

Retirement benefit because of the cessation of said Disability, or as otherwise provided pursuant to subsection 6.06(e) above, shall have a right to any benefit afforded under any other provision of this Plan to which the Participant or the Participant's beneficiary might otherwise be entitled. In such case, any Disability Retirement payments made prior to the required suspension date shall be retained by the Retiree and disregarded in computing any other benefit payable under the Plan.

(2) Notwithstanding the foregoing, nothing herein shall be construed to allow a Retired Participant who shall have Retired or been Retired due to Disability, who returns to service with the Employer, and who subsequently re-retires to elect a different benefit payment form or name a new post-retirement beneficiary upon re-retirement.

(3) Unless otherwise provided in an Employer's Adoption Agreement or in an Addendum thereto, in the event that a Retired Participant who is receiving a Disability Retirement benefit returns to service as an elected or appointed member of the Governing Authority, and the Participant's Disability Retirement benefit is not suspended, any Disability Retirement payments made prior to the Participant's return to service or during such period(s) of service as an elected or appointed member of the Governing Authority following such return shall be retained by the Participant and disregarded in computing any other benefit payable under the Plan upon the Participant's subsequent vacation of office.

ARTICLE VII.

OPTIONAL FORMS OF RETIREMENT INCOME

Section 7.01. Standard Benefit Payment Form; Other Payment Options. With respect to retirement applications received by GMEBS on or after July 1, 2011, a Participant may elect, or may revoke a previous election and make a new election, at any time prior to the

payable to the Participant under Section 7.01 (monthly retirement benefit payable to the Participant during the Participant's lifetime only, referred to as "OPTION A").

(a) OPTION B: Joint and Survivor Option with Pop-Up. A retirement benefit computed and paid in the same manner as Option A above, but with a decrease in the retirement benefit to account for the survivor benefit and the pop-up benefit provided under this Option B. If the Participant elects Option B, then the Participant will receive a decreased retirement benefit which shall be payable during the lifetime of the Participant. If the Participant's designated Post-Retirement Beneficiary should survive the Participant (except as provided in subsections (1) and (2) below with respect to the Post-Retirement Beneficiary's death before the Participant or the divorce of the Participant and Post-Retirement Beneficiary) the benefit shall continue to be paid to the Post-Retirement Beneficiary after the Participant's death during the lifetime of the Post-Retirement Beneficiary in the same amount (100%) or in such smaller amount (75%, 50%, or 25%), as the Participant has designated on the retirement application. This option shall be known as Option B. The Participant's retirement benefit under Option B shall be calculated in accordance with Section 12.02(a) or Section 12.02(b), whichever is applicable.

(1) Death of Post-Retirement Beneficiary Before Participant — In the event that the Participant's Post-Retirement Beneficiary dies before the Participant and after Retirement benefit payments have commenced, and provided the Participant furnishes GMEBS with proper proof of the Beneficiary's death within one (1) year after such death, the requirement for a reduction in the Participant's monthly retirement benefit on account of the Participant's election of Option B shall no longer apply (resulting in an increase, or "pop-up", in the Participant's monthly retirement benefit), effective as of the first day of the month following the Post-Retirement Beneficiary's death. Effective with respect to

the Participant's eligibility for the pop-up benefit provided herein, which may include but may not be limited to a court-certified copy of a valid divorce decree. In the event that the conditions of this subsection (2) are satisfied, the requirement for a reduction in the Participant's monthly retirement benefit on account of the election of Option B will no longer apply; provided, however, that GMEBS may deny the Participant's application for the pop-up in the event that GMEBS, in its sole discretion, determines that such denial is prudent or necessary based on the terms of the applicable divorce decree. Any change in the monthly retirement benefit resulting from the pop-up, if approved by GMEBS, will be effective as of the first day of the month following GMEBS' receipt of said Applicable Form completed by the Participant, and after GMEBS' receipt of said proof evidencing divorce. Effective with respect to monthly payments made on and after such date, the amount of the Participant's monthly retirement benefit will be equal to the monthly amount that would have otherwise been payable to the Participant under Article VI had the Participant elected Option A. On and after said date, the Participant's Post-Retirement Beneficiary will not be eligible to receive any survivor benefits following the Participant's death, notwithstanding any prior designation made by the Participant or the later remarriage of the Participant and the Post-Retirement Beneficiary. All payments shall cease at the death of the Participant and no further benefits will accrue to the Participant's estate or to other persons. This provision shall not be construed to permit a Participant to change the form of benefit payment, to change the Post-Retirement Beneficiary after the Participant's effective Retirement date, or to name a new Post-Retirement Beneficiary following the Participant's divorce from the Post-Retirement Beneficiary. Nor shall this provision be construed to require or permit payment of all or

recipient does not exceed Five Thousand Dollars (\$5,000) on the date of distribution. The present value of said Plan benefit shall be determined in accordance with Article XII.

(b) Effective for distributions commencing on or after March 28, 2005, if a distribution to be made under subsection (a) is greater than One Thousand Dollars (\$1,000), is an eligible rollover distribution, and the recipient of the distribution does not elect to have the distribution paid directly to an eligible retirement plan specified by the recipient in a direct rollover or does not elect to receive the distribution directly, the Administrator will pay the distribution in a direct rollover to an individual retirement plan designated by the Administrator.

(c) Notwithstanding the provisions of subsections (a) and (b), effective on and after July 1, 2007, no distribution will be made under this Section unless and until the recipient of the distribution makes an election to either have the distribution paid directly to an eligible retirement plan specified by the recipient in a direct rollover or to receive the distribution directly in cash.

Section 7.06. Distributions.

(a) Distributions payable as of any date shall be made on or as soon as administratively feasible after that date.

(b) In a contributory plan, interest shall be paid on any refund of employee contributions only as specified in the Adoption Agreement.

Section 7.07. Compliance with Internal Revenue Section 401(a)(9). All distributions shall be made in compliance with Article X.

Section 7.08. Compliance with Internal Revenue Section 415. All benefit options must comply with the limitations of Code Section 415, pursuant to Article XI and as applicable to governmental plans.

no event shall the amount of Total Credited Service used in the calculation exceed the sum of actual service performed plus ten (10) calendar years. The death benefit under this Section shall be calculated using the factors contained in Section 12.04.

(c) With respect to those Adopting Employers who have elected in their Adoption Agreement to provide the Actuarial Reserve In-Service Death Benefit, an Eligible Regular Employee must have at least one (1) year of Credited Service with the Adopting Employer to be eligible for the Actuarial Reserve In-Service Death Benefit; provided, however, that this one (1) year minimum shall not apply with respect to an Eligible Regular Employee whose immediate prior employment was with another GMEBS Adopting Employer and who had at least one (1) year of Credited Service with such prior GMEBS Adopting Employer. The one (1) year minimum and the exceptions thereto described in this subsection 8.02(c) shall not supersede eligibility conditions specified in an Adopting Employer's Adoption Agreement or Addendum thereto which specify a requirement of more or less than one (1) year of Credited Service with the Adopting Employer and/or other minimum age or service requirements that are inconsistent with this Section 8.02 to be eligible for the Actuarial Reserve In-Service Death Benefit. Except as otherwise provided in an Adopting Employer's Adoption Agreement or Addendum thereto, elected or appointed members of the Governing Authority shall not be subject to a minimum Service requirement to be eligible for the Actuarial Reserve In-Service Death Benefit.

Section 8.03. Auto A In-Service Death Benefit. An Employer may elect in the Adoption Agreement to provide the Auto A in-service death benefit for one or more classes of Eligible Employees. In such case, the Employer shall designate in the Adoption Agreement the minimum Service and other eligibility requirements a Participant must satisfy in order to be entitled to such benefit. Provided a Participant satisfies such requirements, then in the event that

Retirement Beneficiary before the Participant would have attained Early Retirement Age, then the monthly death benefit payable to said beneficiary shall be the Actuarial Equivalent of the monthly Retirement benefit amount that would have otherwise been payable to the Participant, assuming the Participant: (i) terminated employment on the Participant's date of death; (ii) survived until Normal Retirement Age as defined in the Adoption Agreement; and (iii) elected to retire upon attaining Normal Retirement Age with the optional form of Retirement payment designated in Section 7.03 as Option B at one hundred percent (100%), and then died. Said benefit shall be calculated in accordance with the actuarial assumptions specified in Section 12.06.

(2) Participant Death Before Early Retirement Age; Deferred Payment by Spouse Until After Early Retirement Age. If the Participant dies before attaining Early Retirement Age as defined in the Employer's Adoption Agreement and a Spouse who is eligible to receive the in-service death benefit hereunder defers payment until a date which is on or after the date the Participant would have attained Early Retirement Age, then the monthly death benefit payable to the Spouse Beneficiary shall be the monthly Retirement benefit that would have otherwise been payable to the Participant, assuming that the Participant: (i) terminated employment on the date of death; (ii) survived until the date upon which the deferred benefit payments commence in accordance with the Spouse Beneficiary's selected benefit commencement date; and, (iii) elected to retire on the benefit commencement date with the optional form of Retirement payment designated in Section 7.03 as Option B at one hundred percent (100%), and then died.

(3) Participant Death After Early Retirement Age; Payment Upon Death. If the Participant dies after attaining Early Retirement Age as defined in the Employer's

satisfied the minimum service and other eligibility requirements to be entitled to an in-service pre-retirement death benefit, said Primary Pre-Retirement Beneficiary shall receive the monthly pre-retirement death benefit elected by the Employer in the Adoption Agreement, provided the Primary Pre-Retirement Beneficiary survives the Participant by at least thirty-two (32) days in accordance with O.C.G.A. § 47-1-15 (a copy of which is included in the Appendix hereto). The Participant may additionally designate, on an Applicable Form provided for that purpose, one person as Secondary Pre-Retirement Beneficiary. The monthly death benefit otherwise payable to the Primary Pre-Retirement Beneficiary hereunder shall be payable to the Participant's designated Secondary Pre-Retirement Beneficiary in the event that: (1) the Participant's employment with the Employer is terminated by reason of the Participant's death prior to the Participant's Retirement; (2) the Primary Pre-Retirement Beneficiary does not survive the Participant by at least thirty-two (32) days; and (3) the Secondary Pre-Retirement Beneficiary survives the Participant by at least thirty-two (32) days.

Section 8.05. Change of Beneficiary. Designation of a Primary or Secondary Pre-Retirement Beneficiary may be changed by the Participant in writing on an Applicable Form provided for that purpose at any time prior to Retirement. Only the last such designation prior to Retirement shall have effect and any new designation of a Primary or Secondary Pre-Retirement Beneficiary invalidates, supersedes, and revokes any prior designation.

Section 8.06. Auto A In-Service Pre-Retirement Death Benefit; Default Beneficiary; Payment to Surviving Spouse or to Estate Where Benefit Not Payable to Designated Primary or Secondary Pre-Retirement Beneficiary.

(a) Except as otherwise provided in an Adopting Employer's Adoption Agreement or Addendum, in the absence of a designation by the Participant, or if there is no Primary or

surviving Spouse in accordance with this Section, in which case the Participant's surviving Spouse shall be considered the Pre-Retirement Beneficiary under the Plan. For purposes of this Section, the term "surviving" shall mean surviving the Participant by at least thirty-two (32) days.

(b) If there is no Pre-Retirement Beneficiary (i.e., a designated Pre-Retirement Beneficiary or surviving Spouse) to whom the death benefit is payable, then the Actuarial Equivalent of the Participant's vested Accrued Retirement Benefit shall be paid to the Participant's estate in lieu of the lifetime monthly benefit which would otherwise be payable to a Pre-Retirement Beneficiary. Such Actuarial Equivalent shall be determined as if the Participant had terminated employment on the date immediately preceding the Participant's date of death and received a lump sum distribution of benefits under Section 7.05, determined without reference to the maximum cash-out limits of said Section, and using the assumptions set forth in Section 12.06.

Section 8.08. Terminated Vested Death Benefits. If the Employer elects in the Adoption Agreement to provide a death benefit for Terminated Vested Participants or for certain classes of Terminated Vested Participants, then in the event such a Terminated Vested Participant dies before the effective Retirement Date, there shall be paid to the Pre-Retirement Beneficiary the terminated vested death benefit specified in the Adoption Agreement, provided the requirements of this Article are satisfied and except as otherwise provided in this Article. Notwithstanding any provision to the contrary, effective October 1, 2016, an Adopting Employer that had not previously elected in its Adoption Agreement or Addendum thereto to provide a Terminated Vested death benefit to one or more classes of Participants shall be deemed to have elected by default to provide the Terminated Vested Auto A Death Benefit to such class or classes of Participants who terminate employment on or after such date.

(a) Terminated Vested Participant Death Before Early Retirement Age; Payment Before Early Retirement Age. If a Terminated Vested Participant dies before attaining Early Retirement Age as defined in the Adoption Agreement, and if benefit payments commence to a beneficiary before the Terminated Vested Participant would have attained Early Retirement Age, then the monthly death benefit payable to the beneficiary shall be the Actuarial Equivalent of the monthly Retirement benefit amount that would have otherwise been payable to the Terminated Vested Participant, assuming: (i) the Terminated Vested Participant survived until Normal Retirement Age; and (ii) the Terminated Vested Participant elected the optional form of Retirement payment designated herein as Option B at one hundred percent (100%), and then died. Said benefit shall be calculated in accordance with the actuarial assumptions specified in Section 12.06.

(b) Terminated Vested Participant Death Before Early Retirement Age; Deferred Payment by Spouse Until After Early Retirement Age. If the Terminated Vested Participant dies before attaining Early Retirement Age as defined in the Adoption Agreement and a Spouse designated as beneficiary defers payment until a date which is on or after the date the Terminated Vested Participant would have attained Early Retirement Age, then the monthly death benefit payable to the Spouse shall be the monthly Retirement benefit that would have otherwise been payable to the Terminated Vested Participant, assuming that: (i) the Terminated Vested Participant survived until the date upon which the deferred benefit payments commence in accordance with the Spouse's selected benefit commencement date; and, (ii) the Terminated Vested Participant elected on such date to retire with the optional form of Retirement payment designated herein as Option B at one hundred percent (100%), and then died.

Retirement Beneficiary to whom the terminated vested Auto A death benefit is payable under this Article, then said pre-retirement death benefit shall be paid to the Participant's surviving Spouse in accordance with this Section, in which case the surviving Spouse will be considered the Pre-Retirement Beneficiary under the Plan. For purposes of this Section 8.09(e), the term "surviving" shall mean surviving the Participant by at least thirty-two (32) days. If there is no Pre-Retirement Beneficiary (i.e., a designated Pre-Retirement Beneficiary or surviving Spouse) to whom the terminated vested Auto A death benefit is payable, then a lump sum payment equal to fifty percent (50%) of the Actuarial Equivalent of the Participant's vested Accrued Benefit, if any, shall be paid to the Participant's estate in lieu of the lifetime monthly benefit which would otherwise be payable to a Pre-Retirement Beneficiary. Such lump sum Actuarial Equivalent shall be determined as if the Participant had received a lump sum distribution of said benefit under Section 7.05, calculated as of the date on which the payment is made, without reference to the maximum cash-out limits of said Section, and using the assumptions set forth in Section 12.06.

(f) Calculation of Benefits. Benefits under this Section shall be calculated taking into account only the Participant's Total Credited Service and Final Average Earnings (where applicable) as of the date of the Participant's Termination of Employment with Adopting Employer, and the applicable benefit formula in effect on the date of said Termination.

Section 8.10. Accrued Retirement Benefit.

An Employer may elect in the Adoption Agreement to provide a death benefit consisting of the Accrued Benefit for one or more classes of Terminated Vested Participants. In such case, the Employer shall designate the minimum service and other eligibility requirements a Terminated Vested Participant must satisfy in order to be entitled to such benefit. Provided a Terminated

Section 8.11. Designation of Terminated Vested Pre-Retirement Beneficiary. The Primary and Secondary Pre-Retirement Beneficiary designated by the Participant to receive in-service death benefits under Section 8.04 shall automatically be considered the Participant's Primary and Secondary Pre-Retirement Beneficiary for purposes of payment of terminated vested pre-retirement death benefits, if any, under the Employer's Plan. If the Participant changes said beneficiary designation in accordance with Section 8.05, the Participant's designation under this Section shall be considered changed as well to reflect the new designation. In the absence of a designation by the Participant, or if there is no Primary or Secondary Pre-Retirement Beneficiary to whom a terminated vested pre-retirement death benefit is payable upon the Participant's death, then the terminated vested pre-retirement death benefit otherwise payable, if any, shall be paid to the Participant's surviving Spouse in accordance with and subject to the applicable provisions of this Article, in which case the surviving Spouse will be considered the Pre-Retirement Beneficiary under the Plan. For purposes of this Section, the term "surviving" shall mean surviving the Participant by at least thirty-two (32) days. If there is no Pre-Retirement Beneficiary to whom a death benefit is payable, the death benefit shall be payable to the Participant's estate in accordance with and subject to the applicable provisions of this Article.

Section 8.12. Participant Death After Retirement Benefit Commencement. With respect to retirement applications received by GMEBS on or after July 1, 2011, upon the death of a Retired Participant subsequent to Retirement, there shall be payable to the Participant's designated Post-Retirement Beneficiary, a benefit to be determined as follows:

(a) If the Participant has elected a form of payment that does not permit designation of a Post-Retirement Beneficiary (Option A), as provided in Article VII, or if the Participant has

of the Retired Participant's death, the lump-sum death benefit described in this subsection 8.12(b) shall be paid to the estate of the Retired Participant. The lump sum death benefit described in this subsection 8.12(b) shall not be considered part of the standard benefit payment form (Option A) for purposes of determining actuarial equivalence. The lump sum death benefit paid pursuant to this subsection 8.12(b) shall be included in determining the sum of all benefits paid to the Participant for purposes of determining the amount of any refund of Employee Contributions payable under Section 13.06. For purposes of this subsection, the term "surviving" shall mean surviving the Retired Participant by at least thirty-two (32) days.

(c) If the Participant has elected a form of payment that permits designation of a Post-Retirement Beneficiary (Option B or C) as provided in Article VII, and the Participant's designated Post-Retirement Beneficiary survives him, benefits shall be payable to the Post-Retirement Beneficiary as provided by the option elected, commencing the month following the Participant's last benefit payment month.

ARTICLE IX.

TERMINATION BEFORE RETIREMENT; VESTING

Section 9.01. Vesting Requirement for Deferred Retirement Benefit. An Employer may establish different vesting requirements for different classes of Eligible Employees in the Adoption Agreement. A Participant whose employment is terminated for any reason other than death or Retirement shall be entitled to a Vested right in the Accrued Benefit only if the Participant meets the Qualifications for a deferred Vested Retirement benefit specified in the Adoption Agreement. Payment of such Vested Retirement Benefit shall commence on the first day of the month in which the effective Retirement Date occurs and shall be payable on the first day of each month thereafter during the lifetime of the Participant, unless the Participant elects an optional form of benefit payment under Article VII. The amount of such Monthly Retirement

an elected or appointed member of the Governing Authority only if said Participant meets the qualifications for a deferred Vested benefit applicable to elected or appointed members of the Governing Authority and Municipal Legal Officers as specified in the Adoption Agreement. Unless otherwise specified in the Employer's Adoption Agreement or Addendum thereto, if a Participant has Credited Service both as an elected or appointed member of the Governing Authority or a Municipal Legal Officer and as an Eligible Regular Employee of the Adopting Employer, the Participant's combined Total Credited Service shall be taken into account in determining whether the Participant has satisfied the minimum service requirements for vesting under the Plan and the minimum service requirements for benefit eligibility under the Plan that are applicable to Eligible Regular Employees, Municipal Legal Officers, and/or elected or appointed members of the Governing Authority, as applicable.

Section 9.03. Immediate Vesting in Disability Retirement Benefit. If the Employer elects in the Adoption Agreement to provide Disability benefits, and unless otherwise specified in the Adoption Agreement, a Participant who is Disabled and otherwise meets the Plan's eligibility requirements for payment of a Disability Retirement Benefit shall be considered 100% Vested in such benefit.

Section 9.04. Involuntary Termination Without Cause. Notwithstanding any more restrictive vesting requirement imposed by the Employer in the Adoption Agreement, a Participant whose employment is terminated involuntarily and without cause shall be entitled to a one hundred percent (100%) Vested Benefit if said Participant has completed five (5) years of Total Credited Service. For the purpose of this condition, "cause" for dismissal shall mean negligence or inefficiency in performing the duties of the position held, unfitness to perform

terminate on or after September 26, 2014, pre-retirement death benefit eligibility, under the Adoption Agreement of any GMEBS Adopting Employer, the Participant's Total Credited Service with all other of the Participant's past and future Adopting Employers shall be taken into account. In no event, however, shall service with one GMEBS Employer be used to calculate the benefit amount due the Participant from another GMEBS Employer. Prior to January 1, 2015, except as otherwise provided in Section 4.02(c)(7) concerning immediate participation for Participants who transfer from one GMEBS Adopting Employer to another, service with one GMEBS Adopting Employer may not be used to establish participation in another Adopting Employer's plan.

Section 9.06. Forfeiture of Benefits for Certain Crimes.

(a) Survivor benefits or refunds otherwise payable to a person upon the death of a Participant, Terminated Vested Participant, Retired Participant, or beneficiary shall be forfeited if the person commits or conspires to commit murder or involuntary manslaughter against a Participant, Terminated Vested Participant, Retired Participant, or beneficiary, in accordance with and subject to the applicable provisions of O.C.G.A. § 47-1-24 (a copy of which is included in the Appendix hereto). The terms of said code section are incorporated herein by reference, including any future amendments thereto.

(b) If the Adopting Employer receives information that a beneficiary has been convicted of any crime referenced in this Section which could potentially result in reduction or forfeiture of benefits, the Adopting Employer shall notify the Administrator when it receives notice of such conviction.

records of the Plan and the amount thereof be treated as a forfeiture and placed in the Employer's GMEBS Trust Fund.

(b) In the event that a payment (e.g., a return of Employee Contributions, or a payment of Retirement, Disability or Death benefits) is due to the estate of a Participant or beneficiary but the Administrator is unable to process such payment due to the absence of said estate or lack of information needed to process payment to said estate, or, following the expiration of six (6) months after the date on which the payment is issued the payment remains outstanding, the Administrator shall so notify the Adopting Employer. The Adopting Employer shall attempt to locate documents establishing such estate, a correct address or bank account or other necessary information to process such payment. If the Adopting Employer is unable to ascertain such documentation or information within six (6) months after receiving notice from the Administrator of the outstanding payment, the Administrator shall direct that the payment be cancelled on the records of the Plan and the amount thereof be treated as a forfeiture.

(c) Notwithstanding the foregoing provisions of this Section, if a Participant, beneficiary or surviving Spouse whose whereabouts or payment information is unknown and whose benefits are forfeited pursuant to this Section subsequently claims such benefits on the Applicable Form, such forfeited benefit shall be reinstated and shall be paid retroactively, without interest, to the date of the first cancelled payment. Likewise, if the executor of an estate to which a payment was forfeited pursuant to paragraph (b) above subsequently claims such benefits on the Applicable Form, the forfeited benefit shall be reinstated and shall be paid, without interest, to the estate.

(d) Forfeitures arising from the inability to determine the whereabouts of or payment information for a Participant, beneficiary or surviving Spouse, or arising from Termination of

ARTICLE X.

DISTRIBUTION AND ROLLOVER RULES

Section 10.01. Distribution Rules Imposed by Federal Law. Notwithstanding any provision of this Plan to the contrary, any distribution under the Plan shall be made in accordance with Code Section 401(a)(9) and the Treasury regulations promulgated thereunder, including the incidental benefit rules under Code Section 401(a)(9)(G), and shall comply with the following rules:

(a) With respect to distributions under the Plan made for calendar years beginning on or after January 1, 2002, the Plan shall apply the minimum distribution requirements of Code Section 401(a)(9) in accordance with the Final Regulations under Code Section 401(a)(9) that were issued on April 17, 2002, and June 15, 2004, notwithstanding any provision of the Plan to the contrary. GMEBS is coordinating the compliance with the Final Regulations to comply with the good faith reasonable standard of Pension Protection Act of 2006 Section 823.

(b) A Participant's entire interest will be distributed, or begin to be distributed, to the Participant no later than the Participant's required beginning date. For purposes of this Section, "required beginning date" means April 1 of the calendar year following the later of (i) the calendar year in which the Participant reaches age seventy and one-half (70½), or (ii) the calendar year in which the Participant Retires.

(c) If the Participant dies before distributions begin, the Participant's entire interest will be distributed, or begin to be distributed, no later than as follows:

(1) If the Participant's surviving spouse is the Participant's sole designated beneficiary, then distributions to the surviving spouse will begin by December 31 of the calendar year immediately following the calendar year in which the Participant died, or

If annuity payments irrevocably commence to the Participant before the Participant's required beginning date (or to the Participant's surviving spouse before the date distributions are required to begin to the surviving spouse under this subsection (c)), the date distributions are considered to begin is the date distributions actually commence.

(d) The amount that must be distributed on or before the Participant's required beginning date (or, if the Participant dies before distributions begin, the date distributions are required to begin under subsection (c)) is the payment that is required for one payment interval. The second payment need not be made until the end of the next payment interval even if that payment interval ends in the next calendar year. Payment intervals are the periods for which payments are received, e.g., bi-monthly, monthly, semi-annually, or annually. All of the Participant's benefit accruals as of the last day of the first distribution calendar year will be included in the calculation of the amount of the annuity payments for payment intervals ending on or after the Participant's required beginning date.

(e) Any additional benefits accruing to the Participant in a calendar year after the first distribution year will be distributed beginning with the first payment interval ending in the calendar year immediately following the calendar year in which such amount accrues.

(f) If the Participant's interest is being distributed in the form of a joint and survivor annuity for the joint lives of the Participant and a non-spouse beneficiary, annuity payments to be made on or after the Participant's required beginning date to the designated beneficiary after the Participant's death must not at any time exceed the applicable percentage of the annuity payment for such period that would have been payable to the Participant using the applicable table set forth in the Treasury Regulations. If the form of distribution combines a joint and survivor annuity for the joint lives of the Participant and a non-spouse beneficiary and a period certain

Section 10.02. Rollover of Distributions. Notwithstanding any provision of the Plan to the contrary that would otherwise limit a Distributee's election under this Section, a Distributee may elect, at the time and in the manner prescribed by the Administrator, to have any portion of an Eligible Rollover Distribution paid directly to an Eligible Retirement Plan specified by the Distributee in a Direct Rollover. The following definitions shall apply to this Section:

(a) An "Eligible Rollover Distribution" is any distribution of all or any portion of the balance to the credit of the Distributee, except that an Eligible Rollover Distribution does not include: (i) any distribution that is one of a series of substantially equal periodic payments (not less frequently than annually) made for the life (or life expectancy) of the Distributee or the joint lives (or joint life expectancies) of the Distributee and the Distributee's designated beneficiary, or for a specified period of ten (10) years or more; (ii) any distribution to the extent such distribution is required under Code Section 401(a)(9); (iii) the portion of any distribution that is not includible in gross income; or (iv) any other distributions which the Internal Revenue Service does not consider eligible for rollover treatment, such as certain corrective distributions necessary to comply with the provisions of Code Section 402(g) or 415. Effective January 1, 2002, an Eligible Rollover Distribution also includes a distribution to a surviving spouse. Effective January 1, 2002, a portion of a distribution will not fail to be an Eligible Rollover Distribution merely because the portion consists of after-tax Employee Contributions that are not includible in gross income. However, such portion may be transferred only to a (1) traditional individual retirement account or annuity described in IRC 408(a) or (b) (a "traditional IRA") or a Roth individual retirement account or annuity described in IRC 408(A) (a "Roth IRA"), or (2) to a qualified defined contribution defined benefit or annuity plan described in IRC 401(a) or 403(a) or to an annuity contract described in IRC 403(b), if such plan or contract provides for

accounting for the portion of such distribution which is includible in gross income and the portion of such distribution which is not so includible.

(c) A "Distributee" includes an employee or former employee. A Distributee also includes the employee's or former employee's surviving spouse. A Distributee also includes a nonspouse beneficiary who is a designated beneficiary as defined by Code Section 401(a)(9)(E). However, a nonspouse beneficiary may only make a direct rollover of the distribution to an individual retirement account or individual retirement annuity established for the purpose of receiving the distribution, and the account or annuity will be treated as an "inherited" individual retirement account or annuity.

(d) A "Direct Rollover" is a payment by the Plan to the Eligible Retirement Plan specified by the Distributee.

(e) Notwithstanding subsection (a), if an Eligible Rollover Distribution is expected to total less than Two Hundred Dollars (\$200) during a year, such payment may not be directly rolled over.

Section 10.03. Acceptance of Eligible Rollover Distributions. To the extent permitted by the applicable provisions of the Code and regulations issued thereunder, for the purpose of purchasing Credited Service or repaying withdrawn Employee Contributions (including any Contributions made to purchase prior service credit, as applicable) as permitted under the Plan and the Employer's Adoption Agreement (i) a Participant may contribute to the Plan as a rollover contribution a qualified rollover amount from a qualified plan under Code Section 401(a), an annuity plan under Code Section 403(a), an individual retirement account or annuity under Code Sections 408(a) or (b), a governmental deferred compensation plan under Code Section 457(b), or a tax-sheltered annuity under Code Section 403(b), that is includible in

plan has terminated) of the Employer for any Participant exceed an amount equal to One Hundred Sixty Thousand Dollars (\$160,000) as adjusted pursuant to Code Section 415(d)(1)(A).

(b) Adjustment for Benefits Commencing Before Age 62.

(1) If the retirement income benefit under the Plan begins before age sixty-two (62) and occurs in a limitation year beginning on or after July 1, 2007, and the Plan does not have an immediately commencing straight life annuity payable at both age sixty-two (62) and the age of benefit commencement, the One Hundred Sixty Thousand Dollar (\$160,000) limitation for the Participant's retirement income benefit commencement date is the annual amount of a benefit payable in the form of a straight life annuity commencing at the Participant's retirement income benefit commencement date that is the actuarial equivalent of the One Hundred Sixty Thousand Dollar (\$160,000) limitation (adjusted under subsection (h) for years of participation less than ten (10), if required) with actuarial equivalence computed using a five percent (5%) interest rate assumption and the applicable mortality table for the retirement income benefit commencement date (expressing the Participant's age based on completed calendar months as of the retirement income benefit commencement date).

(2) If the retirement income benefit under the Plan begins before age sixty-two (62) and occurs in a limitation year beginning on or after July 1, 2007, and the Plan has an immediately commencing straight life annuity payable at both age sixty-two (62) and the age of benefit commencement, the One Hundred Sixty Thousand Dollar (\$160,000) limitation for the Participant's retirement income benefit commencement date is the lesser of the limitation determined under paragraph (1) and the One Hundred Sixty Thousand Dollar (\$160,000) limitation (adjusted under subsection (h) for years of

is the annual amount of a benefit payable in the form of a straight life annuity commencing at the Participant's retirement income benefit commencement date that is the actuarial equivalent of the One Hundred Sixty Thousand Dollar (\$160,000) limitation (adjusted under subsection (h) for years of participation less than ten (10), if required), with actuarial equivalence computed using a five percent (5%) interest rate assumption and the applicable mortality table for that retirement income benefit commencement date as specified in Section 11.02(e)(2)(B) of the Plan (expressing the Participant's age based on completed calendar months as of the retirement income benefit commencement date).

(2) If the retirement income benefit under the Plan begins after age sixty-five (65) and occurs in a limitation year beginning on or after July 1, 2007, and the Plan has an immediately commencing straight life annuity payable at both age sixty-five (65) and the age of benefit commencement, the One Hundred Sixty Thousand Dollar (\$160,000) limitation at the Participant's retirement income benefit commencement date is the lesser of the limitation determined under paragraph (1) and the One Hundred Sixty Thousand Dollar (\$160,000) limitation (adjusted under subsection (h) for years of participation less than ten (10), if required) multiplied by the ratio of the annual amount of the adjusted immediately commencing straight life annuity under the Plan at the Participant's retirement income benefit commencement date to the annual amount of the adjusted immediately commencing straight life annuity under the Plan at age sixty-five (65), both determined without applying the limitations of this Article. For this purpose, the adjusted immediately commencing straight life annuity under the Plan at the Participant's retirement income benefit commencement date is the annual amount of such annuity payable to the Participant, computed disregarding the Participant's accruals after age

upon the death of the Participant prior to the retirement income benefit commencement. To the extent benefits are forfeited upon death before the retirement income benefit commencement date, such an adjustment shall be made. Furthermore, notwithstanding the requirements of this section, the adjustments provided for in subsections (b) and (c) shall not apply (i) in the event the Participant's benefit is based on at least fifteen (15) years of service as a full-time employee of any police or fire department or on fifteen (15) years of military service, or (ii) in the case of pre-retirement disability benefits or pre-retirement death benefits.

(e) Adjustment for Form Not Subject to Code Section 417(e)(3). For distributions made in any form other than a straight life annuity or a qualified joint and survivor annuity to which Code Section 417(e)(3) does not apply [generally, a monthly benefit], such benefit shall be adjusted to a straight life annuity, beginning at the same age, which is the actuarial equivalent of such benefit.

(1) For limitation years beginning before July 1, 2007, the actuarially equivalent straight life annuity for purposes of applying the limitations under Code Section 415(b) to benefits is equal to the greater of (or the reduced limitation applicable at the retirement income benefit commencement date which is the "lesser of" when adjusted in accordance with the following assumptions):

(A) the equivalent annual benefit computed using the interest rate and mortality table, or tabular factor, specified in Article XII of the Plan for actuarial equivalence for the particular form of benefit payable, and

(B) the equivalent annual benefit computed using a five percent (5%) interest rate assumption and the applicable mortality table described in Internal

commencement date which is the "least of" when adjusted in accordance with the following assumptions):

(1) The annual amount of the straight life annuity commencing at the retirement income benefit commencement date that has the same actuarial present value as the particular form of benefit payable, computed using the interest rate and mortality table, or tabular factor, specified in Article XII of the Plan for actuarial experience;

(2) The annual amount of the straight life annuity commencing at the retirement income benefit commencement date that has the same actuarial present value as the particular form of benefit payable, computed using a five and five-tenths percent (5.5%) interest assumption (or the applicable statutory interest assumption) and (i) for years prior to January 1, 2009, the applicable mortality tables for the distribution under Treasury Regulation Section 1.417(e)-1(d)(2) (the mortality table specified in Revenue Ruling 98-1 prior to 2003 and Revenue Ruling 2001-62 or any subsequent Revenue Ruling modifying the applicable provisions of Revenue Ruling 2001-62) and (ii) for years after December 31, 2008, the applicable mortality tables described in Code Section 417(e)(3)(B) (Notice 2008-85 or any subsequent Internal Revenue Service guidance implementing Code Section 417(e)(3)(B)); or

(3) the annual amount of the straight life annuity commencing at the retirement income benefit commencement date that has the same actuarial present value as the particular form of benefit payable computed using the applicable interest rate for the distribution under Internal Revenue Service guidance (the 30-year Treasury rate prior to January 1, 2008, using the rate in effect for the month prior to retirement; on and after January 1, 2008, using the rate in effect for the first day of the plan year with a one-year

limitation must be reduced where a Participant has less than ten (10) years of participation when retirement benefits under the Plan commence. These adjustments are made by multiplying the applicable limitations by the appropriate fraction:

(A) For the Ten Thousand Dollars (\$10,000) minimum limitation – Years of service with the employer as of and including, the current limitation year divided by ten (10); or

(B) For the maximum dollar limitation – Years of participation with the employer as of and including, the current limitation year divided by ten (10).

(i) For purposes of applying the limits under Code Section 415(b) (Limit), the following will apply:

(1) prior to any limitation year beginning on or after July 1, 2007, adjustments under Section 6.05, will be taken into consideration when determining a Participant's applicable Limit;

(2) for any limitation year beginning on or after July 1, 2007:

(A) a Participant's applicable Limit will be applied to the Participant's annual benefit in the Participant's first limitation year without regard to any automatic cost of living adjustments under Section 6.05;

(B) to the extent the Participant's benefit equals or exceeds the Limit, the Participant will no longer be eligible for cost of living adjustments under Section 6.05 until such time as the benefit plus the accumulated adjustments under Section 6.05 are less than the Limit;

(C) thereafter, in any subsequent limitation year, a Participant's annual benefit, including any automatic cost of living increases under Section 6.05, shall

the nature or location of the employment or the services performed (such as the exception for agricultural labor in Code Section 3401(a)(2)); provided, however, for limitation years beginning after December 31, 1997, compensation shall also include the amount of any elective deferrals, as defined in Code Section 402(g)(3), and any amount contributed or deferred by the Adopting Employer at the election of the Employee and which is not includable in the gross income of the Employee by reason of Code Section 125 or 457, but shall exclude Employee contributions picked up under Code Section 414(h)(2). For limitations years beginning after December 31, 2000, compensation shall also include any amount deferred by the Adopting Employer at the election of the Employee which is not includable in the gross income of the Employee by reason of Code Section 132(f)(4). For limitation years beginning on or after July 1, 2007, the following types of payments, if paid by the later of (i) two and one-half (2½) months following a Participant's Termination of Employment, or (ii) the last day of the limitation year that includes the Participant's Termination of Employment, will be included as compensation for purposes of this Section: payments that, absent a Termination of Employment, would have been paid to the Participant while the Participant continued in employment and that are regular compensation for services rendered, and payments of accrued bona fide sick, vacation, or other leave, but only if the Participant would have been able to use the leave if employment had continued. Any payments not described in the preceding sentence are not considered compensation if paid after severance from employment, even if they are paid within two and one-half (2½) months following severance from employment, except for payments to the individual who does not currently perform services for the Employer by reason of qualified military service (within the meaning of Code Section 414(u)(1)) to the extent these payments do not exceed the amounts the individual would have received if the individual had continued to perform services for the

Code Section 419(e), maintained by an Employer are treated as annual additions to a defined contribution plan.

(d) If the annual addition for a Participant under the Plan would be greater than the annual addition for such Participant as limited by subsection (a), then the excess shall be corrected as permitted under the IRS Employee Plans Compliance Resolution System (currently set forth in Revenue Procedure 2008-50).

Section 11.04. Code Section 415(e) Limits. For limitation years beginning on and after January 1, 2000, any benefit limitations applied pursuant to Code Section 415(e) shall no longer apply for employees or former employees who are Participants with an accrued benefit under the Plan on or after January 1, 2000.

Section 11.05. Limitations on Service Credit Purchases.

(a) Notwithstanding any other provision of law to the contrary, if an Adopting Employer adopts an Addendum to the Adoption Agreement that provides for service credit purchases, the Administrator may modify a request by a Participant to make an Employee Contribution if the amount of the Contribution would exceed the limits provided in Code Section 415 by using the following methods:

(1) If the law requires a lump sum payment for the purchase of service credit, the Administrator may establish a periodic payment plan for the Participant to avoid a contribution in excess of the limits under Code Sections 415(c) or 415(n).

(2) If payment pursuant to paragraph (1) will not avoid a contribution in excess of the limits imposed by Code Section 415(c), the Administrator may either reduce the Employee Contribution to an amount within the limits of that section or refuse the Participant's Contribution.

performance of service, and, notwithstanding subparagraph (B), may include service credited in order to provide an increased benefit for service credit which a Participant is receiving under the Plan.

(5) The Plan will fail to meet the requirements of this subsection (b) if—

(A) more than five (5) years of nonqualified service credit are taken into account for purposes of this paragraph (5), or

(B) any nonqualified service credit is taken into account under this subsection (b) before the Participant has at least five (5) years of participation under the Plan.

(6) For purposes of paragraph (5), effective for permissive service credit contributions made in limitation years beginning after December 31, 1997, the term "nonqualified service credit" means permissive service credit other than that allowed with respect to—

(A) service (including parental, medical, sabbatical, and similar leave) as an employee of the Government of the United States, any State or political subdivision thereof, or any agency or instrumentality of any of the foregoing (other than military service or service for credit which was obtained as a result of a repayment described in Code Section 415(k)(3)),

(B) service (including parental, medical, sabbatical, and similar leave) as an employee (other than as an employee described in subparagraph (A)) of an education organization described in Code Section 170(b)(1)(A)(ii) which is a public, private, or sectarian school which provides elementary or secondary

Section 11.06. Interpretation of this Article.

(a) The annual additions and annual benefit of a Participant shall be adjusted pursuant to this Article so as to produce the maximum annual benefit and maximum annual additions permissible for such Participant.

(b) For purposes of this Section and subject to Code Section 415(f), all defined benefit plans of an Adopting Employer, whether or not terminated, are to be treated as a single defined benefit plan, and all defined contribution plans of an Adopting Employer are to be treated as a single defined contribution plan. However, Adopting Employers shall be considered as separate Employers in accordance with State law. The ability of an Adopting Employer to amend the Adoption Agreement to the extent necessary to satisfy Code Section 415 is provided by and subject to Section 18.01.

ARTICLE XII.

ACTUARIAL EQUIVALENT CONVERSION TABLES

Section 12.01. Early Retirement Reduction Table. Unless otherwise elected in the Adoption Agreement or an Addendum thereto, the following early retirement reduction table is to be used:

<u>Number of Years Before Normal Retirement*</u>	<u>Percentage of Normal Retirement Benefit</u>
0	1.000
1	.933
2	.867
3	.800
4	.733
5	.667
6	.633
7	.600
8	.567
9	.533
10	.500
11	.467

Contingent Annuity Percentage	Extrapolation Factor
100%	.004
75%	.003
50%	.002
25%	.001

(2) The following table is to be used for Participants who begin drawing Retirement benefits on or after January 1, 2013 and prior to April 1, 2021, with respect to a Participant who is the same age or older than the Participant's Beneficiary:

Participant Age – Beneficiary Age	Contingent Annuity Factor			
	100%	75%	50%	25%
0	.833	.870	.909	.952
1	.826	.864	.905	.950
2	.819	.857	.900	.947
3	.811	.851	.896	.945
4	.804	.845	.891	.943
5	.797	.839	.887	.940
6	.790	.833	.882	.938
7	.783	.828	.878	.935
8	.776	.822	.874	.933
9	.769	.816	.870	.930
10	.763	.811	.866	.928
11	.757	.806	.861	.926
12	.751	.800	.858	.923
13	.745	.795	.854	.921
14	.739	.791	.850	.919
15	.733	.786	.846	.917
16	.728	.781	.843	.915
17	.723	.777	.839	.913
18	.718	.772	.836	.911
19	.713	.768	.833	.909
20	.708	.764	.830	.907
21 or more	*	*	*	*

*Factor for twenty (20) year age difference minus extrapolation factor below times number of years in excess of twenty (20) that Participant's age exceeds the Participant's Beneficiary's age.

Contingent

(2) The following table is to be used for Participants who begin drawing Retirement benefits on or after January 1, 2013 and prior to April 1, 2021, with respect to a Participant who is younger than the Participant's Beneficiary:

Beneficiary Age – Participant Age	Contingent Annuity Factor			
	<u>100%</u>	<u>75%</u>	<u>50%</u>	<u>25%</u>
1	.841	.876	.914	.955
2	.848	.882	.918	.957
3	.856	.888	.922	.960
4	.863	.894	.926	.962
5	.870	.899	.931	.964
6	.877	.905	.935	.966
7	.885	.911	.939	.968
8	.892	.916	.943	.970
9	.898	.922	.947	.973
10	.905	.927	.950	.974
11	.912	.932	.954	.976
12	.918	.937	.957	.978
13	.924	.942	.960	.980
14	.930	.946	.964	.981
15	.935	.951	.967	.983
16	.941	.955	.969	.984
17	.945	.959	.972	.986
18	.950	.962	.974	.987
19	.955	.966	.977	.988
20	.959	.969	.979	.989
21 or more	.960	.970	.980	.990

Section 12.03. Option C Table.

(a) The following table is to be used for Participants who begin drawing Retirement benefits on or after April 1, 2021:

Period	Factor
5 Years	.985
10 Years	.947
15 Years	.898
20 Years	.846

(b) The following table is to be used for to calculate actuarial reserve death benefits, if any, payable on behalf of a Participant who dies on or after January 1, 2013 and prior to April 1, 2021:

<u>Age</u>	<u>Factor</u>	<u>Age</u>	<u>Factor</u>
21	12.5773	43	11.4236
22	12.5567	44	11.3274
23	12.5337	45	11.2264
24	12.5082	46	11.1207
25	12.4804	47	11.0102
26	12.4501	48	10.8952
27	12.4170	49	10.7755
28	12.3809	50	10.6509
29	12.3416	51	10.5213
30	12.2994	52	10.3869
31	12.2541	53	10.2479
32	12.2056	54	10.1041
33	12.1535	55	9.9552
34	12.0976	56	9.8010
35	12.0383	57	9.6415
36	11.9754	58	9.4769
37	11.9088	59	9.3076
38	11.8384	60	9.1331
39	11.7640	61	8.9537
40	11.6855	62	8.7698
41	11.6026	63	8.5818
42	11.5154	64	8.3903
		65	8.1958

Section 12.05. Late Retirement Actuarial Increase Factors.

(a) The following table is to be used with respect to Participants who begin drawing Retirement benefits on or after April 1, 2021:

<u>Current Age*</u>	<u>Factor</u>
65	1.0000
66	1.1133
67	1.2425
68	1.3904
69	1.5603
70	1.7566

males with rates multiplied by 1.25 and projected generationally from 2012 using 60% of the male improvement rates under the 2019 OASDI Trustees Report for the intermediate alternative with maturity values calculated as of 2023, plus 25% of the Pri-2012 head-count weighted Healthy Retiree Mortality Table for females with rates multiplied by 1.25 and projected generationally from 2012 using 60% of the female improvement rates under the 2019 OASDI Trustees Report for the intermediate alternative with maturity values calculated as of 2023 and with interest of seven and three-eighths percent (7.375%). Likewise, effective on or after April 1, 2021, the actuarial equivalence factors for Beneficiaries for purposes of Section 6.06 and the conversion factors for purposes of other annuity forms are computed using 25% of the Pri-2012 head-count weighted Healthy Retiree Mortality Table for males with rates multiplied by 1.25 and projected generationally from 2012 using 60% of the male improvement rates under the 2019 OASDI Trustees Report for the intermediate alternative with maturity values calculated as of 2023, plus 75% of the Pri-2012 head-count weighted Healthy Retiree Mortality Table for females with rates multiplied by 1.25 and projected generationally from 2012 using 60% of the female improvement rates under the 2019 OASDI Trustees Report for the intermediate alternative with maturity values calculated as of 2023 and with interest of seven and three-eighths percent (7.375%).

Effective January 1, 2018 through March 31, 2021, the actuarial equivalence factors for purposes of Section 6.06 shall be computed using the male RP 2000 Mortality Table set forward two (2) years for Participants and the female RP 2000 Mortality Table set forward one (1) year for Beneficiaries and with interest of seven and one-half percent (7.5%).

assure proper funding of the Plan. Contributions by the Adopting Employer shall be applied as necessary to assure the payment of Accrued Benefits to Participants and Beneficiaries. Employer Contributions received by GMEBS by the last day of any month shall accrue Interest from the first day of the following month.

Section 13.02. Employee Contributions. Participants or certain classes of Participants may be required to make Contributions to the Plan as specified in the Adoption Agreement. Unless otherwise specified by the Adopting Employer, Employee Contributions shall accrue interest at the same rate and in the same manner as Employer Contributions. When elected by the Adopting Employer to be picked up, the Adopting Employer shall pick up and pay contributions in accordance with Code Section 414(h)(2) as follows:

(1) The contributions, although designated as Employee contributions, shall be paid by that Adopting Employer in lieu of contributions by the Employee as elected by the Adopting Employer in the Adoption Agreement, which shall be effective on a prospective basis and constitute written formal action to implement the pick-up, and

(2) The Employee must not be given the option, on or after the effective date of the pick-up, to have a cash or deferred election right (within the meaning of Treasury Regulation Section 1.401(k)-1(a)(3)) with respect to designated Employee contributions, which includes not having the option of receiving the amounts directly instead of having them paid to the Plan.

Section 13.03. Withdrawal of Employee Contributions.

(a) Unless otherwise specified in the Adoption Agreement, if a non-vested Participant's employment is terminated for any reason other than death, the Participant shall request a withdrawal of the Participant's Employee Contributions plus interest, if any.

Participant may not borrow against Employee Contributions (including any Contributions made to purchase prior service credit, if permitted under the Adoption Agreement or any Addendum thereto) at any time. A partial withdrawal of Employee Contributions is not permitted. Unless otherwise provided in the Adoption Agreement or any Addendum thereto, if a Participant who has made both mandatory Employee Contributions and Contributions to purchase prior service credit withdraws any of such Contributions, all mandatory Employee Contributions and Contributions to purchase prior service credit shall be withdrawn.

(d) Except as otherwise provided in the Employer's Adoption Agreement or any Addendum thereto, if a Participant withdraws Employee Contributions (including any Contributions made to purchase prior service credit, if permitted under the Adoption Agreement or any Addendum thereto) in accordance with this Section, and if such Participant later resumes employment with the Adopting Employer in an Eligible Employee class, then any service credit or benefit amount forfeited by virtue of the withdrawal may be reinstated upon the Participant's reemployment with the Adopting Employer, provided: (1) the Participant repays within six (6) months following the reemployment date and prior to Termination of Employment with the Adopting Employer all amounts previously withdrawn plus interest at the assumed actuarial rate of return for the GMEBS Retirement Fund established by the Board as of date of repayment, compounded annually from the date of return of contributions through the date of repayment; and (2) provided the Participant satisfied the break in service rules, as applicable. Repayment of Employee Contributions (including any Contributions made to purchase prior service credit) under this subsection shall be made in a single lump sum, by a rollover or transfer of pre-tax funds described in Sections 10.03 and 10.04 of this Plan, a lump sum payment of after-tax funds,

pursuant to Section 8.12, shall be paid to the Retired Participant's designated beneficiary as defined in this subsection (a), or if there is no such designated beneficiary, to the Retired Participant's estate. In the event that 1) a Retired Participant elects retirement benefit payment Option B or C, 2) the Post-Retirement Beneficiary predeceases the Participant, and 3) upon the death of the Retired Participant, the sum of all benefits paid does not equal or exceed the amount of the Participant's Employee Contributions plus interest posted thereon, then a lump sum payment in the amount of the difference shall be paid to the Retired Participant's designated beneficiary as defined in this subsection (a), or if there is no such designated beneficiary, to the Participant's estate. In the event that 1) a Retired Participant elects retirement benefit payment Option B or C, 2) the Post-Retirement Beneficiary survives the Retired Participant and dies after such Beneficiary has begun receiving survivor benefit payments, and 3) the sum of all benefits paid does not equal or exceed the amount of the Participant's Employee contributions plus interest posted thereon, said lump sum payment shall be paid to the Post-Retirement Beneficiary's designated beneficiary as defined in this subsection (a) or, if there is no such designated beneficiary, to the Post-Retirement Beneficiary's estate. For purposes of this subsection, the term "designated beneficiary" shall mean the surviving Spouse of the Retired Participant or Post-Retirement Beneficiary, as applicable, and the term "surviving" shall mean surviving the Retired Participant or Post-Retirement Beneficiary, as applicable, by at least thirty-two (32) days.

(b) In-Service Death of Participant Before Satisfying Pre-Retirement Death Benefit Eligibility Requirements; Death of Terminated Vested Participant Where No Terminated Vested Death Benefit Is Payable. If a Participant dies in the Service of an Adopting Employer before satisfying the eligibility requirements for an in-service death benefit, the Participant's Employee

Retirement Beneficiary and the term "surviving" shall mean surviving the Pre-Retirement Beneficiary by at least thirty-two (32) days.

(d) For purposes of this Section, the amount of "interest posted" shall be determined as of the date that the lump sum payment payable under this Section is distributed, and the amount of interest posted shall comply with any applicable provisions of Section 4(i)(10)(B)(i) of the Age Discrimination in Employment Act ("ADEA").

ARTICLE XIV.

PENSION COMMITTEE

Section 14.01. Creation and Composition. There shall be a Pension Committee for each Adopting Employer. Unless otherwise specified in the Adoption Agreement, the Pension Committee shall be composed of the following:

For Municipal Corporations:

- (a) City Clerk and City Manager.
- (b) Two (2) Employee representatives appointed by the Governing Authority.
- (c) Three (3) appointed members of the Governing Authority.

For Other Adopting Employers:

- (a) Executive Director.
- (b) Two (2) Employee representatives appointed by the Governing Authority.
- (c) Four (4) appointed members of the Governing Authority.

Section 14.02. Responsibilities. The Pension Committee shall have the following responsibilities:

(a) In its dealings with GMEBS or its duly appointed representatives, the Pension Committee shall:

terminated without cause (see Section 9.04 concerning 5-year vesting for Employees involuntarily terminated without cause).

(6) Notify GMEBS when the Adopting Employer learns that an Eligible Employee, Participant, Terminated Vested Participant, Retired Participant or Beneficiary has been convicted of a public employment-related crime or other crime which could result in a reduction or forfeiture of benefits (see Section 9.06).

(7) If the Adopting Employer has elected in the Adoption Agreement to provide disability retirement benefits, notify GMEBS of determinations made by the Pension Committee with respect to disability (see Section 2.23(b)) or continuation of disability (see Section 6.06(e)).

(8) Notify GMEBS when the Adopting Employer learns of the death of an Eligible Employee, Participant, Terminated Vested Participant, Retired Participant, or Beneficiary.

(b) In dealing with those persons participating or eligible to participate in the Plan, the Pension Committee shall:

(1) Be responsible for the enrollment of Eligible Employees, including elected or appointed members of the Governing Authority and Municipal Legal Officers if they are included as Eligible Employees in the Adoption Agreement.

(2) Handle distribution of all reports, forms, or other plan-related materials to Participants, including but not limited to plan summary booklets and annual participant statements.

(3) Handle disputes between the Adopting Employer and Participants in all matters regarding the Plan and notify GMEBS of same.

ARTICLE XV.

BOARD OF TRUSTEES

Section 15.01. Definitions. As used in this Article, "Act" refers to the Act of the General Assembly creating the Board of Trustees of the Georgia Municipal Employees Benefit System (O.C.G.A. § 47-5-1 et seq., a copy of which is included in the Appendix hereto), as amended.

Section 15.02. Powers. The powers of the Board of Trustees as fixed by the Act are hereby incorporated as part of the Plan. The Adopting Employer agrees that, in the administration of the Plan, it will comply with all rules and regulations adopted by the Board of Trustees under its authority as granted by the Act.

Section 15.03. Composition and Election. The composition of the Board of Trustees and the election of its members shall be as provided by the Act and as may be provided in the bylaws of the Board of Trustees.

Section 15.04. Officers. The election of officers by the Board of Trustees shall be conducted as may be prescribed by the Act and as may be provided in the bylaws of the Board of Trustees.

Section 15.05. Notice of Elections. The Board of Trustees shall provide through its bylaws for the giving of notice of elections, notice of any vacancy on the Board, the method or manner in which votes may be cast, and any other matter necessary or incident to the election of members of the Board. The Board may also provide for a proxy vote, and may determine how, when, and in what manner voting by proxy may be had in accordance with the Act and as may be provided in the bylaws of the Board of Trustees.

Section 15.09. Fiduciary Insurance. The Board of Trustees may purchase fiduciary liability insurance for any of its fiduciaries, or for itself, to cover liability or losses occurring by reason of the act or omission of a fiduciary.

ARTICLE XVI.

GMEBS TRUST AGREEMENT

Section 16.01. General Provisions. The GMEBS Trust Agreement is the separate document for the establishment and administration of the Trust Fund. All contributions under the Plan shall be transferred to the Trust Fund to be held, managed, invested, and distributed as part of the Trust Fund by the Board in accordance with the provisions of the Plan and separate GMEBS Trust Agreement. At no time prior to the satisfaction of all liabilities with respect to Participants and their Beneficiaries shall any part of the corpus or income be used for, or diverted to, purposes other than the exclusive benefit of the Participants and their beneficiaries, including the payment of reasonable fees, taxes (if applicable) and expenses of the Plan and Trust, subject to the provisions in Article XVIII of this Basic Plan Document relating to the distribution of excess assets in the event of a plan termination. In resolving any conflict between provisions of the Plan and provisions of the Trust, the provisions of the Plan shall control.

Section 16.02. Group Trust Participation.

(a) If the investment is otherwise a permitted investment under Chapters 5 and 20 of Title 47 of the O.C.G.A., the Board may, unless otherwise restricted by law, transfer all or any portion of the assets of the Trust to a collective or common group trust, as permitted under Revenue Ruling 81-100, as modified by Revenue Rulings 2004-67 and 2011-1 (or subsequent guidance), that is operated or maintained exclusively for the commingling and collective investment of monies, and in such case the group trust agreement shall be deemed adopted as

Section 17.02. Disputes involving Federal or State Law Compliance. In the event there is a dispute involving federal or state law compliance, between a Participant or Beneficiary and the Governing Authority or the Trustees, or between an Adopting Employer and the Trustees, GMEBS is a necessary party to any such dispute, or suit, settlement, or release arising therefrom.

Section 17.03. Failure to Act. GMEBS shall not be responsible for the failure of the Adopting Employers to perform any of their obligations under the Plan, including the duty to remit payments to GMEBS, to provide necessary records concerning Participants and their Earnings to GMEBS, or to perform any other functions required of the Adopting Employers by applicable law, the Basic Plan Document, the Adoption Agreement (including any Addendum to the Adoption Agreement, if applicable), the separate GMEBS Trust Agreement, or by the rules and regulations of GMEBS. To the extent permitted under state and federal law, each Adopting Employer shall indemnify and hold GMEBS harmless for any failure to pay, delay in payment or other errors in processing benefits pursuant to this Plan due to the Adopting Employer's failure to perform its obligations under the Plan or provide accurate data to GMEBS for the purpose of administering the Plan.

ARTICLE XVIII.

AMENDMENT AND TERMINATION

Section 18.01. Amendment of the Plan by an Adopting Employer. The Governing Authority shall have the right at any time, and from time to time, to amend, in whole or in part, any or all of its elections in the Adoption Agreement; provided, however, that no such amendment shall:

- (a) Reduce the previously Accrued Benefit of any Participant or Beneficiary; or,
- (b) Authorize or permit any part of the Trust Fund held by the Board to be diverted to purposes other than for the exclusive benefit of Participants and their Beneficiaries; or,

when necessary. The provisions of this subsection shall supersede other provisions of the Plan to the extent those other provisions are inconsistent.

(c) The Board or the Provider, as directed by the Board, hereby reserves the right to amend the Plan without the consent of the Adopting Employers or of Participants (or any Beneficiaries thereof) to make desired changes in the design of the Plan. A true copy of the resolution of the Board approving such amendment shall be delivered to the Administrator and the Adopting Employers. The Plan shall be amended in the manner and effective as of the date set forth in such resolution, and the Adopting Employers, Employees, Participants, Beneficiaries, the Administrator, and all others having any interest under the Plan shall be bound thereby.

(d) The Provider shall have the authority to advise and prepare amendments to the Plan, for approval by the Board, on behalf of all Adopting Employers for changes in the Code, the regulations thereunder, revenue rulings, other statements published by Internal Revenue Service, including model, sample, or other required good faith amendments (but only if their adoption will not cause such Plan to be individually designed), and for corrections of prior approved plans. These amendments shall be applied to all Adopting Employers. In any event, any amendment prepared by the Provider and approved by the Board will be provided by the Administrator to Adopting Employers.

(e) Notwithstanding the foregoing paragraphs (c) and (d), effective on or after January 1, 2016, for any Adopting Employer as of either:

(1) the date the Internal Revenue Service requires the Adopting Employer to file Form 5300 as an individually designed plan as a result of an amendment by the Adopting Employer to incorporate a type of Plan not allowable in a pre-approved plan, or

(c) Upon termination, the Adopting Employer shall provide to the Administrator current Participant information necessary to calculate Accrued Benefits. Upon receipt of such information, the Administrator shall prepare a list of all the Adopting Employer's Participants, Retired Participants, Terminated Vested Participants, and Beneficiaries, showing for each the present value of each individual's Accrued Benefit, as determined by the GMEBS Actuary as of the date of termination.

(d) The Administrator, in accordance with the Board's current rules and regulations, and with generally accepted accounting practices, shall determine the value of the Adopting Employer's Trust Fund as of the termination date. All mandatory Employee Contributions, if any, plus interest, and all Contributions made to purchase service credit, if any, plus any applicable interest, shall be paid from the Trust Fund to the Participants, to the extent of available Trust Fund assets. The Administrator shall then deduct from the Trust Fund a termination fee established by GMEBS for services provided in terminating the Plan. The Administrator, pursuant to the Board's rules and regulations, shall then allocate the remaining assets for distribution of the present value of Accrued Benefits in lump sums to the classes listed below. The benefits of each class shall be satisfied before proceeding to the next class. If at any time the remaining Plan assets would be insufficient to provide the present value of Accrued Benefits for the class in question, the remaining assets shall be applied on a pro rata basis within that class, and all subsequent classes shall receive no benefit. The pro rata allocation referred to above will be determined based upon the comparative value of each class member's Accrued Benefit (present value expressed in a lump sum) when measured against the lump sum present value of Accrued Benefits for the class as a whole.

Section 18.04. Amendment of the Plan to Transfer Assets; Termination of Contract.

(a) The Adopting Employer may amend the Adoption Agreement by ordinance or resolution (as applicable) so as to provide for the transfer of assets to a successor trustee and to terminate the existing Contract between the Adopting Employer and the Board. Any such ordinance or resolution shall comply with Section 18.01 and with the requirements of the rules and regulations of the Board regarding amendment and transfer of Plan assets, to the extent they are consistent with this Section.

(b) In addition to other requirements, such ordinance or resolution shall:

(1) Designate a new trustee or trustees to replace the Board;

(2) Establish a month-end termination date, which shall be used for purposes of valuing the Adopting Employer's Trust Fund assets and which shall be fixed by the Administrator, taking into account the time reasonably required to liquidate GMEBS Retirement Trust Fund assets (if necessary) for purposes of the termination and transfer, the impact of the termination on the financial integrity of the Retirement System, and the time reasonably required for GMEBS and the terminating Employer to complete necessary administrative tasks associated with the termination. The termination date will be no earlier than forty-five (45) days after the Adopting Employer provides written notice to the Administrator of its intent to terminate;

(3) Provide that after the established termination date, GMEBS shall have no further responsibility or obligation to administer the terminating Employer's retirement plan, except as otherwise agreed and provided for by GMEBS and the terminating Employer in the ordinance or resolution;

Employer's participation in GMEBS and the transfer of assets to the successor trustee;

(C) that as soon as reasonably practicable after completion of the GMEBS Retirement Fund unaudited financial statement for the month including the established termination date, the Administrator will make a second transfer to the successor trustee in an amount equal to the remainder of the Adopting Employer's Trust Fund assets, if any; and that in any event distribution of assets to the successor trustee shall be completed within the time limits specified in the separate GMEBS Trust Agreement;

(D) that after the established termination date, any funds remaining in the Adopting Employer's Trust Fund shall not share in the gains or losses of the GMEBS Retirement Trust Fund, notwithstanding any provision of the GMEBS Basic Plan Document or separate GMEBS Trust Agreement to the contrary; and that any investment gains or losses that would otherwise be credited to or debited from the Adopting Employer's Trust Fund after the established termination date shall not be taken into account. Rather, after the established termination date through completion of the transfer of assets, any amount remaining in the Adopting Employer's Trust Fund shall earn interest at the same rate as the GMEBS active cash management account which shall be credited monthly until the transfer of assets is completed; and,

(E) that if the audit of the GMEBS Retirement Trust Fund for the year including the established termination date reflects that the value of the Adopting Employer's Trust Fund on the termination date was understated or overstated in

Section 18.05. Involuntary Termination.

(a) The Board may involuntarily terminate the Plan as to an Adopting Employer in the event of any of the following occurrences:

(1) Failure of the Employer to comply with the terms of the Basic Plan Document, Adoption Agreement (or Addendum), or separate GMEBS Trust Agreement including, but not limited to, failure to pay required Contributions in a timely manner;

(2) Failure of the Adopting Employer to provide to GMEBS or respond to requests from GMEBS for information necessary for GMEBS to administer the Plan;

(3) Failure of the Adopting Employer to adequately fund the Plan in accordance with the GMEBS funding policy, or to adopt or abide by a funding action plan approved by the Board;

(4) Receipt of written notice from an Adopting Employer's Governing Authority of its intent to discontinue further Contributions;

(5) Insistence by the Employer on enforcing an amendment to the Adoption Agreement which the Board has disapproved; or

(6) Failure of the Adopting Employer to maintain qualification status under Code Sections 401(a) and 414(d).

(b) The rights, benefits, and entitlements under the Plan of any Participant, including those of the Participant's Beneficiary, any other provision of the Plan notwithstanding, before or after Retirement, death, or other termination of employment shall, upon the failure of the Adopting Employer to pay and to continue to pay its required Contributions, be limited as specified in this Article.

Governing Authority as successor trustees, the Adopting Employer shall be obligated to furnish GMEBS with a successor retirement plan and related documents as provided in Section 18.04(b)(5)(A). Distribution of assets to the Governing Authority or to a designee specified by the Governing Authority in writing, as successor trustee, shall then occur in accordance with the transfer procedures described in Section 18.04(b)(5). Payment of benefits to Retired Participants and Beneficiaries shall become the responsibility of the Governing Authority, as successor trustees, as of the termination date, except as otherwise provided in the Board's termination resolution.

(2) Other Entity as Successor Trustee. If upon involuntary termination, the GMEBS Board by resolution designates a successor trustee other than the members of the Employer's Governing Authority, distribution of assets to the successor trustee shall occur in accordance with the transfer procedures described in Section 18.04(b)(5) upon the Board's receipt of retirement plan and related documents as described in Section 18.04(b)(5)(A), and any other information reasonably requested by the Board. Payment of benefits to the Retired Participants and Beneficiaries shall become the responsibility of the successor trustee as of the termination date, except as otherwise provided in the Board's termination resolution.

(3) Termination without Successor Trustee. If upon involuntary termination, the GMEBS Board by resolution terminates the Employer's Plan outright, the assets of the Employer's Trust Fund will not be transferred to a successor trustee, but will be distributed to Participants and Beneficiaries in accordance with and subject to the termination provisions of Section 18.03(b)-(f), except as otherwise provided in this subsection. The Employer shall provide current Participant information necessary to

the Board may in its sole discretion pursue any other legal or equitable means that it deems appropriate, including the filing of a writ of mandamus, to facilitate such compliance.

Section 18.06. Termination of the Basic Plan Document by the Board. The Board reserves the right to completely terminate the Basic Plan Document and the separate GMEBS Trust Agreement. In such an event, the provisions of Section 18.03 shall be applied to each Adopting Employer.

ARTICLE XIX.

NON-ALIENATION OF BENEFITS

(a) None of the benefits, payments, proceeds, or distributions payable under the Plan shall be subject to the claim of any creditor of any Participant or to the claim of any creditor of any Beneficiary hereunder, or to any legal process of levy or attachment by any creditor of any such Participant or Beneficiary; and no such benefits shall be in any manner liable for or subject to the debts, liabilities, engagements, or torts of any Participant or Beneficiary; and neither shall any such Participant or Beneficiary have any right to alienate, commute, anticipate, transfer, encumber, pledge, or assign any of the benefits, payments, proceeds, or distributions under this Plan.

(b) Nothing in subsection (a) shall be construed to preclude the Administrator, subject to any terms and conditions set by the Administrator, from making a deduction and direct payment to the Adopting Employer or GMEBS on behalf of a Retired Participant for the limited purpose of paying for a contribution or premium for a post retirement benefit offered by the Adopting Employer or GMEBS, if the Retired Participant elects to have such deduction and direct payment made. An election by the Retired Participant for such deduction and direct payment may be revoked at any time.

(d) In resolving any conflict between the Plan and any policy or contract issued under the Plan, the provisions of the Plan shall prevail.

(e) The headings and subheadings in the Plan are inserted for convenience of reference only and are not to be considered in the construction of any provision of the Plan.

(f) The terms of this Basic Plan Document shall control except as otherwise provided in an Adopting Employer's Adoption Agreement (including any Addendum to the Adoption Agreement, if applicable), as accepted by or on behalf of the GMEBS Board, in which case the terms of the Adopting Employer's Adoption Agreement (including any Addendum to the Adoption Agreement) shall control.

(g) Neither the establishment nor maintenance of the Plan nor any amendment thereof, nor any act or omission under the Plan or resulting from the operation of the Plan shall be construed:

(1) as conferring upon any Participant, beneficiary, or any other person a right or claim against the GMEBS Investment Fund, the Trust Fund, the Trustees, the Adopting Employer, or the Administrator, except to the extent that such right or claim shall be specifically expressed and provided in the Plan;

(2) as a contract or Agreement between the Adopting Employer and any Participant or other person;

(3) as being consideration for, or an inducement or condition of, employment of any Participant or other person, or as affecting or restricting in any manner or to any extent whatsoever the rights or obligations of the Adopting Employer or any Participant or other person to continue or terminate the employment relationship at any time; or

the Plan. No person may act as an attorney-in-fact for an Employee, Participant, Terminated Vested Participant, Retired Participant or Beneficiary with respect to a matter involving the Plan unless a valid power of attorney document appointing such person and authorizing such action is submitted in a form and manner acceptable to the Administrator. The Administrator shall be entitled to rely upon a power of attorney document which it reasonably determines to be valid, without liability for actions taken by the Administrator at the request of the designated attorney-in-fact, unless and until the Administrator receives notice that the power of attorney is no longer effective.

Section 20.04. Benefits Supported Only by Trust Fund. Any person having any claim under the Plan shall look solely to the assets of the Trust Fund for satisfaction. In no event shall the Adopting Employer, or any of its employees or agents, be liable in their individual capacities to any person whomsoever, under the provisions of the Plan or of the separate GMEBS Trust Agreement.

Section 20.05. Non-Discrimination. The Adopting Employer, through the Pension Committee, shall administer the Plan in a uniform and consistent manner with respect to all Participants.

Section 20.06. Limitation of Liability; Legal Actions.

(a) It is expressly understood and agreed by each Employee who becomes a Participant hereunder that, except for willful neglect or fraud, neither the Adopting Employer, the Plan Representative, nor the Board of Trustees shall be in any way subject to any suit or litigation, or to any legal liability, for any cause or reason or thing whatsoever, in connection with the Plan or its operation, and each such Participant hereby releases the Adopting Employer,

same becomes due and payable. Likewise, GMEBS shall not be required to correct any underpayment or overpayment more than six (6) years after said underpayment or overpayment occurred.

(b) Underpayments. Any underpayments from the Trust Fund to a Retired Participant or to a Beneficiary caused by administrative errors shall be corrected with interest compounded annually from the date of the miscalculated payment. The rate applied shall be the actuarially assumed rate utilized by the plan actuary for estimating future plan investment earnings or such other rate established by the Board that is permissible under federal and state law and applicable guidance as of the date of the correction. Underpayments shall be made up from the Adopting Employer's Trust Fund. Effective with respect to underpayments corrected on or after January 1, 2017, in the event a Retired Participant, Pre-Retirement Beneficiary or Post-Retirement Beneficiary to whom a corrective payment is due dies before such payment is made, said corrective payment shall be paid to such Retired Participant's, Pre-Retirement Beneficiary's or Post-Retirement Beneficiary's designated beneficiary, as defined in this subsection (b) or, if there is no such designated beneficiary, to the deceased Retired Participant's, Pre-Retirement Beneficiary's or Post-Retirement Beneficiary's estate. For purposes of this subsection, the term "designated beneficiary" shall mean the surviving Spouse of such Retired Participant, Pre-Retirement Beneficiary, or Post-Retirement Beneficiary, as applicable, and the term "surviving" shall mean surviving the Retired Participant, Pre-Retirement Beneficiary, or Post-Retirement Beneficiary, as applicable, by at least thirty-two (32) days.

(c) Overpayments. In the event of an overpayment from the Trust Fund to a Retired Participant or to a Beneficiary caused by administrative error, the following provisions shall apply:

reasonable, the Board shall make this determination, considering the factors outlined above in paragraph (2).

(4) Collection Process. If a determination under this subsection is made that collection from the Retired Participant or Beneficiary is reasonable, the overpayment shall be corrected with interest compounded annually from the date of the miscalculated payment. The rate applied shall be the actuarially assumed rate utilized by the plan actuary for estimating future plan investment earnings or, effective on and after January 1, 2014, such other rate established by the Board that is permissible under federal and state law and applicable guidance as of the date of the correction. In collecting amounts of the overpayment (in full or in part), the Administrator shall have the discretion to use any of the following options: (i) single sum payments; (ii) installment payments; (iii) actuarial reduction of future Retirement payments; or (iv) deductions from Retirement payments. Retirement payment deductions shall not exceed fifty percent (50%) of the amount of payment from which the deduction is made.

(5) Corrective Payment by Adopting Employer. If full collection of an overpayment is not achieved, either because of a determination that full collection from the Retired Participant or Beneficiary is not reasonable, or because efforts at collection do not result in a full collection of the overpayment, the Adopting Employer shall be responsible for making a separate, supplemental contribution to the Trust Fund in the amount of any uncollected overpayment, including interest as calculated under paragraph (4) ("corrective contribution"). Any corrective contribution by a Participating Employer must be made at the same time that the next regular employer contribution is due under the Plan. In the event employer contributions are paid in installments, the corrective

contribution may be paid over that same installment period, but not to exceed a twelve (12) month period. The corrective contribution may not be included as a portion of the general liability of the Plan for which regular funding contributions are made.

(2) If the overpayment involves circumstances that are not addressed in the preceding provisions of this subsection, or if in the determination of the GMEBS Board, the overpayment cannot be practicably or appropriately corrected using the methods addressed in this subsection, the Administrator may develop a correction approach that is appropriate under the circumstances, permissible under state and federal law and applicable guidance, and equitable to the parties involved.

Section 20.09. Notice. Any notice given under the Plan shall be sufficient if given to: (1) the Board if addressed to the Administrator at its office; (2) the Adopting Employer if addressed to the address of the Governing Authority indicated in the Adoption Agreement; or (3) a Participant or Beneficiary, when addressed to the Participant at the Participant's address as it appears in the records of the Administrator or the Adopting Employer.

Section 20.10. Right of Recovery. If the Administrator makes any payment that according to the terms of the Plan and the benefits provided hereunder should not have been made, the Administrator may recover that incorrect payment, whether or not it was made due to the error of the Administrator, from the person to whom it was made, or from any other appropriate party. If any such incorrect payment is made directly to a Participant, the provisions of Section 20.08 apply.

Section 20.11. Evidence of Action. All ordinances, resolutions, forms, orders, requests, documents and instructions provided to the Administrator by an Adopting Employer or by any duly authorized representative (e.g., Plan Representative or Pension Committee Secretary), shall

subsequently vacated, reversed, or otherwise set aside shall not count as Credited Service under the Plan, except for a period, or partial period, during which the Participant satisfied the eligibility requirements for participation under the Plan. Likewise, Earnings paid to a Participant during any such period shall not be used to compute the Participant's Final Average Earnings, except for a period, or partial period, during which the Participant satisfied the eligibility requirements for participation under the Plan. In the event such a Participant Retires before the order compelling the Participant's reinstatement is vacated, reversed, or otherwise set aside, the Participant's Credited Service and Final Average Earnings shall be revised following such reversal, vacation or otherwise setting aside of the Participant's reinstatement, and the Participant's Retirement benefits shall be recalculated and adjusted accordingly, effective the first day of the month following such action. Any overpayments to the Participant resulting from including Credited Service and Earnings from any such period or partial period of employment during which the Participant did not satisfy the eligibility requirements for participation under the Plan shall be corrected in accordance with Section 20.08 of the Basic Plan Document.

Section 20.16. Entire Plan. The Plan document and the documents incorporated by reference herein shall constitute the only legally governing documents for the Plan. No statement by the Trustees, Adopting Employer, or Administrator shall be used in any claim unless in writing, signed by the party against whom the claim is being made.

The terms of the foregoing Basic Defined Benefit Plan Document are hereby adopted and agreed to pursuant to a resolution of the Board of Trustees of the Georgia Municipal Employees Benefit System.

**RESOLUTION OF THE
BOARD OF TRUSTEES OF THE
GEORGIA MUNICIPAL EMPLOYEES BENEFIT SYSTEM**

**APPROVAL OF AMENDMENT 1 TO THE THIRD CYCLE
RESTATED GMEBS DEFINED BENEFIT RETIREMENT PLAN
(APPROVED BY THE IRS AUGUST 31, 2023)**

WHEREAS, the Board of Trustees ("Board") of the Georgia Municipal Employees Benefit System ("GMEBS") previously adopted the GMEBS Defined Benefit Retirement Plan ("Plan"), which received a favorable advisory letter from the Internal Revenue Service ("IRS") on March 30, 2018, and was most recently amended by the Board on December 2, 2022, through the Board's approval of Amendment 4 to the Restated GMEBS Defined Benefit Retirement Plan;

WHEREAS, the Board periodically updates and restates the Plan with the IRS to ensure the qualified status of the Plan under Section 401(a) of the Internal Revenue Code;

WHEREAS, GMEBS most recently submitted the Plan to the IRS for restatement purposes on June 29, 2022;

WHEREAS, on August 31, 2023, the IRS issued a favorable opinion letter for the Plan;

WHEREAS, under the IRS's practices and procedures relating to plan restatements, certain amendments the Board had previously made to the Plan to implement applicable provisions of the SECURE Act of 2019 and SECURE Act 2.0 concerning the beginning age for required minimum distributions, were not included in the Plan documents submitted to the IRS for restatement purposes;

WHEREAS, the Board has reserved the right to amend the Plan on behalf of Adopting Employers to retain the qualified status of the Plan in Section 18.02 of the Basic Plan Document;
and

WHEREAS, the Trustees now wish to amend the newly restated Plan ("Third Cycle Restated GMEBS Defined Benefit Retirement Plan") to implement applicable provisions of the SECURE Act of 2019 and SECURE Act 2.0 concerning the beginning age for required minimum distributions.

NOW, THEREFORE BE IT RESOLVED, this Amendment 1 is hereby adopted to amend the Basic Plan Document effective as set forth herein:

1. Section 10.01(b), concerning distribution rules imposed by federal law, are amended to update the age for a Participant's required beginning date, as follows:

(a) A Participant's entire interest will be distributed, or begin to be distributed, to the Participant no later than the Participant's required beginning date. For purposes of this Section, "required beginning date" means April 1 of the calendar year following the later of (i) the calendar year in which the Participant reaches the applicable age or (ii) the calendar year in which the Participant Retires. For purposes of this Section, "applicable age" (as defined under Code Section 401(a)(9)(C)(v)) means:

- (1) Age seventy and one-half (70 ½) (for a Participant who was born on or before June 30, 1949);
- (2) Age seventy-two (72) (for a Participant who was born on or after July 1, 1949, but before 1951); or
- (3) Age seventy-three (73) or the otherwise applicable age under Section 401(a)(9)(C)(v) of the Internal Revenue Code (for a Participant who was born in 1951 or later).

2. Section 10.01(c)(1), concerning distribution rules imposed by federal law, are amended to update the Participant's age for the purpose of distributions to his or her surviving spouse when said surviving spouse is the sole Designated Beneficiary, as follows:

(b) If the Participant dies before distributions begin, the Participant's entire interest will be distributed, or begin to be distributed, no later than as follows:

- (1) If the Participant's surviving spouse is the Participant's sole designated beneficiary, then distributions to the surviving spouse will begin by December 31 of the calendar year immediately following the calendar year in which the Participant died, or by December 31 of the calendar year in which the Participant would have attained the applicable age, if later.

RESOLVED FURTHER by the Board that the appropriate officers and employees of GMA or the Administrator are authorized to take any and all actions that they deem appropriate or necessary to effectuate the foregoing resolutions on behalf of the Board, including but not limited to making non-substantive modifications to Plan documents as necessary, and that all prior actions taken in effectuating the Restated Plan documents and cooperation with IRS requests and directives are hereby ratified and confirmed in all respects.

RESOLVED FURTHER that the amendments herein shall take effect October 1, 2023.

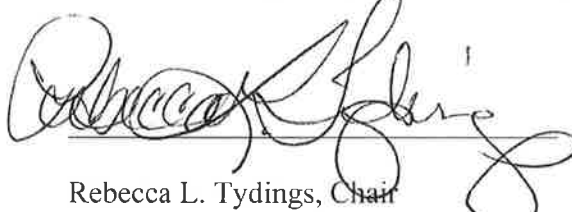
The terms of this Resolution are approved and agreed to by the Board of Trustees of the Georgia Municipal Employees Benefit System this 22 day of September, 2023.

Attest:



Larry Hanson, Secretary-Treasurer

Georgia Municipal Employees Benefit System



Rebecca L. Tydings, Chair

Adopted by the Board of Trustees at the meeting held on September 22, 2023.

**SUMMARY OF KEY AMENDMENTS
TO THE RESTATED
GEORGIA MUNICIPAL EMPLOYEES BENEFIT SYSTEM
DEFINED BENEFIT RETIREMENT PLAN**

I. GENERAL OVERVIEW

On August 31, 2023, the IRS issued a favorable opinion letter for the Amended and Restated Third Six-Year Cycle Georgia Municipal Employees Benefit System Defined Benefit Retirement Plan ("DB Plan" or "Plan"). The Plan, as approved, incorporates required federal law updates, as well as administrative updates adopted by the Board of Trustees of GMEBS over the last several years. The IRS requires that each Adopting Employer sign an updated DB Plan Adoption Agreement (and Addendum, if applicable).

II. SUMMARY OF KEY CHANGES TO THE BASIC PLAN DOCUMENT

Participating employers have already been apprised of the content of all amendments adopted by the Board before August 31, 2023. However, during its review, the IRS required GMEBS to include additional amendments in the restated Plan documents. The following information summarizes those amendments, as well as Amendment 1 to the Basic Plan Document, which was approved by the Board of Trustees on September 22, 2023.

- ❖ **Change from "Master Plan Document" to "Basic Plan Document"** – The IRS changed its terminology for pre-approved plan documents from "Master Plan document" to Basic Plan Document."
- ❖ **Removal of Outdated Language** – GMEBS amended the Plan for administrative purposes to move provisions that were no longer in effect or no longer applicable.
- ❖ **Minimum Age Limits for In-Service Distribution** – As a general rule, employees or elected officials may not draw retirement benefits while employed. The Basic Plan document states that if a plan allows in-service distribution, a participant must be at least age 62, or satisfy certain "safe harbor" age and service combinations established in IRS regulations, to receive retirement benefits while employed. If a plan allows in-service distribution and has an alternative normal retirement provision with a minimum age of at least 50 specifically for public safety employees (or that satisfies certain IRS "safe harbor" age and service qualifications that apply to public safety employees), public safety employees who are eligible for the alternative normal retirement may receive an in-service distribution even if they are younger than age 62. Though Congress amended federal law in 2019 to allow plans to set normal retirement ages at a minimum age of 59 ½, the IRS's opinion letter for the DB Plan specified it would not apply to plans that allowed in-service distribution at ages younger than 62 (or 50 for public safety employees) or that did not satisfy one of the IRS's safe harbors for in-service distribution. **As in prior restatements, GMEBS plans that currently have in-service distribution provisions that don't meet these requirements will have the opportunity to file for separate IRS approval of these provisions.** "In-service distribution" means a distribution of normal or alternative normal retirement benefits without a bona fide separation from service. A "bona fide

SUMMARY OF KEY AMENDMENTS

separation from service” is a separation from service of at least six months with no expectation of returning to service.

- ❖ **Removal of Public Employment Related Crime Provisions** – At the request of the IRS, GMEBS removed language concerning the reduction or forfeiture of a participant’s benefits following a final conviction of a public employment related crime from the Basic Plan Document. State laws requiring a reduction in or forfeiture of retirement benefits if a participant is convicted of a public employment related crime still apply but are no longer mentioned in the Plan documents.
- ❖ **Clarification of Process for Locating an Individual Owed Benefits** – As required by the IRS, the restated Basic Plan Document details the steps an employer offering benefits under the DB Plan must take to locate an individual to whom benefits are owed under the Plan. These steps include searching Plan-related and publicly available records or directories for alternative contact information; sending certified mail to the individual’s last known mailing address and reaching out through appropriate means for address or contact information (such as email addresses and phone numbers) available to the employer; and using either a commercial locator service, a credit reporting agency or internet search tools to find the individual.
- ❖ **Federal Tax Law Updates** – The Basic Plan Document contains several federal tax law updates, including allowing rollovers to SIMPLE IRAs in certain situations, updating mortality table language relating to annual benefit limits, and allowing employers to amend the plan as necessary to satisfy Section 415 of the Internal Revenue Code, even if doing so impacts benefits.
- ❖ **Voting Representative; Trustees** – GMEBS updated language in the Basic Plan Document designating employers’ voting representative for GMEBS purposes to be consistent with the GMEBS Bylaws. The language provides that, unless otherwise directed by an employer’s chief executive, a GMEBS trustee will be considered his or her employer’s designated voting representative. For all other employers, the chief executive or administrative officer will be the employer’s voting representative.
- ❖ **Use of Trust Fund Assets** – The Basic Plan Document stipulates that trust fund assets can be used to pay reasonable fees, taxes and expenses of the Plan and Trust.
- ❖ **Reversion of Assets in Event of Plan Termination** – Per the request of the IRS, GMEBS amended the Basic Plan Document to state that, in the event an employer’s plan is terminated, excess trust fund assets remaining after paying all vested accrued benefits to all participants can only revert to the employer if the excess was due to an actuarial error.
- ❖ **Added Language to Adoption Agreement Regarding Compliance with Federal Law when an Employer Has More than One Defined Benefit Retirement Plan** – Per the request of the IRS, the Adoption Agreement contains a new Section 15(G) concerning Section 415(b) of the Internal Revenue Code, when an employer has more than one defined benefit retirement plan. This provision will be blank in most GMEBS employers’ Adoption Agreements.

SUMMARY OF KEY AMENDMENTS

- ❖ **Adjusted Minimum Ages for Commencement of Required Minimum Contributions** – The SECURE Act of 2019 and 2022's SECURE 2.0 raised the age at which participants have to start drawing retirement benefits. These changes were not included in the restated Basic Plan Document reviewed by the IRS. However, on September 23, 2023, the Board of Trustees of GMEBS adopted Amendment 1 to the Restated Plan to implement these updates. Currently, a terminated vested participant must retire no later than the April 1 following the date the participant turns 73. Starting in 2033, a terminated vested participant must retire no later than the April 1 following the date the participant turns 75.



Department of the Treasury
Internal Revenue Service
Tax Exempt and Government Entities
Employee Plans

August 31, 2023

Ice Miller

Attn: Lisa Erb Harrison

One American Square, Suite 2900

Indianapolis, In. 46282-0200

Re: Application for opinion letter

Dear Ms. Harrison:

The enclosed letter is being sent to you under the provisions of a power of attorney currently on file with the Internal Revenue Service.

If you have any questions, please contact Janell Hayes, badge number 1000203103, by phone at (513) 975-6319.

Sincerely,

Aimee Beimesche

Aimee Beimesche

Manager Pre-approved Plans Program

Enclosure:
Letter to taxpayer



Department of the Treasury
Internal Revenue Service
Tax Exempt and Government Entities
1111 Constitution Ave., NW
Washington, DC 20224

GEORGIA MUNICIPAL ASSOCIATION INC
201 PRYOR STREET SW
ATLANTA, GA 30303

Date:
08/31/2023
Employer ID number:
58-0907810
Case number:
202200321
File folder number:
FFN: 317E0630001-001
Letter Serial number:
Q705465a
Plan number:
01-001
Plan description:
Non-Standardized Pre-Approved Defined
Benefit Plan
Date of submission:
06/30/2022
Person to contact:
Name: Janell Hayes
ID number: 1000203103
Telephone: 513-975-6319
Hours: 10:00 a.m. to 5:00 p.m.
EST. Mon-Fri

Dear Applicant:

In our opinion, the form of the plan shown above is acceptable for employers to use for their employees' benefit under Internal Revenue Code (IRC) Section 401.

We considered the changes in qualification requirements in the 2020 Cumulative List of Notice 2020-14, 2020-13 Internal Revenue Bulletin (I.R.B.) 555. Our opinion relates only to the acceptability of the form of the plan under the IRC. We didn't consider the effect of other federal or local statutes.

You must provide the following to each employer who adopts this plan:

- . A copy of this letter
- . A copy of the approved plan
- . Copies of any subsequent amendments including their dates of adoption
- . Direct contact information including address and telephone number of the plan provider

Our opinion of the plan's form acceptability is a determination of the plan's qualification as adopted by a particular employer only under the circumstances, and to the extent, described in Revenue Procedure (Rev. Proc.) 2017-41, 2017-29 I.R.B. 92. The employer who adopts this plan can generally rely on this letter to the extent described in Rev. Proc. 2017-41. Thus, Employee Plans Determinations, except as provided in Section 12 of Rev. Proc. 2023-4, 2023-01 I.R.B. 162 (as updated annually), will not issue a determination letter to an employer who adopts this plan. Review Rev. Proc. 2023-4 to determine if an adopting employer is eligible to submit a determination letter application and, if so, how. The employer must also follow the terms of the plan in operation.

Except as provided below, our opinion doesn't apply to the requirements of IRC Sections 401(a)(4), 401(a)(26), 401(l), 410(b), and 414(s). Our opinion doesn't apply to IRC Sections 415 and 416 if an employer maintains or ever maintained another qualified plan for one or more employees covered by this plan.

Our opinion doesn't apply to:

- . Treasury Regulations (Treas. Reg.) Section 1.401(a)-1(b)(2) requirements where the normal retirement age under the employer's plan is below 62.
- . Proposed Treas. Reg. 1.401(a)-1(b)(2) requirements where the employer's plan is a governmental plan and its normal retirement age doesn't satisfy one of the safe harbors under the proposed regulations.

Our opinion doesn't constitute a determination:

- . That the plan is an IRC Section 414(d) governmental plan. Nor is this a ruling as to the tax treatment of contributions that are picked up by the governmental employing unit per IRC Section 414(h)(2).
- . That the plan is an IRC Section 414(e) church plan.

A non-electing church plan may not rely on our opinion for rules governing pre-Employee Retirement Income Security Act (ERISA) participation and coverage.

Our opinion applies to the requirements of IRC Sections 410(b) and 401(a)(26) (other than the 401(a)(26) requirements that apply to a prior benefit structure) if 100% of all non-excludable employees benefit under the plan.

Employers who choose a safe harbor benefit formula and a safe harbor compensation definition may also rely on this opinion letter for the non-discriminatory amounts requirement under IRC Section 401(a)(4).

If this plan provides for voluntary employee contributions subject to IRC Section 401(m), the employer may rely on the opinion letter for the form of the nondiscrimination test of IRC Section 401(m)(2) if the employer uses a safe harbor compensation definition.

Except as provided in Section 5.18(2) of Rev. Proc. 2017-41, an employer who adopts a cash balance plan cannot rely on an opinion letter for the requirements of IRC Section 411(b)(1) where the cash balance formula uses a structure of principal credits that increase with age, service, or other measure during a participant's employment.

This opinion letter doesn't cover any provisions in trust or custodial account documents:

- . Trusts or custodial account documents can't contain a provision that the provisions of the trust override the provisions of the plan.
- . This plan's provisions override any conflicting provision in the trust or custodial account documents used with the plan.
- . An adopting employer may not rely on this letter to the extent a trust or custodial account's provisions in a separate part of the plan override or conflict with the plan document provisions.
- . This letter does not constitute a ruling or determination as to the exempt status of related trusts or custodial accounts under IRC Section 501(a).

An employer who adopts this plan may not rely on this letter when the employer:

- . Uses the plan to amend or restate a plan which wasn't previously qualified.
- . Adopts it before the opinion letter is issued.
- . Doesn't correctly complete the adoption agreement or other elective provisions in the plan.
- . Made amendments that cause the plan not to be considered identical to the pre-approved plan, as described in Section 8.03 of Rev. Proc. 2017-41.

Our opinion doesn't:

- . Apply to what is contained in any applicable documents referenced outside the plan or adoption agreement, such as a collective bargaining agreement.
- . Consider issues under ERISA Title I, which are administered by the Department of Labor.

You must include your address and telephone number on the pre-approved plan or the plan's adoption agreement, if applicable, so that adopting employers can contact you directly.

If you, the pre-approved plan provider, have questions about your case, you can:

- . Call the telephone number at the top of the first page of this letter. This number is only for the provider's use. Individual participants or adopting employers with questions about the plan should contact you.
- . Write to us - provide your telephone number and the best time to call if we need more information.

Whether you call or write, reference the letter serial number and file folder number at the top of the first page of this letter.

Let us know if you change or discontinue sponsorship of this plan.

Keep a copy of this letter for your records.

GEORGIA MUNICIPAL ASSOCIATION INC
FFN: 317E0630001-001
Page: 3

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel Dragoo", written over a light blue horizontal line.

Daniel Dragoo
Director, EP Rulings & Agreements

cc: ICE MILLER LLP
ATTENTION: LISA ERB HARRISON
ONE AMERICAN SQUARE, SUITE 2900
INDIANAPOLIS, IN 46282



City of Stockbridge

AGENDA ITEM

MEETING DATE

10/14/2024

FUNDING SOURCE

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

- ☐ GENERAL FUND
- ☐ FUND BALANCE
- ☐ SPLOST or TSPLOST
- ☐ ARPA
- ☐ GRANT
- ☐ HOTEL/MOTEL TOURISM
- ☐ COUNCIL INITIATIVE
- ☐ PARTNER/SPONSOR
- ☐ DEPARTMENT FUND BALANCE
- ☐ BONDING

ACCOUNT TRANSFER FROM:

ACCOUNT TRANSFER TO:

PRESENTER:

Richard Godfrey

DEPARTMENT:

Police Department

ITEM/PROJECT/EVENT:

Requesting the council to approve the proposed budget amendment as outlined within the attached Ordinance to purchase a National Integrated Ballistic Information Network System ("NIBIN") in the amount of \$277,918.00. This is a sole source purchase from Forensic Technology.

BACKGROUND INFORMATION:

In 2023, the police department received the Governor's Office of Planning and Budget - Public Safety and Violent Crime Reduction Grant that was approved by council, resolution RS-1598. This grant will reimburse the city for the full amount once the noted item is purchased.

APPROVALS: CITY MANAGER

CITY TREASURER

CITY ATTORNEY

GRANTS ADMIN.

☐ FINANCIAL IMPACT ☐ N/A

AMOUNT \$

277,918.00

ATTACHMENTS:



**STATE OF GEORGIA
HENRY COUNTY
CITY OF STOCKBRIDGE**

ORDINANCE NO. 24-

AN ORDINANCE FOR BUDGET AMENDMENT 2024-__ AMENDING THE CITY OF STOCKBRIDGE BUDGET FOR FISCAL YEAR 2024; TO ALLOW FOR THE POLICE DEPARTMENT TO TRANSFER FUNDS FROM THE GENERAL FUND FOR THE PURCHASE OF A NATIONAL INTEGRATED BALLISTIC INFORMATION NETWORK, TO BE REIMBURSED THROUGH THE PUBLIC SAFETY AND COMMUNITY VIOLENCE REDUCTION GRANT AWARDED FROM THE GOVERNOR'S OFFICE OF PLANNING AND BUDGET; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WITNESSETH:

WHEREAS, the City of Stockbridge ("City") is a municipal corporation duly organized and existing under the laws of the State of Georgia and is charged with providing public services to residents located within the corporate limits of the City; and,

WHEREAS, the City adopted its final operating budget for fiscal year 2024 ("FY2024") in December of 2023; and,

WHEREAS, Section 6.27 (b) of the City Charter provides that the City Council by majority vote may make changes in the appropriations contained in the current operating budget at any regular meeting or special or emergency meeting called for such purposes; and,

WHEREAS, the City of Stockbridge Police Department has proposed a text amendment to the City Operating Budget to allow for Police Department use of funds from the General Fund to purchase a National Integrated Ballistic Information Network System ("NIBIN"), to be reimbursed through the "Public Safety and Community Violence Grant" awarded by the Governor's Office of Planning and Budget; and,

WHEREAS, the NIBIN System purchase was approved by Council through resolution R23-1598 in 2023, for the amount of \$277,918.00, as detailed in Exhibit A attached; and,

WHEREAS, the text amendment proposal has been reviewed and approved by Council;

**THEREFORE, THE CITY COUNCIL OF THE CITY OF STOCKBRIDGE HEREBY
ORDAINS:**

SECTION 1. Adoption of Text Amendment 2024 - ____. Council approves amendment to the FY2024 Operating Budget to allow Police Department use of funds in the amount

\$277,918.00 from the General Fund to purchase a NIBIN System, for reimbursement to the General Fund through the “Public Safety and Community Violence Grant” awarded by the Governor’s Office of Planning and Budget, as detailed in Exhibit A.

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

SECTION 3. City Attorney Authority. Pursuant to the City’s charter and with explicit consent of the City Counsel, the City Attorney is duly authorized to make requisite amendments to all contracts, ordinances, resolutions, and documents, as may be necessary, in order to secure conformity with the express intent of the City Council and to ensure adherence to all pertinent laws and ordinances of the City.

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

SECTION 5. Severability. To the extent any portion of this Ordinance is declared to be invalid, unenforceable, or non-binding, that shall not affect the remaining portions of this Ordinance.

SECTION 5. Repeal of Conflicting Provisions. Except as otherwise provided herein, all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 6. Effective Date. This ordinance shall become effective immediately upon its adoption by the Mayor and City Council of the City of Stockbridge as provided in the City Charter.

SO ORDAINED this ____th day of _____ 2024.

ANTHONY S. FORD
MAYOR OR MAYOR PRO TEM

ATTEST:

(SEAL)
VANESSA HOLIDAY, CITY CLERK

APPROVED AS TO FORM:

QUINTON WASHINGTON, CITY ATTORNEY



City of Stockbridge

AGENDA ITEM

MEETING DATE

October 14, 2024

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

☐	GENERAL FUNDS
☐	FUND BALANCE
☐	SPLOST OR TSPOST
☐	ARPA
☐	GRANT
☐	HOTEL/MOTEL
☐	TOURISM
☐	COUNCIL INITIATIVE
☐	PARTNER/SPONSOR
☐	DEPARTMENT FUND
☐	BALANCE

PRESENTER: Lakeisha Gaines / Renee Wheeler

DEPARTMENT: Finance

ACCOUNT TRANSFER FROM: N / A

ACCOUNT TRANSFER TO: N / A

ITEM/PROJECT/EVENT:

Approval of the Job Description for the Property Tax Specialist

BACKGROUND INFORMATION:

Finance is requesting that Council review and approve the job description for the newly created Property Tax Specialist.

BACKGROUND INFORMATION:

At the September 24, 2024 Council Meeting, Finance requested to post and hire the position of Property Tax Specialist. The position is needed to assist in the recently implemented property tax for the City as well as the impending Homestead Exemption. This position will also assist the Accounting with other audit, month end and year end processes.

STAFF RECOMMENDATION:

Staff recommendation is for the approval of the job description, with the intent to post and hire as soon as possible.

APPROVALS:

CITY MANAGER 

CITY TREASURER Lakeisha Gaines

CITY ATTORNEY _____

DEPARTMENT HEAD Lakeisha Gaines

☐ FINANCIAL IMPACT ☒ N/A

AMOUNT \$

ATTACHMENTS: ☒

Job Title: Property Tax Specialist

PG: 106 Min: \$39,820.37 Mid: 51,770.98 Max: \$61,721.58

Job Summary: The tax specialist performs complex and comprehensive technical and customer service work in the collection and maintenance of property taxes, special assessments, local improvement districts charges, and Real Estate Excise Taxes and other types of payments in the Treasurer's office that requires proper application of state laws.

Class Characteristics: This is the full-performance classification level.

Essential Duties and Responsibilities:

(This listing may not include all of the duties listed, nor do the listed examples include all tasks which may be required by this position.)

- Receipts tax payments. Determines if payment is correct and if it can be accepted in accordance with applicable state tax laws. Includes entering data in software system, posting payment to correct accounts, balancing payments to the amount posted and reconciling any discrepancies.
- Performs complex analysis of excise tax documents and process in accordance with applicable laws. Answers inquiries from Georgia Department of Revenue and taxpayers regarding excise tax. Balance excise tax collections, prepare related reports for Department of Revenue, and upload file directly to the Department of Revenue each month.
- Provides customer service and assists customers; provides information and answers questions and concerns; responds to open records request in accordance with legal guidelines; investigates and resolves questions, issues, and technical problems related to tax accounts, tax code interpretation, and department procedures; and directs customers to appropriate department or individuals as necessary.
- Maintains records on personal property accounts that are one or more years delinquent and aggressively works to collect all delinquent personal property accounts by phone contact, working with the Assessor's appraisers in posting the property. Prepares legal paperwork for recording liens in the Auditor's office. Prepares and serves Warrants of Dstraint on personal property. When necessary, research accounts for identification and location of proper taxpayer and assets. May require contacting taxpayers in the field to serve legal documents.

Job Title: Property Tax Specialist (continued)

- Set up new Local Improvement and Assessment District accounts created by resolution in the collection software system in accordance with the appropriate resolutions and state laws.
- Processing payments received by mail through Canon check processor system, reconciling the total amount processed, and importing payments into the software system to post to correct accounts.
- Prepare refund documentation for accounting department to issue checks for change on payments that were overpaid.
- Research questions from taxpayers, mortgage companies, tax services, attorneys, and real estate professionals regarding the status of taxes and related actions on parcels. As well as explaining the dynamics of how taxes, levies and assessed values work together to create the tax amounts billed on properties.
- Analyzes various reports related to property tax and assessment adjustments to identify problems. Researches and corrects problems that are identified. Interfaces with taxpayers on problems and provide them with corrected statements when applicable. If unable to resolve an issue, directs taxpayer to the person or office that can assist in a resolution.
- Advises supervisor of recurring types of problems and suggests solutions where appropriate.
- Responsible for monthly reconciliation of bank accounts handled by the accounting department.
- Use the County postage machine to postmark office mail each day, which sometimes include certified mailings
- Performs other duties as assigned.

Knowledge Required by the Position:

- Ability to communicate clearly and concisely, both orally and in writing.
- Ability to learn tax, assessment, foreclosure, bankruptcy and distraint laws applicable to personal and real property.
- Ability to enforce pertinent codes, ordinances, laws, and regulations with impartiality and efficiency.
- Must be able to deal effectively with the public in a tactful, professional and courteous manner in stressful situations whether over the phone or in person at the front counter.
- Ability to investigate complaints in a timely and tactful manner.
- Ability to maintain tax records, and files.
- Ability to prepare clear and concise technical reports.
- Ability to read and interpret legal documents and descriptions and forms.
- Ability to research, compile, and collect data.
- Ability to respond to inquiries, complaints, and requests for service in a fair, tactful, and firm manner.
- Ability to type and enter data accurately at a speed necessary for successful job performance.
- Ability to understand and follow oral and written instructions.

Job Title: Property Tax Specialist (continued)

- Ability to work independently in the absence of supervision.
- Knowledge of city services and organizational structure.
- Knowledge of effective public relations practices.
- Knowledge of geographic features and locations within the area served.
- Knowledge of methods and techniques of business correspondence and technical report preparation.
- Must be proficient in using Microsoft Word and Excel.
- Knowledge of principles and procedures of record keeping and records retention.

Supervisory Controls: The work of this position is performed under the general supervision of the Accounting Manager.

Guidelines: Guidelines include City and departmental safety manuals, policies and procedures.

Complexity: The work requires technical knowledge and application of tax regulations, and ability to manage multiple tasks and projects. In addition, incumbent must be able to use independent judgment and conflict negotiation skills.

Personal Contacts: Contacts are typically with property owners, the general public, co-workers, elected officials and the staff of county and state agencies.

Purpose of Contacts: Contacts typically occur in order to give and exchange information and provide services.

Physical Demands: While performing the duties of this job, the employee is regularly required to stand, sit and talk or hear. The employee is occasionally required to stand, walk, use hands and reach with arms and hands. The employee must occasionally lift and/or move up to 50 pounds. Specific vision abilities required by this job include close vision.

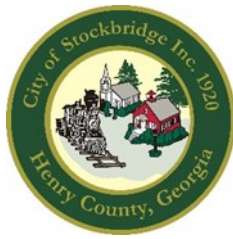
Work Environment: The work environment is an office setting with a desk, chair and workstation. The noise level is usually moderate. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Supervisory and Management Responsibility: None.

Job Title: Property Tax Specialist (continued)

Minimum Qualifications:

High School diploma or equivalent. Three (3) years of experience which demonstrates the ability to provide excellent customer service, interpret basic accounting functions. An associate's degree in business or related field may substitute for up to one year of experience. Must be proficient in using Microsoft Word and Excel. Experience as a tax specialist is preferred with a municipal government.



City of Stockbridge

AGENDA ITEM

MEETING DATE

OCTOBER 14, 2024

FUNDING SOURCE

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

- ☐ GENERAL FUND
- ☐ FUND BALANCE
- ☐ SPLOST or TSPLOST
- ☐ ARPA
- ☐ GRANT
- ☐ HOTEL/MOTEL TOURISM
- ☐ COUNCIL INITIATIVE
- ☐ PARTNER/SPONSOR
- ☐ DEPARTMENT FUND BALANCE
- ☐ BONDING

ACCOUNT TRANSFER FROM:

ACCOUNT TRANSFER TO:

PRESENTER:

Community Development Staff

DEPARTMENT:

Community Development

ITEM/PROJECT/EVENT:

Rezoning Case #RZ-2024-07 for the Patrick Henry Parkway Master Plan, which was prepared by the TSW consulting firm. The Plan would represent a signature project worth some \$350 million for the City of Stockbridge and Henry County. It would include a mixture of proposed retail, commercial, residential, and entertainment uses.

BACKGROUND INFORMATION:

A presentation was made to the Planning Commission by Frederick Gardiner, City Manager, at the August 15, 2024 meeting. A staff report (RZ-2024-07) was also prepared. No action was taken. The case was heard again at the Planning Commission meeting on September 19, 2024, and it was unanimously approved.

APPROVALS: CITY MANAGER _____

CITY TREASURER _____

CITY ATTORNEY _____

GRANTS ADMIN. _____

☐ FINANCIAL IMPACT ☐ N/A

AMOUNT \$

ATTACHMENTS:

☐

ITEM/PROJECT/EVENT:

Rezoning Case #RZ-2024-07 for the Patrick Henry Parkway Master Plan.

BACKGROUND INFORMATION:

STAFF RECOMMENDATION:

APPROVAL.

Staff Signature_____



TO: City of Stockbridge Mayor and City Council
City of Stockbridge Planning Commission

FROM: Keedra Jackson, Chief Planner, Planning and Zoning Division

CC: Fred Gardiner, City Manager
Ryan Anderson, Community Development Director

DATE: August 15, 2024

SUBJECT: Staff Report for Patrick Henry Parkway Master Plan

I. PURPOSE

To consider a city-wide initiated rezoning by the City of Stockbridge to rezone the subject properties at Parcel #s 052-01022000 (29.08 acres), 052-01031001052, 052-01023002 (6.16 acres), 053-B01030006 (0.92 acres), 053-B01030007 (0.48 acres), 053-B01030008 (0.47 acres), 052-01031000 (4.30 acres), 0523-B01030009 (0.52 acres), from Rural Residential (RR) to Planned Unit Development (PUD) to allow for a mixed-use development. The subject properties range from the northern portion of Patrick Henry to the end point of Holloway Road. The subject properties consist of various owners and contains approximately 41.68 +/- acres.

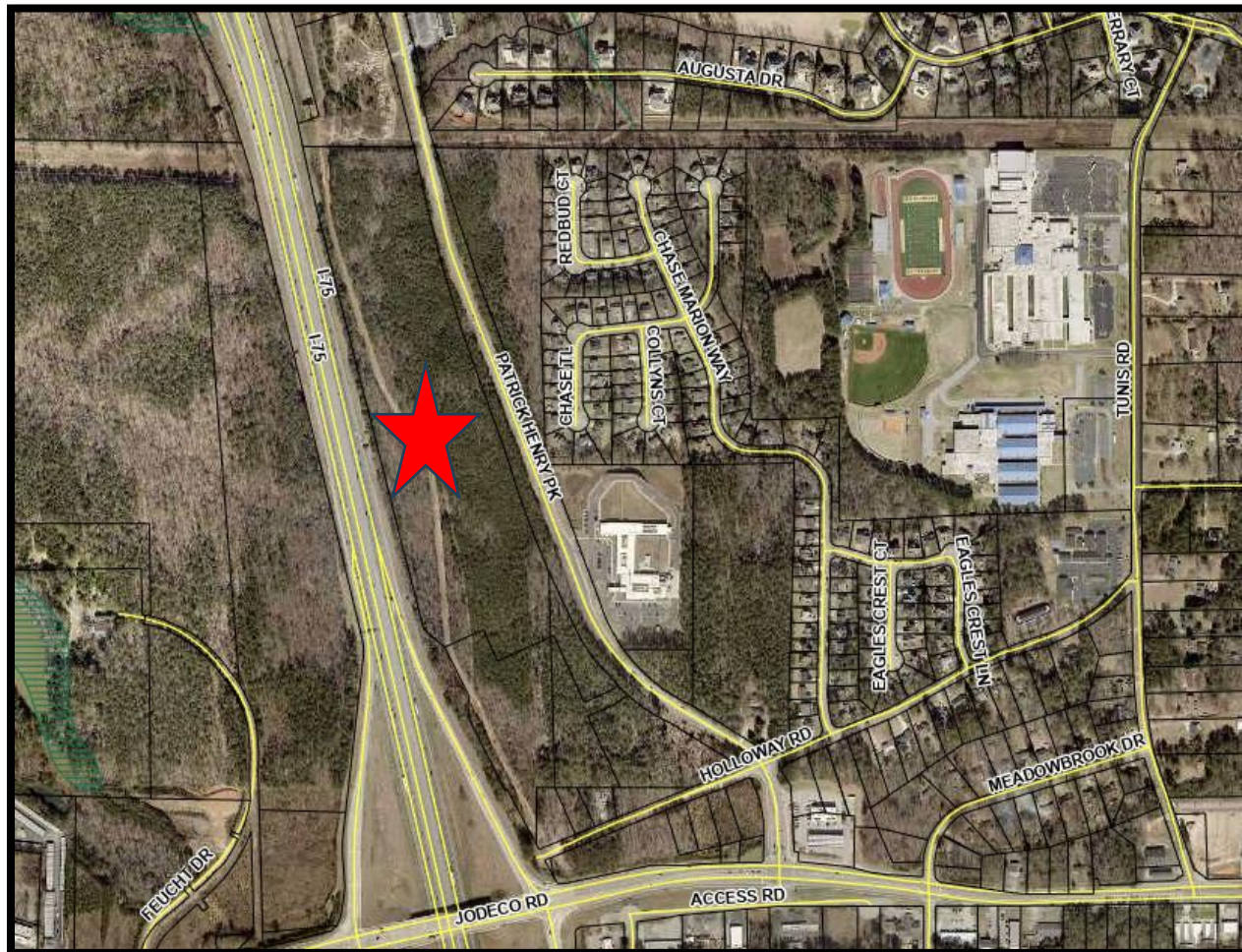
An aerial photo of the subject property is shown after the Case Facts (Table 1) below.

II. CASE FACTS (Table 1)

DESCRIPTIVE FACTOR	FINDINGS
Proposed Development:	Mixed-Use Development
Parcel Identification:	052-01022000, 052-01031001052, 053-B01030006, 053-B01030007, 053-B01030008, 052-01031000, 071-A01088001
Parcel Acreage:	+/- 41.68 acres.
Land District and Land Lot:	District 5, Land Lot 46.
Applicant:	City of Stockbridge
Owner:	Various
Current City Zoning:	RR and Parkway Mixed-Use Overlay District.
Surrounding Zoning:	• <u>North</u>—PUD (Multiple Family Residential).

	• <u>Northwest</u>—SR (Suburban Residential). • <u>East</u>—Unincorporated Henry County • <u>South</u>—Unincorporated Henry County_C-2 (General Commercial). • <u>Southeast</u>—PUD and_C-2 (General Commercial). • <u>West</u>—Outside of the City. Zoned 'RD' & 'RM' (Residential-Duplex & Residential-Multifamily) by Henry County. • <u>Southeast</u>—Outside of the City. Zoned 'C-2' (General Commercial) by Henry County.
City Land Use Designation:	Medium-Density Mixed-Use.
Current Use:	Vacant.
Surrounding Land Uses:	• <u>North</u>—vacant land • <u>Northeast</u>—Eagles Landing Subdivision (unincorporated Henry County). • <u>East</u>—Eagles Landing High School, Eagles Landing Middle School, Living Word Christian School • <u>South</u>— Vacant land • <u>Southeast</u>—Racetrac on Jodeco Road (unincorporated Henry County) • <u>West</u>—Unincorporated Henry County).
Property Location:	To the southeastern portion of North Patrick Henry Parkway adjacent to I-75, ending at Holloway Road.
Property Conditions:	Vacant land; mostly wooded. 4.538 acres of Octagon Road, an abandoned road, runs through the eastern portion of the subject property from Holloway Road through the northern part of the property. The road was abandoned in 2009 (Resolution 09-119).

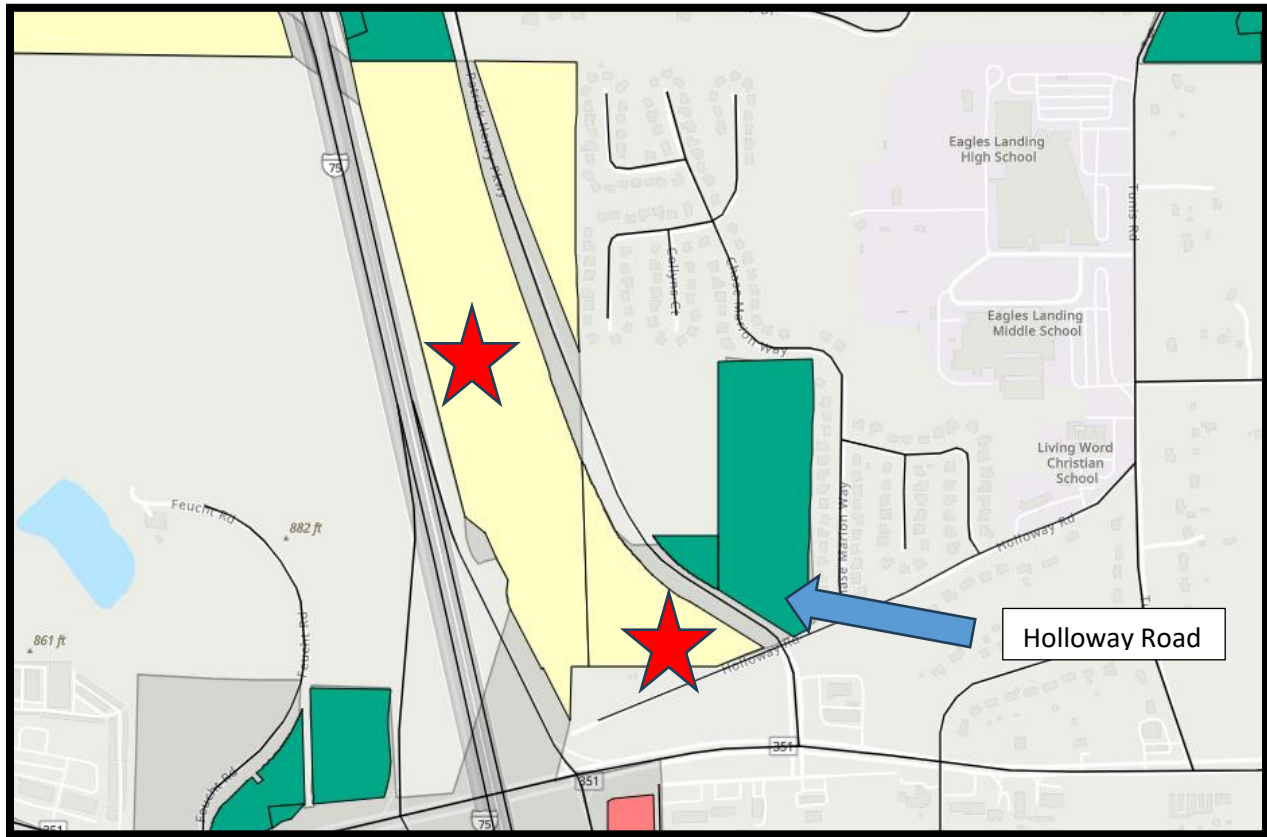
AERIAL PHOTO OF SUBJECT PROPERTY



III. PROPERTY AND ZONING HISTORY

Property History. The subject property does not appear to have any zoning history per research. The subject site is a part of the Patrick Henry Parkway Master Plan and consists of vacant land that is heavily wooded. The subject property is irregularly shaped.

ZONING MAP



Recent Zoning Activity: RZ-2023-08. A rezoning of the subject property from unincorporated Henry County to PUD (Planned Unit Development) was sought by Waypoint Residential in 2023. Parcels # 052-1025027, 052-01025028, and 052-01025021 were rezoned to allow for a Mixed-Use Development consisting of multi-family residential and retail commercial uses. The subject properties are located in the Parkway Mixed Use Overlay and were approved with fifteen (15) conditions by Mayor and City Council in September of 2023.

CONCEPTUAL SITE PLAN



STREET VIEW OF SOUTHWEST CORNER OF SITE



STREET VIEW OF SITE TOWARD SOUTHEAST CORNER



2024 CITY OF STOCKBRIDGE FUTURE LAND USE MAP



PROPOSED DEVELOPMENT

Project Size. The subject property is irregularly shaped beginning at southeastern portion of Patrick Henry Parkway to Holloway Road. The subject properties are an approximate total of 41.68 +/- acres. The proposed development will consist of mixed uses such as vertical development of retail, office and residential development. The Residential development will be comprised of single family attached townhomes and possible multi-family apartments. A professional office complex, commercial retail and auto sales and multiple four-star hotels will also be a part of the proposed development. The proposed buildings will have a maximum height of four (4) stories. This collaborative master plan was coordinated in conjunction with the current property owners, their representatives and city planning staff. The estimated establishment of this project will begin at \$350 million. Entertainment, job opportunities and signature development will be afforded to the City of Stockbridge and the residents of Henry County. Proposed setbacks, design guidelines and architectural renderings have not been established at the time of this report; however, building materials will maintain the historic standards of development which consist of brick, stucco and/or stone.

IV. ANALYSIS OF REQUEST

The city requests a rezoning under Section 9.2.1 of the City of Stockbridge's Unified Development Code (UDC). Under Section 9.2.1(C), the UDC states that the Planning Commission and the City Council shall consider nine (9) standards in considering any proposal that would result in a change to the text or map of the UDC, giving due weight or priority to those factors that are appropriate to the circumstances of each proposal. An analysis of the compliance of the proposed rezoning with those standards is made below.

STANDARD #1--Consistency with the Comprehensive Plan. The 2024-2028 Five-Year Update to the Stockbridge Comprehensive Plan calls for the development of mixed-use and office and retail, and the proposed mixed-use development would help to meet that need. The companion Future Land Use Map shows a future land use designation for the subject property of "High-Density Residential", to include both residential and commercial uses. The compatible land use designation can be High-Density Mixed-Use, Special Purpose Designations. A Comprehensive Plan amendment will be needed to ensure compatibility.

STANDARD #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 Unified Development Code (UDC). The rezoning of the subject property to the requested 'PUD' (Planned Unity Development) district is necessary because the proposed mixed-use development is not permissible under the property's existing RR zoning. The PUD district, which is compatible in all future land use designations, allows the autonomy of townhomes, apartments, office, retail, and auto dealership, as does the PMU (Parkway Mixed-Use Overlay District), wherein the property lies. Although the intent of the PUD district is for new developments to provide an appropriate district for mixed-use developments, special attention should be focused on the arrangements of the buildings, and orderly improvements for function and aesthetics.

STANDARD #3 -- Potential positive effects of the rezoning amendment on the character of the proposed zoning district, a particular piece of property, neighborhood, a particular area, or community. The subject property has remained vacant to this date.

STANDARD #4 -- The physical conditions of the site relative to its capability to to be developed as requested, including topography, drainage, access, and size and shape of the property. The topography of the subject property may vary in topography range. There does not appear to be any wetlands on the subject property.

STANDARD #5 --The impacts of the proposed development upon adjacent property owners, should the request be granted. The proposed development is likely to be a positive impact on the adjacent commercial businesses, whereby the new townhome residents could represent new customers at those businesses, thereby bringing additional revenues to the businesses.

STANDARD #6 -- The potential impact of the rezoning on City infrastructure, including the water and sewage system. The City will ensure that the developer complies with all codes and regulations, and that no negative impact will result from the proposed rezoning.

STANDARD #7 -- The impact of the proposed amendment on adjacent thoroughfares and pedestrian and vehicular circulation and traffic volumes. The city will ensure to follow all regulations relating to traffic.

STANDARD #8 -- The merits of the requested change in zoning relative to any other guidelines and policies for development, which the Planning Commission and City Council may use in furthering the objective of the comprehensive plan. The Patrick Henry Parkway master plan called for a mixed-use development containing at least four (4) stories in height and various residential components such as apartments, townhomes, single-family homes, offices, etc. A mixed-use development would be an appropriate usage of the property in serving as a transition between the lower-density single-family residential subdivision to the northeast and the adjacent retail uses to the south. Further, the proposed PUD district would be compatible with the Henry County

STANDARD #9 -- The ability of the subject land to be developed as it is presently zoned. The subject properties have been vacant for quite some time and do not show promise to be developed as it is presently. Better use of this land will be afforded with the rezoning to PUD as proposed.

RECOMMENDATIONS

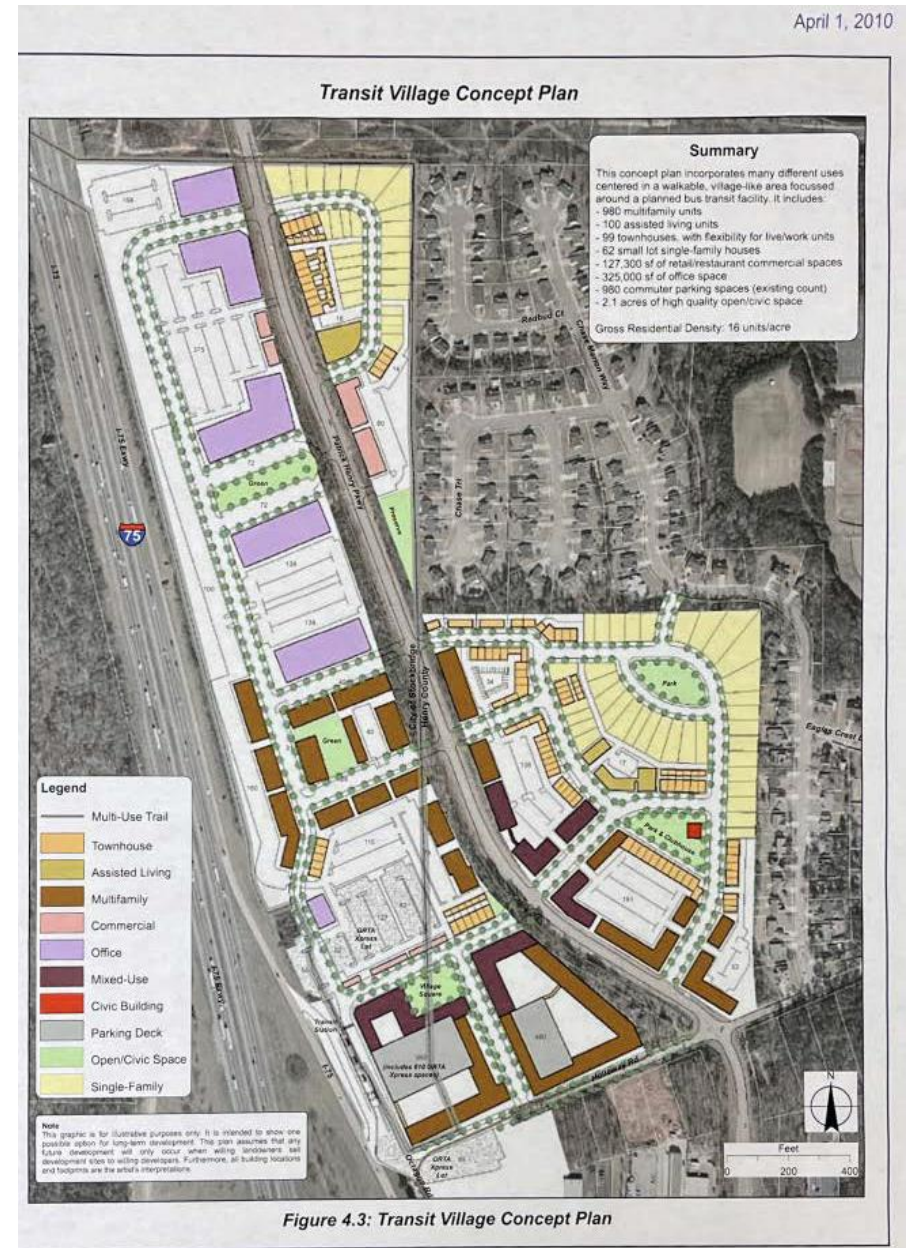
Based on the findings of the Analysis above, the Planning and Zoning Staff recommends that the applicant's request to rezone the subject property from 'RR' (Rural Residential) to 'PUD' (Planned Unit Development) via RZ-2024-07 to allow for the development of a mixed-use development be **APPROVED.**

Collaborative Master Planning

- Coordinated with the Following:
 - Property Owners
 - Property Owner's Representative
 - City Planning Staff
- Provide for Mixed of Uses:
 - Vertical Development of Retail, Office and Residential
 - Single Family Attached Townhomes
 - Multi-family Residential Apartment
 - Professional Office Complex
 - Commercial Retail and Auto Sales
 - Multiple Four-Star Hotels Development
- Establishment Valuation of Project is \$350 Million
- New Entertainment Venues
- New Restaurants Establishment
- New Job Opportunities
- Signature Project for Stockbridge and Henry County



Collaborative Planning Effort for this Corridor





MORTISE
& TENON

DISTRICT
15 FIFTEEN

DISTRICT
15 FIFTEEN

coffee corner

coffee corner



Zam's
MEXICAN CUISINE

Zam's

Zam's

Zam's

MAA

MAA
West Village
LEASING CENTER
Retail Parking

Village





W Village Way

GOMMA'S GALLERY



2 HOUR VISITOR



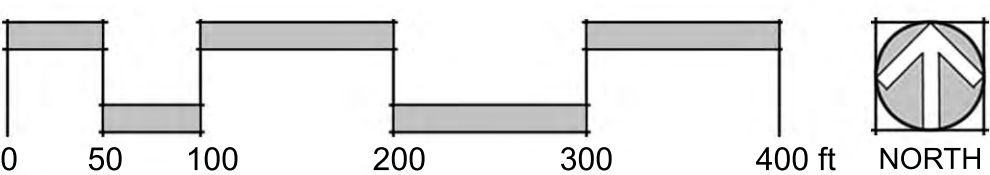






Concept Plan for:
Patrick Henry Site

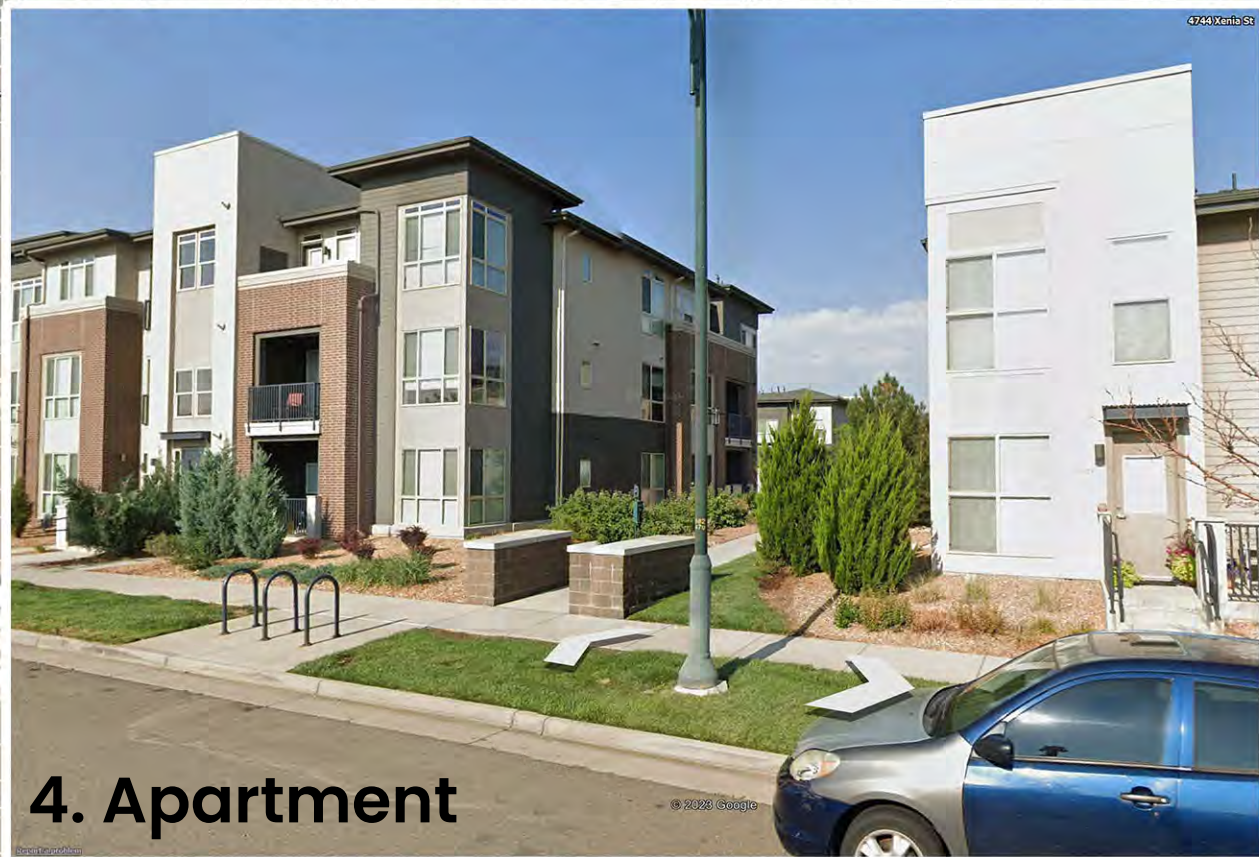
6.15.2023



Land Use Summary		Non-Residential	Residential	Hotel	Parking
		SF	DU	ROOM	Spaces
Village Center					
	Village Center Retail	55,000			248
	Residential above Retail	86,000	264		806
	Hotel			120	150
	Office	86,000			346
	Apartment		460		792
	Single Family & Townhouse (South)		61		2/du
	Townhouse (North)		93		2/du
TOTAL		227,000	878	120	2342



5. Townhouse



4. Apartment



3. Office



2. Mixed Use Building



1. Central Green/Plaza

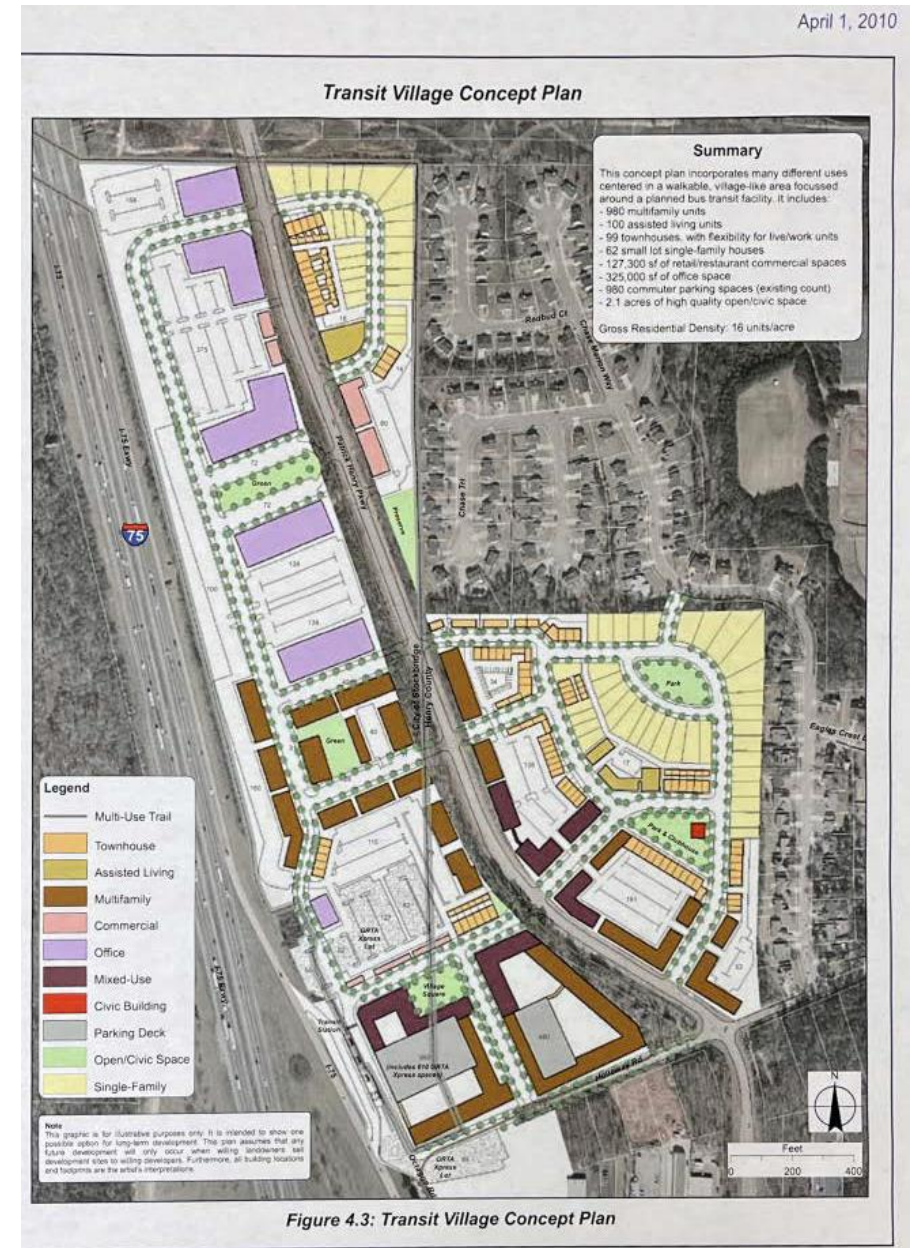


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Collaborative Planning Effort for this Corridor





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coffee corner

coffee corner



Zam's
MEXICAN CUISINE

Zam's

Zam's

Zam's

MAA

MAA
West Village
LEASING CENTER
Retail Parking

Village





W Village Way

GOMMA'S GALLERY



2 HOUR VISITOR







PARKING

ELEVATOR

CLEARANCE



City of Stockbridge

AGENDA ITEM

MEETING DATE

FUNDING SOURCE

- ☒ RESOLUTION
☐ ORDINANCE
☐ CONTRACT APPROVAL/RENEWAL
☒ PUBLIC HEARING
☐ PRESENTATION
☐ BID SELECTION/AWARD
☐ TASK ORDER
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☐ COUNCIL INITIATIVE
☐ PARTNER/SPONSOR
☐ DEPARTMENT FUND BALANCE
☐ BONDING

ACCOUNT TRANSFER FROM:

ACCOUNT TRANSFER TO:

PRESENTER:

Community Development Staff

DEPARTMENT:

Community Development

ITEM/PROJECT/EVENT:

2025-2029 Short-Term Work Program and Capital Improvements Update. Adoption of a resolution to authorize the City of Stockbridge to transmit the document for the 2025-2029 STWP & CIE Update to the Atlanta Regional Commission and Georgia Department of Community Affairs, in order to comply with State minimum standards.

BACKGROUND INFORMATION:

Both agencies have reviewed the document and provided comments, which were incorporated into the final document.

APPROVALS: CITY MANAGER _____

CITY TREASURER _____

CITY ATTORNEY _____

GRANTS ADMIN. _____

☐ FINANCIAL IMPACT ☐ N/A

AMOUNT \$

ATTACHMENTS:

☐

ITEM/PROJECT/EVENT:

2024-2029 SHORT-TERM WORK PROGRAM & CAPITAL IMPROVEMENTS ELEMENT.

BACKGROUND INFORMATION:

STAFF RECOMMENDATION:

APPROVAL.

Staff Signature_____



City of Stockbridge

4640 North Henry Blvd. • Stockbridge, GA 30281

City Hall: (770) 389-7900 • Fax: (770) 389-7912

September 16, 2024

Mr. Andrew Smith, Principal Planner
Atlanta Regional Commission
229 Peachtree St. NE STE 100
Atlanta, GA 30303

RE: Transmittal of City of Stockbridge 2025-2029 Short Term Work Program & Capital Improvement Element Update to the Atlanta Regional Commission & Dept. of Community Affairs

Dear Mr. Smith,

The City of Stockbridge has completed an update of its comprehensive plan and is submitting it with this letter for review by the Atlanta Regional Commission and the Department of Community Affairs.

I certify that we have held the required public hearings and have involved the public in development of the plan in a manner appropriate to our community's dynamics and resources. Evidence of this has been included with our submittal.

I certify that the appropriate staff and decision-makers have reviewed both the Regional Water Plan covering our area and the Rules for Environmental Planning Criteria (O.C.G.A. 12-2-8) and taken them into consideration in formulating our plan.

If you have any questions concerning our submittal, please contact Ryan Anderson, Community Development Director at 678-833-3340 and randerson@cityofstockbridge-ga.gov.

Best regards,

Mayor Anthony Ford
Stockbridge City Council
aford@cityofstockbridge-ga.gov

cc: Frederick Gardiner, City Manager
Vanessa Holiday, City Clerk
Ryan Anderson Director, Community Development



Short-Term Work Program & CIE Update 2025-2029 CITY OF STOCKBRIDGE, GEORGIA

Contents

SHORT TERM WORK PROGRAM ANNUAL UPDATE.....	Pages 2-7
CAPITAL IMPROVEMENT ELEMENT	Pages 8-9



Community Facilities						
Item	Activity	Years	Responsible Party	Cost Estimate	Funding Source	Status
1	Pineview, Memorial Park, and Walter Way Liftstation Rehab	2016 - 2025	Public Works	\$ 2,704,087	SPLOST V	Ongoing
2	Parks Master Plan	2016 - 2025	Public Works	\$ 385,400.00	SPLOST V	Ongoing
3	Wastewater Improvements 2022	2016 - 2025	Public Works	\$ 398,200.00	SPLOST V	Ongoing
4	SR 138/SR42 Utility Relocation GDOT	2016 - 2025	Public Works	\$ 239,833.00	ARPA	Ongoing
5	Neighborhood Project	2016 - 2025	Public Works	\$ 2,500,000.00	TSPLOST	Ongoing
6	Davis Road Sidewalks	2016 - 2025	Public Works	\$ 2,500,000.00	TSPLOST	Ongoing
7	Campground Road Sidewalks	2016 - 2025	Public Works	\$ 500,000.00	TSPLOST	Ongoing
8	Peach Drive Sidewalks	2016 - 2025	Public Works	\$ 300,000.00	TSPLOST	Ongoing
9	Walt Stephens Road Trail	2016 - 2025	Public Works	\$ 3,500,000.00	TSPLOST	Ongoing
10	Love Street Sidewalks	2016 - 2025	Public Works	\$ 500,000.00	TSPLOST	Ongoing
11	Burke Street Sidewalks	2016 - 2025	Public Works	\$ 500,000.00	TSPLOST	Ongoing
12	Reeves Creek Trail Extension - 2 Miles	2016 - 2025	Public Works	\$ 2,800,000.00	TSPLOST	Ongoing
13	Brush Creek Trail - .25 Miles	2016 - 2025	Public Works	\$ 2,400,000.00	TSPLOST	Ongoing
14	MLK, Sr. Heritage Trail, Spur trail to Floyd Chapel Baptist Church - 0.25 miles	2016 - 2025	Public Works	\$ 425,000.00	TSPLOST	Ongoing
15	MLK, Sr. Heritage Trail, Spur trail to Green Front Cafe - 0.25 miles	2016 - 2025	Public Works	\$ 355,000.00	TSPLOST	Ongoing
16	Continuation of MLK, Sr. Heritage Trail - 0.75 miles	2016 - 2025	Public Works	\$ 625,000.00	TSPLOST	Ongoing
17	Potential Trailhead location with Reeves Creek Trail link at MLK, Sr. Heritage Trail	2016 - 2025	Public Works	\$ 500,000.00	TSPLOST	Ongoing
18	Country Club Drive Safety Improvements	2016 - 2025	Public Works	\$ 1,000,000.00	TSPLOST	Ongoing
	Subtotal			\$22,132,520.00		

The City has projects planned beyond the 5-year time horizon if none are scheduled during the annual reporting period.



Community Facilities (Cont.)						
Item	Activity	Years	Responsible Party	Cost Estimate	Funding Source	Status
19	GIS - Infrastructure Inventory and Detailed Mapping	2016 - 2025	Public Works	\$ 32,020.00	SPLOST V	Complete
20	Smith Barnes Sewer Basin Rehab - CDBG Phase II	2016 - 2025	Public Works	\$ 1,261,368.00	SPLOST V	Complete
21	East Atlanta Road/Lee Street Improvements	2016 - 2025	Public Works	\$ 3,832,225.00	SPLOST V	Complete
22	Central Line Water Main Replacement	2016 - 2025	Public Works	\$ 276,000.00	SPLOST V	Complete
23	WWTP and Glynn Addy Pump Station Improvements	2016 - 2025	Public Works	\$ 584,345.00	SPLOST V	Complete
24	Burke Street Sewer Main Rehab	2016 - 2025	Public Works	\$ 759,307.00	SPLOST V	Complete
25	Candler Rd Dog park Parking Lot Improvement	2025 - 2030	Public Works	\$ 250,000.00	SPLOST VI	Planning Phase
26	Sewer-infiltration and inflow Study	2016 - 2023	Public Works	\$ 1,500,000.00	SPLOST IV	Complete
27	Splash Pad/Park Design	2015 - 2026	Community Dev	\$ 1,300,000.00	General Fund	In Progress
28	Monument Sign (City Hall Fountain)	2022 - 2024	Community Dev	\$ 75,000.00	General Fund/ Georgia Power	Concept Plan Process
29	Multi-Purpose Facility (Youth/Senior)	2018 - 2026	Community Dev	\$ 8,000,000.00	General Fund/ Bond Financing	Concept Plan Process
30	Cultural Arts Center	2018 - 2026	Community Dev	\$18,000,000.00	Bond Financing/ SPLOST V	Concept Plan Process
31	Reeves Creek Natural Reserve	2025 - 2030	Community Dev	\$ 500,000.00	SPLOST VI	In Progress
	Subtotal			\$ 36,338,245.00		
	Total			\$58,470,765.00		

The City has projects planned beyond the 5-year time horizon if none are scheduled during the annual reporting period.



Economic Development

Item	Activity	Years	Responsible Party	Cost Estimate	Funding Source	Status
1	Create a Citywide Marketing Plan (Rebranding)	2016-2026	Economic Development	\$ 75,000	Hotel/Motel	On-going
2	Establish Stockbridge Assoc. of Businesses	2017-2026	Economic Development	\$ 20,000	General Fund	In Progress
3	Create Economic Development Marketing Plan	2017-2026	Economic Development	\$100,000	Hotel/Motel	In Progress
4	Opportunity Zone Designation Study	2017-2026	Economic Development	\$ 25,000	General Fund	In Progress
	Total			\$220,000		

Land Use

Item	Activity	Years	Responsible Party	Cost Estimate	Funding Source	Status
1	Citywide Housing Study	2025-2030	Community Development	\$ 300,000	General Fund	Planning Stage
2	LCI Implementation & Update-Supplemental Study	2018-2025	Community Development	\$ 150,000	General Fund	Scope Development
3	Park Plan Development (passive, active pocket) city-wide (south, west, east, north)	2018-2025	Community Development	\$ 100,000	SPLOST V	In Progress
4	Update of Sign Ordinance	2019-2025	Community Development	\$ 100,000	General Fund	In Progress
5	Area Studies Hwy 138 & Henry Blvd	2025-2030	Community Development	\$ 250,000	General Fund	In Progress
6	Update of Sign Ordinance	2019-2025	Community Development	\$ 100,000	General Fund	In Progress
	Total			\$1,000,000		

The City has projects planned beyond the 5-year time horizon if none are scheduled during the annual reporting period.



Transportation

Item	Activity	Years	Responsible Party	Cost Estimate	Funding Source	Status
1	Roadway Construction Projects/Engineering and ROW Acquisition	2016-2026	Public Works	\$ 3,000,000	SPLOST IV	In Progress
2	Sidewalk - repair and reconstruction	2015-2026	Public Works	\$ 500,000	SPLOST IV	On-going
3	Road Improvements for City Project and streets	2018-2026	Public Works	\$ 5,000,000	SPLOST V	On-going
4	Infrastructure Improvements for city	2018-2026	Public Works	\$ 7,000,000	SPLOST V	On-going
Subtotal				\$15,500,000.00		

The City has projects planned beyond the 5-year time horizon if none are scheduled during the annual reporting period.



Completed Projects						
Item	Activity	Years	Responsible Party	Cost Estimate	Funding Source	Status
1	Update City Unified Development Codes	2018-2025	Community Development	\$100,000	General Fund	Complete
2	Public Works Facility	2018-2026	Public Works	\$3,000,000	SPLOST IV	Complete
3	Amphitheater	2018-2026	Community Development	\$23,085,254	Fund Balance/Bond Financing/SPLOST IV	Complete
4	Overlay District Designation	2018-2025	Community Development	\$75,000	General Fund	Complete
5	Wastewater Heads Work, Phase 2	2018-2025	Public Works	\$3,232,367	SPLOST III/Sewer Fund/Impact Fees	Complete
6	SCADA Replacement	2018-2025	Public Works	\$721,977	SPLOST III	Complete
7	Wastewater Treatment Plant Upgrade	2018-2025	Public Works	\$1,414,000	SPLOST IV	Complete
8	Wastewater Treatment Plant Upgrade Plans/Engineering	2015-2025	Public Works	\$5,858,344	SPLOST III, IV	Complete
9	Sewer reconstruction & Pump Station replacement	2015-2025	Public Works	\$1,350,000	SPLOST IV	Complete
10	Water main and service line replacement	2016-2024	Public Works	\$276,000	Water Fund/Impact Fees/SPLOST IV	Complete
11	Wastewater Treatment Plant Upgrade Plans/Engineering Davis Road from Shields Road	2015-2025	Public Works	\$5,858,344	SPLOST III, IV	Complete
12	Highway 42 (Sidewalks and Streetscape)	2015-2024	Public Works	\$605,725	SPLOST, TE General Fund	Complete
13	Stockbridge Electric Vehicle Station @ Amphitheater	2022-2024	Community Development	\$75,000	General Fund/ GA Power	Complete
	Subtotal			\$45,653,811		

The City has projects planned beyond the 5-year time horizon if none are scheduled during the annual reporting period.



Completed Projects (Cont.)						
Item	Activity	Years	Responsible Party	Cost Estimate	Funding Source	Status
14	Trail Study Implementation	2016-2025	Community Development	\$ 1,000,000	Bond Financing/ SPLOSTV	Complete
15	Comprehensive Plan 5-Year Update	2022-2025	Community Development	\$ 100,000	General Fund	Complete
16	Overlay District Designation	2018-2025	Community Development	\$ 75,000	General Fund	Complete
17	Downtown Pedestrian & Bicycle Connectivity Concept Study	2022-2023	Community Development	\$ 125,000	ARC Grant & General Fund	Complete
	Subtotal			\$ 1,300,000		
	Total			\$46,953,811		

The City has projects planned beyond the 5-year time horizon if none are scheduled during the annual reporting period.



CIP EXPENDITURES SUMMARY BY PROJECT
FUND-353

	Estimated Project Cost FY2023	Amount Anticipated To Be used In FY2023	Balance To Be Carried Over To FY2024	FY2024	FY2025
<u>Projects:</u>					
Water Project Improvements	\$ 503,820	\$ 211,320	\$ 292,500	\$ 292,500	\$
Sewer Project Improvements	\$ 1,500,000	\$ 385,350	\$ 1,114,650	\$ 1,114,650	\$
Storm Water Project Improvements	\$	\$	\$ 2,000,000	\$ 400,000	\$ 400,000
Alleyway Project	\$ 350,000	\$	\$ 350,000	\$ 175,000	\$ 175,000
Court Renovation	\$ 94,736	\$	\$ 94,736	\$ 94,736	
Cultural Art Center	\$ 34,000,000	\$	\$ 32,000,000	\$ 5,400,000	\$ 6,575,000
Multi-Purpose Facility/Senior and Youth Center	\$ 10,000,000	\$	\$ 10,000,000	\$ 1,252,608	\$ 2,130,598
TSCC Renovation Project	\$ 31,340	\$ 31,340	\$		
Park and Trail Projects	\$ 2,000,000	\$ 218,166	\$ 1,781,834	\$ 356,367	\$ 356,367
Wayfinding Project	\$ 573,104	\$ 22,000	\$ 551,104	\$ 551,104	
Road Improvement	\$ 4,500,000	\$ 599,793	\$ 3,900,207	\$ 780,041	\$ 780,041
Infrastructure Improvement	\$ 3,500,000	\$ 553,500	\$ 2,946,500	\$ 589,300	\$ 589,300
Total Proposed Expenditures	\$ 57,053,000	\$ 2,021,469	\$ 55,031,531	\$ 11,006,306	\$ 1-1,006,306

	Final Adopted FY2023	Amount Anticipated To Be Used In FY2023	Balance To Be Carried Over To FY2024	FY2024	FY2025
Funding Type	FY2023	FY2023	FY2024	FY2024	FY2025
General Fund	\$ 3,320,511	\$ 100,000	\$ 2,220,511	\$ 444,102	\$ 444,102
CIP Bond	\$ 30,629,523	\$ 1,000,000	\$ 29,629,523	\$ 5,925,905	\$ 5,925,905
Future SPLOST	\$ 20,434,912	\$ 500,000	\$ 19,934,912	\$ 3,986,982	\$ 3,986,982
SPLOSTIV	\$ 2,668,054	\$ 421,469	\$ 2,246,585	\$ 449,317	\$ 449,317
Grants	\$	\$	\$ 1,000,000	\$ 200,000	\$ 200,000
Sale of Land	\$	\$	\$	\$	\$
Total Proposed Funding Sources	\$ 57,053,000	\$ 2,021,469	\$ 55,031,531	\$ 11,006,306	\$ 11,006,306
Surplus (Deficit)	0	0	(0)	(0)	0

					Projected Five Year			
FY2026		FY2027		FY2028		Total	Funding source	
\$		\$		\$		292,500	SPLOST/Grants	
\$		\$		\$	-	1,114,650	SPLOST/Grants	
\$	400,000	\$	400,000	\$	400,000	\$	2,000,000	SPLOST
\$		\$		\$	-	\$	350,000	Fund Balance/SPLOST V
						\$	94,736	General Fund
\$	6,675,000	\$	6,675,000	\$	6,675,000	\$	32,000,000	Bonds/SPLOST
\$	2,205,598	\$	2,205,598	\$	2,205,598	\$	10,000,000	Bonds/SPLOST
						\$		General Fund/Hotel Motel
\$	356,367	\$	356,367	\$	356,367	\$	1,781,835	SPLOST/SPLOST
						\$	551,104	ARPA
\$	780,041	\$	780,041	\$	780,041	\$	3,900,205	TSPLOST
\$	589,300	\$	589,300	\$	589,300	\$	2,946,500	SPLOST/SPLOST
\$	11,006,306	\$	11,006,306	\$	11,006,306	\$	55,031,530	

			Projected Five Year	
FY2026	FY2027	FY2028	Total	
\$ 444,102	\$ 444,102	\$ 444,102	\$	2,220,510
\$ 5,925,905	\$ 5,925,905	\$ 5,925,905	\$	29,629,525
\$ 3,986,982	\$ 3,986,982	\$ 3,986,982	\$	19,934,910
\$ 449,317	\$ 449,317	\$ 449,317	\$	2,246,585
\$ 200,000	\$ 200,000	\$ 200,000	\$	1,000,000
\$	\$	\$	\$	
\$ 11,006,306	\$ 11,006,306	\$ 11,006,306	\$	55,031,530
0	0	0		(0)



ANNUAL FINANCIAL REPORT FOR 2025
City of Stockbridge

2024 Item #	Public Facility Type	Water Supply	Wastewater	TOTAL
1	Service Area	City-Wide	City-Wide	City-Wide
2	Beginning Impact Fee Fund Balance	\$271,491	\$351,396	\$622,887
3	Impact Fees Collected	\$99,000	\$132,000	\$231,000
4	Accrued Interest	\$0	\$0	\$0
5	Project Expenditures	\$0	\$0	\$0
6	Administrative Costs	\$0	\$0	\$0
7	Impact Fee Refunds	\$0	\$0	\$0
8	Ending Impact Fee Fund Balance	\$370,491	\$483,396	\$853,887
9	Impact Fees Encumbered	\$370,491	\$483,396	\$853,887

Note: Impact fees for the City of Stockbridge are maintained in a separate non-interest bearing account.

STATE OF GEORGIA
HENRY COUNTY
CITY OF STOCKBRIDGE
RESOLUTION NO.

A RESOLUTION AUTHORIZING THE MAYOR TO TRANSMIT THE CITY OF STOCKBRIDGE 2025-2029 SHORT TERM WORK PROGRAM AND CAPITAL IMPROVEMENTS ELEMENT (CIE).

WHEREAS, The City of Stockbridge ("City") is a municipal corporation duly organized and existing under the laws of the State of Georgia and is charged with providing public services to residents located within the corporate limits of the City; and,

WHEREAS, there are certain minimum standards for the Short Term Work Program/Capital Improvement Element plan; and;

WHEREAS, the City is required to hold a public hearing on such a plan; and

WHEREAS, the City would like to transmit its 2025-2029 Short-Term Work Program/Capital Improvement plan to the Georgia Department of Community Affairs and Atlanta Regional Commission; and

WHEREAS, the Department of Community Affairs and Atlanta Regional Commission will review such plan within the next 30 days and provide feedback to the City on the plan.

THEREFORE, IT IS NOW RESOLVED BY THE CITY COUNCIL OF THE CITY OF STOCKBRIDGE GEORGIA AS FOLLOWS:

SECTION 1. Approval of Transmittal- The City Council approves the transmittal of the 2025-2029 Short-Term Work Program/Capital Improvement plan to the Georgia Department of Community Affairs and Atlanta Regional Commission as described in Exhibit A.

SECTION 2. Severability - To the extent any portion of this Resolution is declared to be invalid, unenforceable, or non-binding, that shall not affect the remaining portions of this Resolution.

SECTION 3. Repeal of Conflicting Provisions - All City Resolutions inconsistent with this Resolution are hereby repealed.

SECTION 4. Effective Date. This resolution shall become effective immediately upon its adoption by the City Council of the City of Stockbridge as provided in the City Charter.

SECTION 5. Attorney Authorization. The City Attorney, backed by the City's charter and with the explicit endorsement of the City Council, is authorized to make necessary amendments to contracts, ordinances, resolutions, and documents to align them with the intent of the City Council and ensure compliance with all pertinent city laws and regulations.

SO RESOLVED this _____ day of _____ 2024

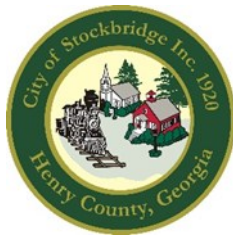
ANTHONY S. FORD, Mayor

ATTEST:

_____(SEAL)
VANESSA HOLIDAY, City Clerk

APPROVED AS TO FORM:

QUINTON WASHINGTON, City Attorney



City of Stockbridge

AGENDA ITEM

MEETING DATE

OCTOBER 14, 2024

FUNDING SOURCE

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

- ☐ GENERAL FUND
- ☐ FUND BALANCE
- ☐ SPLOST or TSPLOST
- ☐ ARPA
- ☐ GRANT
- ☐ HOTEL/MOTEL TOURISM
- ☐ COUNCIL INITIATIVE
- ☐ PARTNER/SPONSOR
- ☐ DEPARTMENT FUND BALANCE
- ☐ BONDING

ACCOUNT TRANSFER FROM:

ACCOUNT TRANSFER TO:

PRESENTER:

Community Development Staff

DEPARTMENT:

Community Development

ITEM/PROJECT/EVENT:

COMPREHENSIVE PLAN AMENDMENT CASE #CP-2024-01. To consider a request to change the property's future land use designation from Medium-Density Mixed-Use to Medium-Density Residential to allow for a townhome development containing 140 units on 20.37 +/- acres. The applicant is Lennar Georgia, LLC.

BACKGROUND INFORMATION:

The applicant has also applied for Rezoning Case #RZ-2024-01 and Variance Case #VR-2024-03. Staff Recommendation--Approval.
Planning Commission recommendation on 05/16/24--Deferral, per the applicant's request.
City Council action on 06/10/24--Deferral.
Planning Commission Recommendation on 08/15/24--Denial by a split vote, with the Vice-Chairman casting the tie-breaking vote for denial. City Council action on 09-09-24--Deferral.

APPROVALS: CITY MANAGER _____

CITY TREASURER _____

CITY ATTORNEY _____

GRANTS ADMIN. _____

☐ FINANCIAL IMPACT ☐ N/A

AMOUNT \$

ATTACHMENTS:

☐

ITEM/PROJECT/EVENT:

COMPREHENSIVE PLAN AMENDMENT CASE #CP-2024-01.

BACKGROUND INFORMATION:

STAFF RECOMMENDATION:

APPROVAL.

Staff Signature_____



Battle Law

September 5, 2024

VIA EMAIL (randerson@cityofstockbridge-ga.gov)

Mr. Ryan Anderson, Director
Stockbridge Planning and Zoning Department
4640 North Henry Blvd
McDonough, GA 30281

Re: Lennar/Hudson Bridge Road Rezoning Request

Dear Ryan:

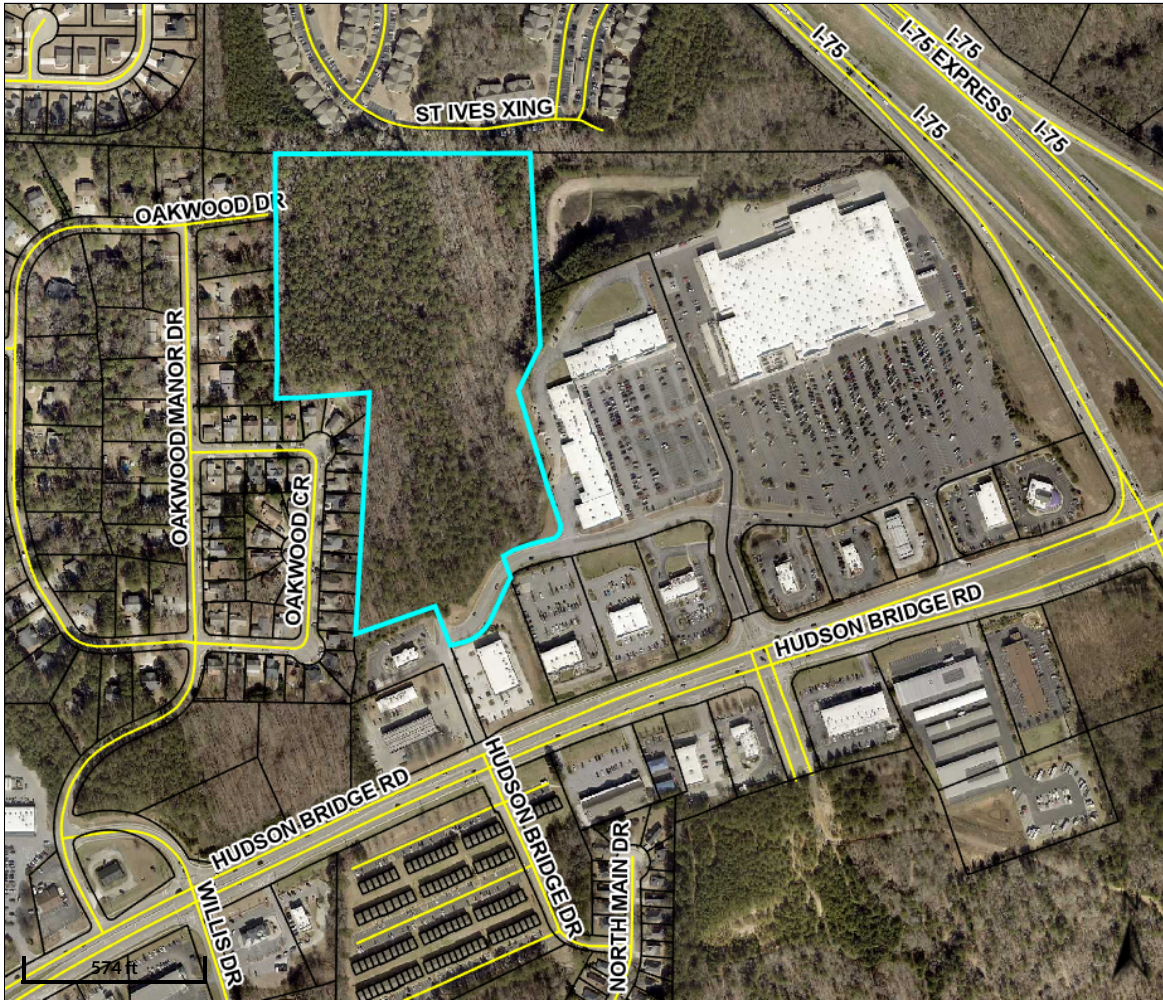
As legal counsel for Lennar Homes, I am hereby requesting that September 9, 2024 hearing before City Council for the Lennar Homes the Comprehensive Land Use Amendment and the Rezoning Application be deferred to October 14, 2024. Councilmember Alexander has requested further modifications to the site plan and proposed building facades that will require additional time for preparation. Please let me know if we will need to attend the meeting next week to request the deferral.

Respectfully submitted,

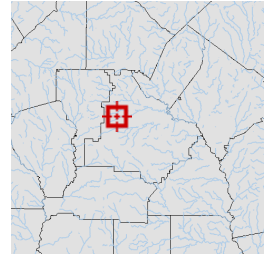
Michèle L. Battle, Esq.



Henry County, GA



Overview



Legend

- Parcels
- Roads

Parcel ID	032-01026000	Class	C	Owner	MOUNT ZION	Land	\$1.12019e+006				
Property		Acreage	20.367	Address	48 LLC	Value:					
Address					1 WOODY	Building	\$0	Last 2 Sales			
District	City/Stockbridge				TRAIL	Value:		Date	Price	Reason	Qual
					MABLETON	Misc	\$0	4/29/2022	\$556,000	OTHER	U
					GA 30126	Value:		11/1/2010	\$0	CORPORATE	U
						Total	\$1120185				
						Value:					

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

Date created: 4/23/2024

Last Data Uploaded: 4/22/2024 9:15:03 PM

Developed by Schneider
GEOSPATIAL

Presentations for CP- 2024-01, RZ-2024- 01, VR-2024-03

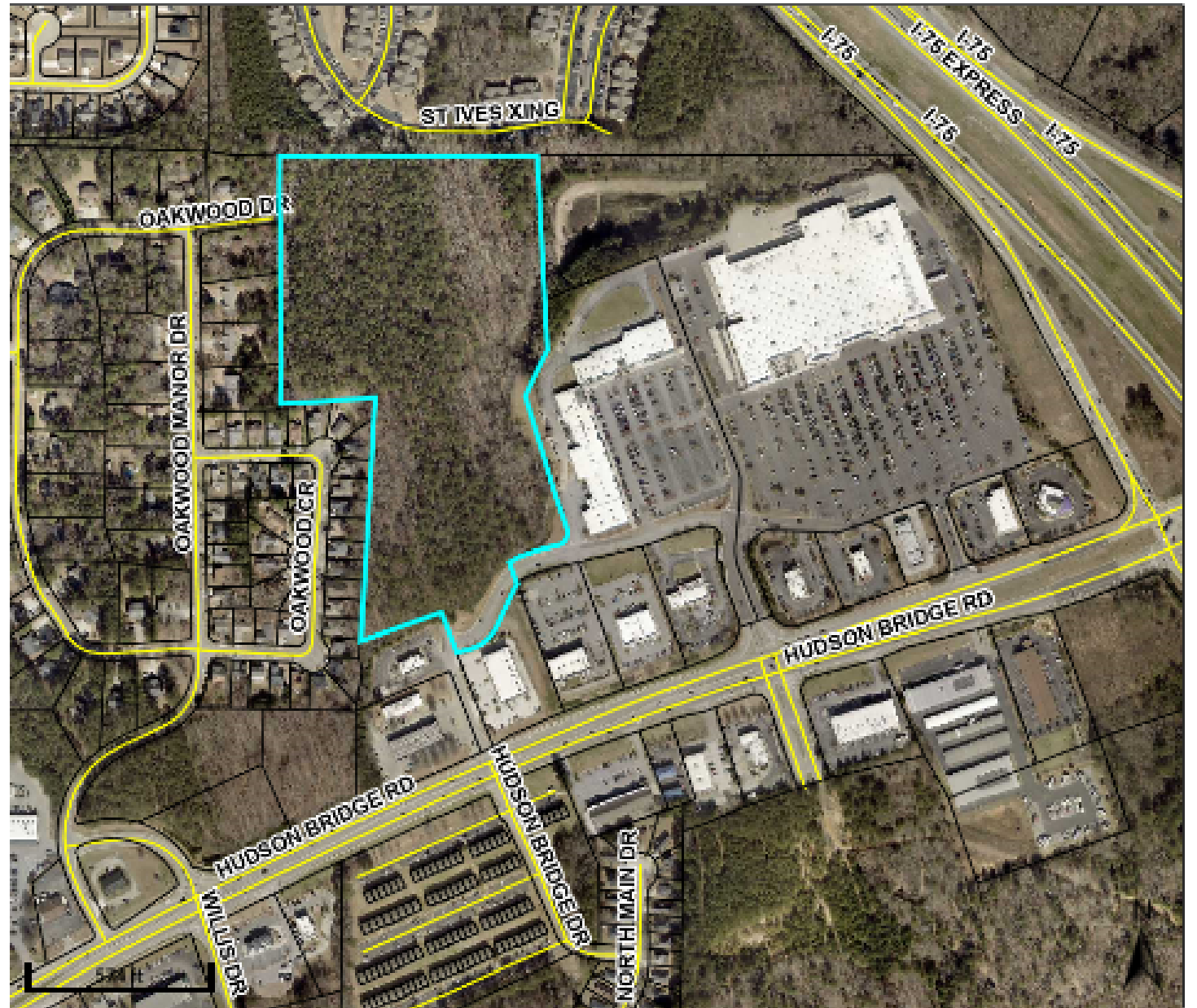
Mayor and Council: September 9, 2024



Case Facts

- Applicant: Lennar Georgia, c/o Battle Law, P.C.
- Owner: Mount Zion 48, LLC.
- Number of Proposed Units Per Acre: 6.87 units per acre
- Address of Property: Hudson Bridge Drive
- Number of Acres: 20.367 acres
- Project Characteristics: Vacant land; mostly wooded. The eastern portion of site contains steep topography, wetlands with a 25-foot state buffer, a 50-foot stream buffer, and a 75-foot impervious setback as part of a nearby stream. Site includes a portion of Hudson Bridge Drive, which was granted an easement.
- Current Future Land Use Designation: Medium-Density Mixed-Use.
- Current Zoning of Property: C-2 (General Commercial)
- Sign Posting: July 16, 2024

AERIAL PHOTO OF SUBJECT PROPERTY





Aerial Photo with Site Plan

STREET
VIEW OF
SOUTHWEST
CORNER OF
SITE



STREET VIEW
OF SITE
TOWARD
SOUTHEAST
CORNER

SITE

TO WALMART



PROPERTY AND ZONING HISTORY



Walmart Master Development Plan and DRI

The subject property was originally a part of a Master Development Plan (Centre @ Stockbridge) with a Wal-Mart Supercenter as a mixed-used development for a total of 70.16 acres. The entire property was annexed by the City of Stockbridge in 2002. The subject site as a part of the Master Plan was described as "Tract 2." Tracts 1 and 2 were annexed as C-2 (Commercial – Medium Density) and C-3 (Heavy Commercial). Tracts 1 and 2 were further subdivided on February 4, 2004, creating a "new" Tract 2 as a part of the Walmart Development. The original Tract 2 would become a "stand-alone" parcel for future development. The Master Development Plan initially allowed the subject site to have access from Hudson Bridge Road, but outparcels were later created, and this removed the site's access to Hudson Bridge Road. A Development of Regional Impact Analysis (DRI #481) was completed on the Master Development Plan, including the subject site, on November 21, 2003, and a Development Agreement was also prepared. Per the DRI for the entire Plan area, "The site shall be mixed-use and contain a minimum of 200 residential units and a maximum of 343,500 square feet of commercial/office/retail space." However, DRI officials have stated that DRI conditions have no effect after ten years.

Wolverton & Associates of Duluth, Georgia created a series of drawings on February 26, 2013 as part of a Final Subdivision Plat for Broad Street Stockbridge II, LLC. It showed that the subject property was split into two Tracts, with Tract 1 representing the current boundaries of the site and Tract 2 being cut off from the site. This resulted the Tract 1 (the current site) losing its access from Hudson Bridge Drive. However, ten easements were created along and adjacent to Hudson Bridge Drive, including an easement to allow a portion of Hudson Bridge Drive which is a private street, and which is actually contained within the boundaries of the subject site, to be used by the public for access to the surrounding commercial properties. The fact that this portion of Hudson Bridge Drive is located within the site boundaries is confirmed today by the aerial photo of the site from the Henry County Tax Assessors' records.



Wolverton & Associates
 Consulting Engineers • Land Surveyors
 6160 Peachtree Industrial Road, Suite 200
 Atlanta, Georgia 30328
 Phone: (770) 771-0000 • Fax: (770) 771-0001
www.wolverton-associates.com

FINAL SUBDIVISION PLAT FOR:
BROAD STREET STOCKBRIDGE II
LAND LOT 21 OF THE 6TH DISTRICT
CITY OF STOCKBRIDGE
HENRY COUNTY, GEORGIA

REVISIONS	BY
ADDRESS: COUNTY COMMENTS : 04/24/2012	KBW
ADDRESS: COUNTY COMMENTS : 05/15/2012	KBW
DRAWN BY: KBW	
CHECKED BY: MGH	
DATE: 02/26/2013	
SCALE: 1"= 100'	
JOB NO.: 13-602	
SHEET NUMBER	

1

PROPOSED DEVELOPMENT INFORMATION



Development Information

- **Project Size:** The applicant has submitted a site plan which was prepared by Moore Bass Consulting on 02/29/24, representing Sheet #A3551.0010-SP1. Its title is “Hudson Bridge Townhomes; Stockbridge, GA.” According to an inset box, entitled “Site Data”, on the site plan, the applicant proposes to build 140 fee simple townhomes, including 101 smaller units and 39 larger units, at a density of 6.87 units per acre. The applicant would be required to designate at least 15 percent of the total site area as open space, and the applicant would substantially exceed that amount by designating about 41 percent of the site area as open space (8.37 acres of the total site area of 20.367 acres). The impervious area would be 10.0 acres, comprising 49 percent of the total site area. Forty-one (41) off-street parking spaces would be provided, which would meet the requirements. However, the required front and side yard setbacks would not be met for the requested MFR district, as is shown in the table below. The applicant has submitted a variance application to request the reduction in the front yard setbacks of the townhome lots from the MFR District’s required 50 feet to 20 feet, and to reduce the side yard setbacks (between townhome buildings) from the required 20 feet to 10 feet. The analysis of the merits of these variance requests are presented in the Staff Report for Variance Case #VR-2024-03.
- **Site Plan Design:** The submitted site plan shows that the development site would have two accesses, including the main entrance off Hudson Bridge Drive and a secondary access at Oakwood Drive to the northwest. A swimming pool, clubhouse, and guest parking would be provided near the main entrance, and a detention pond would be situated near the pool. No mail kiosk has been shown. The project entrance street would make a loop toward the rear of the property, where three other guest parking lots and an unspecified small amenity would be provided. A second detention pond would be located at the northeast rear of the property. Landscaped buffering would surround the property, although there is no indication of buffer widths. The Buffer Area Standards within Section 4.6.3A of the Stockbridge UDC requires the provision of a 25-foot zoning buffer between multifamily developments and single-family-zoned districts. Thus, this buffer should be provided along the western boundary of the property. A 50-foot undisturbed stream buffer would be designated along the eastern side of the property. No walking trails or dog parks have been indicated on the site plan.
- **Utilities Facilities:** The applicant received a letter from the Henry County Water Authority, which was dated June 21, 2024, in response to the applicant’s submitted application for a water and sewer availability letter. The findings and requirements of the Authority’s letter are listed below, which the developer would need to comply with if RZ-2024-01 is approved.
 1. Water service could be made available to the property via a water line extension.
 2. Sewage treatment and sewer line capacity are available for the property, but the developer would be required to pay for an offsite sanitary sewer line extension, including the acquisition of easements, to meet the Authority’s standards, and then to convey that extension to the Authority.
 3. The specifications above would be effective for 365 days from the date of the letter (June 21, 2024), and any deviation in zoning that would increase the project density or usage would void the letter and require a re-evaluation.

Development Information (cont.)

- **Traffic Impact Study:** The applicant submitted a Traffic Impact Study to the Planning & Zoning Office on June 21, 2024. It was prepared for Moore Bass Consulting, Inc. by SEI Engineering, Inc., in collaboration with Acampora Traffic, LLC. The study evaluated existing traffic conditions within the vicinity of the subject property, used a standard growth factor to make projections on future traffic conditions in the vicinity if the proposed development does not occur (the “no-build” scenario). After that, the study made traffic projections based on anticipated future traffic conditions plus the expected addition of new traffic from the proposed townhome development, and also considering the effects of the completion of various planned road improvements to be made by Georgia DOT in the vicinity. Traffic counts were collected at five intersections near the subject property on May 30, 2024, when area schools were in recess. The counts were taken during the morning (7-9 AM) and afternoon (4-6 PM) peak hours. The study stated that acceptable traffic conditions were found at all of the traffic count locations. In the no-build scenario, most of the intersections that were studied appeared to operate in a satisfactory manner, except for the afternoon peak hour for the intersection of Hudson Bridge Drive at Hudson Bridge Road, as well as Hudson Bridge Road at Flippen Road, which would both operate at Level of Service E. This situation could be improved by adding a second westbound turn lane toward Flippen Road. Additional roadway pavement is already available for such purpose, so it only needs to be restriped (in conjunction with alterations to the timing of the traffic signal at the intersection of Hudson Bridge Road and Flippen Road). The study recommended that this improvement take place whether or not the proposed townhomes are built. The Traffic Impact Study projected that the proposed 140 townhomes on the subject property would generate 1,016 trips per weekday, including 67 trips during the morning peak hour and 80 trips during the afternoon peak hour. These data are presented in the table below, with a further breakdown of the numbers of AM and PM trips being generated going in and out of the proposed development. Future traffic operations in the vicinity, with the addition of trips from the proposed townhome development, would have “a slight deterioration in operations at each study intersection.” As with the no-build scenario, the intersections of Hudson Bridge Drive with Flippen Road and with Hudson Bridge Drive would operate at Level of Service E during the PM peak hour if the townhomes are built. But since the Hudson Bridge Road/Hudson Bridge Drive Intersection features a side street which would operate poorly only for the southbound direction during the PM peak hour, the Study did not recommend that any traffic improvements be made, especially since drivers at that intersection would have the option of travelling to the traffic signal at the Hudson Bridge Road / Western Parallel Connector Intersection to make turns. The addition of a westbound left-turn lane from Hudson Bridge Road to Flippen Road was recommended, whether or not the townhomes are developed.

Development Information (cont.)

- **Townhome Lots, Buildings, and Designs:** An inset on the applicant's site plan shows that the proposed townhome lots would have a depth of 100 feet. The smaller townhome lots would be 20 feet wide and would be located toward the rear of the property, while the larger townhome lots would be 24 feet wide and would be located at the front of the property. The requested MFR zoning district requires front yard setbacks of 50 feet, but the townhome lots drawings show distances of only 20 feet from the fronts of the buildings to the right-of-way lines. For this reason, the applicant has requested a variance to reduce the front yard setbacks to only 20 feet. The MFR district also requires a minimum spacing of 20 feet between townhome buildings, but the applicant has requested a variance to reduce the side yard setbacks of the townhome lots to 10 feet. The proposed townhome renderings from the applicant, which are shown below, indicate that the smaller townhome buildings would have one-car garages and the larger townhome buildings would have two-car garages.

PROPOSED SITE PLAN



Smaller
Townhome
Buildings (20
Feet Wide)
with One-Car
Garages:

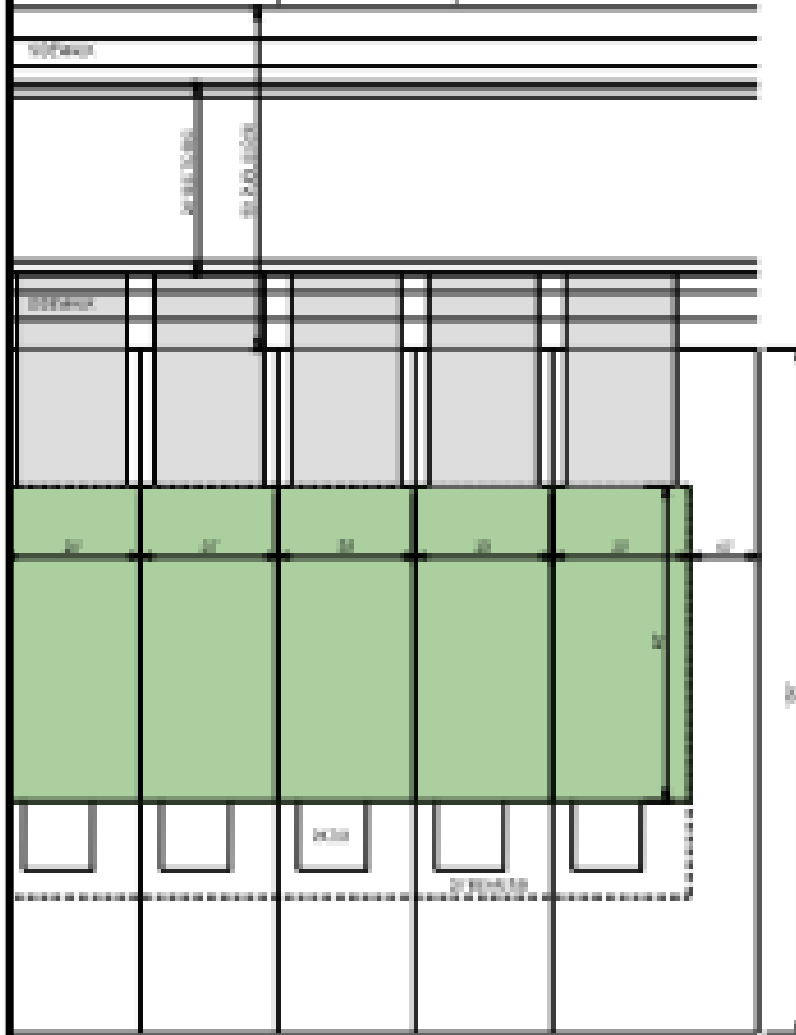


Larger
Townhome
Buildings (24
Feet Wide)
with Two-Car
Garages:

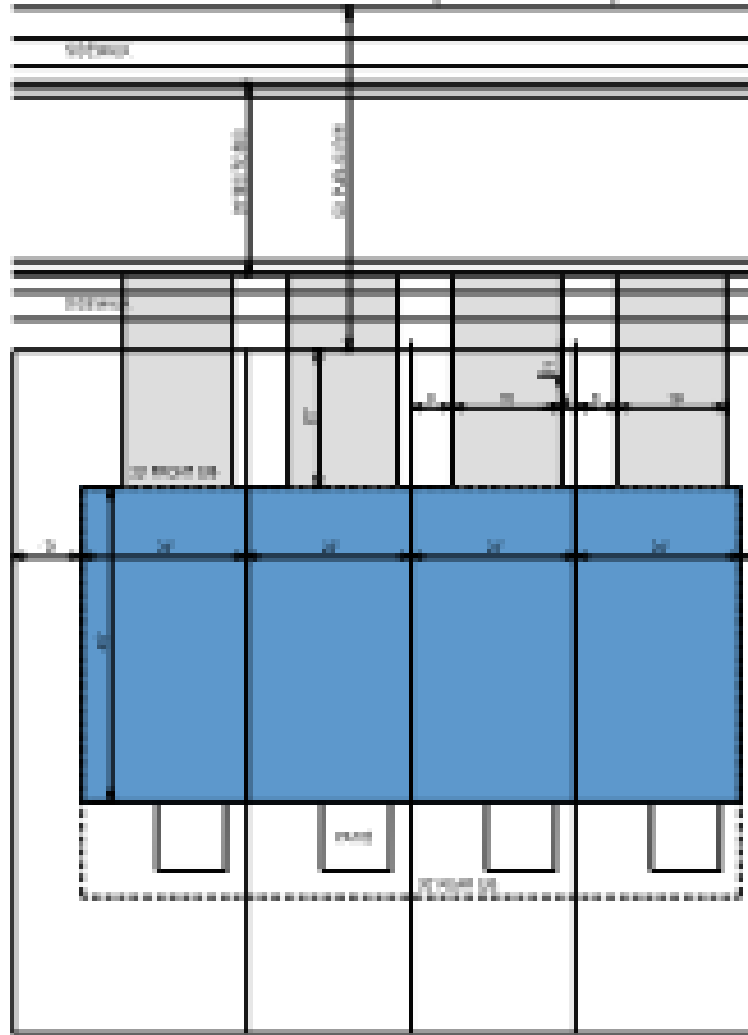


SCALE 1-20

701 UNITS (71% OF TOTAL)



30 UNITS (20% OF TOTAL)



- All 140 townhome lots would be 100 feet deep. There would be 101 larger lots (71% of the total) and 39 smaller lots (29% of the total). The larger townhome units would be 24 feet wide and have two-car garages, while the smaller townhome units would be 20 feet wide and have one-car garages.

Presentation for CP-2024- 01



MEDIUM-DENSITY RESIDENTIAL (4-7.99 UNITS/ACRE)

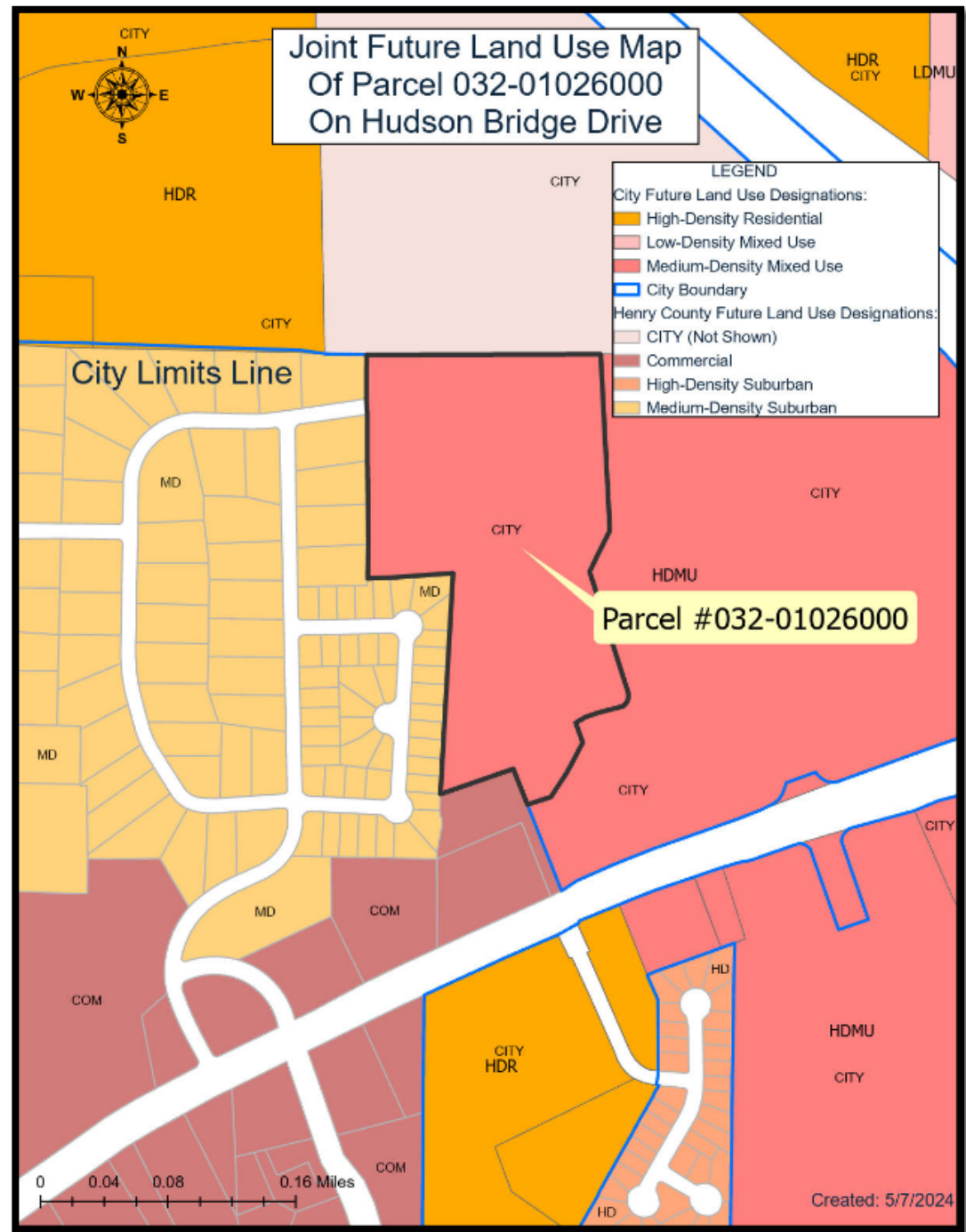
This designation is intended for residential developments which include single-family, detached homes on lots ranging from 10,000 – 30,000 square feet, including parcels zoned for single family attached and detached homes, as well as duplex residential developments and mobile home/manufactured home developments.

Applicant's Request

The applicant requests a Comprehensive Plan Amendment to change the subject property's future land use designation from Medium-Density Mixed-Use to Medium-Density Residential to allow for the construction of a 140-unit townhome development. The current land use designation of Medium-Density Mixed-Use is incompatible with the applicant's requested rezoning of the property to MFR (Multiple-Family Residential).

The current land use designation of Medium-Density Mixed-Use is incompatible with the applicant's requested rezoning of the property to MFR (Multiple-Family Residential).

2024 CITY OF STOCKBRIDGE FUTURE LAND USE MAP



SURROUNDING LAND USE DESIGNATION

Location	Existing Land Use	Existing Future Land Use Designation
Property to the North	St. Ives Apartments St. Margrit Subdivision	High Density Residential
Property to the South	Commercial uses fronting onto Hudson Bridge Road, including J & J Liquor and Western Union. Hudson Bridge Townhomes	Medium Density Mixed Use; High Density Residential
Property to the East	Adjacent shopping center	Medium Density Mixed Use
Property to the West	Oakwood Village Subdivision Oakwood Manor Subdivision	Medium-Density Residential (Henry County Future Land Use Map) Medium-Density Residential (Henry County Future Land Use Map)

SURROUNDING LAND USE DENSITIES

Name of Subdivision	Units	Estimate Density Per Acres
St. Ives Apartments	19	1 unit per acre
St. Margrit Subdivision	54	3 units per acre
Hudson Bridge Townhomes	13	1 unit per acre
Oakwood Village Subdivision	45	4.5 units per acre
Oakwood Manor	41	1 unit per acre
Lennar Georgia, LLC.	140	6.87 units per acre

Staff Analysis (Section 9.2.7 of The Unified Development Code)

1. **Consistency with the Comprehensive Plan:** The 2024-2028 Five-Year Update to the Stockbridge Comprehensive Plan calls for the development of additional housing in the City, and the proposed townhome development would help to meet that need. The companion Future Land Use Map shows a future land use designation for the subject property of “Medium-Density Mixed-Use”, which is intended for commercial areas or mixed-use developments containing mostly commercial uses. But since the applicant only proposes to include residential uses, the current land use designation of Medium-Density Mixed-Use would not be consistent with the Comprehensive Plan. The applicant has therefore requested a Comprehensive Plan amendment, via Case #CP-2024-01, to change the property’s future land use designation to Medium-Density Residential for an exclusive residential development, which allows densities of 4 to 7.99 units per acre. This would include the applicant’s proposed density of 6.87 units per acre.
2. **Relation to the Zoning of the Property:** Although the applicant’s requested MFR zoning would be consistent with the property’s current Medium-Density Mixed-Use future land use designation, a change to Medium-Density Residential would be more appropriate since the proposed development would only contain a residential use and no commercial uses. Further, the Medium-Density Residential specifies a density range of 4 to 7.99 units per acre, which would be appropriate for the proposed development’s density of 6.87 units per acre.
3. **Suitability of the Site’s Location:** The proposed ‘Medium-Density Residential’ future land use designation would be compatible with the adjacent Medium-Density Residential designation of the Oakwood Manor Subdivision to the west. Furthermore, the requested MFR rezoning of the property, which calls for multifamily uses, would be compatible with the Oakwood Manor Subdivision’s Henry County zoning of ‘RM’ (Residential Multifamily).
4. **Maintaining the Current Land Use Designation:** Due to the location of the subject property adjacent to major commercial uses along a major commercial corridor, as well as the large size of the property, it is unlikely that the types of uses that are intended for areas having the Medium-Density Mixed-Use designation would be developed on this property. Those uses include “two to three story buildings, combining street-level commercial/retail/office uses with second and third stories accommodating office or lofts/apartments/condominiums.”

Staff Recommendation

This Staff Report has demonstrated that the requested Comprehensive Plan Amendment for Parcel #032-01026000 on the north side of Hudson Bridge Drive, via CP-2024-01, would be necessary and desirable for the subject property, in conjunction with the requested rezoning of the property to MFR via RZ-2024-01, to allow for the proposed townhome development. Therefore, the Planning and Zoning staff recommends the APPROVAL of CP-2024-01.

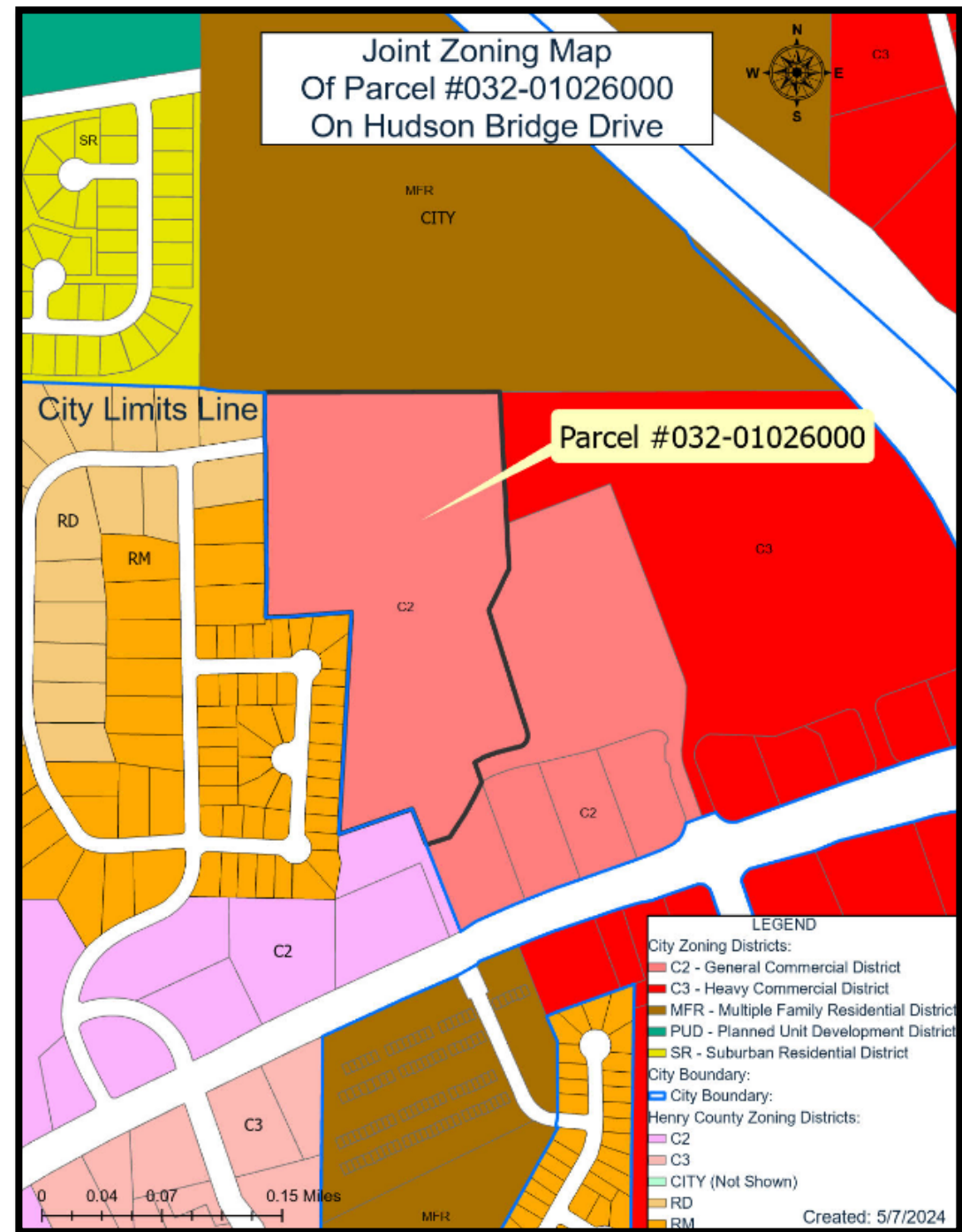
Presentation for RZ-2024-01



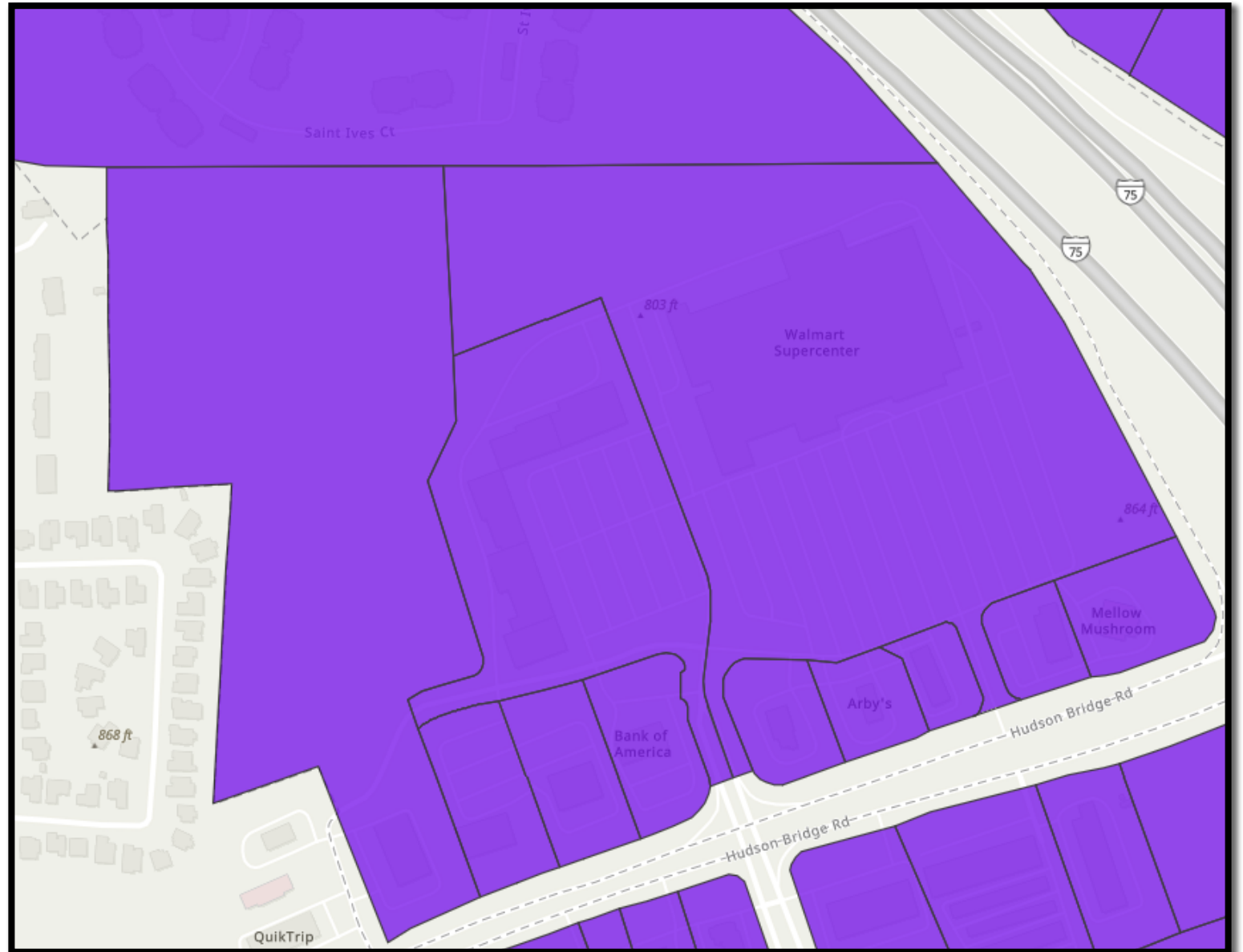
Applicant's Request

Rezone from 'C-2' (General Commercial) to 'MFR' (Multiple Family Residential) to allow for the development of a townhome community with 140 units.

2024 CITY OF STOCKBRIDGE ZONING MAP



PARKWAY MIXED-USE OVERLAY DISTRICT MAP



Staff Analysis (Section 9.2.1 C of The Unified Development Code)

1. **Consistency with the Comprehensive Plan:** The 2024-2028 Five-Year Update to the Stockbridge Comprehensive Plan calls for the development of additional housing in the City, and the proposed townhome development would help to meet that need. The companion Future Land Use Map shows a future land use designation for the subject property of “Medium-Density Mixed-Use”, to include both residential and commercial uses. But since the applicant only proposes to include residential uses, the applicant has requested a Comprehensive Plan amendment application, comprising Case #CP-2024-01, to change the property’s future land use designation to Medium-Density Residential, which allows densities of 4 to 7.99 units per acre, which includes the applicant’s proposed density of 6.87 units per acre. The consistency of the proposed development with the Comprehensive Plan is further discussed within the staff report for CP-2024-01.
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 Unified Development Code (UDC):** The rezoning of the subject property to the requested ‘MFR’ (Multiple Family Residential) district is necessary because the proposed townhome development is not permissible under the property’s existing C-2 zoning. The MFR district permits townhome development, as does the PMU (Parkway Mixed-Use Overlay District), wherein the property lies. Although the intent of the MFR district is for new developments to be located on streets having a classification of ‘collector’ or higher, and Hudson Bridge Drive is only a local street, the property is located in close proximity to Hudson Bridge Road, an arterial road with a signalized intersection near the property. Further, the subject property is part of the Walmart Master Plan area, and the property originally extended to Hudson Bridge Road but was later subdivided into two tracts, thereby removing its direct access to Hudson Bridge Road.
3. **Potential positive effects of the rezoning amendment on the character of the proposed zoning district, a particular piece of property, neighborhood, a particular area, or community:** The subject property has remained vacant even after the Walmart Master Development Plan was prepared in 2003. A restrictive covenant was imposed by the Baptist Retirement Communities of Georgia on the subject property to prohibit the development of retail uses. Yet, even after its expiration in 2008, no retail development has taken place on the site, despite its permissible C-2 zoning. This suggests that the immediate vicinity may have already reached its saturation point for retail uses. Although the C-2 district also allows other types of non-retail commercial uses, many of them are not permitted in the PMU district. Further, even if they were allowed, such uses most likely would need to have direct frontage onto Hudson Bridge Road to attract customer traffic, which the subject site does not offer. Existing commercial uses to the south and east of the site would have access to potential new customers from the proposed townhome development, thereby increasing their business revenues. In addition, the new townhome residents would have convenient access to the adjacent commercial uses within the Walmart and Centre@ Stockbridge Shopping Center.
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 eastern portion of the subject site contains steep topography, wetlands with a 25-foot state buffer, a 50-foot stream buffer, and a 75-foot impervious setback as part of a nearby stream. The developer should take appropriate steps to protect this environmentally-sensitive area, and to facilitate drainage.

Staff Analysis (Section 9.2.1 C of The Unified Development Code)

5. **The impacts of the proposed development upon adjacent property owners, should the request be granted:** To protect the residents of the existing Oakwood Manor Subdivision to the west, the secondary access that is shown at the northwest corner of the site, onto Oakwood Drive, it is recommended that the secondary access be designated for emergency access only, with a locked gate. To meet the requirements of the Buffer Area Standards in Section 4.6.3 of the UDC, a 25-foot-wide zoning buffer should be provided along the western property line, plus a fence and tall trees. The proposed development is likely to be a positive impact on the adjacent commercial businesses, whereby the new townhome residents could represent new customers at those businesses, thereby bringing additional revenues to the businesses.
6. **The potential impact of the rezoning on City infrastructure, including the water and sewage system:** The applicant obtained a letter from the Henry County Water Authority, which was dated June 21, 2024. While water service could be made available with a water line extension, the developer would need to pay for an offsite sanitary sewer line extension, including the acquisition of easements, and then convey that extension to the Authority. Further, if any zoning or site plan changes occurred within 365 days of the date of the letter, then the specifications of the letter would be void and a re-evaluation would be required. The developer would therefore need to meet the stated requirements upon any approval of the rezoning of the subject property.

Staff Analysis (Section 9.2.1 C of The Unified Development Code)

7. **The impact of the proposed amendment on adjacent thoroughfares and pedestrian and vehicular circulation and traffic volumes:** The submitted site plan shows that the proposed development would have two accesses. The main access would be via Hudson Bridge Drive at the southern end of the property, which is an internal, private street supporting the Walmart and Centre@Stockbridge Shopping Center. Several easements were previously created to facilitate the site’s access from the existing traffic signal at Hudson Bridge Road. The Development Agreement governing Tract 1 (Walmart development) stated that the City acknowledged that the use of the created easement along Hudson Bridge Drive for access into the subject site could also serve as the means for access to Hudson Bridge Road. Traffic from the site would be able to utilize two nearby traffic signals on Hudson Bridge Road. The closest one is located at Hudson Bridge Drive, adjacent to the existing QuikTrip store and Taco Bell restaurant; and the second one is located at the Walmart driveway entrance. The two traffic signals would facilitate turning movements. A paved sidewalk is present along Hudson Bridge Drive, which would facilitate pedestrian travel to the surrounding retail stores. The submitted site plan also shows the provision of a secondary access to the northwest, to connect with Oakwood Drive. However, to prevent any adverse traffic impacts on the adjacent Oakwood Manor Subdivision, this should be designated as an emergency access only, with a gate. The applicant submitted a Traffic Impact Study, which was prepared on June 20, 2024. Traffic counts were taken on May 30, 2024 at five nearby intersections, when area schools were in recess. The findings of the Study indicated that traffic conditions are acceptable at most of the intersections, and that they would only have a “slight deterioration” if the proposed townhomes were constructed on the subject property. Although the Hudson Bridge Drive/Flippen Road Intersection would operate at Level of Service E, with or without the townhomes, this could be improved if an additional westbound, left-turn lane were to be provided in the westbound approach to the intersection. Extra pavement is already available for this improvement, and it only needs to be restriped, along with modifications begin made to the signal timing at that intersection. While southbound traffic from the proposed development would incur substantial delays on Hudson Bridge Drive during the afternoon peak hour, drivers could lessen their delays by instead using the traffic signal at the Hudson Bridge Drive/Western Parallel Connector. The Study therefore did not recommend that any other traffic improvements be made.

AM Peak, Going In	AM Peak, Going Out	AM Peak, Total	PM Peak, Going In	PM Peak, Going Out	PM Peak, Total	24- Hour 2-Way Total
17	50	67	47	33	80	1,016

Staff Analysis (Section 9.2.1 C of The Unified Development Code)

8. The merits of the requested change in zoning relative to any other guidelines and policies for development, which the Planning Commission and City Council may use in furthering the objective of the comprehensive plan: The Walmart Master Plan called for a multifamily development containing at least 200 units, but the proposed development would have only 140 units. Townhomes would be an appropriate usage of the property in serving as a transition between the lower-density single-family residential subdivision to the west and the adjacent retail uses to the east. Further, the proposed MFR district would be compatible with the RM Henry County zoning which exists on about half of the acreage of the adjacent Oakwood Village Subdivision. Adequate access is available via Hudson Bridge Drive, the existing easements, and the two traffic signals off Hudson Bridge Road. Residents would benefit from being able to walk to many of the stores, and the stores could benefit from the business which the townhome residents would provide.
9. The ability of the subject land to be developed as it is presently zoned: Although the subject property could be developed for commercial uses under its existing C-2 zoning due to the presence of numerous surrounding retail businesses, this may not be realistic for the reasons that are listed below. Conversely, this Analysis has shown that the proposed townhomes would be a reasonable use. The intent of the restrictive covenant by the Baptist Retirement Communities of Georgia was for the subject property to be prohibited from retail use.
- Despite the property's location in the midst of numerous retail businesses, it has not been developed with additional retail uses, even after the expiration of the restrictive covenant.
 - Although some type of non-retail commercial uses could be built on the property, this is unlikely to happen since such uses would probably need direct access to Hudson Bridge Road for visibility, which the subject property lacks.
 - The presence of the steep topography, stream, and buffer areas in the eastern portion of the site would eliminate needed land which might be needed for required parking to serve a retail or non-retail commercial business.

Staff Recommendation

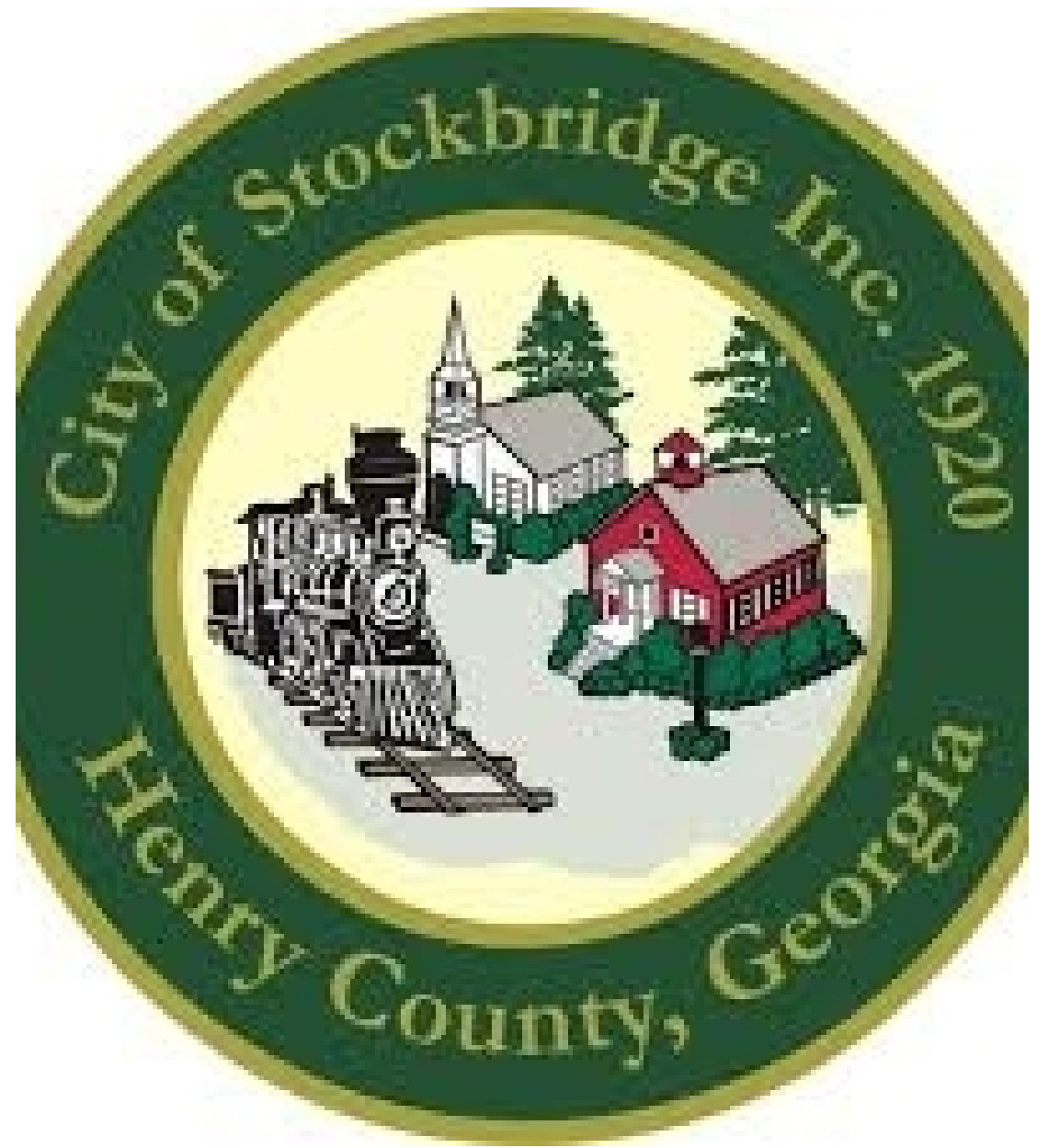
The Planning and Zoning Staff recommends that the applicant's request to rezone the subject property from 'C-2' (General Commercial) to 'MFR' (Multiple Family Residential) via RZ-2024-01 to allow for the development of a townhome community be APPROVED WITH CONDITIONS. Such approval should be contingent upon the developer meeting the following nine (9) zoning conditions:

1. **Comprehensive Plan Amendment** – This requested rezoning shall not be approved unless the applicant's requested Comprehensive Plan Amendment, via CP-2024-01, to change the subject property's land use designation from Medium-Density Mixed-Use to Medium-Density Residential, is approved before, or simultaneously with, the approval of RZ-2024-01.
2. **Site Plan:**
 - a) **Revised Site Plan** -- The subject property shall be developed according to a revised site plan which is similar to, but including the required variances, to the site plan which was prepared by Moore Bass Consulting on 02/29/24, representing Sheet #A3551.0010-SP1. Its title is "Hudson Bridge Townhomes; Stockbridge, GA." Any major deviations in the number of residential units, the density, or the overall site design shall require City Council approval.
 - b) **Site Accesses**—This shall be a gated community, with both site accesses having gates plus flock cameras for security purposes. In addition, the proposed secondary access to Oakwood Drive shall be reserved for use by emergency vehicles only. All of this information shall be noted on the site plan.
 - c) **Internal Streets** – All internal streets shall be of widths that are acceptable to the Fire Marshal
 - d) **Internal Sidewalks** – All internal streets shall have sidewalks on both sides of the streets, which are at least eight (8) feet wide.
 - e) **Amenities and Related Facilities** – The revised site plan shall include a mail kiosk, an 8-foot-wide multi-use path or walking trail, and a dog park, plus appropriate additional amenities for a community of this size, such as a grill area, a playground, a shuffleboard court, a tennis court, a pickleball court, etc.
 - f) **Central Trash Facility** -- The revised site plan shall indicate the location of one or more central trash facilities
 - g) **Bedroom Information** -- The revised site plan shall provide a breakdown of the number of units by the number of bedrooms, as well as the sizes of the bedrooms (for parking space requirements).
 - h) **Parking** – Sufficient parking shall be provided to meet the requirements of the Unified Development Code (UDC).
 - i) **Western Buffer, Fence, and Tall Trees** – The developer shall provide the required 25-foot zoning buffer along the western side of the property, adjacent to the Oakwood Manor Subdivision, along with the installation of a fence and tall trees
3. **One-Car Garage Townhome Units:**
 - a) Only 20 percent of the total townhome units shall have one-car garages.
 - b) All one-car garage units shall have full brick elevations.
4. **External Sidewalk** -The existing sidewalk along Hudson Bridge Drive shall be extended into the main project entrance.
5. **Water and Sewer Facilities** -- The developer shall comply with all requirements of the Henry County Water Authority in providing adequate water and sewer facilities to the subject site to serve the proposed townhome development.

Staff Recommendation (cont.)

6. **Environmental Site Preservation** - The developer shall preserve the sensitive environmental features of the site, including the slopes, creek, stream buffer areas, and retaining wall, along the eastern side of the site.
7. **Easements** - The developer shall comply with the specifications of all easement agreements pertaining to the portion of Hudson Bridge Drive which lies within and adjacent to the subject property.
8. **Property Maintenance** - A townhome association shall be established, or a property management company shall be secured, for the purpose of maintaining all common areas of the site.

Presentation for VR-
2024-03



Applicant's Request

The applicant has submitted a variance application to request the reduction in the front yard setbacks of the townhome lots from the MFR District's required 50 feet to 20 feet, and to reduce the side yard setbacks (between townhome buildings) from the required 20 feet to 10 feet.

Required Versus Proposed Setbacks in the Requested MFR District

<u>MFR District Setback Requirements:</u>	<u>Proposed Setbacks:</u>	<u>Meets MFR Requirements ?</u>
<u>Front Yard Setbacks – 50 feet</u>	<u>Front Yard Setbacks – 20 feet</u>	<u>No</u>
<u>Side Yard Setbacks – 20 feet</u>	<u>Side Yard Setbacks – 10 feet</u>	<u>No</u>
<u>Rear Yard Setbacks – 20 feet</u>	<u>Rear Yard Setbacks – 20 feet</u>	<u>Yes</u>

Staff Analysis (Section 10.1.3 of The Unified Development Code) for Variance Request #1

1. **Extraordinary and exceptional circumstances pertaining to the particular piece of property in question exist due its size, shape, or topography that are not found on other properties in the same zoning district:** The subject property does have an unusual shape, and the presence of a creek, wetlands, and a steep drop-off in the southeastern corner of the property make certain areas of the property unbuildable. This limits the remaining available land on which to build, resulting in fewer units being built than would otherwise be the case. However, the applicant's application has not stated why such a large reduction in the front yard setbacks is needed for each lot—from 50 feet down to 20 feet. From the "Townhouse Detail" inset drawing on the submitted site plan, it appears that there would be only about 5 feet between the proposed 20-foot driveway setback and the sidewalk. Since standard parking spaces are 20 feet long, parked vehicles could protrude into that 5-foot area, which could be undesirable for pedestrians.
2. **A literal interpretation of the provisions of this unified development code would deprive the applicant of rights commonly enjoyed by owners of other properties located in the same zoning district:** While the Stockbridge City Council has approved reductions in the front yard setbacks of the townhome lots for other properties in the MFR district, in the past five years, the City Council has not approved any variances for a front yard setback reduction down to just 20 feet. Reductions down to 25 feet have been granted only a few times. Further, an ordinance is currently pending before the Stockbridge City Council to make revisions to the MFR district regulations. Included within that ordinance is a staff recommendation that the required front yard setbacks within the MFR district be at least 30 feet. The applicant has not provided any justification for reducing the front yard setbacks to less than 30 feet.
3. **Granting the variance requested will not confer upon the property owner any special privileges that are denied to other owners of property in the same zoning district:** Since the requested front-yard variance reduction would be down to only 20 feet, this would be a greater reduction than has been granted for other properties in MFR districts in the City. The granting of Variance Request #1 would therefore cause the applicant to enjoy a special privilege, with no apparent urgent need being given to do so, in terms of the design of the proposed development.
4. **The variance will be consistent with the purposes and intent of this unified development code, will be compatible with uses on neighboring properties, and will serve the public welfare:** There is no apparent reason for granting a front-yard setback reduction down to 20 feet, thus its consistency with the purposes and intent of the UDC cannot be determined. Further, such a reduction would not be compatible with the single-family neighboring properties to the west, in the Oakwood Manor Subdivision, and any potential benefits to the public welfare are unknown.
5. **The extraordinary circumstances are not the result of actions of the applicant:** The physical characteristics of the subject property (the presence of a creek, floodplain areas, and steep topography) are not the result of any actions of the applicant. Their presence, though, does not automatically justify a front-yard setback variance reduction down to 20 feet.
6. **The variance is the minimum relief that will allow the legal use of the land, building or structure:** Without the granting of Variance Request #1, the land could still be used for building a smaller townhome development with larger but fewer townhome lots.
7. **The variance is not a request to permit a use of land, buildings or structures that is prohibited in the same zoning district:** The applicant is not requesting the granting of Variance Request #1 to allow any types of uses on the existing vacant land that are prohibited within the applicant's requested MFR zoning district.

Staff Analysis (Section 10.1.3 of The Unified Development Code) for Variance Request #2

1. **Extraordinary and exceptional circumstances pertaining to the particular piece of property in question exist due its size, shape, or topography that are not found on other properties in the same zoning district:** The subject property does have an unusual shape, and the presence of a creek, wetlands, and a steep drop-off in the southeastern corner of the property make certain areas of the property unbuildable. This limits the remaining available land on which to build, resulting in fewer units being built than would otherwise be the case. However, the applicant's application has not stated why the reduction in the side-yard setbacks would be needed. Presumably, it would just be to allow more townhome units to be built on the property.
2. **A literal interpretation of the provisions of this unified development code would deprive the applicant of rights commonly enjoyed by owners of other properties located in the same zoning district:** Within the past five years, the Stockbridge City Council has approved reductions in the side yard setbacks of townhome lots for other properties in the MFR district. However, the applicant has not demonstrated why any side-yard setback reductions are needed in designing the proposed development.
3. **Granting the variance requested will not confer upon the property owner any special privileges that are denied to other owners of property in the same zoning district:** The granting of Variance Request #2 may not be viewed as a special privilege, compared to owners of other properties within the MFR zoning district, since other property owners have been granted similar variance requests.
4. **The variance will be consistent with the purposes and intent of this unified development code, will be compatible with uses on neighboring properties, and will serve the public welfare:** There is no apparent reason for granting a side-yard setback reduction down to 10 feet from the required 15 feet, thus its consistency with the purposes and intent of the UDC cannot be determined. However, this reduction of only 5 feet would not be significant, and no potential detriments to the public welfare have been identified.
5. **The extraordinary circumstances are not the result of actions of the applicant:** The physical characteristics of the subject property (the presence of a creek, floodplain areas, and steep topography) are not the result of any actions of the applicant. Their presence, though, does not automatically justify a side-yard setback variance reduction down to 10 feet. However, no apparent harm in doing so has been identified.
6. **The variance is the minimum relief that will allow the legal use of the land, building or structure:** Without the granting of Variance Request #2, the land could still be used for building a smaller townhome development with larger but fewer townhome lots
7. **The variance is not a request to permit a use of land, buildings or structures that is prohibited in the same zoning district:** The applicant is not requesting the granting of Variance Request #2 to allow any types of uses on the existing vacant land that are prohibited within the applicant's requested MFR zoning district.

Staff Recommendation

1. Variance Request #1:

- a) The denial of the applicant's request to reduce the front yard setbacks of the townhome lots from the required 50 feet down to only 20 feet in the MFR zoning district.
- b) b. The approval of a reduction in the front yard setbacks of the townhome lots to 30 feet.

2. Variance Request #2: Approval of this request to reduce the side yard setbacks from the required 15 feet to 10 feet for the proposed townhome lots.

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

Name of Applicant Lennar Georgia, LLC Phone: 770-670-2757 Date: 4/1/2024
Address of Applicant: 11560 Great Oaks Way, Suite 100 Cell # _____
City: Alpharetta State: GA Zip: 30022 E-mail: _____
Name of Agent Battle Law, PC Phone: 404-745-0045 Date: _____
Address of Agent: 3562 Habersham at Northlake, Bldg J, Ste 100 Cell # 404-601-7616
City: Tucker State: GA Zip: 30084 E-mail: mlb@battlelawpc.com

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

FROM: Medium Density Mixed Use
TO: Medium Density Residential

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)

Property Address: 0 Hudson Bridge Drive

Nearest intersection to the property: Hudson Bridge Drive and Hudson Bridge Road

Size of Tract: 20.367 acre(s). Land Lot Number(s): 21 District(s): 6th
Property Tax Parcel Number(s): 032010260000 (Required)

Witness' Signature

Signature of Applicant

Jordan Battle
Printed Name of Witness

Tom Bowers
Printed Name

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: _____

NOTE: If the proposed development site would contain more than one property, and/or more than one property owner, please first type a list on a separate sheet of paper which identifies each property (address and/or parcel number) and its corresponding property owner(s). Then fill out a separate Property Owner's Authorization Form (provided below) for each property and each property owner.

PROPERTY OWNER'S AUTHORIZATION FORM (See NOTE above.)

The undersigned below is the PROPERTY OWNER, or one of the property owners, of the property at Hudson Bridge Road and Hudson Bridge Dr [address], with Parcel Number 032-01026000 which is the subject of this application.

Name of Property Owner: MOUNT ZION 48 LLC
Property Owner's Address: 1 WOODY TRAIL MABLETON, GA 30126
Telephone: 770-265-6934 E-mail: SVKUMAR99@hotmail.com

I swear that I am the Property Owner, or one of the Property Owners, of the property that is the subject matter of the attached application, as is shown in the tax assessors' records of Henry [County], Georgia [State].

Signature: *Surender V Kumar* Date: 3-22-24

The undersigned does duly authorize the person(s) and/or company who is named below to act as APPLICANT(S) in the pursuit of this application for the subject property.

Name(s) of Applicant(s): Lennar Georgia, LLC

Company/law firm (if applicable): Battle Law PC

Telephone, E-Mail, & Address: (404) 745-0045, mlb@battlelawpc.com

3562 Habersham at Northlake Rd Tucker, GA 30084

I authorize the Applicant or Applicants who are named above to act on my behalf for this application.

Surender V Kumar
Manager, SURENDER V. KUMAR
Signature of Property Owner, who swears that the information which is contained in this Property Owner's Authorization is true and correct to the best of his or her knowledge and belief.

3-22-24
Date

Levi Reece

Signature of Notary Public

Levi Reece

Printed Name of Notary Public

3/22/24
Date

Notary Public's Seal or Stamp:



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 20th day of March, 2024

Tom BOWERS
Applicant's Name - Printed

Tom B
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 20th day of March, 2024

Sandy M Kidd
Notary Public



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

Applicant Campaign Disclosure Form

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

Has the applicant made, within two (2) years immediately preceding the filing of this application for 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 _____ day of _____.

Applicant's Name - Printed

Suresh V Kumar

Signature of Applicant/Property Owner/Agent

SURENDER V Kumar

Applicant's Attorney, if applicable - Printed

Signature of Applicant's Attorney, if applicable

Sworn to and subscribed before me this 22nd day of March 2024

Levi Reece

Notary Public



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

Proof of Pre-Application Meeting

Re: Hudson Bridge Road

ChatFilesDetailsScheduling AssistantRecapAttendanceMeeting WhiteboardBreakout roomsQ&A

JoinClose

Wednesday, January 24, 2024 9:57 AM - 10:52 AM

Download

7
Attended

9:57 AM - 10:52 AM
Start and end time

54m 13s
Meeting duration

49m 4s
Average attendance time

Participants

Name	First join	Last leave	In-meeting duration	Role
 Michele Battle mib@battielawpc.com	10:01 AM	10:52 AM	50m 21s	Organizer
 SM Steve Moore smoore@moorebass.com	10:00 AM	10:52 AM	51m 40s	Presenter
 RE Raven Eatmon reatmon@stockbridgega.org	10:02 AM	10:52 AM	50m 1s	Presenter
 FP Frank Potts frank.potts@lennar.com	10:02 AM	10:52 AM	50m 3s	Presenter
 RA Ryan Anderson randerson@stockbridgega.org	10:02 AM	10:52 AM	49m 47s	Presenter
 EA Elton Alexander (Guest)	10:06 AM	10:52 AM	45m 51s	Presenter
 RR Rosalynd Rawls rrawls@stockbridgega.org	10:06 AM	10:52 AM	45m 48s	Presenter

Share

Copy

Print

More

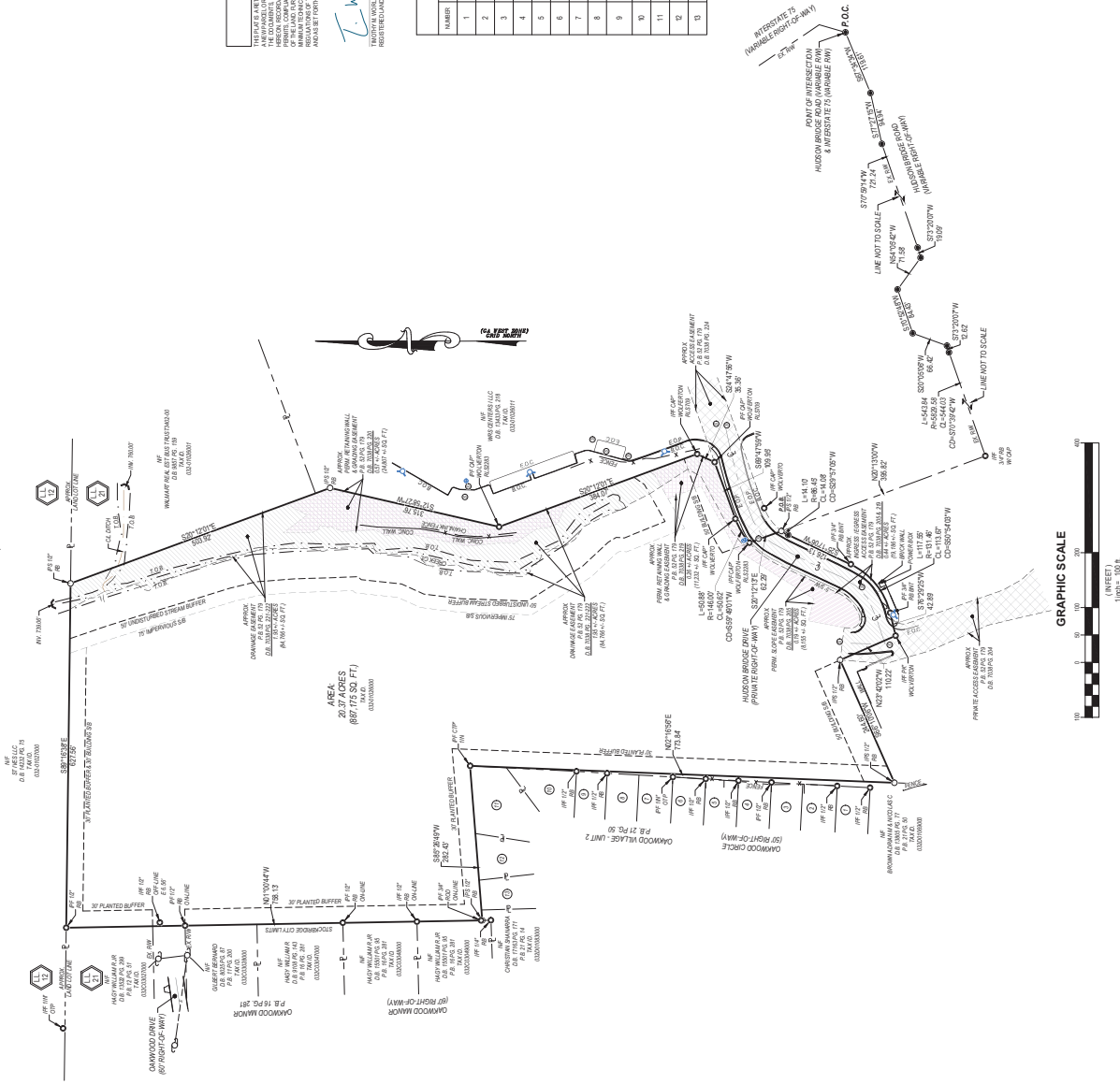
BOUNDARY SURVEY FOR:
MT. ZION 48, LLC
LAND LOT 21 ~ 6TH DISTRICT
HENRY COUNTY, GEORGIA

GEORGIA SURVEY CERTIFICATE

[illegible]DATE _____
BY _____

ADJOINERS CHART

ADJOINERS CHART				
NUMBER	OWNER	DATE	FILE #	TAX ID
1	CALHOUN BROTHERS & SONS, INC.	1/28/91	214	0000170000
2	LEFFELMAN, DAN	1/28/91	214	0000170100
3	WEINSTEIN, DANIEL R.	1/28/91	214	0000170200
4	BUTLER GENCO COLLIER, INC.	1/28/91	214	0000170300
5	EAGLE BRAND OF A FARM, LLC	8/25/91	214	0000170400
6	ADJOINERS	7/28/92	214	0000170500
7	AQUAFIRE MARINE, INC.	1/28/93	214	0000170600
8	BENNY FRANKCO	6/19/93	214	0000170700
9	THE CALHOUN CREDIT SERVICE, INC.	1/28/93	214	0000170800
10	CONTECH	1/28/93	214	0000170900
11	MOTIV MEDIA AND PUBLISHING	7/29/93	214	0000171000
12	THE CALHOUN CREDIT SERVICE, INC.	1/28/94	214	0000171100
13	THE 21ST CENTURY LSC, INC.	1/28/94	214	0000171200



REFERENCES

- [illegible]

FLOOD NOTE

AS SHOWN ON FLOOD INSURANCE RATE MAPS OF HENRY COUNTY, GEORGIA COMMUNITY
 PANEL NUMBER: 13151C000600 EFFECTIVE DATE OCTOBER 6TH, 2016 THIS PROPERTY IS NOT LOCATED IN A FEMA FLOOD
 HAZARD ZONE.

SURVEY NOTES

[illegible]

37

TEST BOOK	TEST PAGE	TEST PAGE	TEST PAGE
1.5	1.5	1.5	1.5
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1.8	1.8	1.8	1.8
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33.2			

[illegible]

Lennar Homes Hudson Bridge Project Renderings





Battle Law

STATEMENT OF INTENT

and

Other Material Required by
City of Stockbridge Unified Development Code
For
A Rezoning from C-2 to MFR and Land Use Amendment
From Medium Density Mixed Use to Medium Density Residential

of

**LENNAR GEORGIA, LLC.
c/o Battle Law, P.C.**

for

+/-20.37 Acres of Land
Being Hudson Bridge Drive
City of Stockbridge, Georgia and
Parcel Nos. 032-01026000

Submitted for Applicant by:

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



Battle Law

I. LETTER OF INTENT

Lennar Georgia, LLC (the “Applicant”) is seeking to develop that certain undeveloped +/- 20.37 acre tract of land being Tax Parcel No. 032-01026000 having frontage on Hudson Bridge Drive (the “Subject Property”) for one hundred forty (140) townhome units as depicted on the submitted elevations. The Subject Property is located within the Parkway Mixed Use Overlay District (“Parkway Overlay District”), and is currently zoned C-2, with a land use designation of Medium Density Mixed Use. The Applicant is seeking to rezone the Subject Property to MFR, while simultaneously seeking a land use amendment to Medium Density Residential.

This document serves as a statement of intent, analysis of the criteria under the City of Stockbridge Unified Development Code and contains notice of constitutional allegations as a reservation of the Applicant’s rights.

II. STEINBERG ACT REZONING CRITERIA

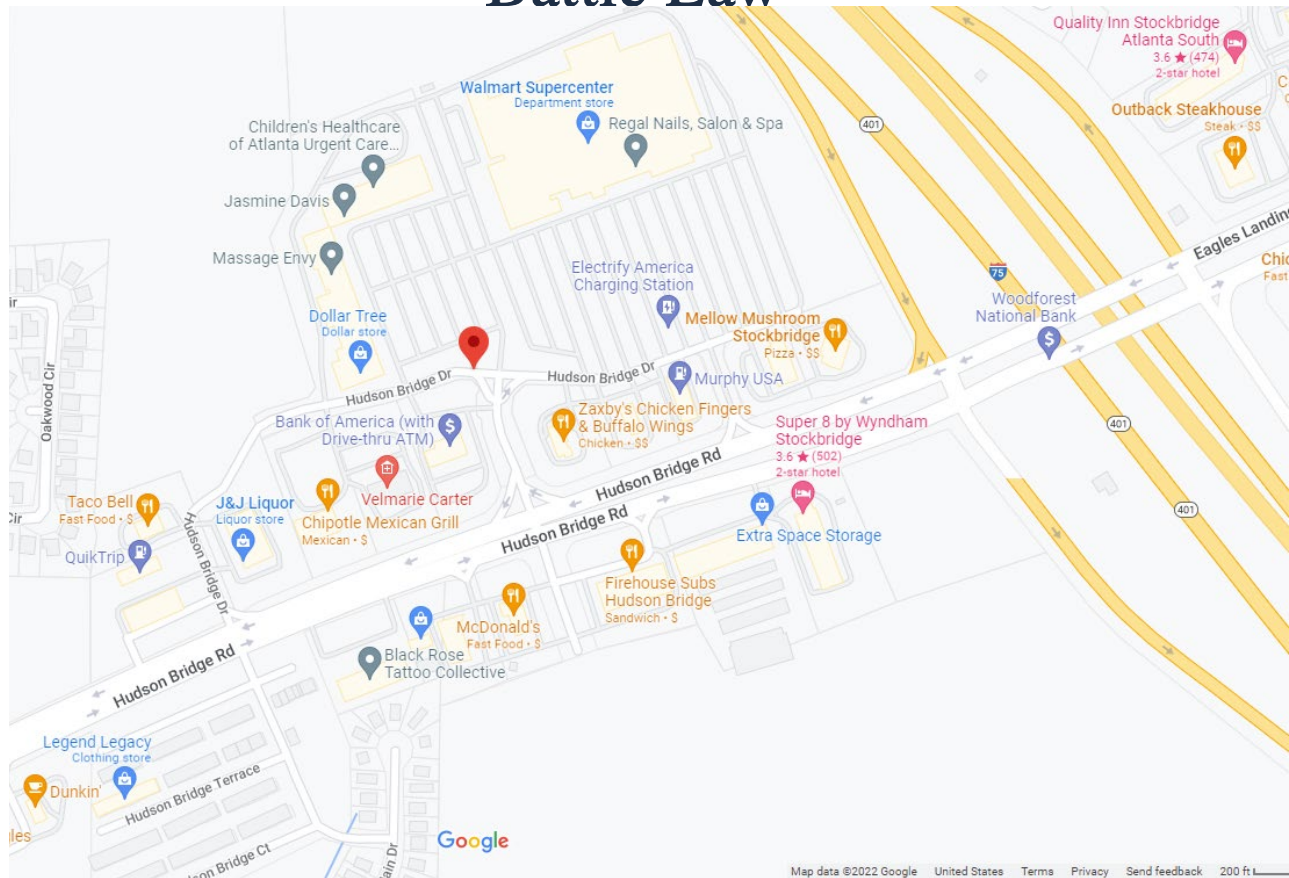
The State of Georgia proposes the following decision criteria to be considered for rezonings in jurisdictions that do not propose other criteria:

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

The zoning proposal will permit a use that is suitable in view of the current density and uses allowed under the Parkway Overlay District, in addition to existing uses on the adjacent and nearby property. Amongst other things, the purpose and intent of the Parkway Overlay District is “to encourage a balanced mix of retail, professional, residential, civic, entertainment and cultural uses,” and “to improve public health and provide safe and efficient movement within the overlay district by promoting development patterns that encourage physical activity such as walking and bicycling.” The area surrounding the Subject Property within the City of Stockbridge is predominately commercial and retail uses, except for the Hudson Bridge Townhome community that was built in 1986.



Battle Law



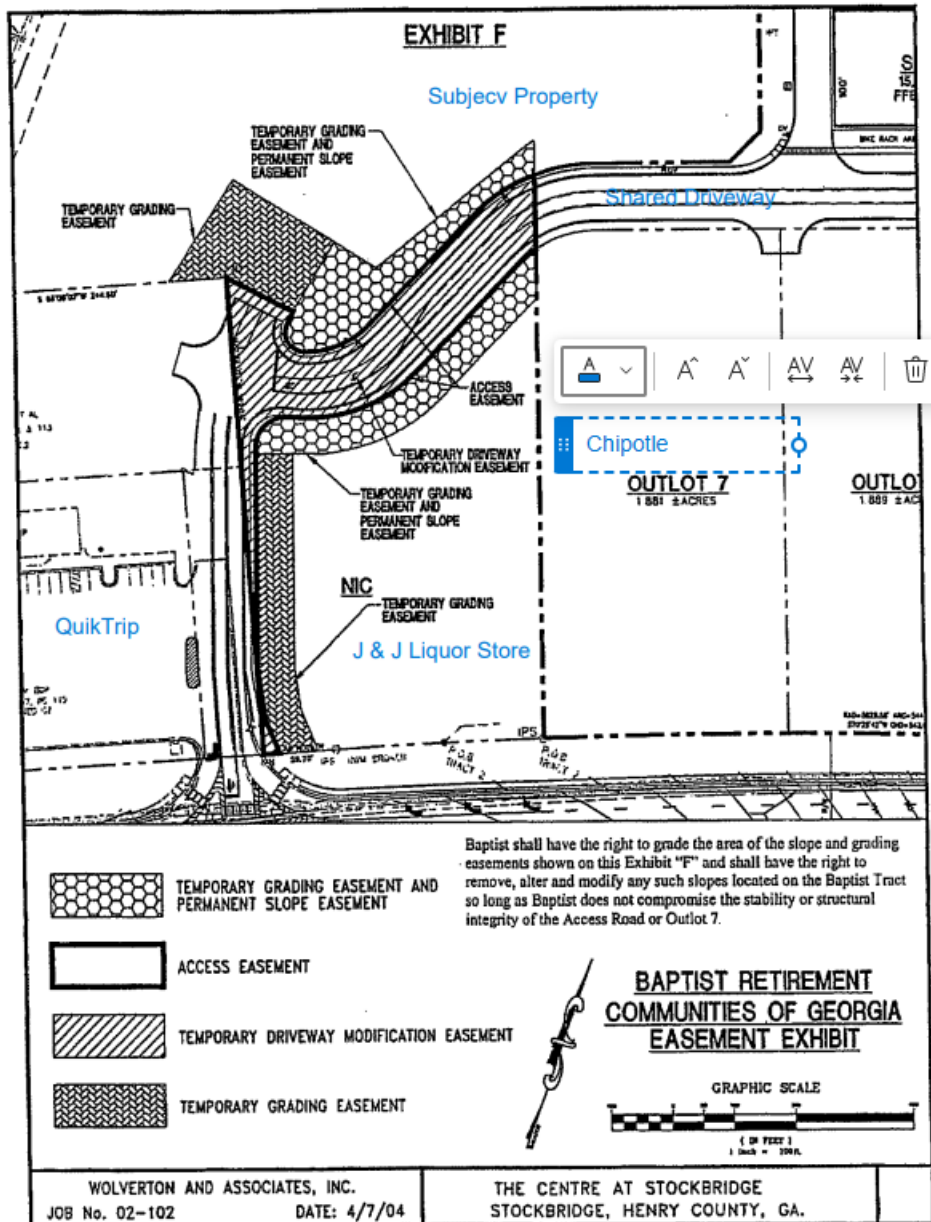
The Subject Property is part of a 72.69 acre planned commercial/retail/residential project which was been developed by multiple owners. Hudson Bridge Drive is a private street which provides shared access to excess of 20 stores, including the following businesses:

1. QuikTrip;
2. Walmart;
3. Chipotle
4. J&J Liquor;
5. Taco Bell
6. Zaxby's
7. Murphy's Gas Station
8. Mellow Mushroom
9. Arby's
10. Discount Tire; and
11. Bank of America.



Battle Law

BOOK 7038 PAGE 205





Battle Law

DOC# 020854
FILED IN OFFICE
04/28/2004 02:10 PM
BK:7038 PG:237-243
JUDITH A LEWIS
CLERK OF SUPERIOR COURT
HENRY COUNTY

After recording return to:
Calloway Title & Escrow, LLC
Attn: David Dudley 2-1333
4800 Ashford Dunwoody Rd. Ste. 240
Atlanta, Georgia 30338

BOOK 7038 PAGE 237

STATE OF GEORGIA)
COUNTY OF HENRY) RESTRICTIVE COVENANT

This Restrictive Covenant ("Covenant") is made this 20th day of April, 2004, by the BAPTIST RETIREMENT COMMUNITIES OF GEORGIA, INC., a Georgia non-profit corporation ("Declarant"), for the benefit of WR OF STOCKBRIDGE, L.L.C., a South Carolina limited liability company ("WR"), and its successors and assigns.

WHEREAS, Declarant is the owner of that certain real property referred to as the "Remaining Tract" and which is more particularly described on Exhibit "A" attached hereto and made a part hereof;

WHEREAS, WR is the owner of that certain real property referred to as the "Development Tract" and which is more particularly described on Exhibit "B" attached hereto and made a part hereof; and

WHEREAS, it is the intent and desire of Declarant to execute this Restrictive Covenant to establish certain restrictions upon the Remaining Tract for the benefit of the Development Tract;

NOW, THEREFORE, Declarant for itself, its successors and assigns does hereby agree that the Remaining Tract shall be subject to and shall be used in conformance with the following covenants and agreements:

- I. No part of the Remaining Tract shall be used for any retail purposes, which restriction shall include, but not be limited to, the sale of any goods or merchandise of any nature and/or the offering of any services of any nature for profit. Examples of such prohibited activities include, but are not limited to, the retail sale of any foodstuffs or grocery items, whether packaged or freshly prepared, the retail sale of prepared foods, whether "fast food" or sit-down meals, the retail sale of any clothing items, the retail sale of housewares and/or supplies, the retail sale of hardware items or tools, the retail sale of any crafts, hobby supplies, artwork, and the provision, for profit, of any haircutting services,



Battle Law

BOOK 7038 PAGE 238

cosmetic services and/or manicure, pedicure or massage services. Declarant specifically acknowledges and agrees that the foregoing prohibited uses are mere examples, and does not intend that they represent all uses restricted or prohibited hereby. Notwithstanding the foregoing, such retained uses as are ancillary or incident to the use of the Remaining Tract for residential apartments are permitted, including, but not limited to, coin-operated laundries, vending machines and the occasional sale of novelty items bearing the logo or trademark of the owner or manager of the apartment complex.

2. The foregoing restriction shall expire on March 31, 2008, if not theretofore terminated.

The foregoing restrictions and agreements are imposed on the Remaining Tract for the benefit of the Development Tract.

The agreements, restrictions and covenants herein made shall be deemed restrictive covenants running with the land and shall be binding upon the Remaining Tract and any person or entity who may from time to time own, lease or otherwise have an interest in the Remaining Tract.

[SIGNATURES ON FOLLOWING PAGE]

It can be inferred that the intent of this prohibition on the development of other retail uses, while permitting the development of multi-family apartments, was to support the viability of the retail stores without additional competition, AND to create a mixed-use environment with residents living adjacent to the site that could support the commercial businesses being developed. Based upon the Subject Property being included in the Parkway Overlay District the purpose and intent of the development of this area and the Subject Property remains the same.

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

The zoning proposal will not adversely affect the existing use or usability of adjacent or nearby properties. The zoning proposal will permit a use that creates the mixed-use environment promulgated by the Parkway Overlay District. Additionally, the development of the Subject Property as currently zoned would in fact have an adverse impact on the adjacent property owners by oversaturating an already robust commercial corridor.

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

The property to be affected by the zoning proposal does not have a reasonable economic use as



Battle Law

currently zoned. The area in which the Subject Property is located is already saturated with commercial development, which is inconsistent with the intent and purpose of the Parkway Overlay District, and based on the current economic climate in which retail stores are being challenged by the growing online shopping trends, the development of additional commercial space in this corridor would be economically unfeasible.

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

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

Additionally, according to the letter attached to this application from the Henry County Water Authority, water and sewer are available for the Subject Property. The Henry County Water Authority stated that there is enough capacity to serve the proposed number of units.

Lastly, the zoning proposal will not overly burden the local schools as the majority of the units as the anticipated market for the proposed units are young professionals, and single individuals looking for a low maintenance homeownership option.

Therefore, the zoning proposal will not result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

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

The Applicant is seeking to amend the current land use designation to Medium Density Residential which is consistent with the purpose and intent of the Parkway Overlay District which allows for a density of up to 60 units per acre with density bonuses, and heights up to 20 stories. The current Medium Density Mixed-Use only allows for up to 2 to 3.6 units per acres, with a maximum height of 3 stories. The comprehensive plan from which the land use designations were derived was adopted in 2018; however, the City's Revised Unified Development Code, which contains the current Parkway Overlay District, was adopted in March of 2022. Therefore, the current land use plan for the City and the Subject Property is outdated, and inconsistent with the Parkway Overlay District.

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

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



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III. CONCLUSION

For the foregoing reasons, the Applicant hereby requests that the application for a Rezoning from C-2 to MFR be approved. The Applicant welcomes any questions and feedback from the planning staff.

IV. NOTICE OF CONSTITUTIONAL ALLEGATIONS AND PRESERVATION OF CONSTITUTIONAL RIGHTS

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

The application of the City of Stockbridge Zoning Ordinance to the Subject Property which restricts its use to any classification other than that proposed by the Applicant is unconstitutional, illegal, null and void, constituting a taking of Applicant's Property in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States, Article I,

Section I, Paragraph I, and Article I, Section III, Paragraph I of the Constitution of the State of

Georgia of 1983, and the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States denying the Applicant an economically viable use of its land while not substantially advancing legitimate state interests.

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

A refusal by the City of Stockbridge City Council to amend the land use and/or rezone the Subject Property to the classification as requested by the Applicant would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any Rezoning of the Property subject to conditions which are different from the conditions requested by the Applicant, to the extent such



Battle Law

different conditions would have the effect of further restricting Applicant's utilization of the property, would also constitute an arbitrary, capricious and discriminatory act in zoning the Subject Property to an unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove.

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

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

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

Michele L. Battle, Esq.
Attorney for the Applicant



Henry County Water Authority
Engineering Division

December 2, 2022

Re: Water and Sewer Services - Availability

Proposed Development: **Apartment Complex**

Property Information: **Hudson Bridge Road Parcel No. 032-01026000**

LL 21; District 6; 20.37+/- acres

Proposed Zoning: **MFR**

Sewer Basin: **Walnut Creek**

Watershed Basin: **Big Cotton Indian**

TO WHOM IT MAY CONCERN:

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

Water service can be made available to the property described above by way of a line extension, as illustrated on the Conceptual Site Plan at the developer's expense. A fire flow test calculated in the area revealed the following data:

Static:	110	psi
Residual:	95	psi
Flow	1130	gpm
Calculated Flow @ 20 psi:	2973	gpm

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

Sewage **treatment** and sewer line **capacity** are available for the property. ***However, installation of a private lift-station (proposed to be located on the developer's site), associated force main and gravity sewer main extension will be necessary at the developer's expense.***

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

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

This letter was prepared with information submitted to HCWA on a Conceptual Site Plan dated 08/24/2022 prepared by Moore Bass Consulting, Inc.

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



TO: City of Stockbridge Mayor and City Council
City of Stockbridge Planning Commission

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

CC: Ryan Anderson, Community Development Director
Keedra Jackson, Chief Planner

DATE: August 15, 2024

SUBJECT: **Staff Report for Comprehensive Plan Amendment Case
#CP-2024-01 for Parcel #032-01026000 on Hudson Bridge Drive,
In Council District 5**

I. PURPOSE

To consider a Comprehensive Plan Amendment application (#CP-2024-01) by Lennar Georgia, LLC, c/o Battle Law, P.C, to change the future land use designation of Parcel #032-01026000 on Hudson Bridge Drive from Medium-Density Mixed-Use to Medium-Density Residential to allow for the development of a townhome community with 140 units. Mount Zion 48, LLC is the current owner of the property, and it contains approximately 20.367 acres.

The applicant has also submitted two other applications for the subject property. For Rezoning Case #RZ-2024-01, the applicant requests to rezone the property from 'C-2' (General Commercial) to 'MFR' (Multiple-Family Residential). For Variance Case #VR-2024-03, the applicant requests the granting of two variances. In Variance Request #1, the applicant requests that the front yard setbacks of the townhome lots be reduced from the required 50 feet in the MFR district to 20 feet. In Variance Request #2, the applicant requests that the rear yard setbacks of the townhome lots be reduced from the required 20 feet to 10 feet.

An aerial photo of the subject property is shown after the Case Facts (Table 1) below.

II. CASE FACTS (Table 1)

DESCRIPTIVE FACTOR	FINDINGS
Proposed Development:	Townhome community with 140 fee simple units.
Parcel Identification:	032-01026000 (no address).
Parcel Acreage:	+/- 20.367 acres.
Land District and Land Lot:	District 6, Land Lot 21.
Applicant:	Lennar Georgia, c/o Battle Law, P.C.
Owner:	Mount Zion 48, LLC.
Current City Zoning:	C-2 and Parkway Mixed-Use Overlay District.
Surrounding Zoning:	• <u>North</u>—MFR (Multiple Family Residential). • <u>Northwest</u>—SR (Suburban Residential). • <u>East</u>—C-2 & C-3 (General Commercial & Heavy Commercial). • <u>South</u>—C-2 (General Commercial). • <u>Southeast</u>—C-2 & C-3 (General Commercial & Heavy Commercial). • <u>West</u>—Outside of the City. Zoned 'RD' & 'RM' (Residential-Duplex & Residential-Multifamily) by Henry County. • <u>Southwest</u>—Outside of the City. Zoned 'C-2' (General Commercial) by Henry County.
City Land Use Designation:	Medium-Density Mixed-Use.
Current Use:	Vacant.
Surrounding Land Uses:	• <u>North</u>—St. Ives Apartments. • <u>Northwest</u>—St. Margrit Subdivision. • <u>East</u>—Walmart and adjacent Centre @ Stockbridge Shopping Center. • <u>South</u>—Commercial uses fronting onto Hudson Bridge Road, including J & J Liquor and Western Union. • <u>Southeast</u>—Retail uses (Taco Bell and QuikTrip) outside the City, with access from Hudson Bridge Dr. • <u>West</u>—Oakwood Village Subdivision, outside City).
Property Location:	To the rear of 1590 Hudson Bridge Road. Property has no access to any public street. Access exists from Hudson Bridge Drive, an internal street for the adjacent Centre @ Stockbridge shopping center, which includes Walmart. A portion of this street actually is part of the subject property.
Property Conditions:	Vacant land; mostly wooded. The eastern portion of site contains steep topography, wetlands with a 25-foot state buffer, a 50-foot stream buffer, and a 75-foot impervious setback as part of a nearby stream. Site includes a portion of Hudson Bridge Drive, which was granted an easement.

AERIAL PHOTO OF SUBJECT PROPERTY



III. PROPERTY AND ZONING HISTORY

A. Restrictive Covenant. The subject property was previously owned by Baptist Retirement Communities of Georgia, who sold it in 2005. Before doing so, a restrictive covenant, dated April 26, 2004, was prepared and filed with the Henry County Superior Court (in Book 7028, Page 237). It prohibited the use of the subject property for retail uses. This restriction expired, however, on March 31, 2008.

B. Walmart Master Development Plan and DRI. The subject property was originally a part of a Master Development Plan (Centre @ Stockbridge) with a Wal-Mart Supercenter as a mixed-used development for a total of 70.16 acres. The entire property was annexed by the City of Stockbridge in 2002. The subject site as a part of the Master Plan was described as "Tract 2." Tracts 1 and 2 were annexed as C-2 (Commercial – Medium Density) and C-3 (Heavy Commercial). Tracts 1 and 2 were further subdivided on

February 4, 2004, creating a "new" Tract 2 as a part of the Walmart Development. The original Tract 2 would become a "stand-alone" parcel for future development. The Master

Development Plan initially allowed the subject site to have access from Hudson Bridge Road, but outparcels were later created, and this removed the site's access to Hudson Bridge Road. A Development of Regional Impact Analysis (DRI #481) was completed on the Master Development Plan, including the subject site, on November 21, 2003, and a Development Agreement was also prepared. Per the DRI for the entire Plan area, "The site shall be mixed-use and contain a minimum of 200 residential units and a maximum of 343,500 square feet of commercial/office/retail space." However, DRI officials have stated that DRI conditions have no effect after ten years.

C. Previous Parcel Split and Easement Creation. Wolverton & Associates of Duluth, Georgia created a series of drawings on February 26, 2013 as part of a Final Subdivision Plat for Broad Street Stockbridge II, LLC. It showed that the subject property was split into two Tracts, with Tract 1 representing the current boundaries of the site and Tract 2 being cut off from the site. This resulted the Tract 1 (the current site) losing its access from Hudson Bridge Drive. However, ten easements were created along and adjacent to

WALMART MASTER DEVELOPMENT PLAN AREA



Hudson Bridge Drive, including an easement to allow a portion of Hudson Bridge Drive, which is a private street, and which is actually contained within the boundaries of the subject site, to be used by the public for access to the surrounding commercial properties. The fact that this portion of Hudson Bridge Drive is located within the site boundaries is confirmed today by the aerial photo of the site from the Henry County Tax Assessors' records.

D. Recent Zoning Activity: RZ-2019-04 and RZ-2020-01 by TPA Residential. A rezoning of the subject property from C-2 (General Commercial) to MUND (Mixed-Use Neighborhood Development) was sought by TPA Residential (c/o Falcon Design Consultants, LLC) in 2019 via RZ-2019-04 to allow for a mixed-use development to contain 118 townhomes plus small commercial uses. The Planning and Zoning Staff, as well as the Planning Commission (at their September 14, 2019 meeting) both recommended the approval of this case, with conditions. However, at the subsequent City Council meeting on October 14, 2019, the applicant announced that he wanted to withdraw his application. TPA Residential returned to the City with a revised rezoning application via RZ-2020-01. This time, the applicant wanted to build a purely residential development, containing 147 townhomes only. GRTA determined that an updated DRI review was not required since the proposed density would be less than what the Walmart Master Development Plan called for. The Staff recommended approval with conditions, as did the Planning Commission at its June 25, 2020 meeting; but the City Council denied the case at its meeting on July 13, 2020.

PREVIOUS PARCEL SPLIT AND EASEMENT CREATION

GENERAL NOTES		SURVEYORS CERTIFICATE		VICINITY MAP - N.T.S.																							
1. THE FIELD DATA UPON WHICH THIS SURVEY IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 100,000 FEET AND AN ANGULAR ERROR OF 1 SECOND PER ANGLE AND WAS ADJUSTED USING LEAST SQUARES. A TRIMBLE 550 WAS USED TO OBTAIN LINEAR AND ANGULAR MEASUREMENTS. WORK WAS COMPLETED ON 01-21-2013. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND HAS BEEN FOUND TO BE ACCURATE WITHIN ONE FOOT IN 100,000 FEET. 2. THIS SURVEY IS RELATIVE TO THE GEORGIA STATE PLANE COORDINATE SYSTEM, WEST ZONE 40 REFERENCED TO NAD83 (2011) HORIZONTAL AND ANGULAR (GEOID10) VERTICAL. COORDINATES WERE DERIVED FROM NETWORK GPS MEASUREMENTS USING A LEICA V50 GPS ONE RECEIVER. 3. NO PORTION OF THIS PROPERTY IS LOCATED WITHIN A FLOOD HAZARD AREA AS PER FLOOD INSURANCE RATE MAPS OF HENRY COUNTY, GEORGIA, AS SHOWN ON MAP NUMBER 1315102000C, HAVING AN EFFECTIVE DATE OF MAY 16, 2008 AND HENRY COUNTY PRESENT AND FUTURE CONDITIONS MAPS PANEL 88 OF 300 DATED MAY 2010. 4. CORNER NOTES HEREON AS IRON PIN SET (IPS) ARE 3/4" IRON REBARS WITH A PLASTIC CAP TAMPED "EXCLUSION LOT 700P AND PINS IS 7/8" IRON SET. 5. LAND SURVEYORS, AS LICENSED PROFESSIONALS BY THE STATE OF GEORGIA, ARE NOT EXPERTS IN THE IDENTIFICATION OF WETLANDS, CONTIGUOUS OR BURIAL GROUNDS, ITEMS OF HISTORICAL OR CULTURAL SIGNIFICANCE, THEREFORE EXCEPTION IS TAKEN TO ANY SUCH MATTERS WHICH MAY EXIST ON THIS PROPERTY. 6. THE PROPERTY MAY BE SUBJECT TO EASEMENTS, RESERVATIONS, RIGHTS OF WAY, OR RESTRICTIONS WHICH ARE NOT RECORDED OR OTHERWISE UNKNOWN TO THE SURVEYOR. THEREFORE EXCEPTION IS TAKEN TO ANY SUCH ITEMS. 7. ALL SUBJECT PROPERTY CORNERS HAVE BEEN SET OR FOUND AS LABELED. 8. C-2 ZONING CONDITIONS: 30' FRONT SETBACK 0' SIDE SETBACK 25' REAR SETBACK 150' MINIMUM LOT WIDTH 10,000 SQUARE FOOT MINIMUM LOT AREA 30' MAXIMUM BUILDING HEIGHT NONE OF THE PARCELS DELINEATED ON THIS PLAT ARE CORNER LOTS, THEREFORE NO SIDE YARD SETBACK LINES ARE REQUIRED BY THE CODE OF ORDINANCES OF THE CITY OF STOCKBRIDGE. 9. ACCESS FOR TRACT 1 IS PROVIDED BY THE CURRENT PRIVATE ACCESS(1) AND CROSS ACCESS(2) EASEMENTS SHOWN HEREON.		THIS SURVEY IS AN ACCURATE REPRESENTATION OF THE PROPERTY SURVEYED UNDER MY SUPERVISION. THIS SURVEY WAS PERFORMED WITHOUT A TITLE COMMITMENT AND MAY BE SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD NOT REFLECTED UPON THIS SURVEY. Michael G. High G.S. 113 DATE: 6/18/13 G.S. 113 G.S. 113		THE CITY OF STOCKBRIDGE ASSUMES NO RESPONSIBILITY FOR THE OVERFLOW OR EROSION OF NATURAL OR ARTIFICIAL DRAINS BEYOND THE EXTENT OF THE STREET RIGHT-OF-WAY, NOR FOR THE EXTENSION OF COLLECTORS BEYOND THE POINTS SHOWN ON THIS PLAT AND AS REQUIRED BY THE CITY OF STOCKBRIDGE SUBDIVISION ORDINANCE. 1. 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. WETLANDS SHOWN ON THIS PLAT 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. LIVE STREAMS DO EXIST ONSITE.																							
TRACT CHART TRACT 1 - NO ADDRESS ASSIGNED PARCEL # - 032-01026000 TRACT 2 - 1590 HUDSON BRIDGE RD PARCEL # - 032-01026002		SHEET INDEX SHEET 3 SHEET 2 TRACT 1 TRACT 2 HUDSON BRIDGE ROAD (R/W MARKS)		OWNER/SUBOWNER BROAD STREET STOCKBRIDGE II, L.L.C. BY: SR INVESTMENTS, INC., ITS MANAGER 300 WEST COLUMBIA BLVD., STE 106 MOUNT PLEASANT, SC 29464 JASON SMALLWOOD 803-474-0930																							
AREA CHART <table border="1"> <thead> <tr> <th>TRACT</th> <th>ACRES</th> <th>SQ. FT.</th> <th>ZONED</th> </tr> </thead> <tbody> <tr> <td>TRACT 1</td> <td>20.367</td> <td>887,136</td> <td>C-2</td> </tr> <tr> <td>TRACT 2</td> <td>1.709</td> <td>74,457</td> <td>C-2</td> </tr> <tr> <td>TOTAL:</td> <td>22.076</td> <td>961,593</td> <td></td> </tr> </tbody> </table>		TRACT	ACRES	SQ. FT.	ZONED	TRACT 1	20.367	887,136	C-2	TRACT 2	1.709	74,457	C-2	TOTAL:	22.076	961,593		OWNERS STATEMENT CITY OF STOCKBRIDGE COUNTY OF HENRY The owner of the land shown on this plat and whose name is subscribed thereto, and in person or through a duly authorized agent, acknowledges that this plat was made from an actual survey, and dedicates by this Declaration to the use of the public forever, all streets, sewer collectors, lot divisions, drains, and other public facilities and appurtenances thereon shown, and transfers ownership of all public use areas in fee simple by deed, for the purposes therein expressed. Broad Street Stockbridge II, L.L.C. BY: SR Investments, Inc., its manager NAME: Stephen Rainey ITS: President DATE: June 18, 2013		REVISIONS <table border="1"> <thead> <tr> <th>REVISIONS</th> <th>BY</th> </tr> </thead> <tbody> <tr> <td>ADDRESS COUNTY COMMENTS - 04/24/2013</td> <td>KWB</td> </tr> <tr> <td>ADDRESS COUNTY COMMENTS - 05/15/2013</td> <td>KWB</td> </tr> </tbody> </table> DRAWN BY KWB CHECKED BY MGH DATE: 02/26/2013 SCALE: 1"=100' JOB NO. 13-802 SHEET NUMBER 1 OF 4 SHEETS		REVISIONS	BY	ADDRESS COUNTY COMMENTS - 04/24/2013	KWB	ADDRESS COUNTY COMMENTS - 05/15/2013	KWB
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EASEMENT CHART - PRIVATE ACCESS EASEMENT (DB 7038, PG 185). - PRIVATE PERMANENT RETAINING WALL & GRADING EASEMENT (DB 7038, PG 209). - PRIVATE BAPTIST COMMUNITY INGRESS/EGRESS EASEMENT (DB 7038, PG 209). - PERMANENT SLOPE EASEMENT (DB 7038, PG 185). - PRIVATE DRAINAGE EASEMENT (DB 7038, PG 209). - PRIVATE PERMANENT RETAINING WALL AND GRADING EASEMENT AND LANDSCAPING EASEMENT AREA (DB 7038, PG 209). - PRIVATE CROSS ACCESS EASEMENT (DB 7038, PG 209). - PUBLIC 20' SANITARY SEWER EASEMENT (D.B. 9710, PG 241). - PUBLIC WATERLINE EASEMENT (D.B. 9710, PG 230). - PRIVATE PERMANENT SLOPE EASEMENT (DB 7038, PG 209).		THIS PLAT IS HEREBY APPROVED FOR RECORDING: BY: <i>Steph Rainey</i> DIRECTOR, HENRY COUNTY DEPARTMENT OF ENVIRONMENTAL COMPLIANCE & PLAN REVIEW. DATE: 6/18/13 THIS PLAT IS HEREBY APPROVED FOR RECORDING: <i>Mark A. Wilson</i> 6-18-13 MAYOR, CITY OF STOCKBRIDGE HENRY COUNTY MAP 32 ALL BLOCK 1		GEORGIA811 OneCall before you dig. 800-4-A-DAWG																							

E. Recent Zoning Activity: RZ-2022-08 by Carter Acquisitions. In 2022, a new developer, Carter Acquisitions, LLC, c/o Battle Law, PC, sought to rezone the subject property via RZ-2022-08 from C-2 to MFR (Multiple Family Residential) to allow for the development of a townhome community containing 330 units. The proposed density was 16.2 units per acre, which exceeded the allowable density of 16.0 units per acre for the proposed High-Density Residential future land use designation. The applicant needed to reduce the number of units by eliminating four units to meet the maximum allowable density. But the applicant never returned with a new site plan having a reduced density. After an extended period of time, the applicant withdrew their application, along with Comprehensive Plan Amendment application #CP-2022-07.

STREET VIEW OF SOUTHWEST CORNER OF SITE

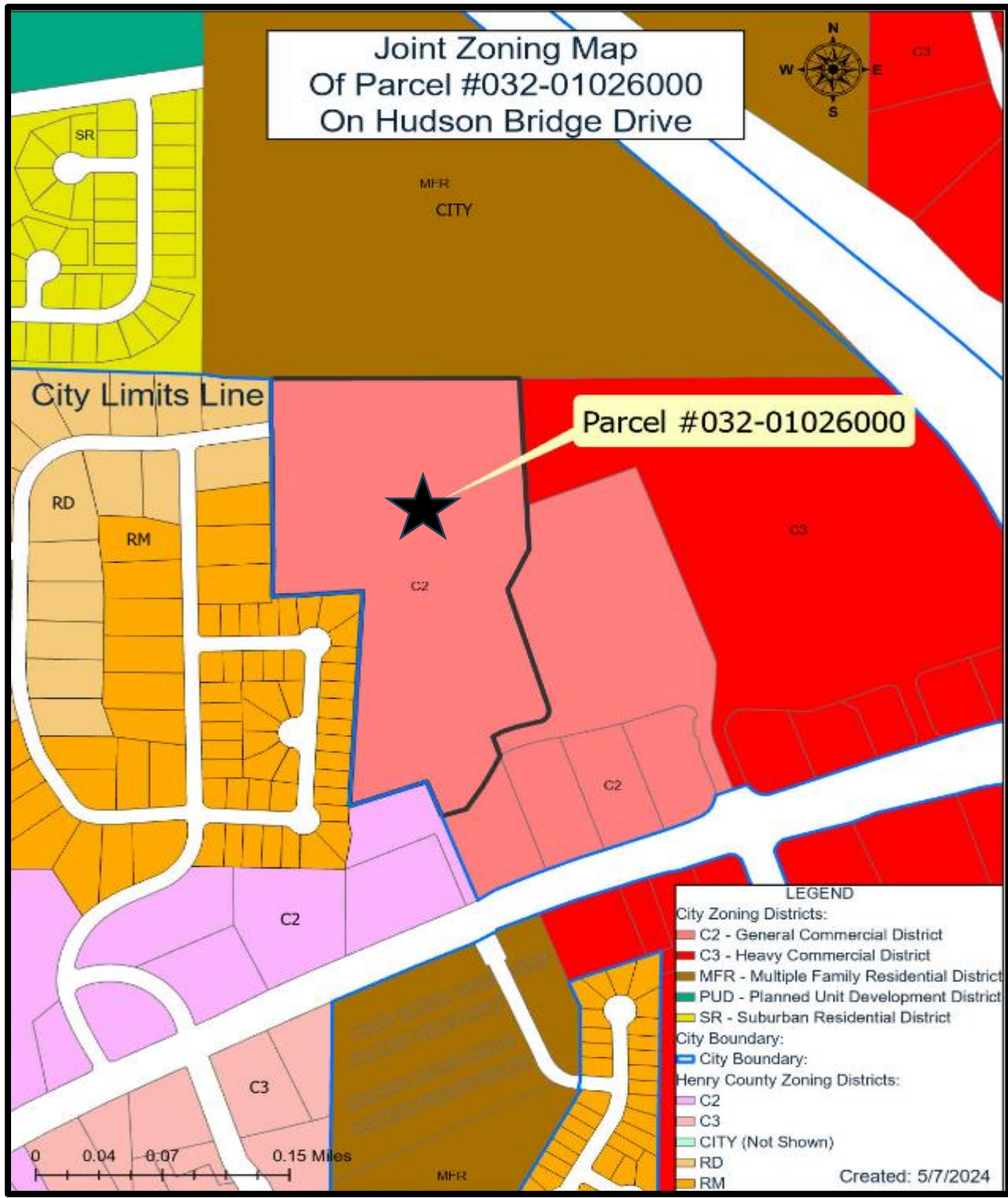


STREET VIEW OF SITE TOWARD SOUTHEAST CORNER

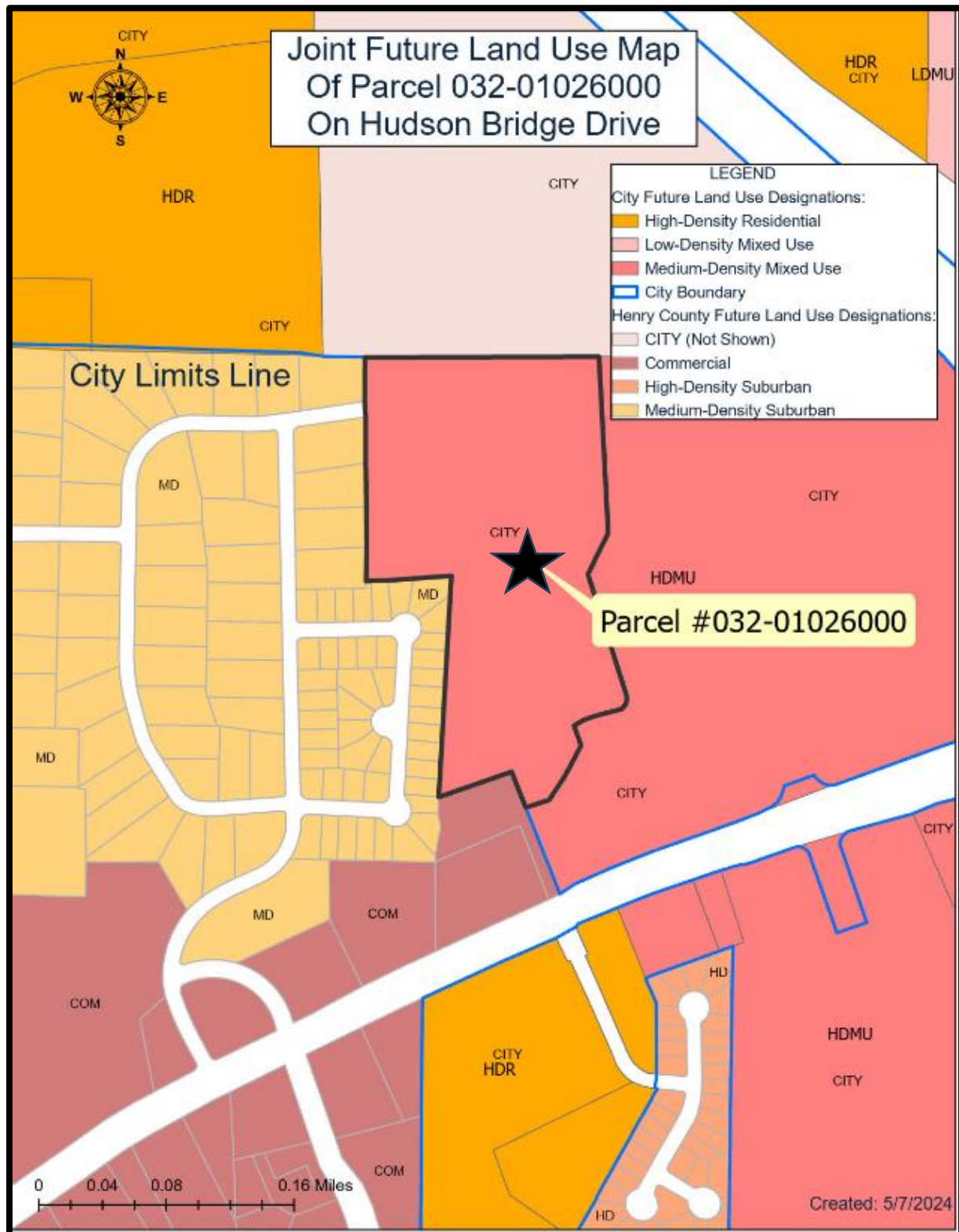


Shown below are the Zoning Map, the Future Land Use Map, and the Boundary Survey for the subject property.

2024 CITY OF STOCKBRIDGE ZONING MAP

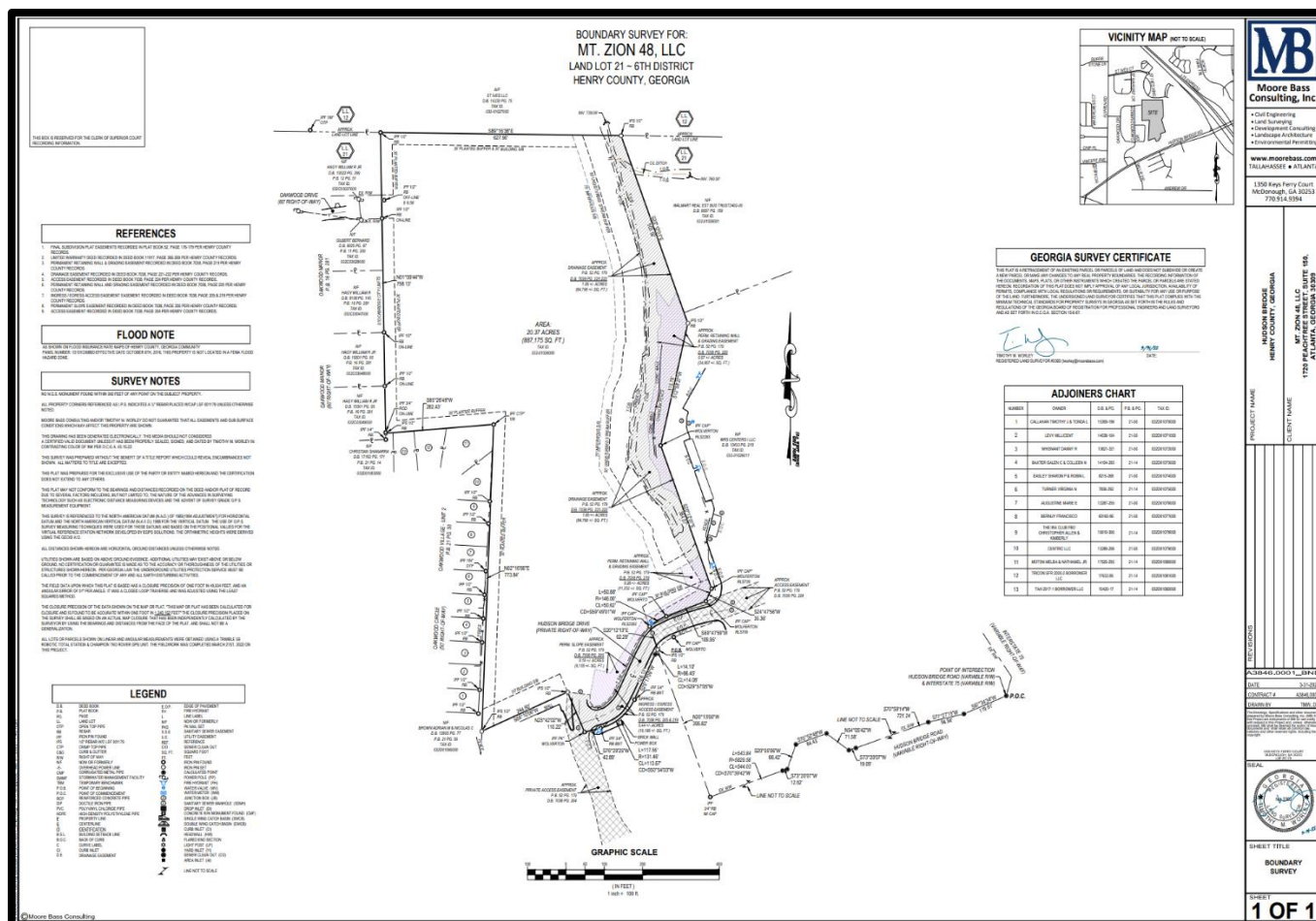


2024 CITY OF STOCKBRIDGE FUTURE LAND USE MAP



BOUNDARY SURVEY

Hudson Bridge Drive is located at the southern end of the property.



PROPOSED DEVELOPMENT

A. Project Size. The applicant has submitted a site plan which was prepared by Moore Bass Consulting on 02/29/24, representing Sheet #A3551.0010-SP1. Its title is "Hudson Bridge Townhomes; Stockbridge, GA." According to an inset box, entitled "Site Data", on the site plan, the applicant proposes to build 140 fee simple townhomes, including 101 smaller units and 39 larger units, at a density of 6.87 units per acre. The applicant would be required to designate at least 15 percent of the total site area as open space, and the applicant would substantially exceed that amount by designating about 41 percent of the site area as open space (8.37 acres of the total site area of 20.367 acres). The impervious area would be 10.0 acres, comprising 49 percent of the total site area. Forty-one (41) off-street parking spaces would be provided, which would meet the requirements. However, the required front and side yard setbacks would not be met for the requested MFR district, as is shown in the table below. The applicant has submitted a variance application to

request the reduction in the front yard setbacks of the townhome lots from the MFR District's required 50 feet to 20 feet, and to reduce the side yard setbacks (between townhome buildings) from the required 20 feet to 10 feet. The analysis of the merits of these variance requests are presented in the Staff Report for Variance Case #VR-2024-03.

Table 2--Required Versus Proposed Setbacks in the Requested MFR District

<u>MFR District Setback Requirements:</u>	<u>Proposed Setbacks:</u>	<u>Meets MFR Requirements?</u>
<u>Front Yard Setbacks – 50 feet</u>	<u>Front Yard Setbacks – 20 feet</u>	<u>No</u>
<u>Side Yard Setbacks – 20 feet</u>	<u>Side Yard Setbacks – 10 feet</u>	<u>No</u>
<u>Rear Yard Setbacks – 20 feet</u>	<u>Rear Yard Setbacks – 20 feet</u>	<u>Yes</u>

B. Site Plan Design. The submitted site plan shows that the development site would have two accesses, including the main entrance off Hudson Bridge Drive and a secondary access at Oakwood Drive to the northwest. A swimming pool, clubhouse, and guest parking would be provided near the main entrance, and a detention pond would be situated near the pool. No mail kiosk has been shown. The project entrance street would make a loop toward the rear of the property, where three other guest parking lots and an unspecified small amenity would be provided. A second detention pond would be located at the northeast rear of the property. Landscaped buffering would surround the property, although there is no indication of buffer widths. The Buffer Area Standards within Section 4.6.3A of the Stockbridge UDC requires the provision of a 25-foot zoning buffer between multifamily developments and single-family-zoned districts. Thus, this buffer should be provided along the western boundary of the property. A 50-foot undisturbed stream buffer would be designated along the eastern side of the property. No walking trails or dog parks have been indicated on the site plan.

C. Utilities Facilities. The applicant received a letter from the Henry County Water Authority, which was dated June 21, 2024, in response to the applicant's submitted application for a water and sewer availability letter. The findings and requirements of the Authority's letter are listed below, which the developer would need to comply with if RZ-2024-01 is approved.

1. Water service could be made available to the property via a water line extension.
2. Sewage treatment and sewer line capacity are available for the property, but the developer would be required to pay for an offsite sanitary sewer line extension, including the acquisition of easements, to meet the Authority's standards, and then to convey that extension to the Authority.
3. The specifications above would be effective for 365 days from the date of the letter (June 21, 2024), and any deviation in zoning that would increase the project density or usage would void the letter and require a re-evaluation.

D. Traffic Impact Study. The applicant submitted a Traffic Impact Study to the Planning & Zoning Office on June 21, 2024. It was prepared for Moore Bass Consulting, Inc. by

SEI Engineering, Inc., in collaboration with Acampora Traffic, LLC. Findings of the Study are presented in the Staff Report for RZ-2024-01. The conclusion of the Study was that the proposed development would only slightly increase traffic volumes within the vicinity of the subject property, and that no additional traffic improvements would be needed.

PROPOSED SITE PLAN -- FULL SHEET (View from the South)



AERIAL PHOTO OF THE VICINITY, OVERLAIN BY THE SITE PLAN



IV. ANALYSIS OF REQUEST

The applicant requests a Comprehensive Plan Amendment to change the subject property's future land use designation from Medium-Density Mixed-Use to Medium-Residential to allow for the construction of a 140-unit townhome development. Four factors were examined to analyze this request, as are discussed below.

The current land use designation of Medium-Density Mixed-Use is incompatible with the applicant's requested rezoning of the property to MFR (Multiple-Family Residential). Therefore, a Comprehensive Plan Amendment is required.

1. Consistency with the Comprehensive Plan. The 2024-2028 Five-Year Update to the Stockbridge Comprehensive Plan calls for the development of additional housing in the City, and the proposed townhome development would help to meet that need. The companion Future Land Use Map shows a future land use designation for the subject property of "Medium-Density Mixed-Use", which is intended for commercial areas or mixed-use developments containing mostly commercial uses. But since the applicant only proposes to include residential uses, the current land use designation of Medium-Density Mixed-Use would not be consistent with the Comprehensive Plan. The applicant has therefore requested a Comprehensive Plan amendment, via Case #CP-2024-01, to change the property's future land use designation to Medium-Density Residential for an exclusive residential development, which allows densities of 4 to 7.99 units per acre. This would include the applicant's proposed density of 6.87 units per acre.

2. Relation to the Zoning of the Property. Although the applicant's requested MFR zoning would be consistent with the property's current Medium-Density Mixed-Use future land use designation, a change to Medium-Density Residential would be more appropriate since the proposed development would only contain a residential use and no commercial uses. Further, the Medium-Density Residential specifies a density range of 4 to 7.99 units per acre, which would be appropriate for the proposed development's density of 6.87 units per acre.

3. Suitability of the Site's Location. The proposed 'Medium-Density Residential' future land use designation would be compatible with the adjacent Medium-Density Residential designation of the Oakwood Manor Subdivision to the west. Furthermore, the requested MFR rezoning of the property, which calls for multifamily uses, would be compatible with the Oakwood Manor Subdivision's Henry County zoning of 'RM' (Residential Multifamily).

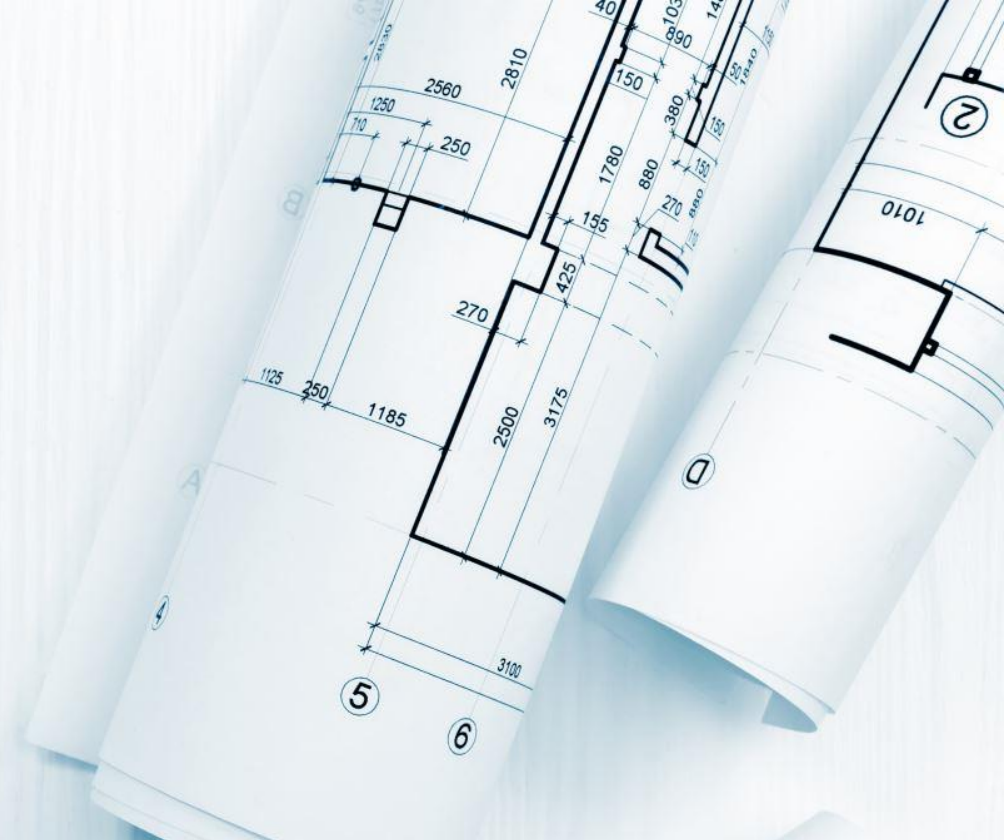
4. Maintaining the Current Land Use Designation. Due to the location of the subject property adjacent to major commercial uses along a major commercial corridor, as well as the large size of the property, it is unlikely that the types of uses that are intended for areas having the Medium-Density Mixed-Use designation would be developed on this property. Those uses include "two to three story buildings, combining street-level commercial/retail/office uses with second and third stories accommodating office or lofts/apartments/condominiums."

CONCLUSION AND RECOMMENDATION

This Staff Report has demonstrated that the requested Comprehensive Plan Amendment for Parcel #032-01026000 on the north side of Hudson Bridge Drive, via CP-2024-01, would be necessary and desirable for the subject property, in conjunction with the requested rezoning of the property to MFR via RZ-2024-01, to allow for the proposed townhome development. Therefore, the Planning and Zoning staff recommends the APPROVAL of CP-2024-01.



Battle Law



HUDSON BRIDGE
DRIVE

*Proposal to allow for 140
Townhomes*

OVERVIEW OF REQUESTS

- Future Land Use Amendment from Medium Density Mixed-Use to Medium Density Residential.
- Rezoning from General Commercial to Multi-Family Residential.
- Variance to reduce the front yard setback from 50 feet to 20 feet.
- Variance to reduce the side yard setback between buildings from 15 feet to 10 feet.

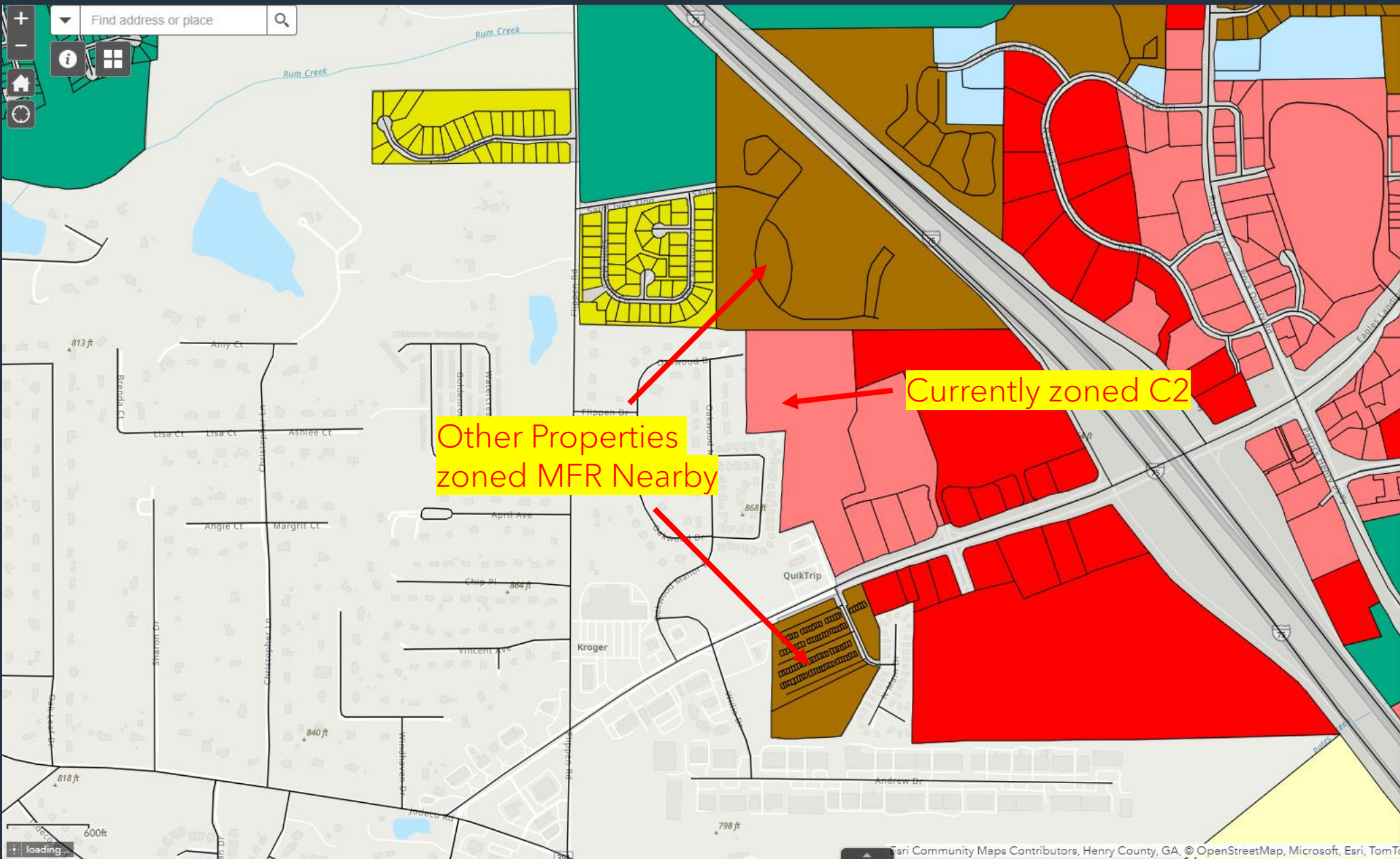


Walmart

QT and
Taco Bell

Hudson Bridge Road

Find address or place

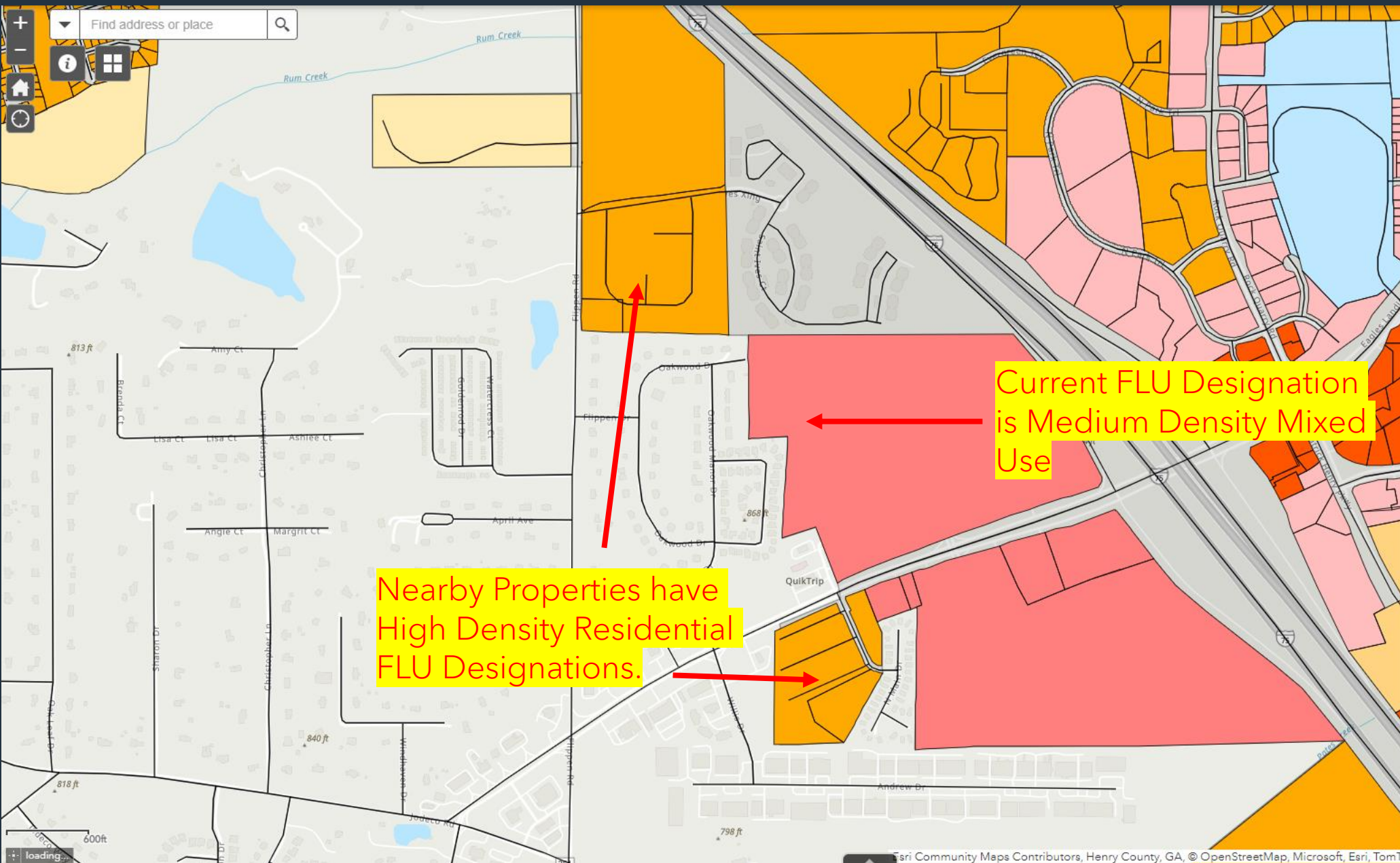
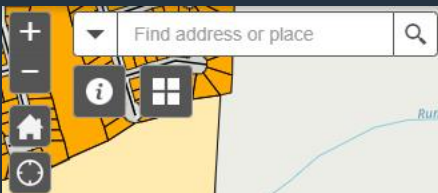


Other Properties
zoned MFR Nearby

Currently zoned C2

Layer List

- Layers
- ☐ Overlay Districts
 - ☒ Road Data
 - ☒ Zoning_Districts_01312024V2
 - ☐ C1 - Neighborhood Commercial District
 - ☒ C2 - General Commercial District
 - ☐ C3 - Heavy Commercial District
 - ☐ CCR - City Center Residential District
 - ☐ DT - Downtown
 - ☐ HI - Heavy Industrial District
 - ☐ LI - Light Industrial District
 - ☐ MFR - Multiple Family Residential District
 - ☐ MHR - Mobile Home Residential District
 - ☐ OI - Office Institutional District
 - ☐ PUD - Planned Unit Development District
 - ☐ RR - Rural Residential District
 - ☐ SR - Suburban Residential District
 - ☐ Future_Land_Use_01312024V2
 - ☐ 2024 Subdivisions
 - ☐ 2024 Council Districts_
 - ☒ City_Boundary_2024



Layer List

Layers

- ☐ Overlay Districts
- ☒ Road Data
- ☐ Zoning_Districts_01312024V2
- ☒ Future_Land_Use_01312024V2

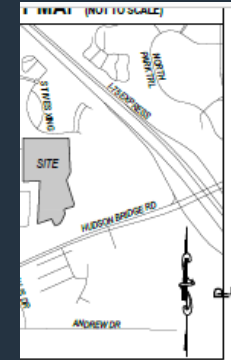
Legend:

- Downtown District
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Special Purpose
- Low Density Mixed Use
- Medium Density Mixed Use**
- High Density Mixed Use
- Public Institutional
- Office
- Light Industrial
- Heavy Industrial
- Transportation/Communication/Utilities
- Park/Recreation/Conservation

☐ 2024 Subdivisions

☐ 2024 Council Districts_

☒ City_Boundary_2024



N/F
WALMART REAL EST BUS TRUST3402-00
D.B. 9857 PG. 159
TAX ID.
032-01026001

N/F
ST IVES LLC
D.B. 14232 PG. 55
TAX ID.
032-01027000

N/F
HAGY WILLIAM R JR
D.B. 13522 PG. 299
P.B. 12 PG. 51
TAX ID.
032C03028000

N/F
GILBERT BERNARD
D.B. 8025 PG. 87
P.B. 11 PG. 200
TAX ID.
032C03028000

N/F
HAGY WILLIAM R
D.B. 9108 PG. 143
P.B. 16 PG. 281
TAX ID.
032C03047000

N/F
HAGY WILLIAM R JR
D.B. 15501 PG. 95
P.B. 16 PG. 281
TAX ID.
032C03048000

N/F
HAGY WILLIAM R JR
D.B. 15501 PG. 95
P.B. 16 PG. 281
TAX ID.
032C03049000

NITS
TOTAL)

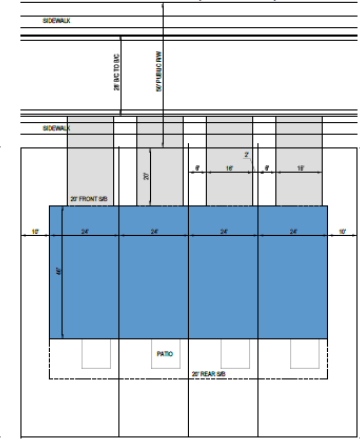
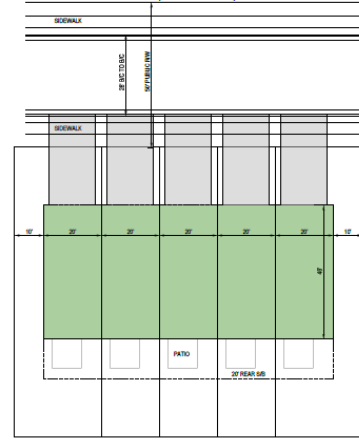
N/F
OWN ADRIAN M & NICOLAS C
D.B. 13805 PG. 77
P.B. 21 PG. 50
TAX ID.
032D01069000

SITE DATA			
PROJECT NAME	HUDSON BRIDGE TOWNHOMES		
SITE AREA	20.37 AC.		
TAX ID	032-01026000		
CURRENT ZONING	C-2		
PROPOSED ZONING	MFR		
PROPOSED USE	UNIT SIZE	SETBACKS	QUANTITY
FEE SIMPLE TOWNHOMES	20' WIDE	FRONT: 20', SIDE: 10', REAR: 20'	101 UNITS
FEE SIMPLE TOWNHOMES	24' WIDE	FRONT: 20', SIDE: 10', REAR: 20'	39 UNITS
		TOTAL	140 UNITS
PROPOSED DENSITY	140 UNITS / 20.37 AC.	6.87 UNITS PER ACRE	
OPEN SPACE PROVIDED	PROPOSED OVERALL OPEN SPACE		8.37 AC.
	PROPOSED OVERALL OPEN SPACE AREA AS A % OF SITE		41.1%
IMPERVIOUS AREA	10.0 AC. (49 % OF TOTAL SITE AREA)		
OFF-STREET PARKING PROVIDED:	41 SPACES		

TOWNHOUSE UNIT DETAIL
SCALE: 1"=20'

20 WIDE UNITS
101 UNITS (71% OF TOTAL)

24 WIDE UNITS
39 UNITS (29% OF TOTAL)







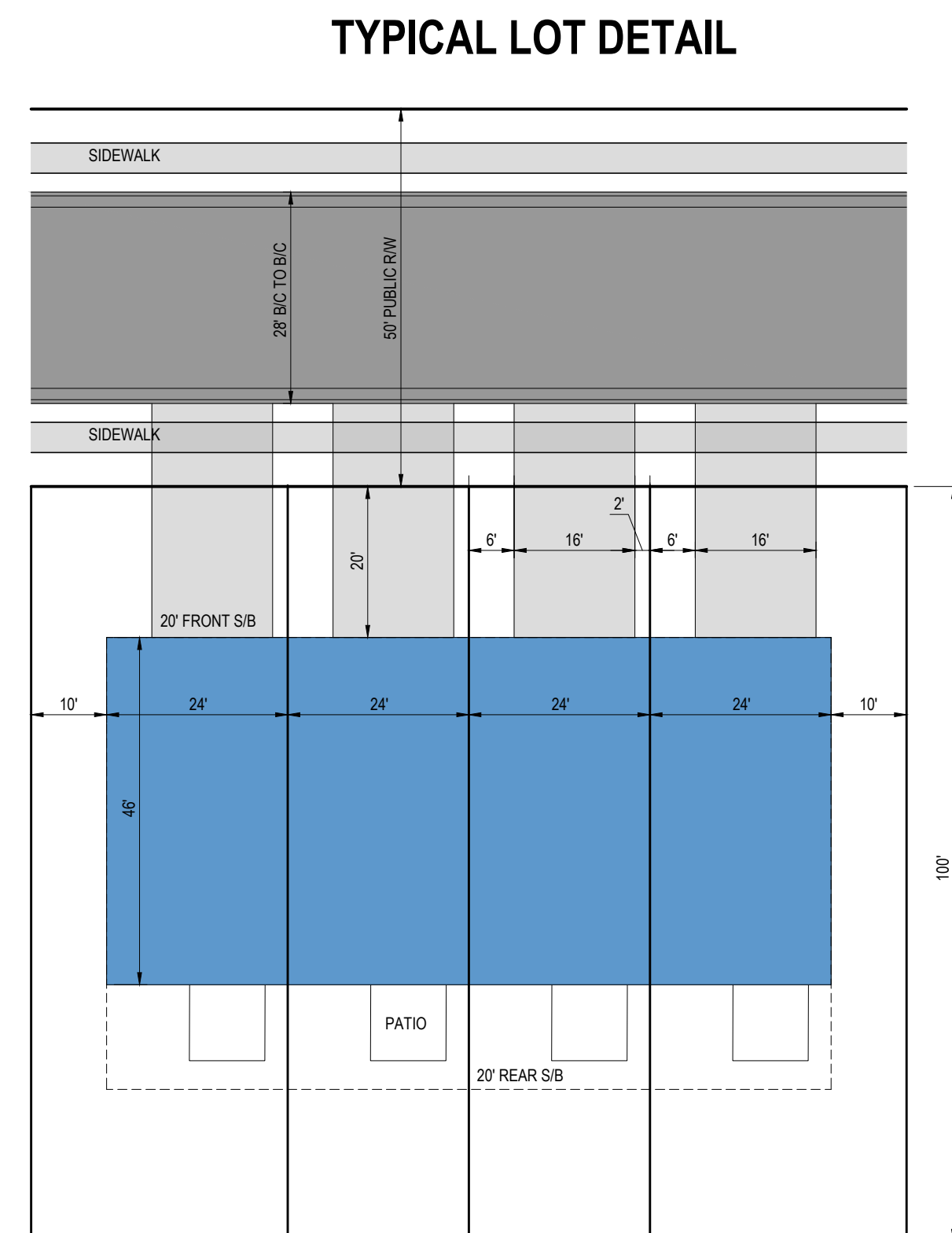
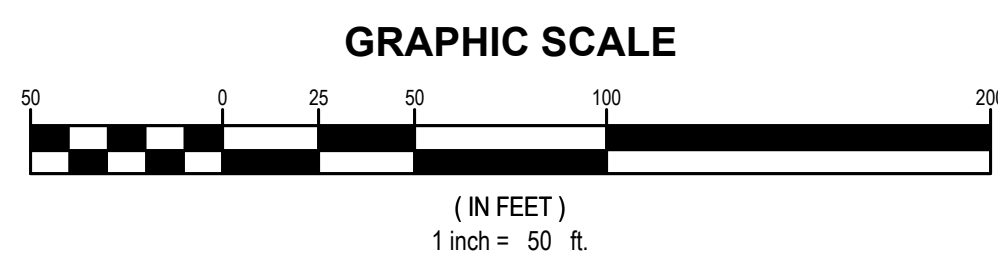
Lennar Homes Hudson Bridge Project Renderings







SITE DATA			
PROJECT NAME	HUDSON BRIDGE TOWNHOMES		
SITE AREA	20.37 AC.		
TAX ID	032-01026000		
CURRENT ZONING	C-2		
PROPOSED ZONING	MFR		
PROPOSED USE	UNIT SIZE	SETBACKS	QUANTITY
FEE SIMPLE TOWNHOMES	24' WIDE	FRONT: 20', SIDE: 10', REAR: 20'	127 UNITS
PROPOSED DENSITY	127 UNITS / 20.37 AC.	6.87 UNITS PER ACRE	
OPEN SPACE PROVIDED	PROPOSED OVERALL OPEN SPACE		8.76 AC.
	PROPOSED OVERALL OPEN SPACE AREA AS A % OF SITE		43.0%
IMPERVIOUS AREA	7.5 ac. (38 % OF TOTAL SITE AREA)		
OFF-STREET PARKING PROVIDED:	42 SPACES		





SITE DATA			
PROJECT NAME	Hudson Meadows Townhomes		
SITE AREA	26.97 AC		
TAX ID	02-03028000		
CUR-BAY ZONING	C-2		
PROPOSED COMB	WR		
PROPOSED USE	USE SITE	SERVICES	QUANTITY
FIVE FLAT TOWNHOMES	27 UNITS	FROM THE TOTAL	10 UNITS
TWO FLAT TOWNHOMES	21 UNITS	FROM THE TOTAL	20 UNITS
RECEIVED DENSITY	RECEIVED DENSITY	TOTAL	47 UNITS
ONLY QUANTIFIED	RECEIVED IN TOTAL CONTRACT	11 AC.	
11 UNITS/AC AREA	PROPOSED IN TOTAL CONTRACT	11 AC.	
70 AC (40% TOTAL SITE AREA)	27 UNITS	41%	
11 UNITS/AC			

[illegible]



NF
WALMART REAL ESTATE TRUST 3402.00
D B 9557 PG 159
TAX ID
032.01026001

TAX ID
032.01026011

NF
STANES LLC
D B 14233 PG 77
TAX ID
032.01027000

NF
BROWN ADRIAN M & NICOLAS C
D B 13805 PG 77
P B 21 PG 50
TAX ID
032D01069000

NF
HAGY WILLIAM R JR
D B 13522 PG 299
P B 12 PG 51
TAX ID
032C03020000

NF
GILBERT BERNARD
D B 8025 PG 87
P B 18 PG 200
TAX ID
032C03020000

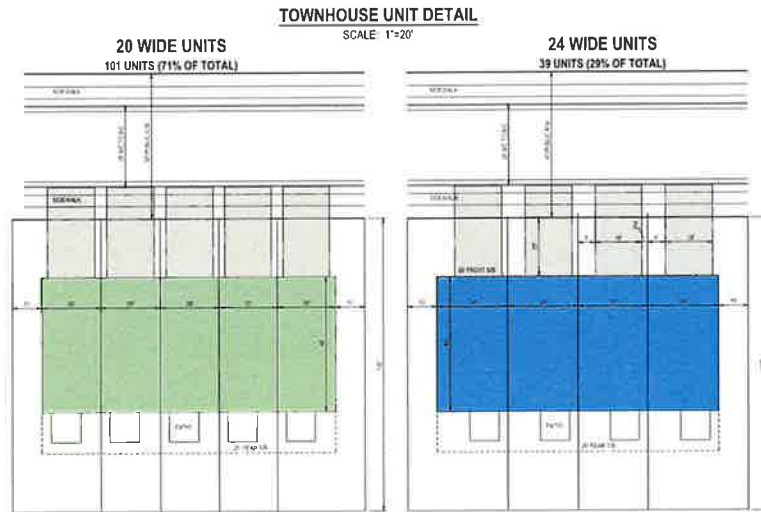
NF
HAGY WILLIAM R
D B 9108 PG 143
P B 16 PG 281
TAX ID
032C03047000

NF
HAGY WILLIAM R JR
D B 15501 PG 95
P B 16 PG 281
TAX ID
032C03048000

NF
HAGY WILLIAM R JR
D B 15501 PG 95
P B 16 PG 281
TAX ID
032C03049000

SITE DATA			
PROJECT NAME	HUDSON BRIDGE TOWNHOMES		
SITE AREA	20.37 AC		
TAX ID	032-01026000		
CURRENT ZONING	C-2		
PROPOSED ZONING	MFR		
PROPOSED USE	UNIT SIZE	SETBACKS	QUANTITY
FEE SIMPLE TOWNHOMES	20 WIDE	FRONT 10' SIDE 10' REAR 10'	101 UNITS
FEE SIMPLE TOWNHOMES	24 WIDE	FRONT 10' SIDE 10' REAR 10'	39 UNITS
PROPOSED DENSITY	140 UNITS / 20.37 AC	TOTAL 140 UNITS	6.87 UNITS PER ACRE
OPEN SPACE PROVIDED	PROPOSED OVERALL OPEN SPACE: 8.37 AC		
	PROPOSED OVERALL OPEN SPACE AS A % OF SITE: 41.1%		
BIOPRODUCED AREA	15.5 AC (76% OF TOTAL SITE AREA)		
OFF-STREET PARKING PROVIDED	41 SPACES		

GRAPHIC SCALE



Moore Bass Consulting, Inc.

• Civil Engineering
• Land Surveying
• Development Consulting
• Landscape Architecture
• Environmental Remediation

www.moorebass.com
TALLAHASSEE • ATLANTA

1350 Keys Ferry Court
McDonough, GA 30253
770.914.9394

PROJECT NAME
HUDSON BRIDGE TOWNHOMES
STOCKBRIDGE, GA

CLIENT NAME
LENNAR GEORGIA, LLC

REVISIONS

APPROVED FOR CONSTRUCTION
DATE: 03/20/2024
CONTRACT #
DRAWING BY: JMB
CHECKED BY: JMB
DATE: 03/20/2024

SCALE

SHEET TITLE

SITE PLAN

SHEET
1.0



St. Ives Crossing Apartments

St. Ives Ct

Rock Quarry Rd
N Park Ct

75

75

Walmart Supercenter

Chic

Mellow Mushroom Stockbridge

Hudson Bridge Dr

Firehouse Subs Hudson Bridge

McDonald's

J&J Liquor

Hudson Bridge Rd

N Main Dr

Oakwood Dr

Oakwood Manor Dr

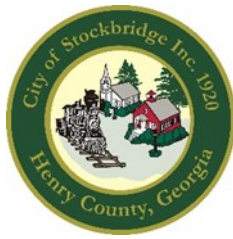
Kroger

Hudson Bridge Veterinary

Willis Dr

Flippen Rd

Flippen Rd



City of Stockbridge

AGENDA ITEM

MEETING DATE

OCTOBER 14, 2024

FUNDING SOURCE

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

- ☐ GENERAL FUND
- ☐ FUND BALANCE
- ☐ SPLOST or TSPLOST
- ☐ ARPA
- ☐ GRANT
- ☐ HOTEL/MOTEL TOURISM
- ☐ COUNCIL INITIATIVE
- ☐ PARTNER/SPONSOR
- ☐ DEPARTMENT FUND BALANCE
- ☐ BONDING

ACCOUNT TRANSFER FROM:

ACCOUNT TRANSFER TO:

PRESENTER:

Community Development Staff

DEPARTMENT:

Community Development

ITEM/PROJECT/EVENT:

REZONING CASE #RZ-2024-01. To consider a request to rezone the property from C2 to MFR to allow for a townhome development containing 140 units on 20.37 +/- acres. The applicant is Lennar Georgia, LLC. The applicant has also applied for Comprehensive Plan Amendment Case #CP-2024-01 and Variance Case #VR-2024-03.

BACKGROUND INFORMATION:

The applicant has also applied for Rezoning Case #RZ-2024-01 and Variance Case #VR-2024-03. Staff Recommendation--Approval with conditions. Planning Commission recommendation on 05/16/24--Deferral, per the applicant's request. City Council action on 06/10/24--Deferral. Planning Commission Recommendation on 08/15/24--Automatic denial since CP-2024-01 was denied. City Council action on 09/09/24--Deferral.

APPROVALS: CITY MANAGER _____

CITY TREASURER _____

CITY ATTORNEY _____

GRANTS ADMIN. _____

☐ FINANCIAL IMPACT ☐ N/A

AMOUNT \$

ATTACHMENTS:

☐

ITEM/PROJECT/EVENT:

REZONING CASE #RZ-2024-01.

BACKGROUND INFORMATION:

STAFF RECOMMENDATION:

APPROVAL, WITH CONDITIONS.

Staff Signature_____



Battle Law

September 5, 2024

VIA EMAIL (randerson@cityofstockbridge-ga.gov)

Mr. Ryan Anderson, Director
Stockbridge Planning and Zoning Department
4640 North Henry Blvd
McDonough, GA 30281

Re: Lennar/Hudson Bridge Road Rezoning Request

Dear Ryan:

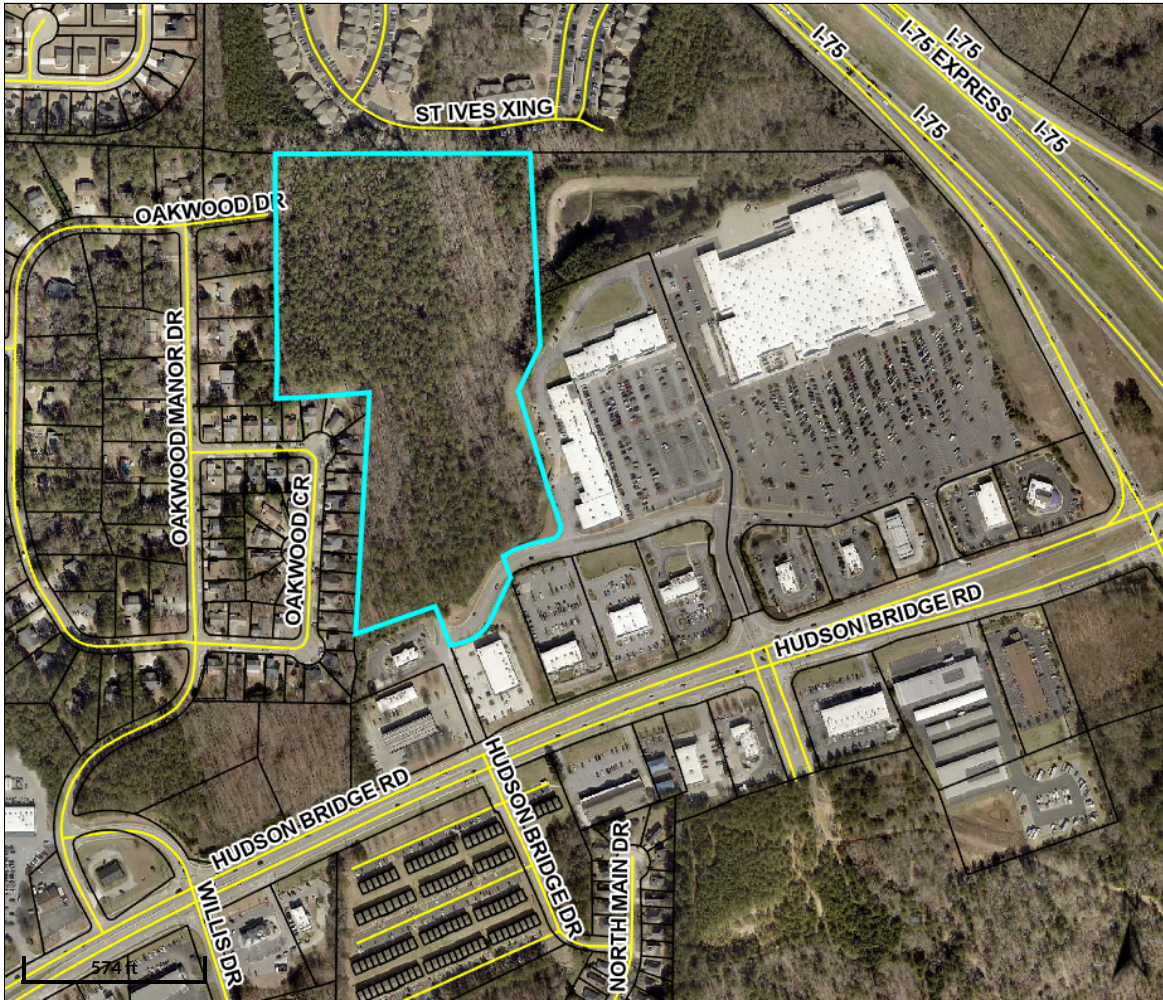
As legal counsel for Lennar Homes, I am hereby requesting that September 9, 2024 hearing before City Council for the Lennar Homes the Comprehensive Land Use Amendment and the Rezoning Application be deferred to October 14, 2024. Councilmember Alexander has requested further modifications to the site plan and proposed building facades that will require additional time for preparation. Please let me know if we will need to attend the meeting next week to request the deferral.

Respectfully submitted,

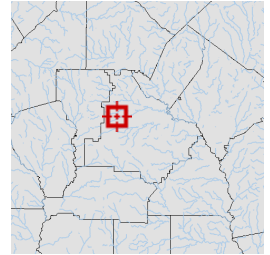
Michèle L. Battle, Esq.



Henry County, GA



Overview



Legend

- Parcels
- Roads

Parcel ID	032-01026000	Class	C	Owner	MOUNT ZION	Land	\$1.12019e+006				
Property		Acreage	20.367	Address	48 LLC	Value:					
Address					1 WOODY	Building	\$0	Last 2 Sales			
District	City/Stockbridge				TRAIL	Value:		Date	Price	Reason	Qual
					MABLETON	Misc	\$0	4/29/2022	\$556,000	OTHER	U
					GA 30126	Value:		11/1/2010	\$0	CORPORATE	U
						Total	\$1120185				
						Value:					

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

Date created: 4/23/2024

Last Data Uploaded: 4/22/2024 9:15:03 PM

Developed by Schneider
GEOSPATIAL

Presentations for CP- 2024-01, RZ-2024- 01, VR-2024-03

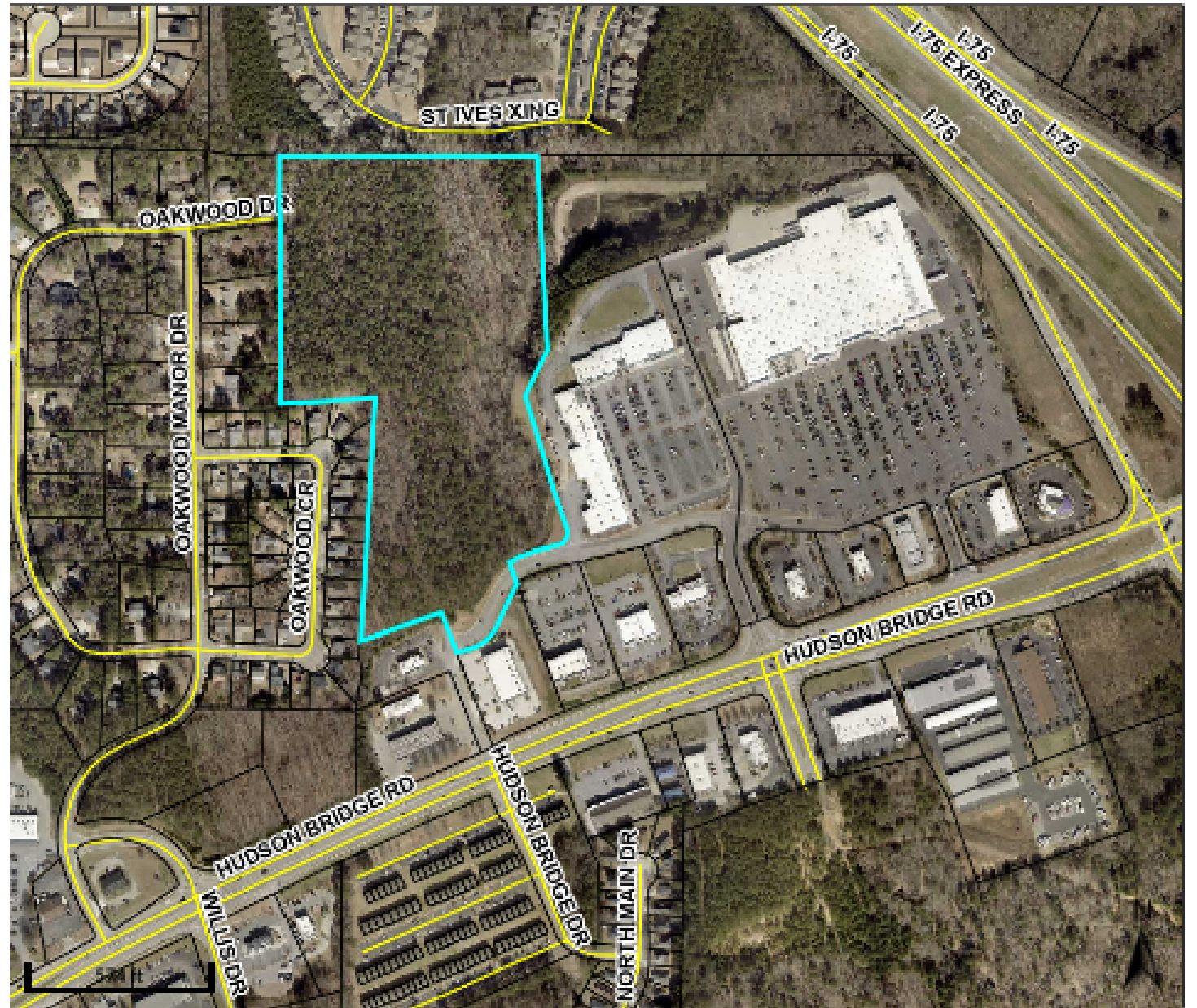
Mayor and Council: September 9, 2024



Case Facts

- Applicant: Lennar Georgia, c/o Battle Law, P.C.
- Owner: Mount Zion 48, LLC.
- Number of Proposed Units Per Acre: 6.87 units per acre
- Address of Property: Hudson Bridge Drive
- Number of Acres: 20.367 acres
- Project Characteristics: Vacant land; mostly wooded. The eastern portion of site contains steep topography, wetlands with a 25-foot state buffer, a 50-foot stream buffer, and a 75-foot impervious setback as part of a nearby stream. Site includes a portion of Hudson Bridge Drive, which was granted an easement.
- Current Future Land Use Designation: Medium-Density Mixed-Use.
- Current Zoning of Property: C-2 (General Commercial)
- Sign Posting: July 16, 2024

AERIAL PHOTO OF SUBJECT PROPERTY





Aerial Photo with Site Plan

STREET
VIEW OF
SOUTHWEST
CORNER OF
SITE



STREET VIEW
OF SITE
TOWARD
SOUTHEAST
CORNER

SITE

TO WALMART



PROPERTY AND ZONING HISTORY



Walmart Master Development Plan and DRI

The subject property was originally a part of a Master Development Plan (Centre @ Stockbridge) with a Wal-Mart Supercenter as a mixed-used development for a total of 70.16 acres. The entire property was annexed by the City of Stockbridge in 2002. The subject site as a part of the Master Plan was described as "Tract 2." Tracts 1 and 2 were annexed as C-2 (Commercial – Medium Density) and C-3 (Heavy Commercial). Tracts 1 and 2 were further subdivided on February 4, 2004, creating a "new" Tract 2 as a part of the Walmart Development. The original Tract 2 would become a "stand-alone" parcel for future development. The Master Development Plan initially allowed the subject site to have access from Hudson Bridge Road, but outparcels were later created, and this removed the site's access to Hudson Bridge Road. A Development of Regional Impact Analysis (DRI #481) was completed on the Master Development Plan, including the subject site, on November 21, 2003, and a Development Agreement was also prepared. Per the DRI for the entire Plan area, "The site shall be mixed-use and contain a minimum of 200 residential units and a maximum of 343,500 square feet of commercial/office/retail space." However, DRI officials have stated that DRI conditions have no effect after ten years.

Previous Parcel Split and Easement Creation

Wolverton & Associates of Duluth, Georgia created a series of drawings on February 26, 2013 as part of a Final Subdivision Plat for Broad Street Stockbridge II, LLC. It showed that the subject property was split into two Tracts, with Tract 1 representing the current boundaries of the site and Tract 2 being cut off from the site. This resulted the Tract 1 (the current site) losing its access from Hudson Bridge Drive. However, ten easements were created along and adjacent to Hudson Bridge Drive, including an easement to allow a portion of Hudson Bridge Drive which is a private street, and which is actually contained within the boundaries of the subject site, to be used by the public for access to the surrounding commercial properties. The fact that this portion of Hudson Bridge Drive is located within the site boundaries is confirmed today by the aerial photo of the site from the Henry County Tax Assessors' records.

GENERAL NOTES	SURVEYORS CERTIFICATE	VICINITY MAP - N.T.S.																
1. THE FIELD DATA UPON WHICH THIS SURVEY IS BASED WAS A CLOSURE, PRODUCTION OF ONE FOOT IN 10,000 FEET AND AN ANGULAR ERROR OF 1 SECOND PER HUNDRED AND WAS ADJUSTED USING LEAST SQUARES. A TRIMBLE SC-3 WAS USED TO OBTAIN UNDER AND ANGULAR MEASUREMENTS. WORK WAS COLLECTED ON 03-27-2013. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND HAS BEEN FOUND TO BE ACCURATE WITHIN ONE FOOT IN 10,000 FEET. 2. THIS SURVEY IS RELATIVE TO THE GEORGIA STATE PLANE COORDINATE SYSTEM, WEST ZONE AS REFERENCED TO NAD83 (2011) HORIZONTAL AND NAD83 (2011) VERTICAL. COORDINATES WERE OBTAINED FROM NETWORK GPS MEASUREMENTS USING A LEICA UNAS 2013 GPS RECEIVER. 3. ALL PORTION OF THIS PROPERTY IS LOCATED WITHIN A FLOODED HAZARD AREA AS PER FLOOD INSURANCE RATE MAPS OF HENRY COUNTY, GEORGIA, AS SHOWN ON MAP NUMBER 1315500000, DATING AN EFFECTIVE DATE OF MAY 14, 2008 AND HENRY COUNTY PRESENT AND FUTURE CONDITIONS MAPS PANEL 88 OF 300 DATED MAY 2013. 4. CORNERS NOTED HEREON AS IRON PIN SET (IPS) ARE 3/4 INCH REBAR WITH A PLASTIC CAP. CORNERS VOLUNTARILY SET 700' AND 100' IS 1/2 INCH SET. 5. LAND SURVEYORS, AS LICENSED PROFESSIONALS BY THE STATE OF GEORGIA, ARE NOT COMPETENT IN THE DETERMINATION OF WETLANDS, EXCEPTED OR BURNED, UNLESS THEY ARE LICENSED AS WETLAND SURVEYORS. THEREFORE, EXCEPTED IS GIVEN TO ANY SUCH MATTERS WHICH MAY EXIST ON THIS PROPERTY. 6. THE PROPERTY MAY BE SUBJECT TO EASEMENTS, RESTRICCTIONS, RIGHTS OF WAY, OR ENCUMBRANCES WHICH ARE NOT RECORDED OR CONTAINED HEREON TO THE SURVEYOR. THEREFORE, EXCEPTED IS TAKEN TO ANY SUCH ITEM. 7. ALL SUBJECT PROPERTY CORNERS HAVE BEEN SET OR FOUND AS LABELED. 8. C-2 ZONING (CONDITIONS): 50' FRONT SETBACK 10' SIDE SETBACK 100' MINIMUM LOT WIDTH 10,000 SQUARE FOOT MINIMUM LOT AREA 30' MINIMUM BUILDING HEIGHT NONE OF THE PARCELS DEPICTED ON THIS PLAT ARE CORNER LOTS, THEREFORE NO SIDE YARD SETBACKS ARE REQUIRED BY THE CODE OF ORDINANCES OF THE CITY OF STOCKBRIDGE. 9. ACCESS FOR TRACT 1 IS PROVIDED BY THE CURRENT PRIVATE ACCESS(1) AND CROSS ACCESS(1) EASEMENTS SHOWN HEREON.	THIS SURVEY IS AN ACCURATE REPRESENTATION OF THE PROPERTY SURVEYED UNDER MY SUPERVISION. THIS SURVEY WAS PERFORMED WITHOUT A TITLE COMMITMENT AND MAY BE SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD NOT REFLECTED UPON THIS SURVEY. MICHAEL G. HIGH OR. #112 61086 DATE: 6/11/13	SITE THE CITY OF STOCKBRIDGE ASSUMES NO RESPONSIBILITY FOR THE OVERFLOW OR EROSION OF NATURAL OR ARTIFICIAL DRAINS BEYOND THE EXTENT OF THE STREET RIGHT-OF-WAY, NOR FOR THE EXTENSION OF CULVERTS BEYOND THE POINTS SHOWN ON THIS PLAT AND AS REQUIRED BY THE CITY OF STOCKBRIDGE SUBDIVISION ORDINANCE. 1. 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. WETLANDS SHOWN ON THIS PLAT 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. LIVE STREAMS DO EXIST ONSITE.																
TRACT CHART TRACT 1 - NO ADDRESS ASSIGNED PARCEL # - 032-01026000 TRACT 2 - 1380 HUDSON BRIDGE RD PARCEL # - 032-01026002 <table border="1"><thead><tr><th>TRACT</th><th>ACRES</th><th>SQ. FT.</th><th>ZONED</th></tr></thead><tbody><tr><td>TRACT 1</td><td>20.367</td><td>887,136</td><td>C-2</td></tr><tr><td>TRACT 2</td><td>1.709</td><td>74,457</td><td>C-2</td></tr><tr><td>TOTAL:</td><td>22.076</td><td>961,593</td><td></td></tr></tbody></table> EASEMENT CHART 1) PRIVATE ACCESS EASEMENT (DB 7038, PG 185). 2) PRIVATE PERMANENT RETAINING WALL & GRADING EASEMENT (DB 7038, PG 208). 3) PRIVATE BAPTIST COMMUNITY INGRESS/EGRESS EASEMENT (DB 7038, PG 208). 4) PERMANENT SLOPE EASEMENT (DB 7038, PG 185). 5) PRIVATE DRAINAGE EASEMENT (DB 7038, PG 208). 6) PRIVATE PERMANENT RETAINING WALL AND GRADING EASEMENT AND LANDSCAPING EASEMENT AREA (DB 7038, PG 208). 7) PRIVATE CROSS ACCESS EASEMENT (DB 7038, PG 208). 8) PUBLIC 20' SANITARY SEWER EASEMENT (D.B. 8710, PG. 241). 9) PUBLIC WATERLINE EASEMENT (D.B. 8710, PG. 235). 10) PRIVATE PERMANENT SLOPE EASEMENT (DB 7038, PG 208).	TRACT	ACRES	SQ. FT.	ZONED	TRACT 1	20.367	887,136	C-2	TRACT 2	1.709	74,457	C-2	TOTAL:	22.076	961,593		SHEET INDEX SHEET 3 SHEET 2 TRACT 1 TRACT 2 HUDSON BRIDGE ROAD (P/W VARIES) OWNERS STATEMENT CITY OF STOCKBRIDGE COUNTY OF HENRY The owner of the land shown on this plat and whose name is subscribed thereto, and in person or through a duly authorized agent, acknowledges that the plat was made from an actual survey, and dedicates by this Declaration to the use of the public forever, all streets, sewer collectors, lift stations, drains, and other public facilities and appurtenances thereon shown, and transfers ownership of all public use areas in fee simple by deed, for the purposes therein expressed. Broad Street Stockbridge II, LLC. By: SR Investments, Inc., its manager Name: <u>Stephen Danek</u> ITS: <u>President</u> DATE: <u>June 12, 2013</u>	OWNER/SUBOWNER Doc. No.: 0322770004 First Plat Recorded: 07/23/2013 at 1:41:15 PM Permit: In Clerk of Superior Court Book: MATTIEAN Clerk of Court MOUNT PLEASANT, SC 29484 JASON SWALKWOOD 803-474-0830 BROAD STREET STOCKBRIDGE II, LLC. By: SR INVESTMENTS, INC. its manager 300 WEST COLUMBIA BLVD., STE 106 MOUNT PLEASANT, SC 29484 JASON SWALKWOOD 803-474-0830 THIS PLAT IS HEREBY APPROVED FOR RECORDING: By: <u>[Signature]</u> DIRECTOR, HENRY COUNTY DEPARTMENT OF ENVIRONMENTAL COMPLIANCE & PLANNING DATE: <u>6/11/13</u> THIS PLAT IS HEREBY APPROVED FOR RECORDING: By: <u>[Signature]</u> 6-18-13 MAYOR, CITY OF STOCKBRIDGE DATE: <u>6-18-13</u> HENRY COUNTY MAP 32 ALL BLOCK 1
TRACT	ACRES	SQ. FT.	ZONED															
TRACT 1	20.367	887,136	C-2															
TRACT 2	1.709	74,457	C-2															
TOTAL:	22.076	961,593																

FINAL SUBDIVISION PLAT FOR:
BROAD STREET STOCKBRIDGE II
LAND LOT 21 OF THE 6TH DISTRICT
CITY OF STOCKBRIDGE
HENRY COUNTY, GEORGIA

REVISIONS	BY
ADDRESS CORRECT COMMENTS - 04/24/2013	KWB
ADDRESS CORRECT COMMENTS - 05/15/2013	KWB

DRAWN BY	KWB
CHECKED BY	MGH
DATE	02/26/2013
SCALE	1"= 100'
JOB NO.	13-602
SHEET NUMBER	1

PROPOSED DEVELOPMENT INFORMATION



Development Information

- **Project Size:** The applicant has submitted a site plan which was prepared by Moore Bass Consulting on 02/29/24, representing Sheet #A3551.0010-SP1. Its title is “Hudson Bridge Townhomes; Stockbridge, GA.” According to an inset box, entitled “Site Data”, on the site plan, the applicant proposes to build 140 fee simple townhomes, including 101 smaller units and 39 larger units, at a density of 6.87 units per acre. The applicant would be required to designate at least 15 percent of the total site area as open space, and the applicant would substantially exceed that amount by designating about 41 percent of the site area as open space (8.37 acres of the total site area of 20.367 acres). The impervious area would be 10.0 acres, comprising 49 percent of the total site area. Forty-one (41) off-street parking spaces would be provided, which would meet the requirements. However, the required front and side yard setbacks would not be met for the requested MFR district, as is shown in the table below. The applicant has submitted a variance application to request the reduction in the front yard setbacks of the townhome lots from the MFR District’s required 50 feet to 20 feet, and to reduce the side yard setbacks (between townhome buildings) from the required 20 feet to 10 feet. The analysis of the merits of these variance requests are presented in the Staff Report for Variance Case #VR-2024-03.
- **Site Plan Design:** The submitted site plan shows that the development site would have two accesses, including the main entrance off Hudson Bridge Drive and a secondary access at Oakwood Drive to the northwest. A swimming pool, clubhouse, and guest parking would be provided near the main entrance, and a detention pond would be situated near the pool. No mail kiosk has been shown. The project entrance street would make a loop toward the rear of the property, where three other guest parking lots and an unspecified small amenity would be provided. A second detention pond would be located at the northeast rear of the property. Landscaped buffering would surround the property, although there is no indication of buffer widths. The Buffer Area Standards within Section 4.6.3A of the Stockbridge UDC requires the provision of a 25-foot zoning buffer between multifamily developments and single-family-zoned districts. Thus, this buffer should be provided along the western boundary of the property. A 50-foot undisturbed stream buffer would be designated along the eastern side of the property. No walking trails or dog parks have been indicated on the site plan.
- **Utilities Facilities:** The applicant received a letter from the Henry County Water Authority, which was dated June 21, 2024, in response to the applicant’s submitted application for a water and sewer availability letter. The findings and requirements of the Authority’s letter are listed below, which the developer would need to comply with if RZ-2024-01 is approved.
 1. Water service could be made available to the property via a water line extension.
 2. Sewage treatment and sewer line capacity are available for the property, but the developer would be required to pay for an offsite sanitary sewer line extension, including the acquisition of easements, to meet the Authority’s standards, and then to convey that extension to the Authority.
 3. The specifications above would be effective for 365 days from the date of the letter (June 21, 2024), and any deviation in zoning that would increase the project density or usage would void the letter and require a re-evaluation.

Development Information (cont.)

- **Traffic Impact Study:** The applicant submitted a Traffic Impact Study to the Planning & Zoning Office on June 21, 2024. It was prepared for Moore Bass Consulting, Inc. by SEI Engineering, Inc., in collaboration with Acampora Traffic, LLC. The study evaluated existing traffic conditions within the vicinity of the subject property, used a standard growth factor to make projections on future traffic conditions in the vicinity if the proposed development does not occur (the “no-build” scenario). After that, the study made traffic projections based on anticipated future traffic conditions plus the expected addition of new traffic from the proposed townhome development, and also considering the effects of the completion of various planned road improvements to be made by Georgia DOT in the vicinity. Traffic counts were collected at five intersections near the subject property on May 30, 2024, when area schools were in recess. The counts were taken during the morning (7-9 AM) and afternoon (4-6 PM) peak hours. The study stated that acceptable traffic conditions were found at all of the traffic count locations. In the no-build scenario, most of the intersections that were studied appeared to operate in a satisfactory manner, except for the afternoon peak hour for the intersection of Hudson Bridge Drive at Hudson Bridge Road, as well as Hudson Bridge Road at Flippen Road, which would both operate at Level of Service E. This situation could be improved by adding a second westbound turn lane toward Flippen Road. Additional roadway pavement is already available for such purpose, so it only needs to be restriped (in conjunction with alterations to the timing of the traffic signal at the intersection of Hudson Bridge Road and Flippen Road). The study recommended that this improvement take place whether or not the proposed townhomes are built. The Traffic Impact Study projected that the proposed 140 townhomes on the subject property would generate 1,016 trips per weekday, including 67 trips during the morning peak hour and 80 trips during the afternoon peak hour. These data are presented in the table below, with a further breakdown of the numbers of AM and PM trips being generated going in and out of the proposed development. Future traffic operations in the vicinity, with the addition of trips from the proposed townhome development, would have “a slight deterioration in operations at each study intersection.” As with the no-build scenario, the intersections of Hudson Bridge Drive with Flippen Road and with Hudson Bridge Drive would operate at Level of Service E during the PM peak hour if the townhomes are built. But since the Hudson Bridge Road/Hudson Bridge Drive Intersection features a side street which would operate poorly only for the southbound direction during the PM peak hour, the Study did not recommend that any traffic improvements be made, especially since drivers at that intersection would have the option of travelling to the traffic signal at the Hudson Bridge Road / Western Parallel Connector Intersection to make turns. The addition of a westbound left-turn lane from Hudson Bridge Road to Flippen Road was recommended, whether or not the townhomes are developed.

Development Information (cont.)

- **Townhome Lots, Buildings, and Designs:** An inset on the applicant's site plan shows that the proposed townhome lots would have a depth of 100 feet. The smaller townhome lots would be 20 feet wide and would be located toward the rear of the property, while the larger townhome lots would be 24 feet wide and would be located at the front of the property. The requested MFR zoning district requires front yard setbacks of 50 feet, but the townhome lots drawings show distances of only 20 feet from the fronts of the buildings to the right-of-way lines. For this reason, the applicant has requested a variance to reduce the front yard setbacks to only 20 feet. The MFR district also requires a minimum spacing of 20 feet between townhome buildings, but the applicant has requested a variance to reduce the side yard setbacks of the townhome lots to 10 feet. The proposed townhome renderings from the applicant, which are shown below, indicate that the smaller townhome buildings would have one-car garages and the larger townhome buildings would have two-car garages.

PROPOSED SITE PLAN



Smaller
Townhome
Buildings (20
Feet Wide)
with One-Car
Garages:



Larger
Townhome
Buildings (24
Feet Wide)
with Two-Car
Garages:



TOWNHOUSE UNIT DETAIL

SCALE: 1"=20'

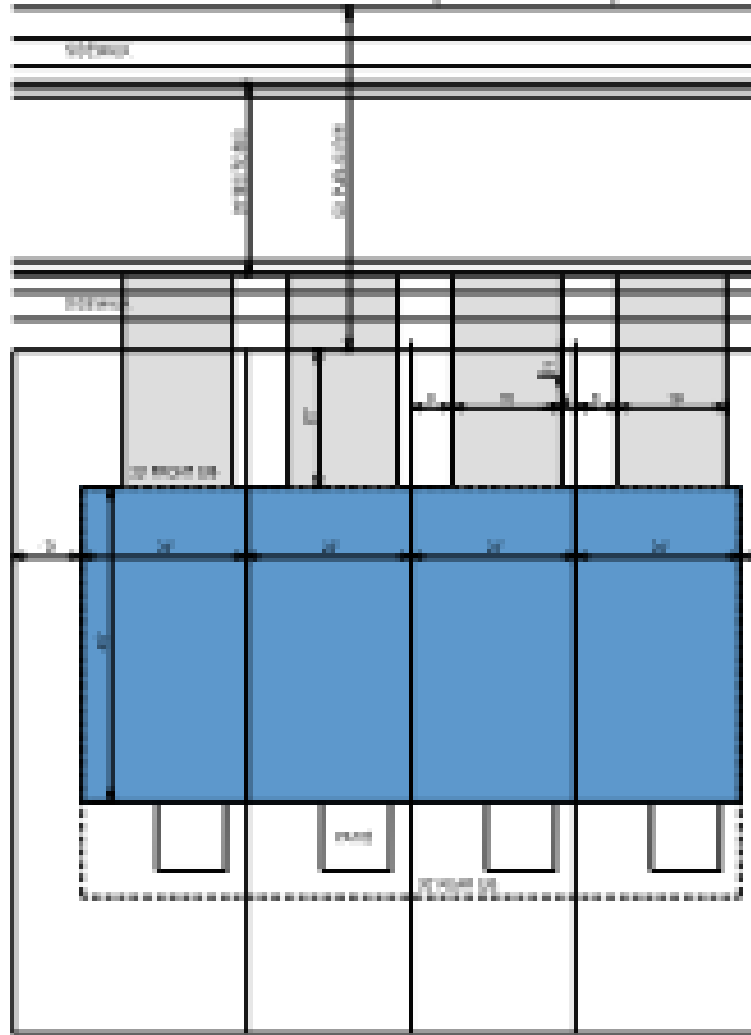
20 WIDE UNITS

101 UNITS (71% OF TOTAL)



24 WIDE UNITS

39 UNITS (29% OF TOTAL)



PROPOSED SITE PLAN – TOWNHOME LOT DETAILS

- All 140 townhome lots would be 100 feet deep. There would be 101 larger lots (71% of the total) and 39 smaller lots (29% of the total). The larger townhome units would be 24 feet wide and have two-car garages, while the smaller townhome units would be 20 feet wide and have one-car garages.

Presentation for CP-2024- 01



MEDIUM-DENSITY RESIDENTIAL (4-7.99 UNITS/ACRE)

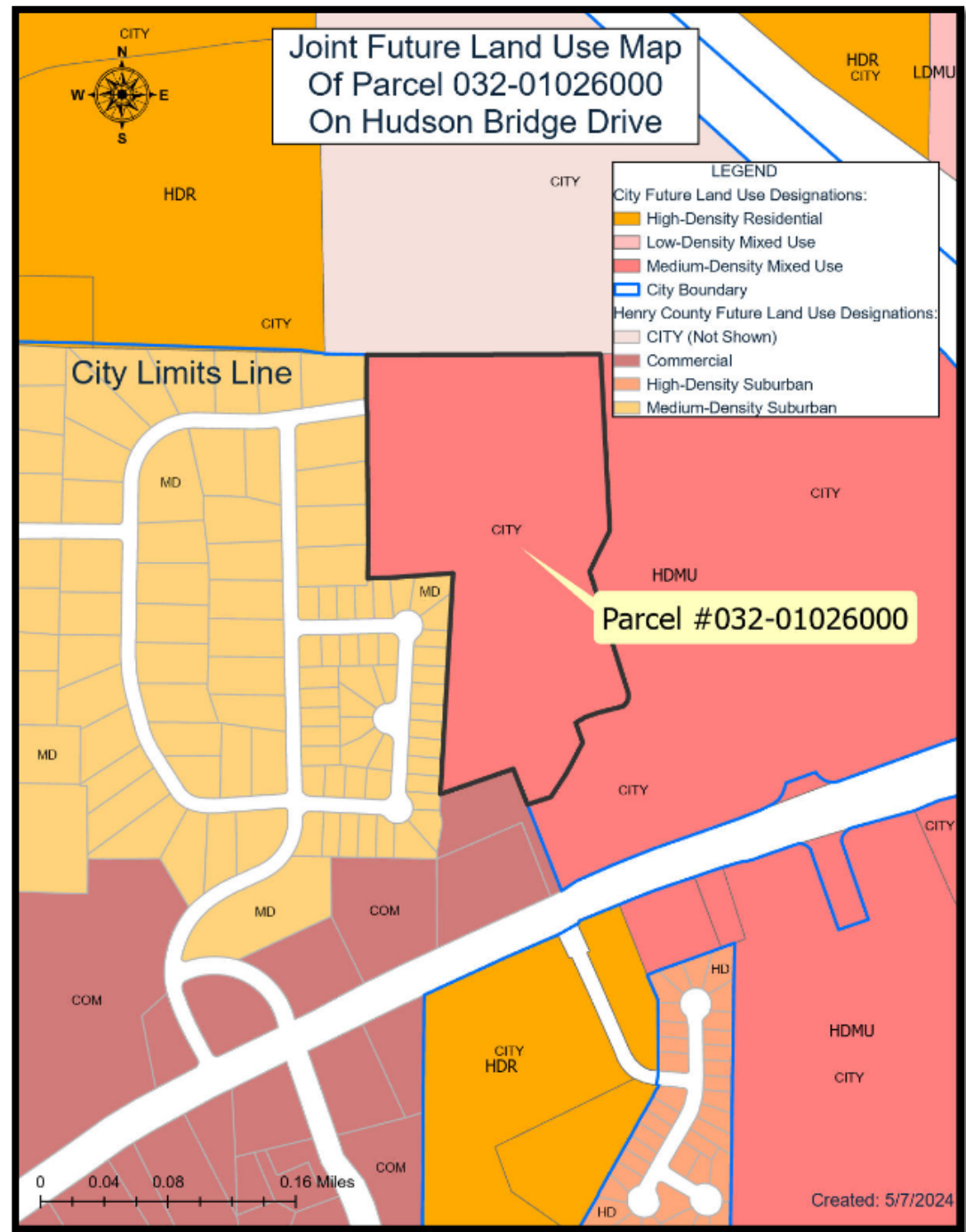
This designation is intended for residential developments which include single-family, detached homes on lots ranging from 10,000 – 30,000 square feet, including parcels zoned for single family attached and detached homes, as well as duplex residential developments and mobile home/manufactured home developments.

Applicant's Request

The applicant requests a Comprehensive Plan Amendment to change the subject property's future land use designation from Medium-Density Mixed-Use to Medium-Density Residential to allow for the construction of a 140-unit townhome development. The current land use designation of Medium-Density Mixed-Use is incompatible with the applicant's requested rezoning of the property to MFR (Multiple-Family Residential).

The current land use designation of Medium-Density Mixed-Use is incompatible with the applicant's requested rezoning of the property to MFR (Multiple-Family Residential).

2024 CITY OF STOCKBRIDGE FUTURE LAND USE MAP



SURROUNDING LAND USE DESIGNATION

Location	Existing Land Use	Existing Future Land Use Designation
Property to the North	St. Ives Apartments St. Margrit Subdivision	High Density Residential
Property to the South	Commercial uses fronting onto Hudson Bridge Road, including J & J Liquor and Western Union. Hudson Bridge Townhomes	Medium Density Mixed Use; High Density Residential
Property to the East	Adjacent shopping center	Medium Density Mixed Use
Property to the West	Oakwood Village Subdivision Oakwood Manor Subdivision	Medium-Density Residential (Henry County Future Land Use Map) Medium-Density Residential (Henry County Future Land Use Map)

SURROUNDING LAND USE DENSITIES

Name of Subdivision	Units	Estimate Density Per Acres
St. Ives Apartments	19	1 unit per acre
St. Margrit Subdivision	54	3 units per acre
Hudson Bridge Townhomes	13	1 unit per acre
Oakwood Village Subdivision	45	4.5 units per acre
Oakwood Manor	41	1 unit per acre
Lennar Georgia, LLC.	140	6.87 units per acre

Staff Analysis (Section 9.2.7 of The Unified Development Code)

1. **Consistency with the Comprehensive Plan:** The 2024-2028 Five-Year Update to the Stockbridge Comprehensive Plan calls for the development of additional housing in the City, and the proposed townhome development would help to meet that need. The companion Future Land Use Map shows a future land use designation for the subject property of “Medium-Density Mixed-Use”, which is intended for commercial areas or mixed-use developments containing mostly commercial uses. But since the applicant only proposes to include residential uses, the current land use designation of Medium-Density Mixed-Use would not be consistent with the Comprehensive Plan. The applicant has therefore requested a Comprehensive Plan amendment, via Case #CP-2024-01, to change the property’s future land use designation to Medium-Density Residential for an exclusive residential development, which allows densities of 4 to 7.99 units per acre. This would include the applicant’s proposed density of 6.87 units per acre.
2. **Relation to the Zoning of the Property:** Although the applicant’s requested MFR zoning would be consistent with the property’s current Medium-Density Mixed-Use future land use designation, a change to Medium-Density Residential would be more appropriate since the proposed development would only contain a residential use and no commercial uses. Further, the Medium-Density Residential specifies a density range of 4 to 7.99 units per acre, which would be appropriate for the proposed development’s density of 6.87 units per acre.
3. **Suitability of the Site’s Location:** The proposed ‘Medium-Density Residential’ future land use designation would be compatible with the adjacent Medium-Density Residential designation of the Oakwood Manor Subdivision to the west. Furthermore, the requested MFR rezoning of the property, which calls for multifamily uses, would be compatible with the Oakwood Manor Subdivision’s Henry County zoning of ‘RM’ (Residential Multifamily).
4. **Maintaining the Current Land Use Designation:** Due to the location of the subject property adjacent to major commercial uses along a major commercial corridor, as well as the large size of the property, it is unlikely that the types of uses that are intended for areas having the Medium-Density Mixed-Use designation would be developed on this property. Those uses include “two to three story buildings, combining street-level commercial/retail/office uses with second and third stories accommodating office or lofts/apartments/condominiums.”

Staff Recommendation

This Staff Report has demonstrated that the requested Comprehensive Plan Amendment for Parcel #032-01026000 on the north side of Hudson Bridge Drive, via CP-2024-01, would be necessary and desirable for the subject property, in conjunction with the requested rezoning of the property to MFR via RZ-2024-01, to allow for the proposed townhome development. Therefore, the Planning and Zoning staff recommends the APPROVAL of CP-2024-01.

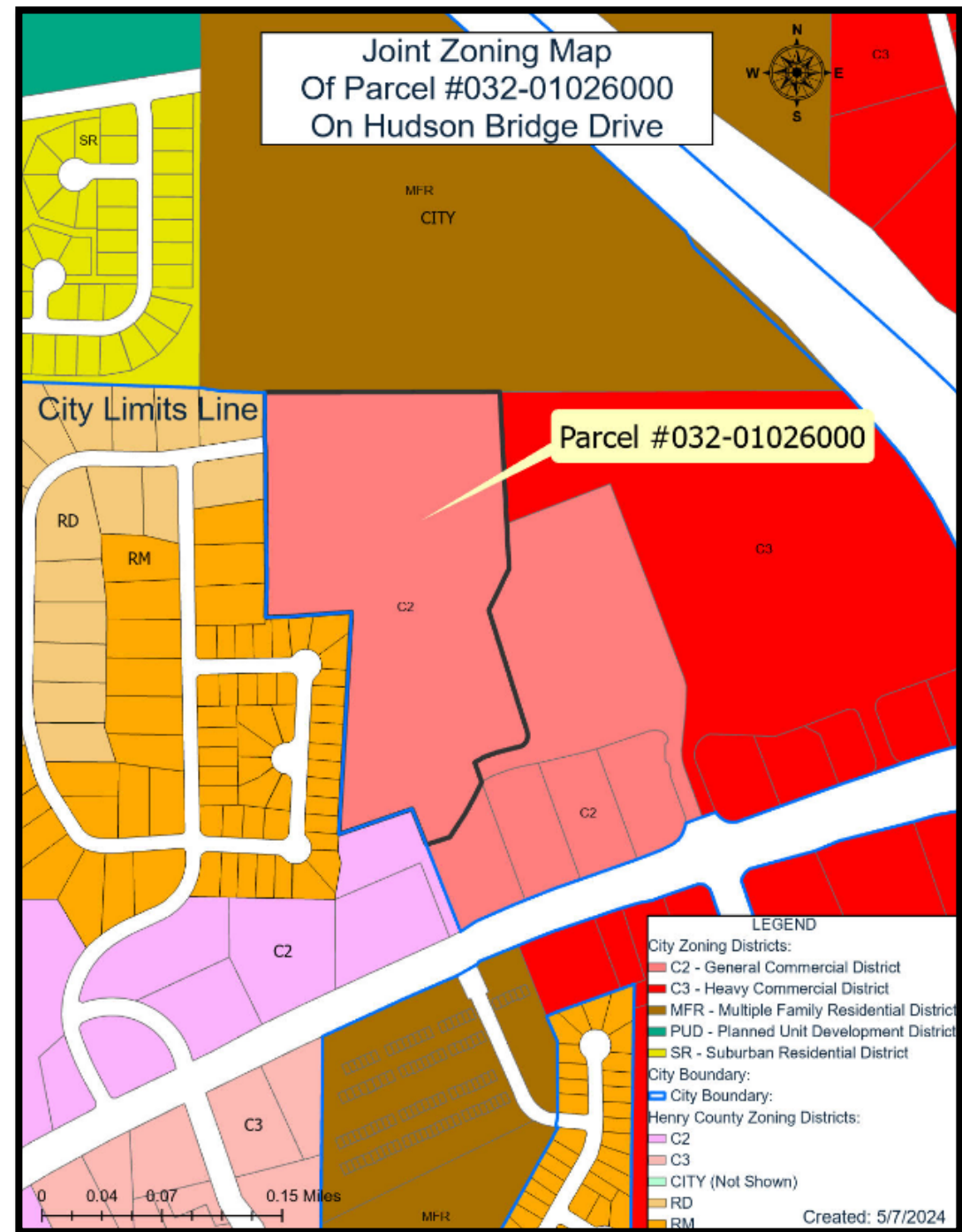
Presentation for RZ-2024-01



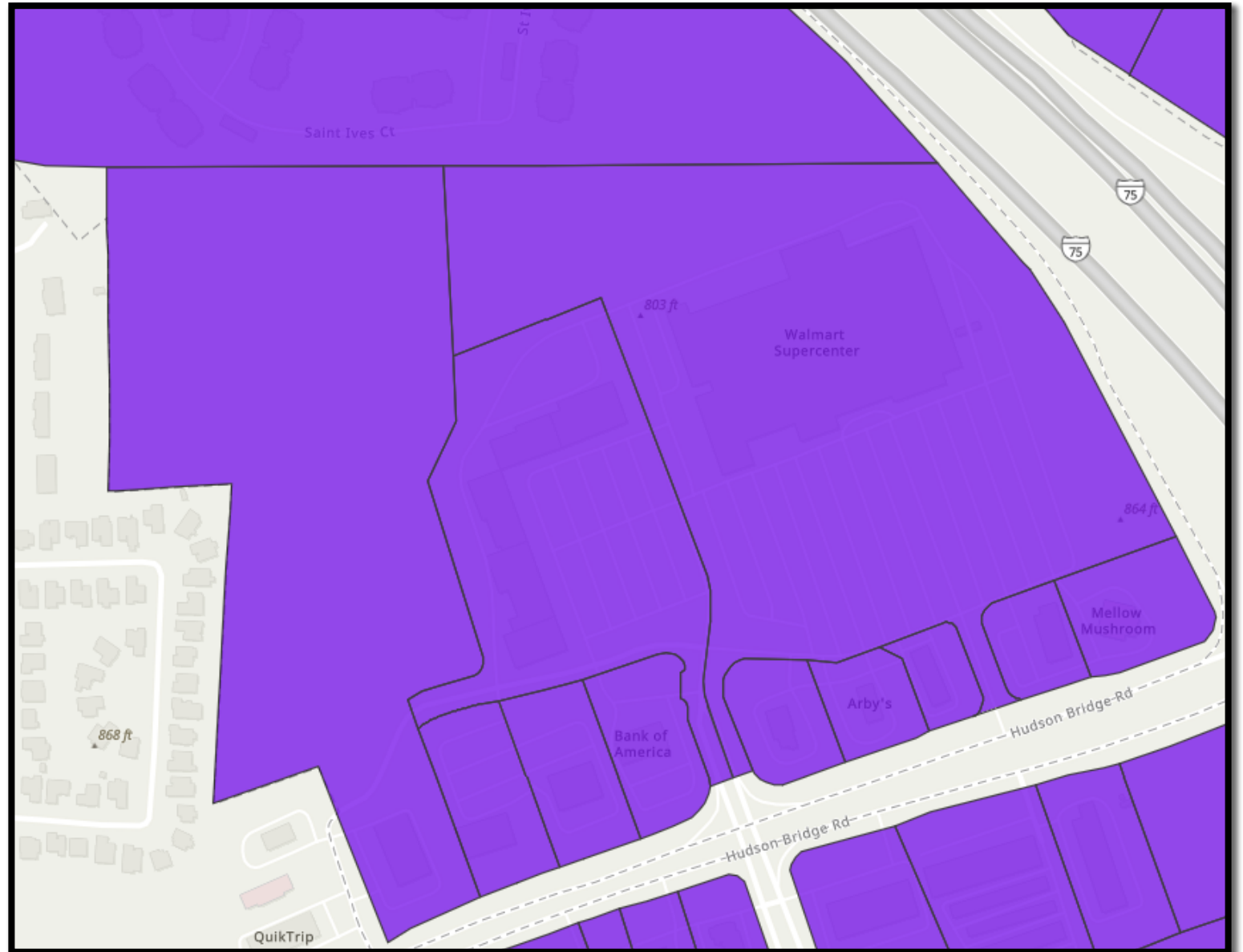
Applicant's Request

Rezone from 'C-2' (General Commercial) to 'MFR' (Multiple Family Residential) to allow for the development of a townhome community with 140 units.

2024 CITY OF STOCKBRIDGE ZONING MAP



PARKWAY MIXED-USE OVERLAY DISTRICT MAP



Staff Analysis (Section 9.2.1 C of The Unified Development Code)

1. **Consistency with the Comprehensive Plan:** The 2024-2028 Five-Year Update to the Stockbridge Comprehensive Plan calls for the development of additional housing in the City, and the proposed townhome development would help to meet that need. The companion Future Land Use Map shows a future land use designation for the subject property of “Medium-Density Mixed-Use”, to include both residential and commercial uses. But since the applicant only proposes to include residential uses, the applicant has requested a Comprehensive Plan amendment application, comprising Case #CP-2024-01, to change the property’s future land use designation to Medium-Density Residential, which allows densities of 4 to 7.99 units per acre, which includes the applicant’s proposed density of 6.87 units per acre. The consistency of the proposed development with the Comprehensive Plan is further discussed within the staff report for CP-2024-01.
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 Unified Development Code (UDC):** The rezoning of the subject property to the requested ‘MFR’ (Multiple Family Residential) district is necessary because the proposed townhome development is not permissible under the property’s existing C-2 zoning. The MFR district permits townhome development, as does the PMU (Parkway Mixed-Use Overlay District), wherein the property lies. Although the intent of the MFR district is for new developments to be located on streets having a classification of ‘collector’ or higher, and Hudson Bridge Drive is only a local street, the property is located in close proximity to Hudson Bridge Road, an arterial road with a signalized intersection near the property. Further, the subject property is part of the Walmart Master Plan area, and the property originally extended to Hudson Bridge Road but was later subdivided into two tracts, thereby removing its direct access to Hudson Bridge Road.
3. **Potential positive effects of the rezoning amendment on the character of the proposed zoning district, a particular piece of property, neighborhood, a particular area, or community:** The subject property has remained vacant even after the Walmart Master Development Plan was prepared in 2003. A restrictive covenant was imposed by the Baptist Retirement Communities of Georgia on the subject property to prohibit the development of retail uses. Yet, even after its expiration in 2008, no retail development has taken place on the site, despite its permissible C-2 zoning. This suggests that the immediate vicinity may have already reached its saturation point for retail uses. Although the C-2 district also allows other types of non-retail commercial uses, many of them are not permitted in the PMU district. Further, even if they were allowed, such uses most likely would need to have direct frontage onto Hudson Bridge Road to attract customer traffic, which the subject site does not offer. Existing commercial uses to the south and east of the site would have access to potential new customers from the proposed townhome development, thereby increasing their business revenues. In addition, the new townhome residents would have convenient access to the adjacent commercial uses within the Walmart and Centre@ Stockbridge Shopping Center.
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 eastern portion of the subject site contains steep topography, wetlands with a 25-foot state buffer, a 50-foot stream buffer, and a 75-foot impervious setback as part of a nearby stream. The developer should take appropriate steps to protect this environmentally-sensitive area, and to facilitate drainage.

Staff Analysis (Section 9.2.1 C of The Unified Development Code)

5. **The impacts of the proposed development upon adjacent property owners, should the request be granted:** To protect the residents of the existing Oakwood Manor Subdivision to the west, the secondary access that is shown at the northwest corner of the site, onto Oakwood Drive, it is recommended that the secondary access be designated for emergency access only, with a locked gate. To meet the requirements of the Buffer Area Standards in Section 4.6.3 of the UDC, a 25-foot-wide zoning buffer should be provided along the western property line, plus a fence and tall trees. The proposed development is likely to be a positive impact on the adjacent commercial businesses, whereby the new townhome residents could represent new customers at those businesses, thereby bringing additional revenues to the businesses.
6. **The potential impact of the rezoning on City infrastructure, including the water and sewage system:** The applicant obtained a letter from the Henry County Water Authority, which was dated June 21, 2024. While water service could be made available with a water line extension, the developer would need to pay for an offsite sanitary sewer line extension, including the acquisition of easements, and then convey that extension to the Authority. Further, if any zoning or site plan changes occurred within 365 days of the date of the letter, then the specifications of the letter would be void and a re-evaluation would be required. The developer would therefore need to meet the stated requirements upon any approval of the rezoning of the subject property.

Staff Analysis (Section 9.2.1 C of The Unified Development Code)

7. **The impact of the proposed amendment on adjacent thoroughfares and pedestrian and vehicular circulation and traffic volumes:** The submitted site plan shows that the proposed development would have two accesses. The main access would be via Hudson Bridge Drive at the southern end of the property, which is an internal, private street supporting the Walmart and Centre@Stockbridge Shopping Center. Several easements were previously created to facilitate the site’s access from the existing traffic signal at Hudson Bridge Road. The Development Agreement governing Tract 1 (Walmart development) stated that the City acknowledged that the use of the created easement along Hudson Bridge Drive for access into the subject site could also serve as the means for access to Hudson Bridge Road. Traffic from the site would be able to utilize two nearby traffic signals on Hudson Bridge Road. The closest one is located at Hudson Bridge Drive, adjacent to the existing QuikTrip store and Taco Bell restaurant; and the second one is located at the Walmart driveway entrance. The two traffic signals would facilitate turning movements. A paved sidewalk is present along Hudson Bridge Drive, which would facilitate pedestrian travel to the surrounding retail stores. The submitted site plan also shows the provision of a secondary access to the northwest, to connect with Oakwood Drive. However, to prevent any adverse traffic impacts on the adjacent Oakwood Manor Subdivision, this should be designated as an emergency access only, with a gate. The applicant submitted a Traffic Impact Study, which was prepared on June 20, 2024. Traffic counts were taken on May 30, 2024 at five nearby intersections, when area schools were in recess. The findings of the Study indicated that traffic conditions are acceptable at most of the intersections, and that they would only have a “slight deterioration” if the proposed townhomes were constructed on the subject property. Although the Hudson Bridge Drive/Flippen Road Intersection would operate at Level of Service E, with or without the townhomes, this could be improved if an additional westbound, left-turn lane were to be provided in the westbound approach to the intersection. Extra pavement is already available for this improvement, and it only needs to be restriped, along with modifications begin made to the signal timing at that intersection. While southbound traffic from the proposed development would incur substantial delays on Hudson Bridge Drive during the afternoon peak hour, drivers could lessen their delays by instead using the traffic signal at the Hudson Bridge Drive/Western Parallel Connector. The Study therefore did not recommend that any other traffic improvements be made.

AM Peak, Going In	AM Peak, Going Out	AM Peak, Total	PM Peak, Going In	PM Peak, Going Out	PM Peak, Total	24- Hour 2-Way Total
17	50	67	47	33	80	1,016

Staff Analysis (Section 9.2.1 C of The Unified Development Code)

8. The merits of the requested change in zoning relative to any other guidelines and policies for development, which the Planning Commission and City Council may use in furthering the objective of the comprehensive plan: The Walmart Master Plan called for a multifamily development containing at least 200 units, but the proposed development would have only 140 units. Townhomes would be an appropriate usage of the property in serving as a transition between the lower-density single-family residential subdivision to the west and the adjacent retail uses to the east. Further, the proposed MFR district would be compatible with the RM Henry County zoning which exists on about half of the acreage of the adjacent Oakwood Village Subdivision. Adequate access is available via Hudson Bridge Drive, the existing easements, and the two traffic signals off Hudson Bridge Road. Residents would benefit from being able to walk to many of the stores, and the stores could benefit from the business which the townhome residents would provide.
9. The ability of the subject land to be developed as it is presently zoned: Although the subject property could be developed for commercial uses under its existing C-2 zoning due to the presence of numerous surrounding retail businesses, this may not be realistic for the reasons that are listed below. Conversely, this Analysis has shown that the proposed townhomes would be a reasonable use. The intent of the restrictive covenant by the Baptist Retirement Communities of Georgia was for the subject property to be prohibited from retail use.
- Despite the property's location in the midst of numerous retail businesses, it has not been developed with additional retail uses, even after the expiration of the restrictive covenant.
 - Although some type of non-retail commercial uses could be built on the property, this is unlikely to happen since such uses would probably need direct access to Hudson Bridge Road for visibility, which the subject property lacks.
 - The presence of the steep topography, stream, and buffer areas in the eastern portion of the site would eliminate needed land which might be needed for required parking to serve a retail or non-retail commercial business.

Staff Recommendation

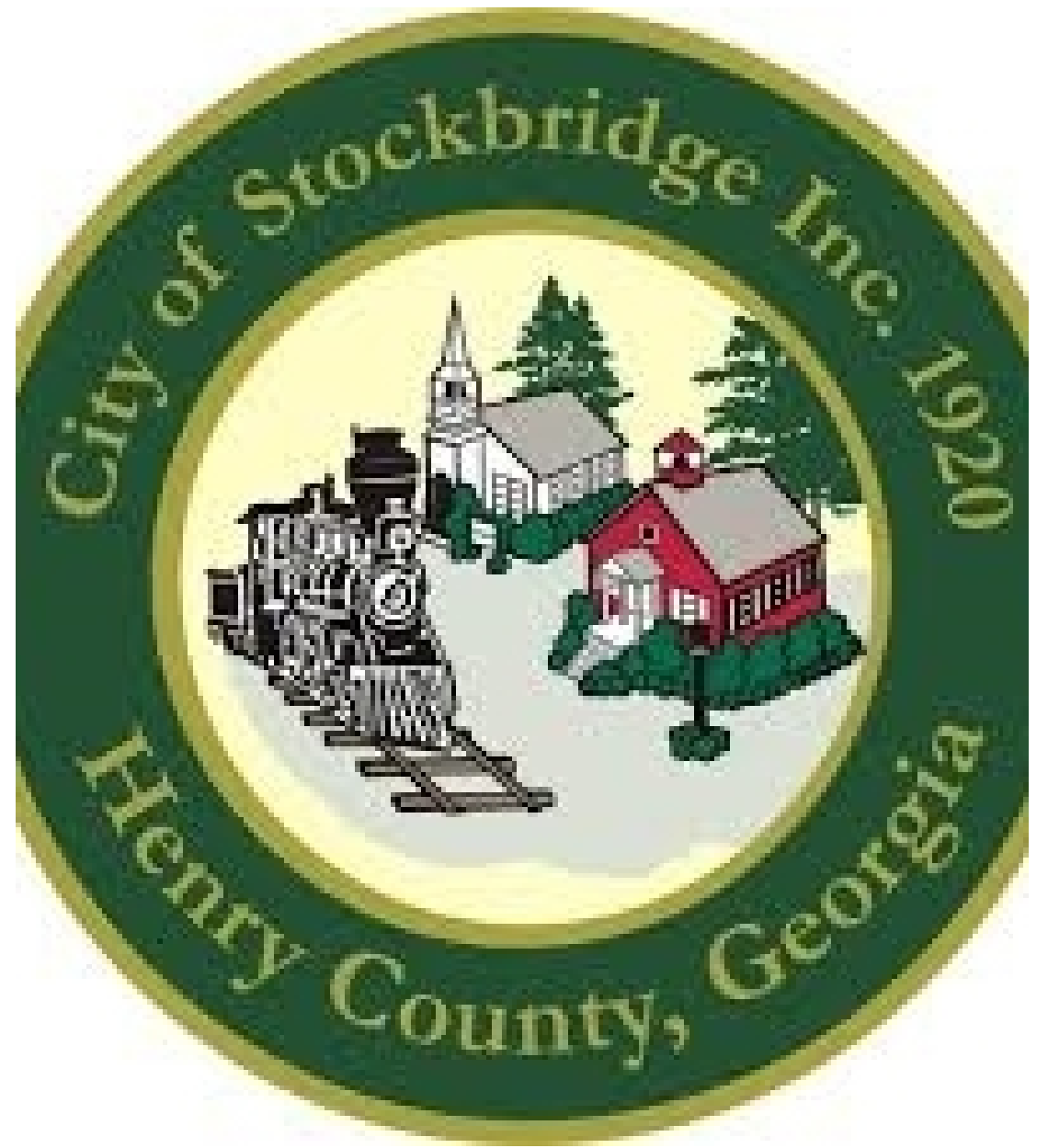
The Planning and Zoning Staff recommends that the applicant's request to rezone the subject property from 'C-2' (General Commercial) to 'MFR' (Multiple Family Residential) via RZ-2024-01 to allow for the development of a townhome community be APPROVED WITH CONDITIONS. Such approval should be contingent upon the developer meeting the following nine (9) zoning conditions:

1. **Comprehensive Plan Amendment** – This requested rezoning shall not be approved unless the applicant's requested Comprehensive Plan Amendment, via CP-2024-01, to change the subject property's land use designation from Medium-Density Mixed-Use to Medium-Density Residential, is approved before, or simultaneously with, the approval of RZ-2024-01.
2. **Site Plan:**
 - a) **Revised Site Plan** -- The subject property shall be developed according to a revised site plan which is similar to, but including the required variances, to the site plan which was prepared by Moore Bass Consulting on 02/29/24, representing Sheet #A3551.0010-SP1. Its title is "Hudson Bridge Townhomes; Stockbridge, GA." Any major deviations in the number of residential units, the density, or the overall site design shall require City Council approval.
 - b) **Site Accesses**—This shall be a gated community, with both site accesses having gates plus flock cameras for security purposes. In addition, the proposed secondary access to Oakwood Drive shall be reserved for use by emergency vehicles only. All of this information shall be noted on the site plan.
 - c) **Internal Streets** – All internal streets shall be of widths that are acceptable to the Fire Marshal
 - d) **Internal Sidewalks** – All internal streets shall have sidewalks on both sides of the streets, which are at least eight (8) feet wide.
 - e) **Amenities and Related Facilities** – The revised site plan shall include a mail kiosk, an 8-foot-wide multi-use path or walking trail, and a dog park, plus appropriate additional amenities for a community of this size, such as a grill area, a playground, a shuffleboard court, a tennis court, a pickleball court, etc.
 - f) **Central Trash Facility** -- The revised site plan shall indicate the location of one or more central trash facilities
 - g) **Bedroom Information** -- The revised site plan shall provide a breakdown of the number of units by the number of bedrooms, as well as the sizes of the bedrooms (for parking space requirements).
 - h) **Parking** – Sufficient parking shall be provided to meet the requirements of the Unified Development Code (UDC).
 - i) **Western Buffer, Fence, and Tall Trees** – The developer shall provide the required 25-foot zoning buffer along the western side of the property, adjacent to the Oakwood Manor Subdivision, along with the installation of a fence and tall trees
3. **One-Car Garage Townhome Units:**
 - a) Only 20 percent of the total townhome units shall have one-car garages.
 - b) All one-car garage units shall have full brick elevations.
4. **External Sidewalk** -The existing sidewalk along Hudson Bridge Drive shall be extended into the main project entrance.
5. **Water and Sewer Facilities** -- The developer shall comply with all requirements of the Henry County Water Authority in providing adequate water and sewer facilities to the subject site to serve the proposed townhome development.

Staff Recommendation (cont.)

6. **Environmental Site Preservation** - The developer shall preserve the sensitive environmental features of the site, including the slopes, creek, stream buffer areas, and retaining wall, along the eastern side of the site.
7. **Easements** - The developer shall comply with the specifications of all easement agreements pertaining to the portion of Hudson Bridge Drive which lies within and adjacent to the subject property.
8. **Property Maintenance** - A townhome association shall be established, or a property management company shall be secured, for the purpose of maintaining all common areas of the site.

Presentation for VR-
2024-03



Applicant's Request

The applicant has submitted a variance application to request the reduction in the front yard setbacks of the townhome lots from the MFR District's required 50 feet to 20 feet, and to reduce the side yard setbacks (between townhome buildings) from the required 20 feet to 10 feet.

Required Versus
Proposed
Setbacks in the
Requested MFR
District

<u>MFR District Setback Requirements:</u>	<u>Proposed Setbacks:</u>	<u>Meets MFR Requirements ?</u>
<u>Front Yard Setbacks – 50 feet</u>	<u>Front Yard Setbacks – 20 feet</u>	<u>No</u>
<u>Side Yard Setbacks – 20 feet</u>	<u>Side Yard Setbacks – 10 feet</u>	<u>No</u>
<u>Rear Yard Setbacks – 20 feet</u>	<u>Rear Yard Setbacks – 20 feet</u>	<u>Yes</u>

Staff Analysis (Section 10.1.3 of The Unified Development Code) for Variance Request #1

1. **Extraordinary and exceptional circumstances pertaining to the particular piece of property in question exist due its size, shape, or topography that are not found on other properties in the same zoning district:** The subject property does have an unusual shape, and the presence of a creek, wetlands, and a steep drop-off in the southeastern corner of the property make certain areas of the property unbuildable. This limits the remaining available land on which to build, resulting in fewer units being built than would otherwise be the case. However, the applicant's application has not stated why such a large reduction in the front yard setbacks is needed for each lot—from 50 feet down to 20 feet. From the "Townhouse Detail" inset drawing on the submitted site plan, it appears that there would be only about 5 feet between the proposed 20-foot driveway setback and the sidewalk. Since standard parking spaces are 20 feet long, parked vehicles could protrude into that 5-foot area, which could be undesirable for pedestrians.
2. **A literal interpretation of the provisions of this unified development code would deprive the applicant of rights commonly enjoyed by owners of other properties located in the same zoning district:** While the Stockbridge City Council has approved reductions in the front yard setbacks of the townhome lots for other properties in the MFR district, in the past five years, the City Council has not approved any variances for a front yard setback reduction down to just 20 feet. Reductions down to 25 feet have been granted only a few times. Further, an ordinance is currently pending before the Stockbridge City Council to make revisions to the MFR district regulations. Included within that ordinance is a staff recommendation that the required front yard setbacks within the MFR district be at least 30 feet. The applicant has not provided any justification for reducing the front yard setbacks to less than 30 feet.
3. **Granting the variance requested will not confer upon the property owner any special privileges that are denied to other owners of property in the same zoning district:** Since the requested front-yard variance reduction would be down to only 20 feet, this would be a greater reduction than has been granted for other properties in MFR districts in the City. The granting of Variance Request #1 would therefore cause the applicant to enjoy a special privilege, with no apparent urgent need being given to do so, in terms of the design of the proposed development.
4. **The variance will be consistent with the purposes and intent of this unified development code, will be compatible with uses on neighboring properties, and will serve the public welfare:** There is no apparent reason for granting a front-yard setback reduction down to 20 feet, thus its consistency with the purposes and intent of the UDC cannot be determined. Further, such a reduction would not be compatible with the single-family neighboring properties to the west, in the Oakwood Manor Subdivision, and any potential benefits to the public welfare are unknown.
5. **The extraordinary circumstances are not the result of actions of the applicant:** The physical characteristics of the subject property (the presence of a creek, floodplain areas, and steep topography) are not the result of any actions of the applicant. Their presence, though, does not automatically justify a front-yard setback variance reduction down to 20 feet.
6. **The variance is the minimum relief that will allow the legal use of the land, building or structure:** Without the granting of Variance Request #1, the land could still be used for building a smaller townhome development with larger but fewer townhome lots.
7. **The variance is not a request to permit a use of land, buildings or structures that is prohibited in the same zoning district:** The applicant is not requesting the granting of Variance Request #1 to allow any types of uses on the existing vacant land that are prohibited within the applicant's requested MFR zoning district.

Staff Analysis (Section 10.1.3 of The Unified Development Code) for Variance Request #2

1. **Extraordinary and exceptional circumstances pertaining to the particular piece of property in question exist due its size, shape, or topography that are not found on other properties in the same zoning district:** The subject property does have an unusual shape, and the presence of a creek, wetlands, and a steep drop-off in the southeastern corner of the property make certain areas of the property unbuildable. This limits the remaining available land on which to build, resulting in fewer units being built than would otherwise be the case. However, the applicant's application has not stated why the reduction in the side-yard setbacks would be needed. Presumably, it would just be to allow more townhome units to be built on the property.
2. **A literal interpretation of the provisions of this unified development code would deprive the applicant of rights commonly enjoyed by owners of other properties located in the same zoning district:** Within the past five years, the Stockbridge City Council has approved reductions in the side yard setbacks of townhome lots for other properties in the MFR district. However, the applicant has not demonstrated why any side-yard setback reductions are needed in designing the proposed development.
3. **Granting the variance requested will not confer upon the property owner any special privileges that are denied to other owners of property in the same zoning district:** The granting of Variance Request #2 may not be viewed as a special privilege, compared to owners of other properties within the MFR zoning district, since other property owners have been granted similar variance requests.
4. **The variance will be consistent with the purposes and intent of this unified development code, will be compatible with uses on neighboring properties, and will serve the public welfare:** There is no apparent reason for granting a side-yard setback reduction down to 10 feet from the required 15 feet, thus its consistency with the purposes and intent of the UDC cannot be determined. However, this reduction of only 5 feet would not be significant, and no potential detriments to the public welfare have been identified.
5. **The extraordinary circumstances are not the result of actions of the applicant:** The physical characteristics of the subject property (the presence of a creek, floodplain areas, and steep topography) are not the result of any actions of the applicant. Their presence, though, does not automatically justify a side-yard setback variance reduction down to 10 feet. However, no apparent harm in doing so has been identified.
6. **The variance is the minimum relief that will allow the legal use of the land, building or structure:** Without the granting of Variance Request #2, the land could still be used for building a smaller townhome development with larger but fewer townhome lots
7. **The variance is not a request to permit a use of land, buildings or structures that is prohibited in the same zoning district:** The applicant is not requesting the granting of Variance Request #2 to allow any types of uses on the existing vacant land that are prohibited within the applicant's requested MFR zoning district.

Staff Recommendation

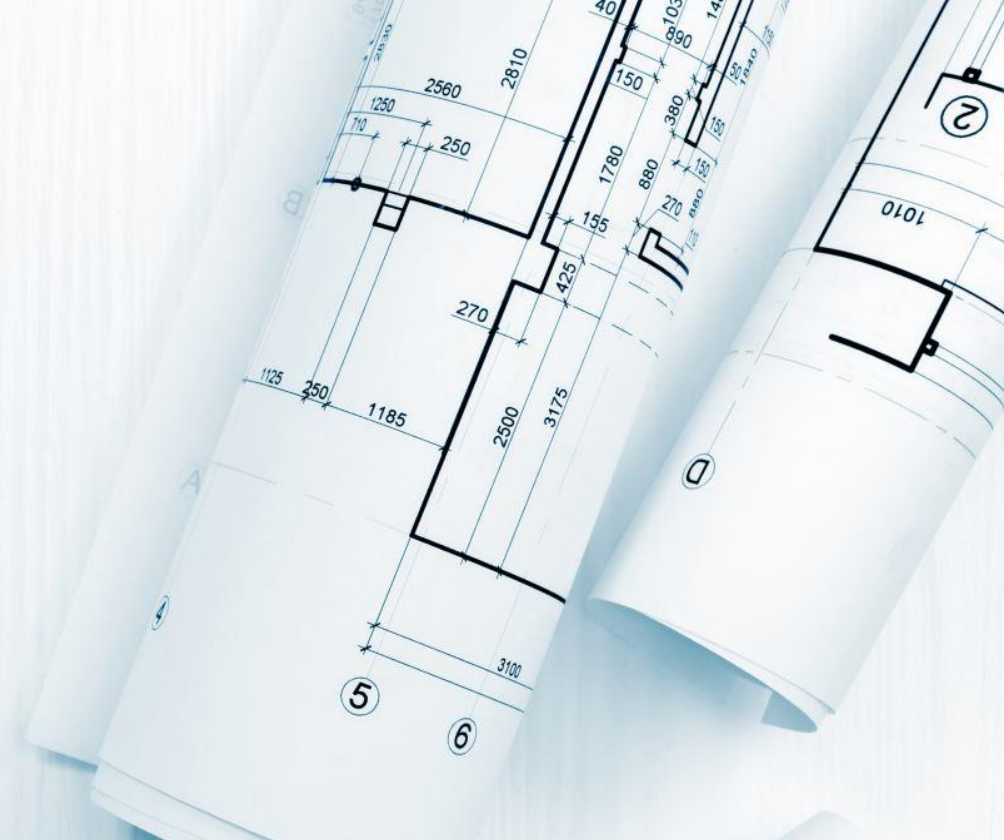
1. Variance Request #1:

- a) The denial of the applicant's request to reduce the front yard setbacks of the townhome lots from the required 50 feet down to only 20 feet in the MFR zoning district.
- b) b. The approval of a reduction in the front yard setbacks of the townhome lots to 30 feet.

2. Variance Request #2: Approval of this request to reduce the side yard setbacks from the required 15 feet to 10 feet for the proposed townhome lots.



Battle Law



HUDSON BRIDGE
DRIVE

*Proposal to allow for 140
Townhomes*

OVERVIEW OF REQUESTS

- Future Land Use Amendment from Medium Density Mixed-Use to Medium Density Residential.
- Rezoning from General Commercial to Multi-Family Residential.
- Variance to reduce the front yard setback from 50 feet to 20 feet.
- Variance to reduce the side yard setback between buildings from 15 feet to 10 feet.



WalMart

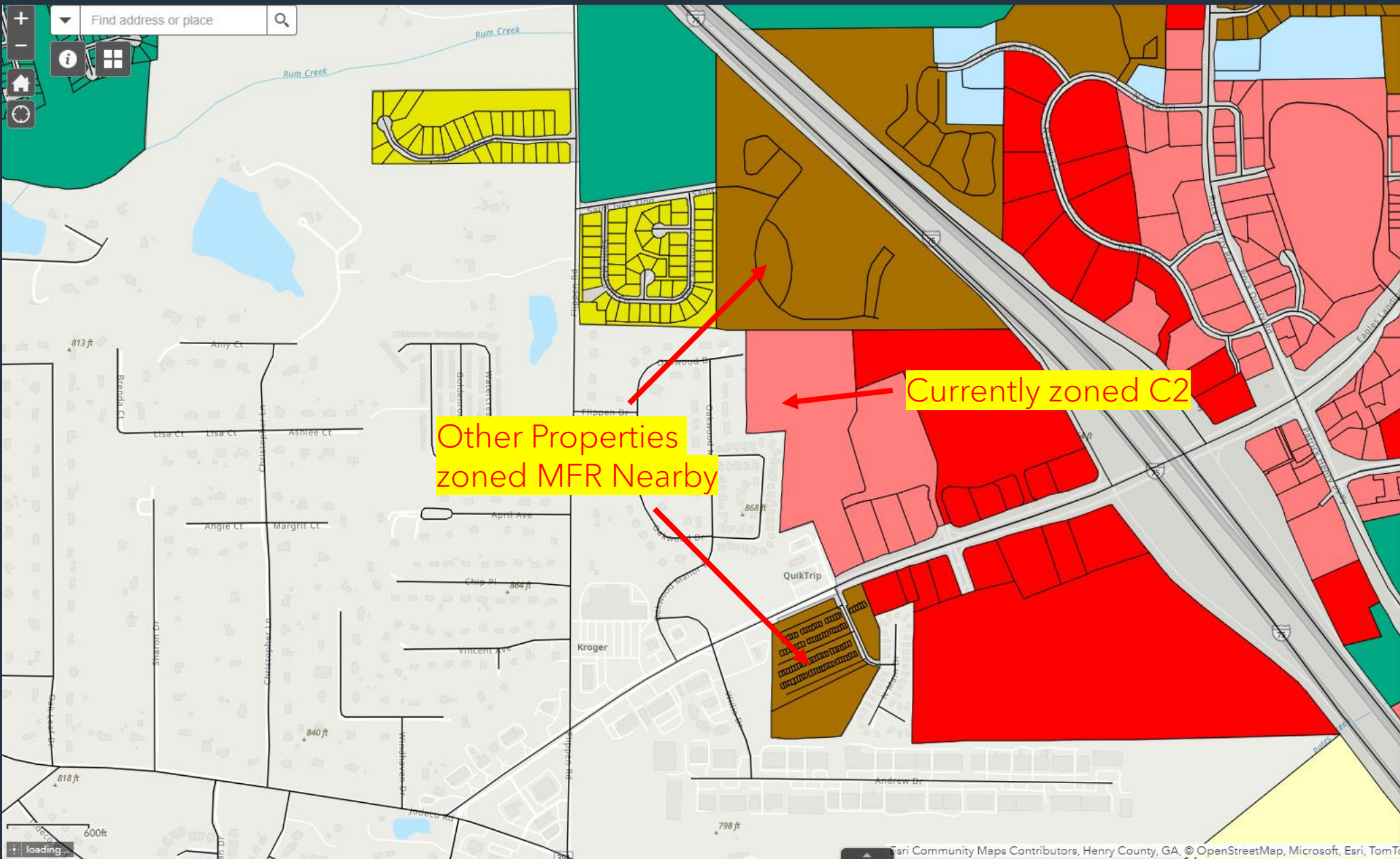


QT and
Taco Bell

Hudson Bridge Road



Find address or place



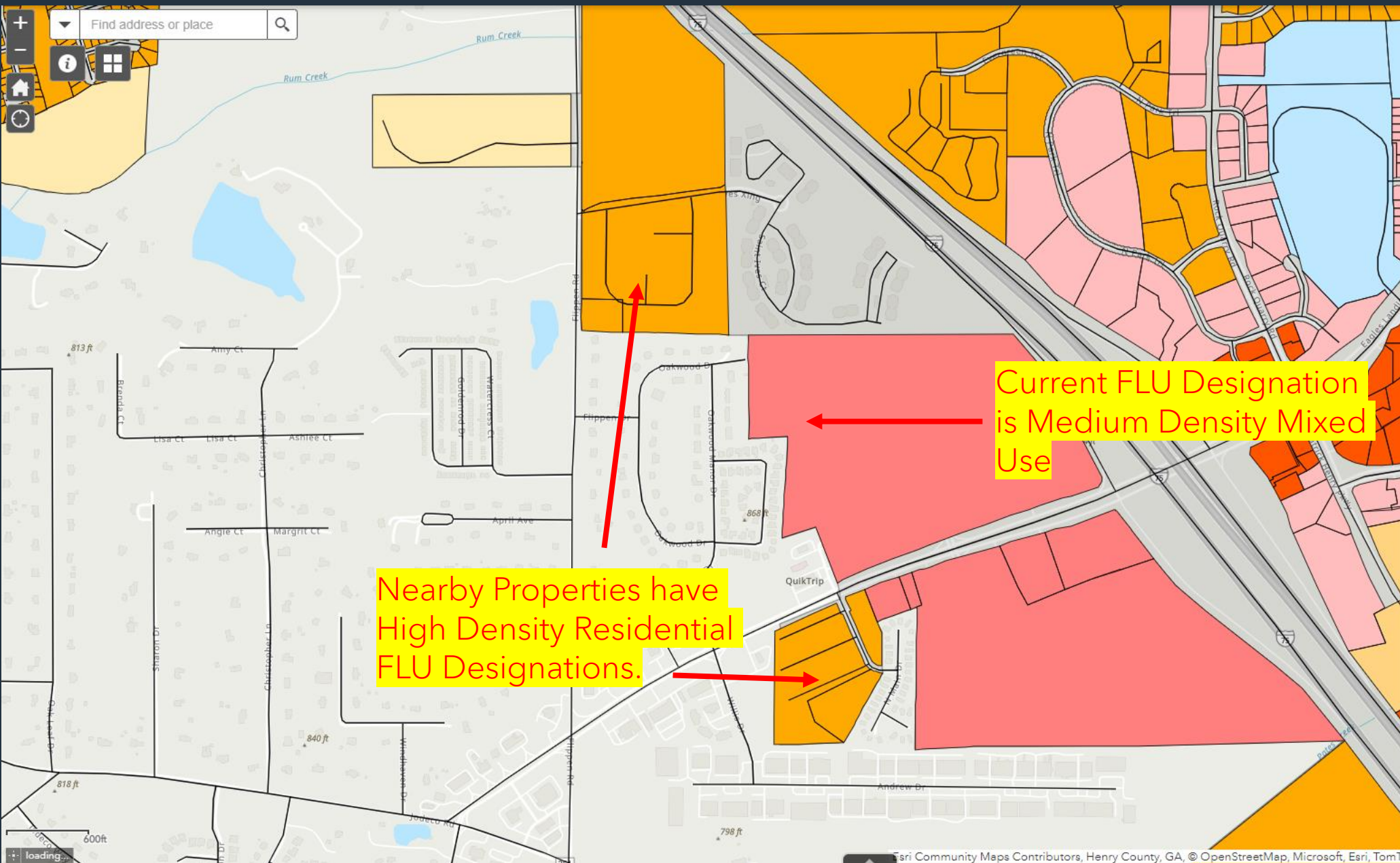
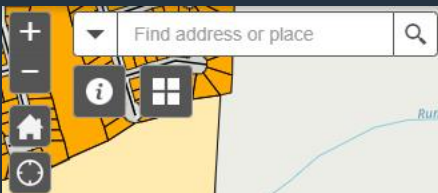
Other Properties
zoned MFR Nearby

Currently zoned C2

Layer List

Layers

- ☐ Overlay Districts
- ☒ Road Data
- ☒ Zoning_Districts_01312024V2
 - ☐ C1 - Neighborhood Commercial District
 - ☒ C2 - General Commercial District
 - ☐ C3 - Heavy Commercial District
 - ☐ CCR - City Center Residential District
 - ☐ DT - Downtown
 - ☐ HI - Heavy Industrial District
 - ☐ LI - Light Industrial District
 - ☐ MFR - Multiple Family Residential District
 - ☐ MHR - Mobile Home Residential District
 - ☐ OI - Office Institutional District
 - ☐ PUD - Planned Unit Development District
 - ☐ RR - Rural Residential District
 - ☐ SR - Suburban Residential District
- ☐ Future_Land_Use_01312024V2
- ☐ 2024 Subdivisions
- ☐ 2024 Council Districts_
- ☒ City_Boundary_2024



Layer List

Layers

- ☐ Overlay Districts
- ☒ Road Data
- ☐ Zoning_Districts_01312024V2
- ☒ Future_Land_Use_01312024V2

Legend for Future_Land_Use_01312024V2:

- Downtown District
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Special Purpose
- Low Density Mixed Use
- Medium Density Mixed Use**
- High Density Mixed Use
- Public Institutional
- Office
- Light Industrial
- Heavy Industrial
- Transportation/Communication/Utilities
- Park/Recreation/Conservation

☐ 2024 Subdivisions

☐ 2024 Council Districts_

☒ City_Boundary_2024







Lennar Homes Hudson Bridge Project Renderings





City of Stockbridge Planning and Zoning Division

Rezoning Application

Name of Applicant Lennar Georgia LLC Phone: (770) 670-2757 Date: 4/1/2024
Address Applicant: 11560 Great Oaks Way, Suite 100 Fax: _____ Cell #: _____

City: Alpharetta State: GA Zip: 30022 E-mail: frank.potts@lennar.com

Name of Agent Battle Law PC Phone: (404) 745-0045 Date: _____

Address Agent: 3562 Habersham at Northlake Rd Fax: _____ Cell #: _____

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

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

Rezoning being requested From C-2 to MFR

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: _____

Nearest intersection to the property: Hudson Bridge Road and Hudson Bridge Drive

(Street Address)

Size of Tract: 20.367 acre(s), Land Lot Number(s): _____, District(s): _____

Property Tax Parcel Number(s): 032-01026000 (Required)

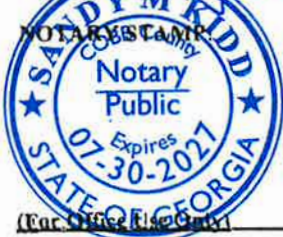
Witness' Signature

Lee Estock

Printed Name of Witness

Sandy M Kidd

Notary



(For Office Use Only)

Signature of Applicant

Tom Bowers

Printed Name of Applicant

Signature of Agent

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: _____

NOTE: If the proposed development site would contain more than one property, and/or more than one property owner, please first type a list on a separate sheet of paper which identifies each property (address and/or parcel number) and its corresponding property owner(s). Then fill out a separate Property Owner's Authorization Form (provided below) for each property and each property owner.

PROPERTY OWNER'S AUTHORIZATION FORM (See NOTE above.)

The undersigned below is the PROPERTY OWNER, or one of the property owners, of the property at Hudson Bridge Road and Hudson Bridge Drive [address], with Parcel Number 032-01026000 which is the subject of this application.

Name of Property Owner: MOUNT ZION 48 LLC

Property Owner's Address: 1 WOODY TRAIL MABLETON, GA 30126

Telephone: 770-265-6934 E-mail: SVKUMAR99@hotmail.com

I swear that I am the Property Owner, or one of the Property Owners, of the property that is the subject matter of the attached application, as is shown in the tax assessors' records of Henry [County], Georgia [State].

Signature: Surender V. Kumar Date: 3-22-24

The undersigned does duly authorize the person(s) and/or company who is named below to act as APPLICANT(S) in the pursuit of this application for the subject property.

Name(s) of Applicant(s): Lennar Georgia, LLC

Company/law firm (if applicable): Battle Law PC

Telephone, E-Mail, & Address: (404) 745-0045, mlb@battlelawpc.com

3562 Habersham at Northlake Rd Tucker, GA 30084

I authorize the Applicant or Applicants who are named above to act on my behalf for this application.

Surender V. Kumar
Manager, SURENDER V. KUMAR

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

3-22-24
Date

Levi Reece

Signature of Notary Public

Levi Reece

Printed Name of Notary Public

3/22/24
Date

Notary Public's Seal or Stamp:



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 20th day of March, 2024

Tom BOWERS
Applicant's Name - Printed

Tom Bowers
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 20th day of March, 2024

Sandy M Kidd
Notary Public



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

Applicant Campaign Disclosure Form

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

Has the applicant made, within two (2) years immediately preceding the filing of this application for 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 _____ day of _____.

Applicant's Name - Printed

Suresnder V Kumar
Signature of Applicant/Property Owner/Agent

SURENDER V Kumar

Applicant's Attorney, if applicable - Printed

Signature of Applicant's Attorney, if applicable

Sworn to and subscribed before me this 22nd day of March 2024

Levi Reece
Notary Public



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

Proof of Pre-Application Meeting

Re: Hudson Bridge Road

ChatFilesDetailsScheduling AssistantRecapAttendanceMeeting WhiteboardBreakout roomsQ&A

JoinClose

Wednesday, January 24, 2024 9:57 AM - 10:52 AM

Download

7
Attended

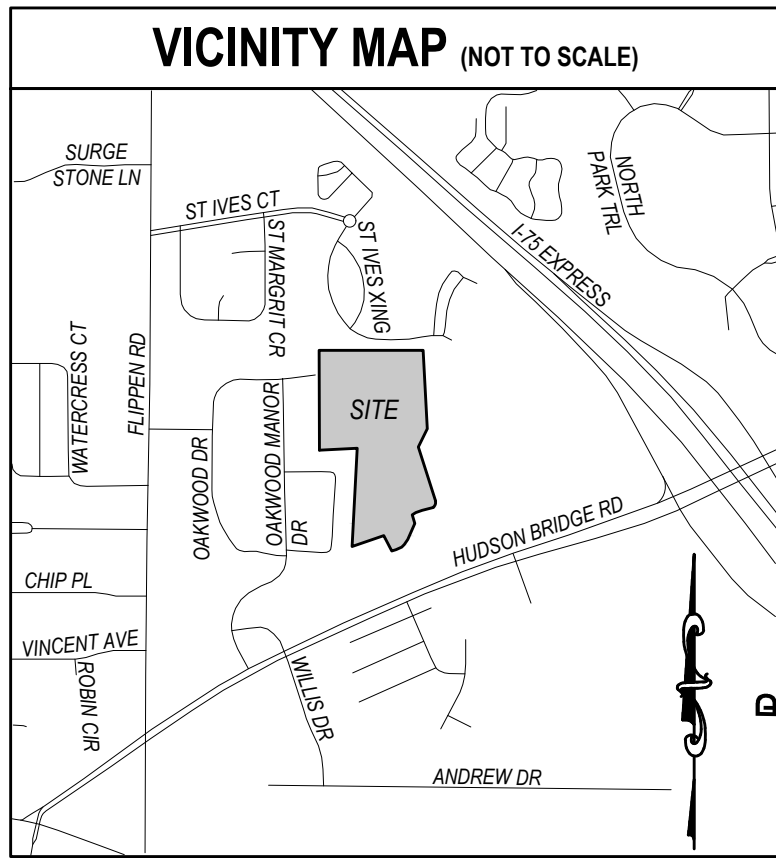
9:57 AM - 10:52 AM
Start and end time

54m 13s
Meeting duration

49m 4s
Average attendance time

Participants

Name	First join	Last leave	In-meeting duration	Role
 Michele Battle mib@battlelawpc.com	10:01 AM	10:52 AM	50m 21s	Organizer
 Steve Moore smoore@moorebass.com	10:00 AM	10:52 AM	51m 40s	Presenter
 Raven Eatmon reatmon@stockbridgega.org	10:02 AM	10:52 AM	50m 1s	Presenter
 Frank Potts frank.potts@lennar.com	10:02 AM	10:52 AM	50m 3s	Presenter
 Ryan Anderson randerson@stockbridgega.org	10:02 AM	10:52 AM	49m 47s	Presenter
 Elton Alexander (Guest)	10:06 AM	10:52 AM	45m 51s	Presenter
 Rosalynd Rawls rrawls@stockbridgega.org	10:06 AM	10:52 AM	45m 48s	Presenter



N/F
WALMART REAL EST BUS TRUST3402-00
D.B. 9857 PG. 159
TAX ID.
032-01026001

TAX ID.
032-01026011

N/F
ST IVES LLC
D.B. 14232 PG. 55
TAX ID.
032-01027000

N/F
BROWN ADRIAN M & NICOLAS C
D.B. 13805 PG. 77
P.B. 21 PG. 50
TAX ID.
032D01069000

N/F
HAGY WILLIAM R JR
D.B. 13522 PG. 299
P.B. 12 PG. 51
TAX ID.
032C03028000

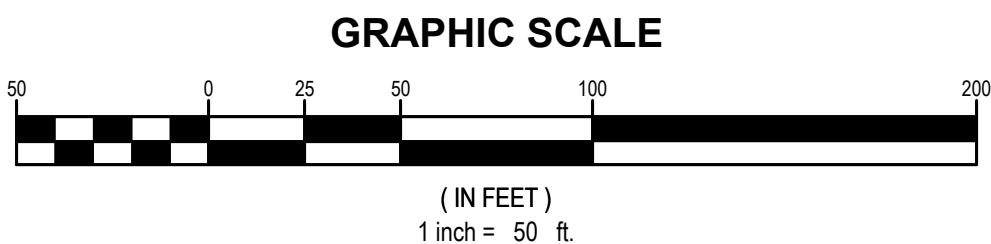
N/F
GILBERT BERNARD
D.B. 8025 PG. 87
P.B. 11 PG. 200
TAX ID.
032C03028000

N/F
HAGY WILLIAM R
D.B. 9108 PG. 143
P.B. 16 PG. 281
TAX ID.
032C03047000

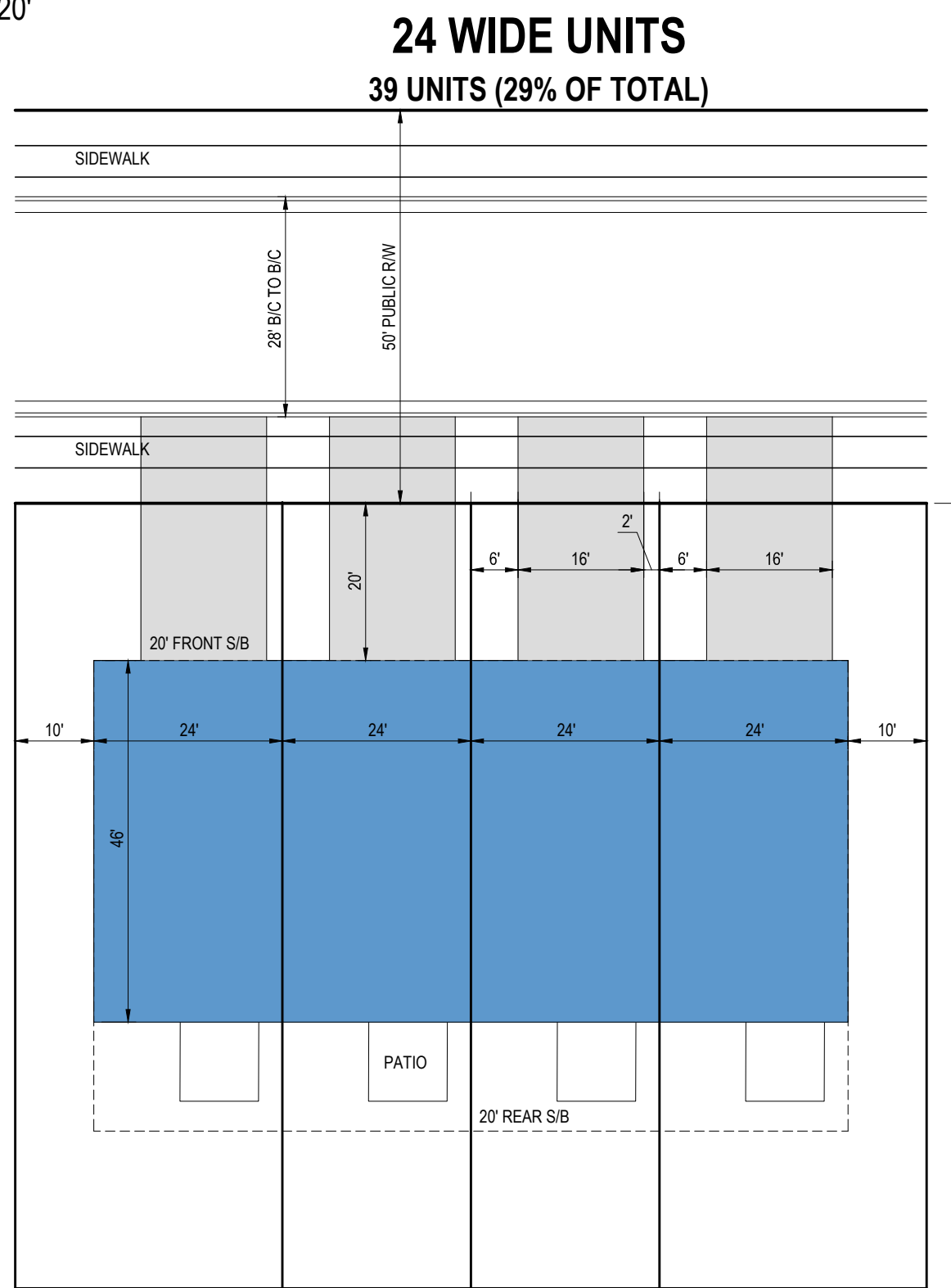
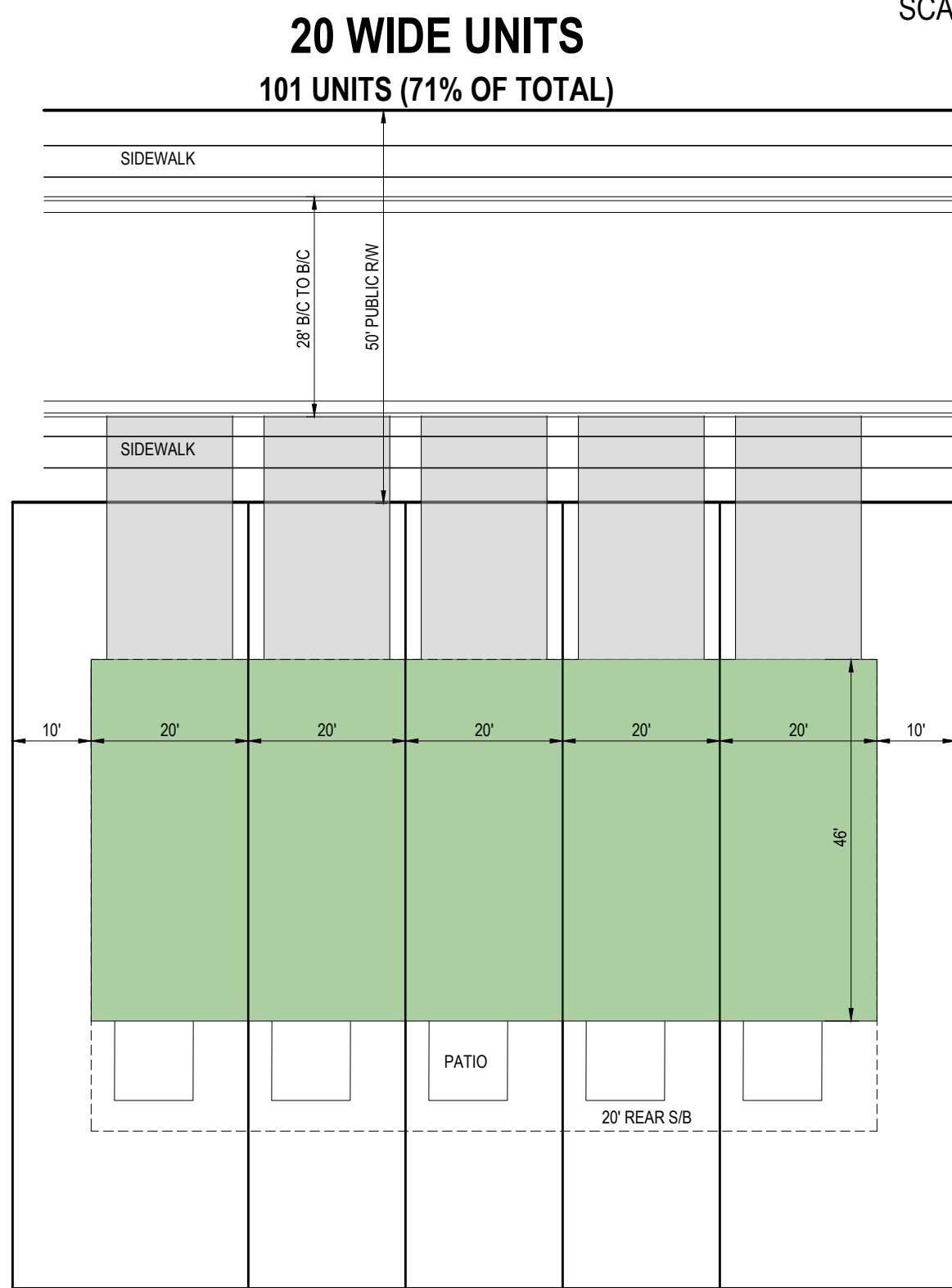
N/F
HAGY WILLIAM R JR
D.B. 15501 PG. 95
P.B. 16 PG. 281
TAX ID.
032C03048000

N/F
HAGY WILLIAM R JR
D.B. 15501 PG. 95
P.B. 16 PG. 281
TAX ID.
032C03049000

SITE DATA			
PROJECT NAME	HUDSON BRIDGE TOWNHOMES		
SITE AREA	20.37 AC.		
TAX ID	032-01026000		
CURRENT ZONING	C-2		
PROPOSED ZONING	MFR		
PROPOSED USE	UNIT SIZE	SETBACKS	QUANTITY
FEE SIMPLE TOWNHOMES	20' WIDE	FRONT: 20', SIDE: 10', REAR: 20'	101 UNITS
FEE SIMPLE TOWNHOMES	24' WIDE	FRONT: 20', SIDE: 10', REAR: 20'	39 UNITS
		TOTAL	140 UNITS
PROPOSED DENSITY	140 UNITS / 20.37 AC.	6.87 UNITS PER ACRE	
OPEN SPACE PROVIDED	PROPOSED OVERALL OPEN SPACE		8.37 AC.
	PROPOSED OVERALL OPEN SPACE AREA AS A % OF SITE		41.1%
IMPERVIOUS AREA	10.0 AC. (49 % OF TOTAL SITE AREA)		
OFF-STREET PARKING PROVIDED:	41 SPACES		



(GA WEST ZONE)
GRID NORTH



Moore Bass Consulting, Inc.

- Civil Engineering
- Land Surveying
- Development Consulting
- Landscape Architecture
- Environmental Permitting

www.moorebass.com
TALLAHASSEE • ATLANTA

1350 Keys Ferry Court
McDonough, GA 30253
770.914.9394

PROJECT NAME
HUDSON BRIDGE TOWNHOMES
STOCKBRIDGE, GA

CLIENT NAME

LENNAR GEORGIA, LLC

REVISIONS

A3551.0010-SP1

DATE 02/29/2024

CONTRACT #

DRAWN BY SDM

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

1350 KEYS FERRY COURT
MCDONOUGH, GA 30253
LSP #1170

SEAL

SHEET TITLE

SITE PLAN

SHEET

1.0

Lennar Homes Hudson Bridge Project Renderings





Battle Law

STATEMENT OF INTENT

and

Other Material Required by
City of Stockbridge Unified Development Code
For
A Rezoning from C-2 to MFR and Land Use Amendment
From Medium Density Vertical Mixed Use to Medium Density Residential

of

**LENNAR GEORGIA, LLC.
c/o Battle Law, P.C.**

for

+/-20.37 Acres of Land
Being Hudson Bridge Drive
City of Stockbridge, Georgia and
Parcel Nos. 032-01026000

Submitted for Applicant by:

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



Battle Law

I. LETTER OF INTENT

Lennar Georgia, LLC (the “Applicant”) is seeking to develop that certain undeveloped +/- 20.37 acre tract of land being Tax Parcel No. 032-01026000 having frontage on Hudson Bridge Drive (the “Subject Property”) for one hundred forty (140) townhome units as depicted on the submitted elevations. The Subject Property is located within the Parkway Mixed Use Overlay District (“Parkway Overlay District”), and is currently zoned C-2, with a land use designation of Medium Density Vertical Mixed Use. The Applicant is seeking to rezone the Subject Property to MFR, while simultaneously seeking a land use amendment to Medium Density Residential.

This document serves as a statement of intent, analysis of the criteria under the City of Stockbridge Unified Development Code and contains notice of constitutional allegations as a reservation of the Applicant’s rights.

II. STEINBERG ACT REZONING CRITERIA

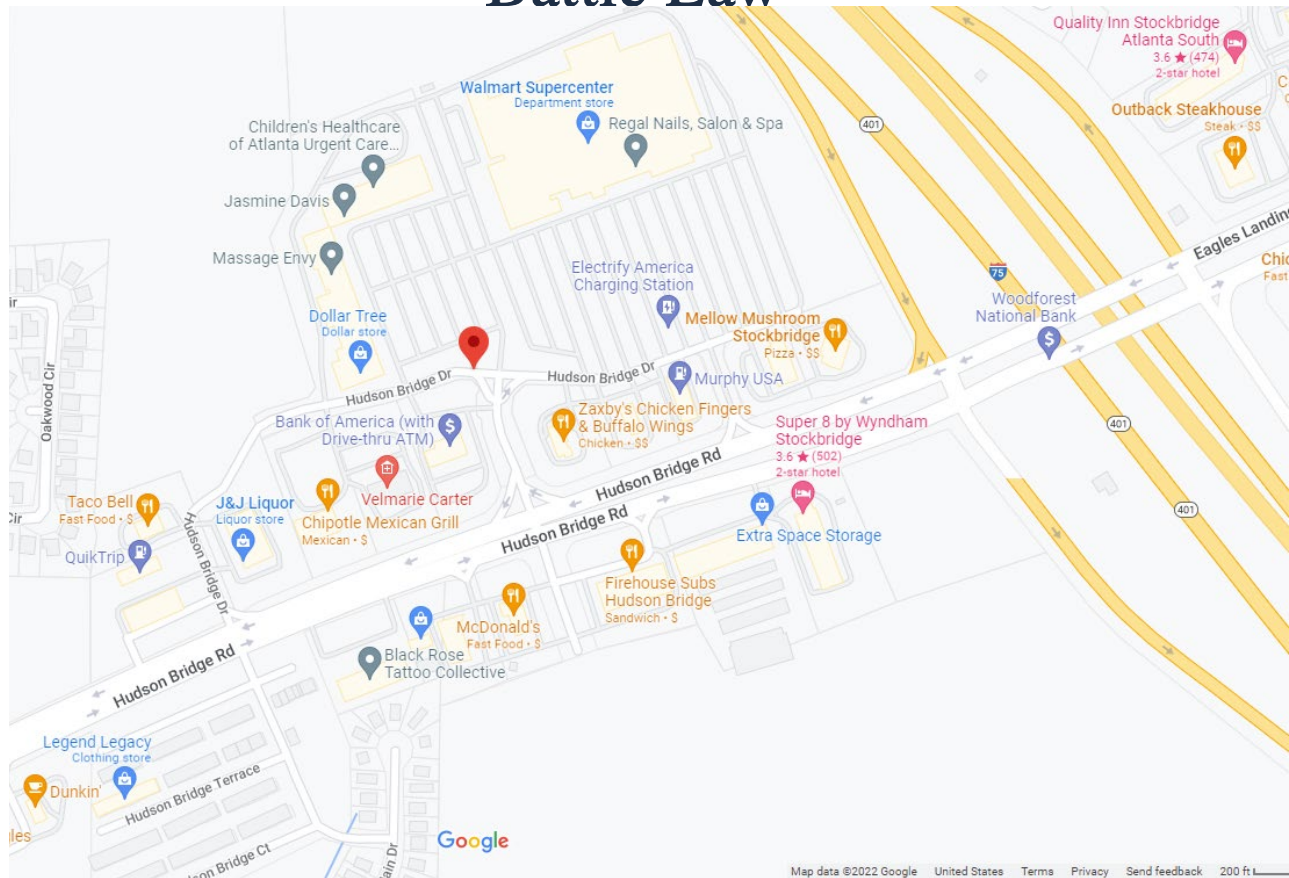
The State of Georgia proposes the following decision criteria to be considered for rezonings in jurisdictions that do not propose other criteria:

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

The zoning proposal will permit a use that is suitable in view of the current density and uses allowed under the Parkway Overlay District, in addition to existing uses on the adjacent and nearby property. Amongst other things, the purpose and intent of the Parkway Overlay District is “to encourage a balanced mix of retail, professional, residential, civic, entertainment and cultural uses,” and “to improve public health and provide safe and efficient movement within the overlay district by promoting development patterns that encourage physical activity such as walking and bicycling.” The area surrounding the Subject Property within the City of Stockbridge is predominately commercial and retail uses, except for the Hudson Bridge Townhome community that was built in 1986.



Battle Law



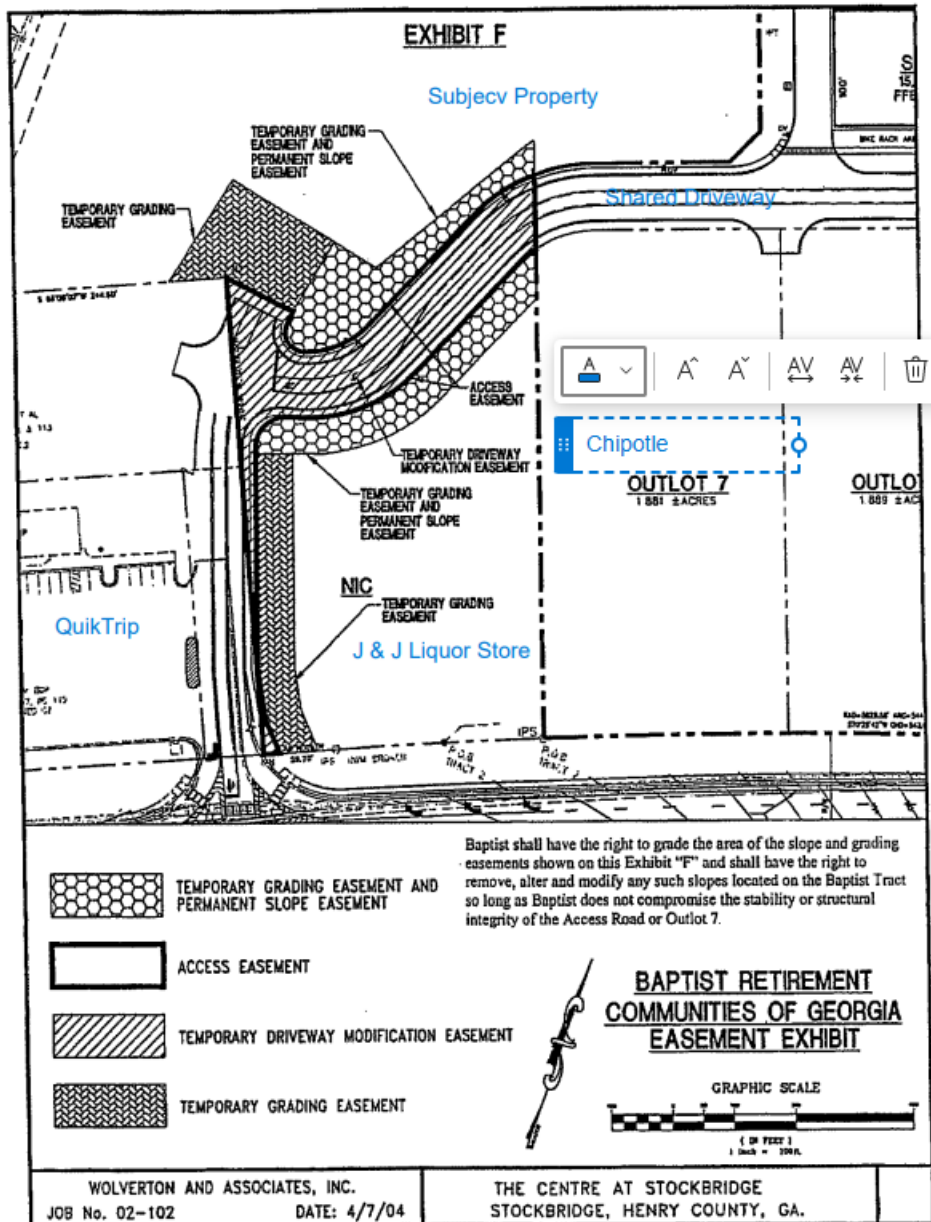
The Subject Property is part of a 72.69 acre planned commercial/retail/residential project which was been developed by multiple owners. Hudson Bridge Drive is a private street which provides shared access to excess of 20 stores, including the following businesses:

1. QuikTrip;
2. Walmart;
3. Chipotle
4. J&J Liquor;
5. Taco Bell
6. Zaxby's
7. Murphy's Gas Station
8. Mellow Mushroom
9. Arby's
10. Discount Tire; and
11. Bank of America.



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The Subject Property was originally a 22.076 acre tract of land that was subdivided in 2013 into two tracts with the intervening shared driveway for the development of a commercial outparcel.

GENERAL NOTES

1. THE 22.076 ACRES SHOWN ON THIS SURVEY IS BEING SUBDIVIDED INTO TWO TRACTS, TRACT 1 AND TRACT 2, FOR THE PURPOSES OF THE CITY OF STOCKBRIDGE, GEORGIA. THE SURVEY IS BEING SUBMITTED TO THE CITY OF STOCKBRIDGE FOR REVIEW AND APPROVAL. THE SURVEY IS BEING SUBMITTED TO THE CITY OF STOCKBRIDGE FOR REVIEW AND APPROVAL. THE SURVEY IS BEING SUBMITTED TO THE CITY OF STOCKBRIDGE FOR REVIEW AND APPROVAL.
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SURVEYOR'S CERTIFICATE

THIS SURVEY IS AN ACCURATE REPRESENTATION OF THE PROPERTY SURVEYED. THE SURVEYOR HAS CONDUCTED A VISUAL INSPECTION OF THE PROPERTY AND HAS FOUND THAT THE SURVEY IS ACCURATE. THE SURVEYOR HAS CONDUCTED A VISUAL INSPECTION OF THE PROPERTY AND HAS FOUND THAT THE SURVEY IS ACCURATE.

VICINITY MAP - N.T.S.

SHEET INDEX

TRACT CHART

TRACT	ACRES	SQ. FT.	ZONED
TRACT 1	20.367	887,136	C-2
TRACT 2	1.709	74,457	C-2
TOTAL	22.076	961,593	

EASEMENT CHART

EASEMENT	DATE	BY
1. PRIVATE ACCESS EASEMENT (SIP 7036, PG. 180)		
2. PRIVATE PERMANENT RETAINING WALL & DRAINAGE EASEMENT (SIP 7036, PG. 200)		
3. PRIVATE BAPTIST COMMUNITY ADDRESS/ADDRESS EASEMENT (SIP 7036, PG. 200)		
4. PERMANENT SLOPE EASEMENT (SIP 7036, PG. 180)		
5. PRIVATE PERMANENT RETAINING WALL & DRAINAGE EASEMENT (SIP 7036, PG. 200)		
6. PRIVATE PERMANENT RETAINING WALL & DRAINAGE EASEMENT (SIP 7036, PG. 200)		
7. PRIVATE PERMANENT RETAINING WALL & DRAINAGE EASEMENT (SIP 7036, PG. 200)		
8. PRIVATE PERMANENT RETAINING WALL & DRAINAGE EASEMENT (SIP 7036, PG. 200)		
9. PRIVATE PERMANENT RETAINING WALL & DRAINAGE EASEMENT (SIP 7036, PG. 200)		
10. PRIVATE PERMANENT RETAINING WALL & DRAINAGE EASEMENT (SIP 7036, PG. 200)		

OWNERS STATEMENT

THE OWNER OF THE LAND SHOWN ON THIS PLAN AND WHOSE NAME IS SUBSCRIBED HEREIN, HAS BEEN ADVISED BY THE CITY OF STOCKBRIDGE, GEORGIA, THAT THE SURVEY IS BEING SUBMITTED TO THE CITY OF STOCKBRIDGE FOR REVIEW AND APPROVAL. THE OWNER HAS BEEN ADVISED BY THE CITY OF STOCKBRIDGE, GEORGIA, THAT THE SURVEY IS BEING SUBMITTED TO THE CITY OF STOCKBRIDGE FOR REVIEW AND APPROVAL.

OWNER/SUBDIVIDER

BRAND STREET STOCKBRIDGE & L.L.C.
100 WEST COLUMBIA BLVD., SUITE 100
STOCKBRIDGE, GA 30084
JASON DOWLING
404-276-2620

FINAL SUBDIVISION PLAN FOR:
BROAD STREET STOCKBRIDGE II
LAND LOT 21 OF THE 6TH DISTRICT
STOCKBRIDGE, GEORGIA
HENRY COUNTY, GEORGIA

REVISIONS

NO.	DATE	BY
1	02/26/2013	KBW

DRAWN BY KBW
CHECKED BY MGH
DATE 02/26/2013
SCALE 1"=100'
JOB NO. 13-002
SHEET NUMBER 1
OF 4 SHEETS

In 2004 the 22.076 acres was owned by Baptist Retirement Communities of Georgia, Inc. ("Baptist RCG"), along with the adjacent 9.67 acres of land that has been developed as a commercial retail plaza. As part of the development of the commercial plaza Baptist RCG agreed to place a restrict covenant on the Subject Property which prohibited it from being developed for any retail purposes but allowed it to be developed for residential apartments.



Battle Law

DOC# 020854
FILED IN OFFICE
04/28/2004 02:10 PM
BK:7038 PG:237-243
JUDITH A LEWIS
CLERK OF SUPERIOR COURT
HENRY COUNTY

After recording return to:
Calloway Title & Escrow, LLC
Attn: David Dudley 2-1333
4800 Ashford Dunwoody Rd. Ste. 240
Atlanta, Georgia 30338

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STATE OF GEORGIA)
COUNTY OF HENRY) RESTRICTIVE COVENANT

This Restrictive Covenant ("Covenant") is made this 20th day of April, 2004, by the BAPTIST RETIREMENT COMMUNITIES OF GEORGIA, INC., a Georgia non-profit corporation ("Declarant"), for the benefit of WR OF STOCKBRIDGE, L.L.C., a South Carolina limited liability company ("WR"), and its successors and assigns.

WHEREAS, Declarant is the owner of that certain real property referred to as the "Remaining Tract" and which is more particularly described on Exhibit "A" attached hereto and made a part hereof;

WHEREAS, WR is the owner of that certain real property referred to as the "Development Tract" and which is more particularly described on Exhibit "B" attached hereto and made a part hereof; and

WHEREAS, it is the intent and desire of Declarant to execute this Restrictive Covenant to establish certain restrictions upon the Remaining Tract for the benefit of the Development Tract;

NOW, THEREFORE, Declarant for itself, its successors and assigns does hereby agree that the Remaining Tract shall be subject to and shall be used in conformance with the following covenants and agreements:

- I. No part of the Remaining Tract shall be used for any retail purposes, which restriction shall include, but not be limited to, the sale of any goods or merchandise of any nature and/or the offering of any services of any nature for profit. Examples of such prohibited activities include, but are not limited to, the retail sale of any foodstuffs or grocery items, whether packaged or freshly prepared, the retail sale of prepared foods, whether "fast food" or sit-down meals, the retail sale of any clothing items, the retail sale of housewares and/or supplies, the retail sale of hardware items or tools, the retail sale of any crafts, hobby supplies, artwork, and the provision, for profit, of any haircutting services,



Battle Law

BOOK 7038 PAGE 238

cosmetic services and/or manicure, pedicure or massage services. Declarant specifically acknowledges and agrees that the foregoing prohibited uses are mere examples, and does not intend that they represent all uses restricted or prohibited hereby. Notwithstanding the foregoing, such retained uses as are ancillary or incident to the use of the Remaining Tract for residential apartments are permitted, including, but not limited to, coin-operated laundries, vending machines and the occasional sale of novelty items bearing the logo or trademark of the owner or manager of the apartment complex.

2. The foregoing restriction shall expire on March 31, 2008, if not theretofore terminated.

The foregoing restrictions and agreements are imposed on the Remaining Tract for the benefit of the Development Tract.

The agreements, restrictions and covenants herein made shall be deemed restrictive covenants running with the land and shall be binding upon the Remaining Tract and any person or entity who may from time to time own, lease or otherwise have an interest in the Remaining Tract.

[SIGNATURES ON FOLLOWING PAGE]

It can be inferred that the intent of this prohibition on the development of other retail uses, while permitting the development of multi-family apartments, was to support the viability of the retail stores without additional competition, AND to create a mixed-use environment with residents living adjacent to the site that could support the commercial businesses being developed. Based upon the Subject Property being included in the Parkway Overlay District the purpose and intent of the development of this area and the Subject Property remains the same.

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

The zoning proposal will not adversely affect the existing use or usability of adjacent or nearby properties. The zoning proposal will permit a use that creates the mixed-use environment promulgated by the Parkway Overlay District. Additionally, the development of the Subject Property as currently zoned would in fact have an adverse impact on the adjacent property owners by oversaturating an already robust commercial corridor.

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

The property to be affected by the zoning proposal does not have a reasonable economic use as



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currently zoned. The area in which the Subject Property is located is already saturated with commercial development, which is inconsistent with the intent and purpose of the Parkway Overlay District, and based on the current economic climate in which retail stores are being challenged by the growing online shopping trends, the development of additional commercial space in this corridor would be economically unfeasible.

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

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

Additionally, according to the letter attached to this application from the Henry County Water Authority, water and sewer are available for the Subject Property. The Henry County Water Authority stated that there is enough capacity to serve the proposed number of units.

Lastly, the zoning proposal will not overly burden the local schools as the majority of the units as the anticipated market for the proposed units are young professionals, and single individuals looking for a low maintenance homeownership option.

Therefore, the zoning proposal will not result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

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

The Applicant is seeking to amend the current land use designation to Medium Density Residential which is consistent with the purpose and intent of the Parkway Overlay District which allows for a density of up to 60 units per acre with density bonuses, and heights up to 20 stories. The current Medium Density Vertical Mixed-Use only allows for up to 2 to 3.6 units per acres, with a maximum height of 3 stories. The comprehensive plan from which the land use designations were derived was adopted in 2018; however, the City's Revised Unified Development Code, which contains the current Parkway Overlay District, was adopted in March of 2022. Therefore, the current land use plan for the City and the Subject Property is outdated, and inconsistent with the Parkway Overlay District.

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

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



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III. CONCLUSION

For the foregoing reasons, the Applicant hereby requests that the application for a Rezoning from C-2 to MFR be approved. The Applicant welcomes any questions and feedback from the planning staff.

IV. NOTICE OF CONSTITUTIONAL ALLEGATIONS AND PRESERVATION OF CONSTITUTIONAL RIGHTS

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

The application of the City of Stockbridge Zoning Ordinance to the Subject Property which restricts its use to any classification other than that proposed by the Applicant is unconstitutional, illegal, null and void, constituting a taking of Applicant's Property in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States, Article I,

Section I, Paragraph I, and Article I, Section III, Paragraph I of the Constitution of the State of

Georgia of 1983, and the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States denying the Applicant an economically viable use of its land while not substantially advancing legitimate state interests.

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

A refusal by the City of Stockbridge City Council to amend the land use and/or rezone the Subject Property to the classification as requested by the Applicant would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any Rezoning of the Property subject to conditions which are different from the conditions requested by the Applicant, to the extent such



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different conditions would have the effect of further restricting Applicant's utilization of the property, would also constitute an arbitrary, capricious and discriminatory act in zoning the Subject Property to an unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove.

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

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

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



Michele L. Battle, Esq.
Attorney for the Applicant



Henry County Water Authority
Engineering Division

December 2, 2022

Re: Water and Sewer Services - Availability

Proposed Development: **Apartment Complex**

Property Information: **Hudson Bridge Road Parcel No. 032-01026000**

LL 21; District 6; 20.37+/- acres

Proposed Zoning: **MFR**

Sewer Basin: **Walnut Creek**

Watershed Basin: **Big Cotton Indian**

TO WHOM IT MAY CONCERN:

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

Water service can be made available to the property described above by way of a line extension, as illustrated on the Conceptual Site Plan at the developer's expense. A fire flow test calculated in the area revealed the following data:

Static:	110	psi
Residual:	95	psi
Flow	1130	gpm
Calculated Flow @ 20 psi:	2973	gpm

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

Sewage **treatment** and sewer line **capacity** are available for the property. ***However, installation of a private lift-station (proposed to be located on the developer's site), associated force main and gravity sewer main extension will be necessary at the developer's expense.***

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

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

This letter was prepared with information submitted to HCWA on a Conceptual Site Plan dated 08/24/2022 prepared by Moore Bass Consulting, Inc.

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

Presentation
For RZ-2024-01:

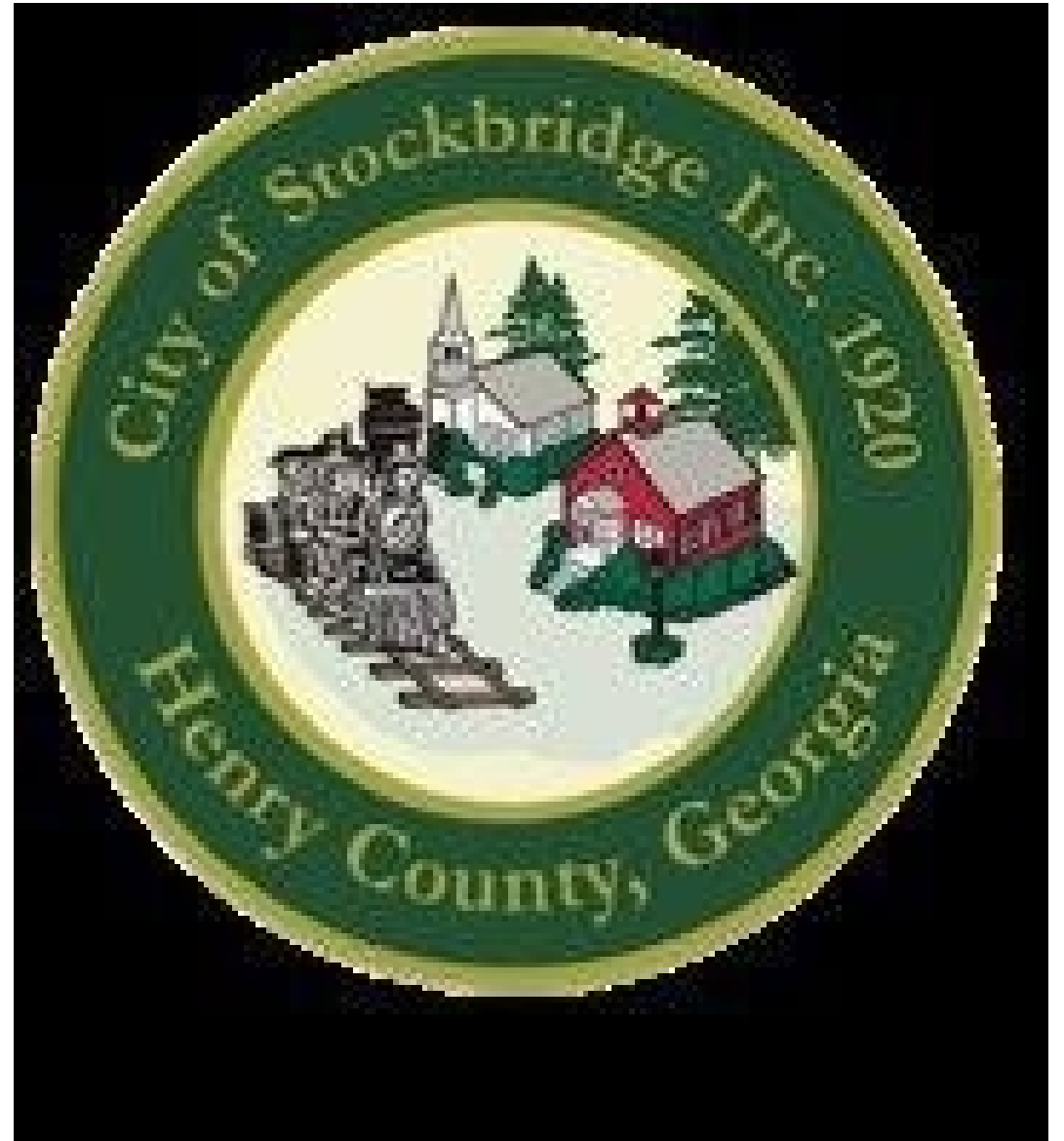
Rezoning for the Proposed
Hudson Bridge Drive
Townhomes
On Parcel #032-01026000.

Presented To:

Planning Commission – May 16, 2024
City Council – June 10, 2024

By:

City of Stockbridge Community
Development Department,
Planning and Zoning Division

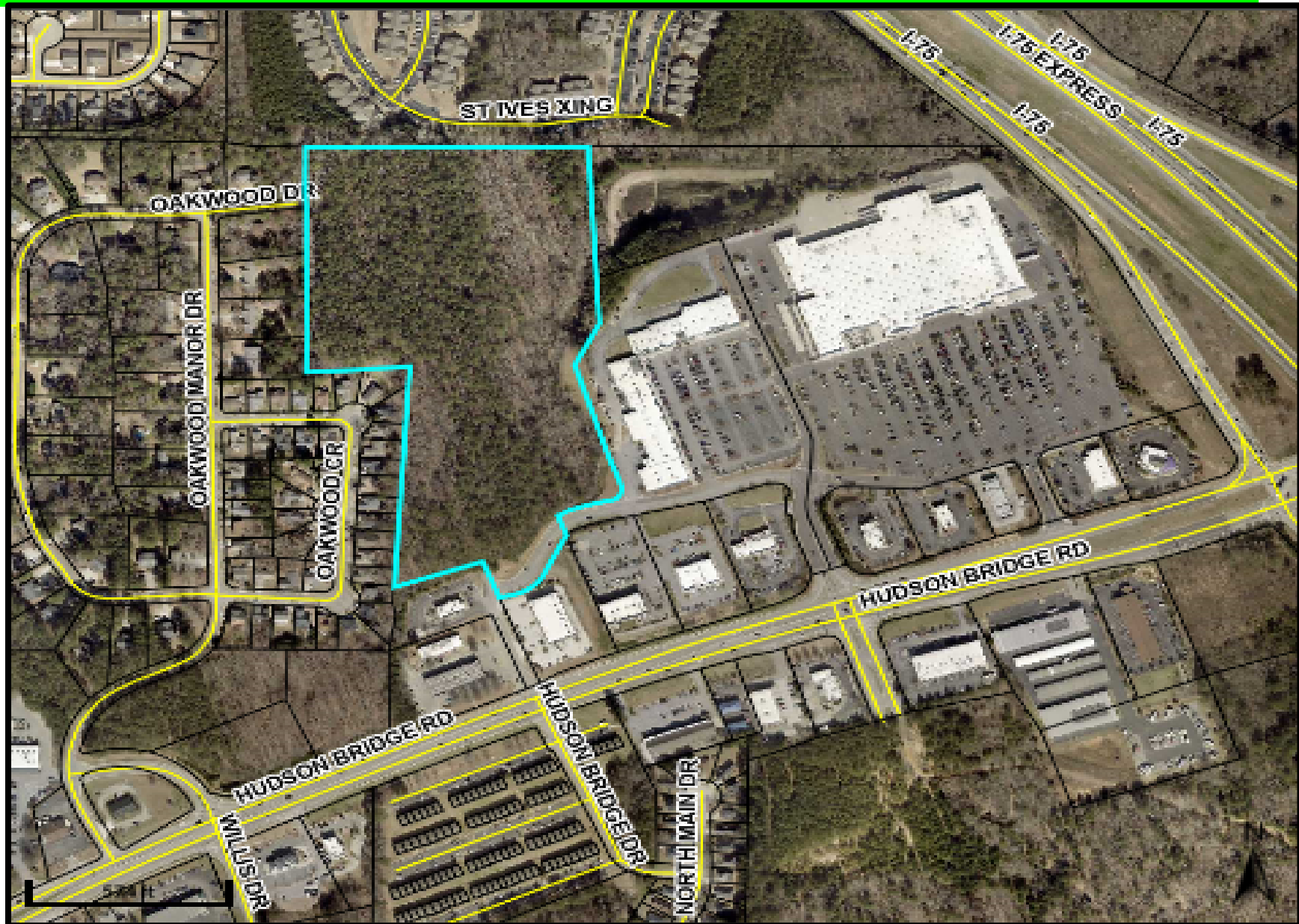


PURPOSE OF THE REQUESTED REZONING

PURPOSE OF RZ-2024-01 -- Consider a request to rezone certain property on Hudson Bridge Drive from 'C-2' (General Commercial) to 'MFR' (Multiple Family Residential) to allow for the development of a townhome community with 140 units.

- **Property Identity --** Parcel #032-01026000 with 20.367 acres on north side of Hudson Bridge Drive.
- **Applicant** – Lennar Georgia, LLC, represented by Battle Law, P.C.
- **Property Owner --** Mount Zion 48, LLC.
- **Companion Application –** CP-2024-01: Comprehensive Plan Amendment application to change the property's future land use designation from Medium-Density Mixed-Use to Medium-Density Residential.

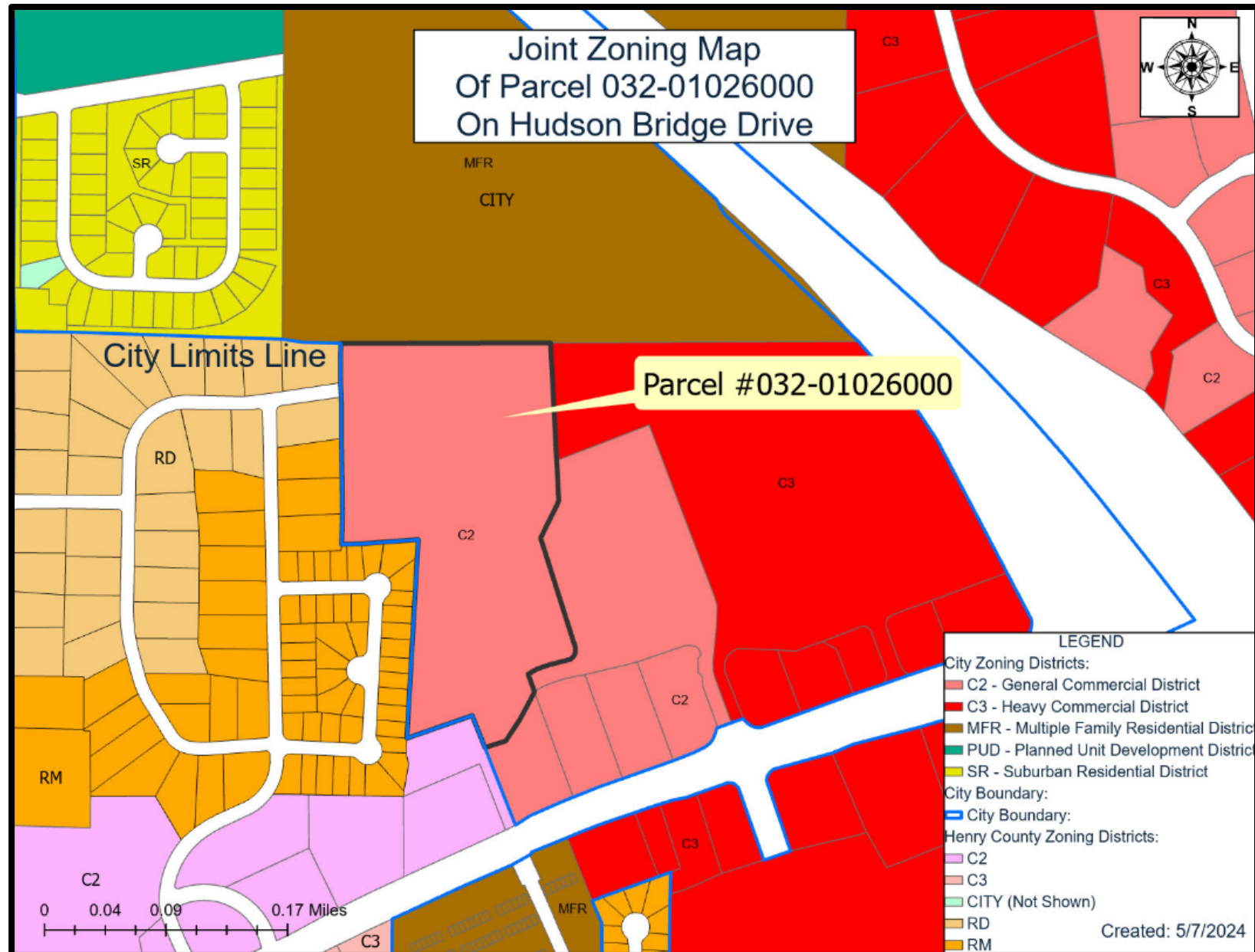
AERIAL PHOTO OF SUBJECT PROPERTY



CASE FACTS – PAGE ONE

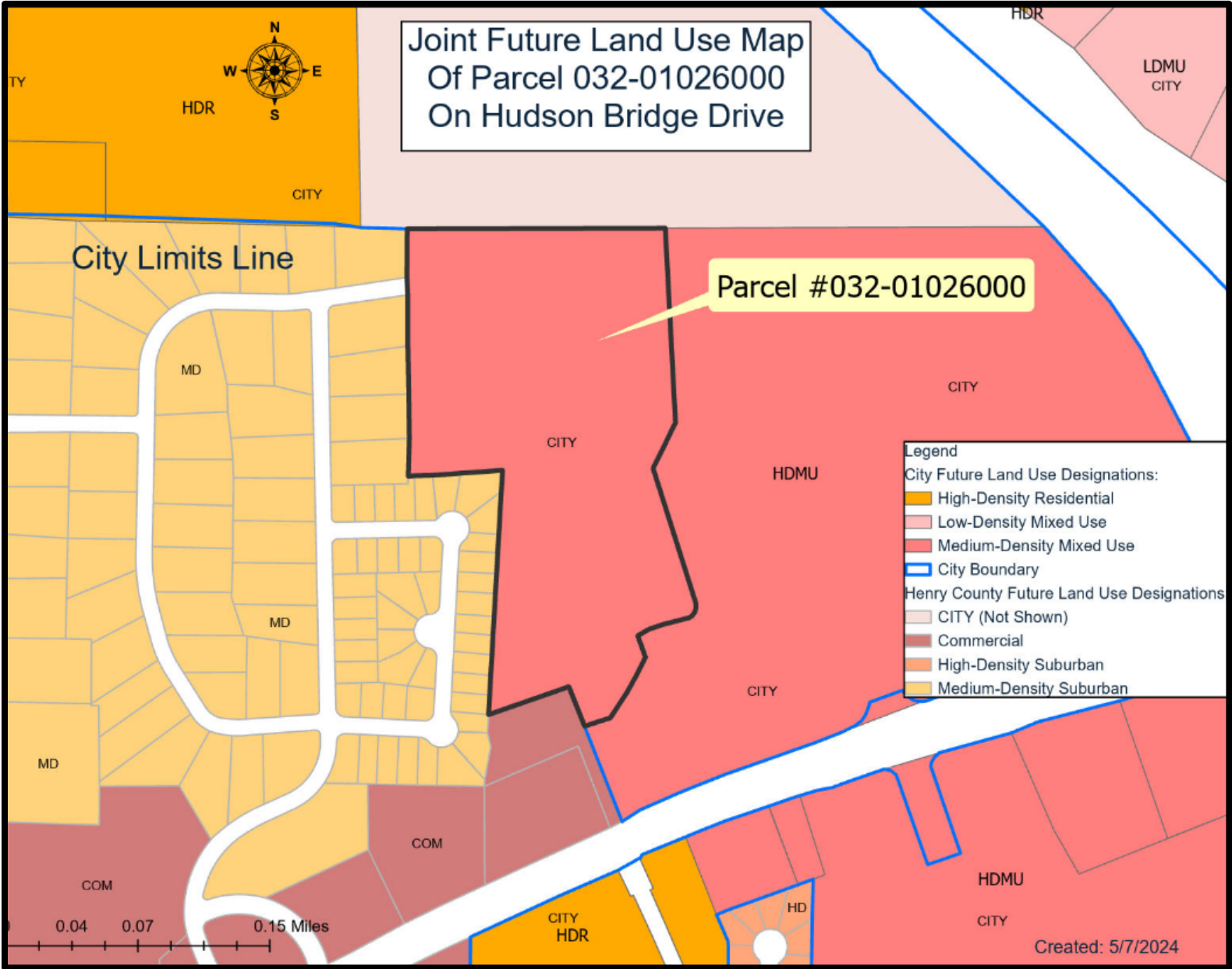
Proposed Development:	Townhome community with 140 fee simple units.
Parcel Identification:	032-01026000 (no address).
Parcel Acreage:	+/- 20.367 acres.
Land District and Land Lot:	District 6, Land Lot 21.
Applicant:	Lennar Georgia, c/o Battle Law, P.C.
Owner:	Mount Zion 48, LLC.
Current City Zoning:	C-2 and Parkway Mixed-Use Overlay District.
Surrounding Zoning:	• <u>North</u>—MFR (Multiple Family Residential). • <u>Northwest</u>—SR (Suburban Residential). • <u>East</u>—C-2 & C-3 (General Commercial & Heavy Commercial). • <u>South</u>—C-2 (General Commercial). • <u>Southeast</u>—C-2 & C-3 (General Commercial & Heavy Commercial). • <u>West</u>—Outside of the City. Zoned ‘RD’ & ‘RM’ (Residential-Duplex & Residential-Multifamily) by Henry County. • <u>Southwest</u>—Outside of the City. Zoned ‘C-2’ (General Commercial) by Henry County.

2024 CITY OF STOCKBRIDGE ZONING MAP



2024 CITY OF STOCKBRIDGE FUTURE LAND USE MAP

L



CASE FACTS – PAGE TWO

Surrounding Land Uses:	• <u>North</u>—St. Ives Apartments. • <u>Northwest</u>—St. Margrit Subdivision. • <u>East</u>—Walmart and adjacent Centre @ Stockbridge Shopping Center. • <u>South</u>—Commercial uses fronting onto Hudson Bridge Road, including J & J Liquor and Western Union. • <u>Southeast</u>—Retail uses (Taco Bell and QuikTrip) outside the City, with access from Hudson Bridge Dr. • <u>West</u>—Oakwood Village Subdivision, outside City).
Property Location:	To the rear of 1590 Hudson Bridge Road. Property has no access to any public street. Access exists from Hudson Bridge Drive, an internal street for the adjacent Centre @ Stockbridge shopping center, which includes Walmart. A portion of this street actually is part of the subject property.
Property Conditions:	Vacant land; mostly wooded. The eastern portion of site contains steep topography, wetlands with a 25-foot state buffer, a 50-foot stream buffer, and a 75-foot impervious setback as part of a nearby stream. Site includes a portion of Hudson Bridge Drive, which was granted an easement.

PROPERTY AND ZONING HISTORY – PAGE ONE

- A. Restrictive Covenant.** The subject property was previously owned by Baptist Retirement Communities of Georgia, who sold it in 2005. Before doing so, a restrictive covenant, dated April 26, 2004, was prepared and filed with the Henry County Superior Court (in Book 7028, Page 237). It prohibited the use of the subject property for retail uses. The restriction expired, however, on March 31, 2008.
- B. Walmart Master Development Plan and DRI.** The property was originally a part of a Master Development Plan for the Centre @ Stockbridge mixed-use development, with a Wal-Mart Supercenter as a mixed-use development for a total of 70.16 acres. Details:
- 1.** The entire property was annexed into the City of Stockbridge in 2002 with commercial zoning.
 - 2.** The subject site represented “Tract 2” in the Master Plan. Tracts 1 and 2 were annexed as C-2 and C-3. They were further subdivided on February 4, 2004, creating a “new” Tract 2 as part of the Walmart Development. The original Tract 2 would become a “stand-alone” parcel for future development. The Master Development Plan initially allowed the subject site to have access from Hudson Bridge Road, but outparcels were later created, and this removed the site’s access to Hudson Bridge Road.

WALMART MASTER DEVELOPMENT PLAN AREA



PROPERTY AND ZONING HISTORY – PAGE TWO

- 3. A Development of Regional Impact Analysis (DRI #481) was completed on the Master Development Plan, including the subject site, on November 21, 2003, and a Development Agreement was also prepared.**
- 4. The DRI for the overall master plan area stated, “The site shall be mixed-use and contain a minimum of 200 residential units and a maximum of 343,500 square feet of commercial/office/retail space.”**
- 5. The subject site is the only remaining parcel of the original master plan area.**
- 6. Since no residential units have yet been built on the overall property, the subject site is the only remaining parcel where they could be built to fulfill this requirement.**
- 7. The DRI requirements are no longer enforceable, however, since over ten years have gone by.**

PROPERTY AND ZONING HISTORY – PAGE THREE

C. Creation of Easements. In 2013, Wolverton & Associates created drawings as part of a Final Subdivision Plat for Broad Street Stockbridge II, LLC. They showed that:

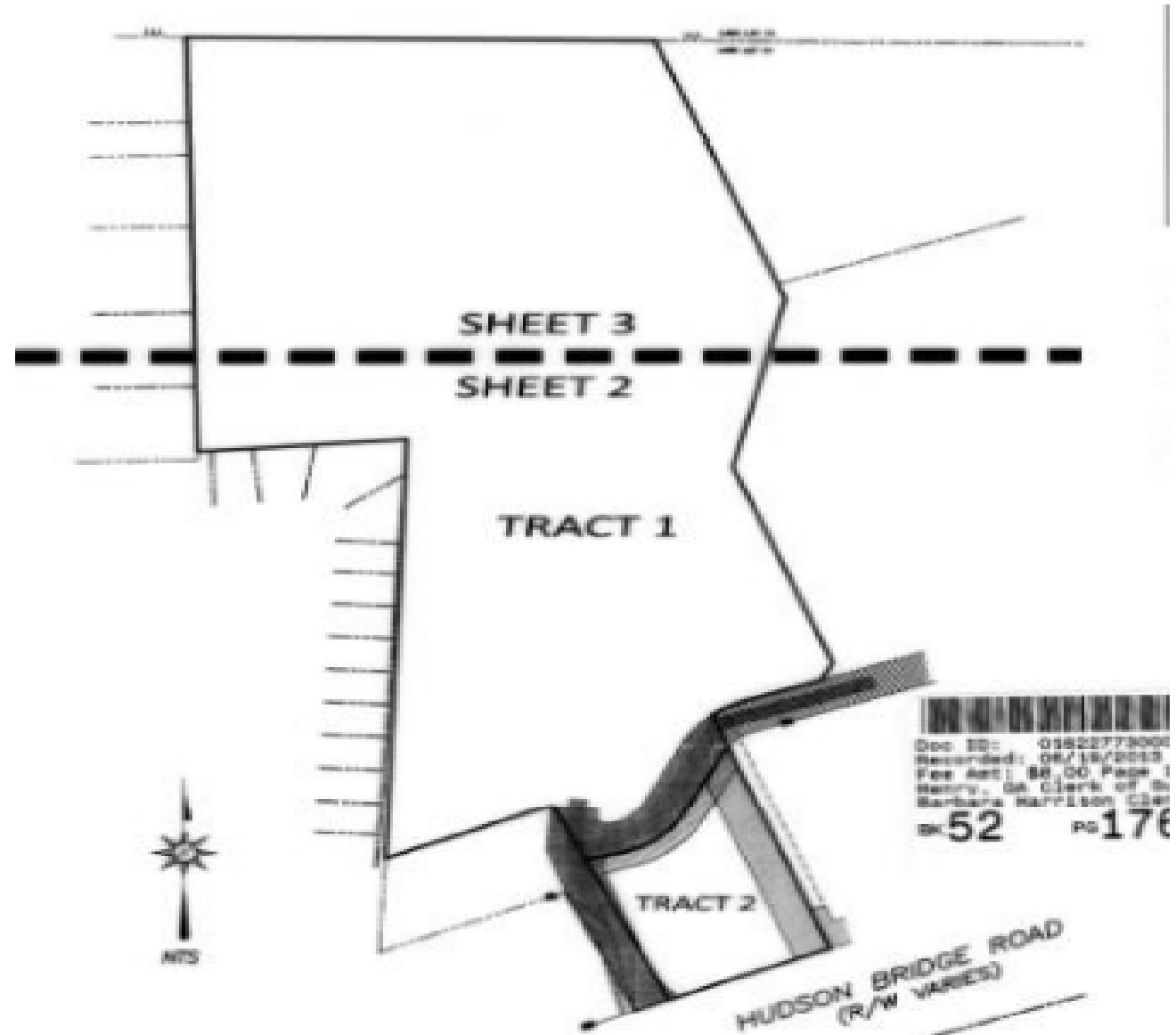
- 1.** The property was split into two tracts, with Tract 1 (the current site) losing its access to Hudson Bridge Road and Tract 2 being cut off completely, but maintaining its access to Hudson Bridge Road.
- 2.** Ten (10) easements were created along and adjacent to Hudson Bridge Drive, allowing that private street to be used for internal access and circulation within the Master Plan area.
- 3.** A portion of Hudson Bridge Drive is actually a part of, and inside of, the subject site.

D. Recent Zoning Activity: RZ-2019-04 and RZ-2020-01 by TPA Residential (c/o Falcon Design Consultants)

- 1. RZ-2019-04.** TPA Residential sought a rezoning from C-2 to MUND (Mixed-Use Neighborhood Commercial) to allow for the development of 118 townhomes and a small amount of commercial uses on the subject site. The Staff and Planning Commission (at their September 14, 2019 meeting) both recommended the approval of this case, with conditions, but the applicant withdrew its application at the City Council meeting on October 14, 2019.

PREVIOUS SUBDIVISION OF SITE INTO TWO TRACTS

This resulted in the subject site being cut off from Hudson Bridge Drive, although easements were created to allow access.



PROPERTY AND ZONING HISTORY – PAGE FOUR

2. RZ-2020-01. TPA Residential returned to the City in 2020 with a revised rezoning application. This time, the applicant wanted to build a purely residential development, containing 147 townhomes only, and no commercial uses. GRTA officials ruled that no DRI update was required since the proposed density would be less than what the original Walmart Master Plan called for. The Staff and Planning Commission (at their June 25, 2020 meeting), both recommended the approval of this case, with conditions, but the City Council denied this case at their July 13, 2020 meeting.

E. RZ-2022-08 by Carter Acquisitions (c/o Battle Law, P.C). This developer sought to rezone the subject property from C-2 to MFR (Multiple Family Residential) to allow for the development of a townhome community containing 330 units. The proposed density was 16.2 units per acre, which exceeded the allowable density of 16.0 units per acre for the proposed High-Density Residential future land use designation. The applicant needed to reduce the number of units by eliminating four (4) units to meet the maximum allowable density. But the applicant never returned with a new site plan having a reduced density. After an extended period of time, the applicant withdrew their application, along with Comprehensive Plan Amendment application #CP-2022-07.

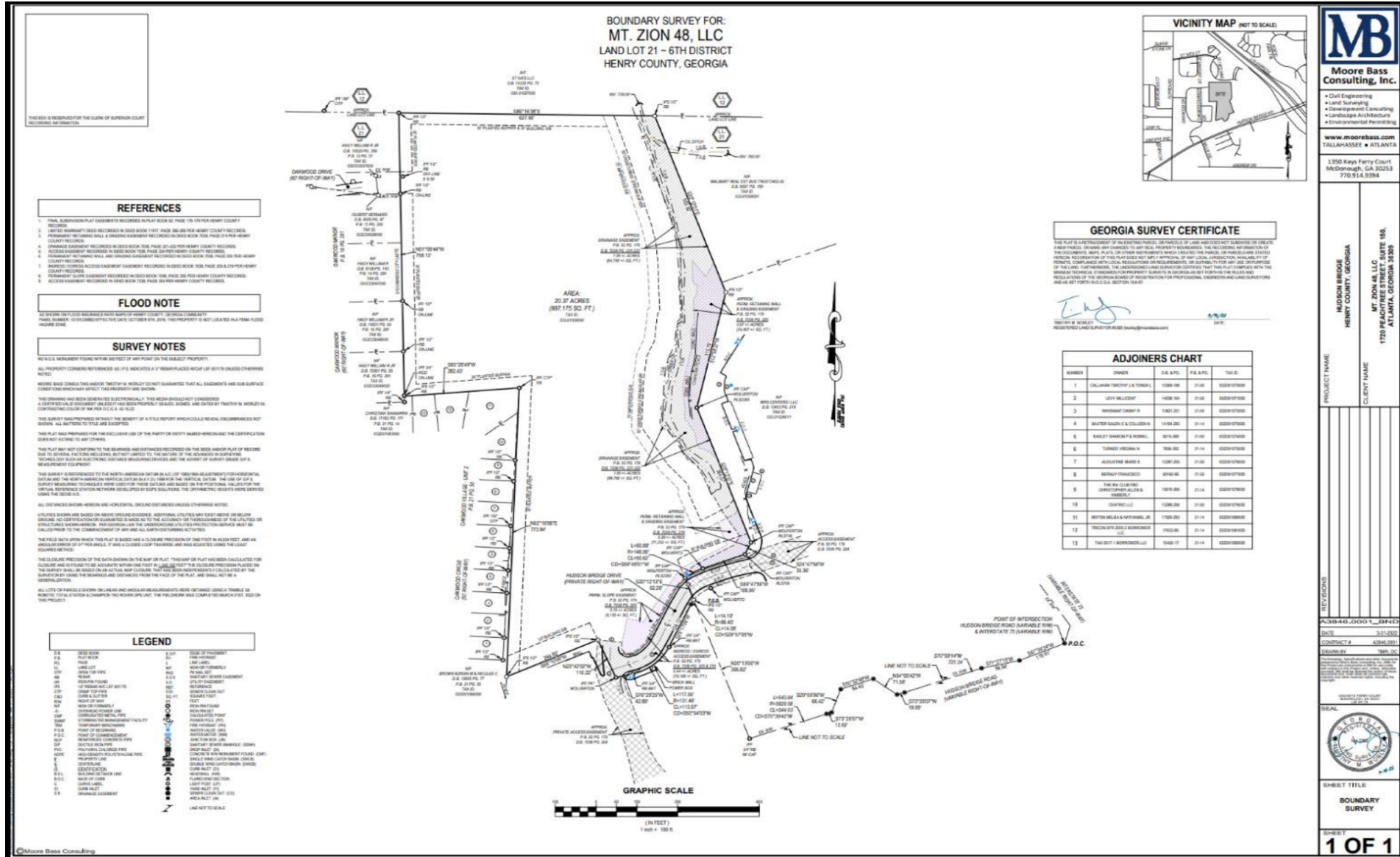
STREET VIEWS OF THE SUBJECT SITE

Top -- View of the southwest corner.

Bottom – View toward the southeast corner.



BOUNDARY SURVEY



PROPOSED DEVELOPMENT – PAGE ONE

A. Project Size:

1. Number of Units--140 fee simple townhome units--101 smaller units & 39 larger units.

2. Density – 6.87 units per acre.

B. Site Plan Design—Title: “Hudson Bridge Townhomes; Stockbridge, GA” and dated February 29, 2024, which was prepared by Moore Bass Consulting, Inc.

1. Project Entrance – Would be off Hudson Bridge Drive at the south end of the site.

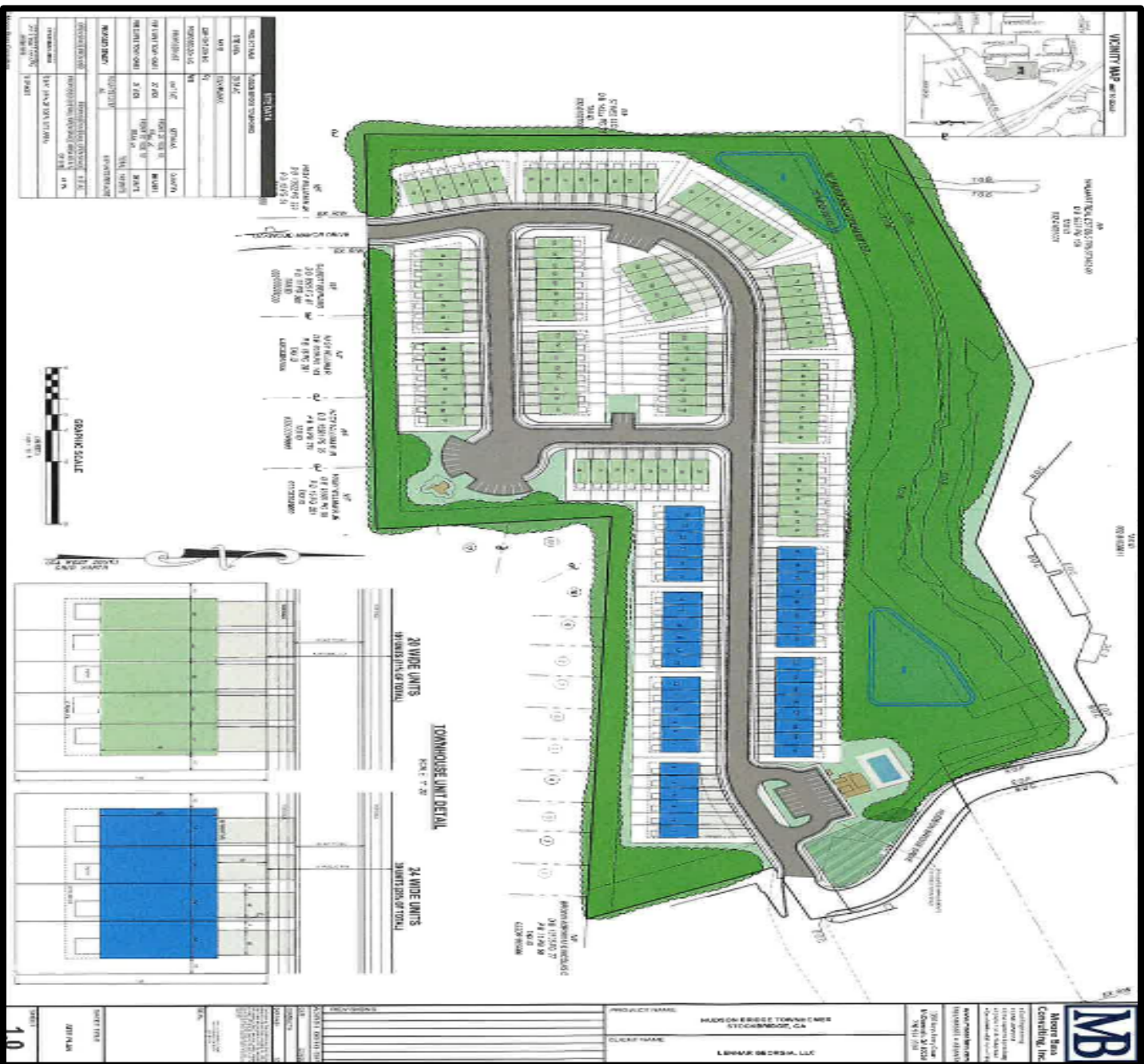
2. Secondary Access – Would be located at the northwestern corner of the site, adjacent to Oakwood Drive.

3. Amenities – Would include a swimming pool, a clubhouse, and guest parking near the main entrance.

4. Other Facilities – Would include three other guest parking lots near the rear, two detention ponds, landscaped buffering surrounding the property, and a 50-foot undisturbed stream buffer along the eastern side of the property. No walking trails or dog parks have been indicated on the site plan.

5. Setbacks – The MFR District requires a front yard setback, but the applicant proposes only 20 feet. Also, the MFR District requires side yard setbacks of 20 feet, but the applicant proposes only 10 feet. The applicant plans to submit a variance application to request these variances, but has not yet done so.

CONCEPTUAL SITE PLAN



**AERIAL PHOTO
OF THE
VICINITY,
OVERLAIN BY
THE SITE PLAN**



PROPOSED DEVELOPMENT – PAGE TWO

C. Utilities Facilities – The applicant submitted a letter from the Henry County Water Authority, but it pertained to a previous development proposal. A new letter is needed.

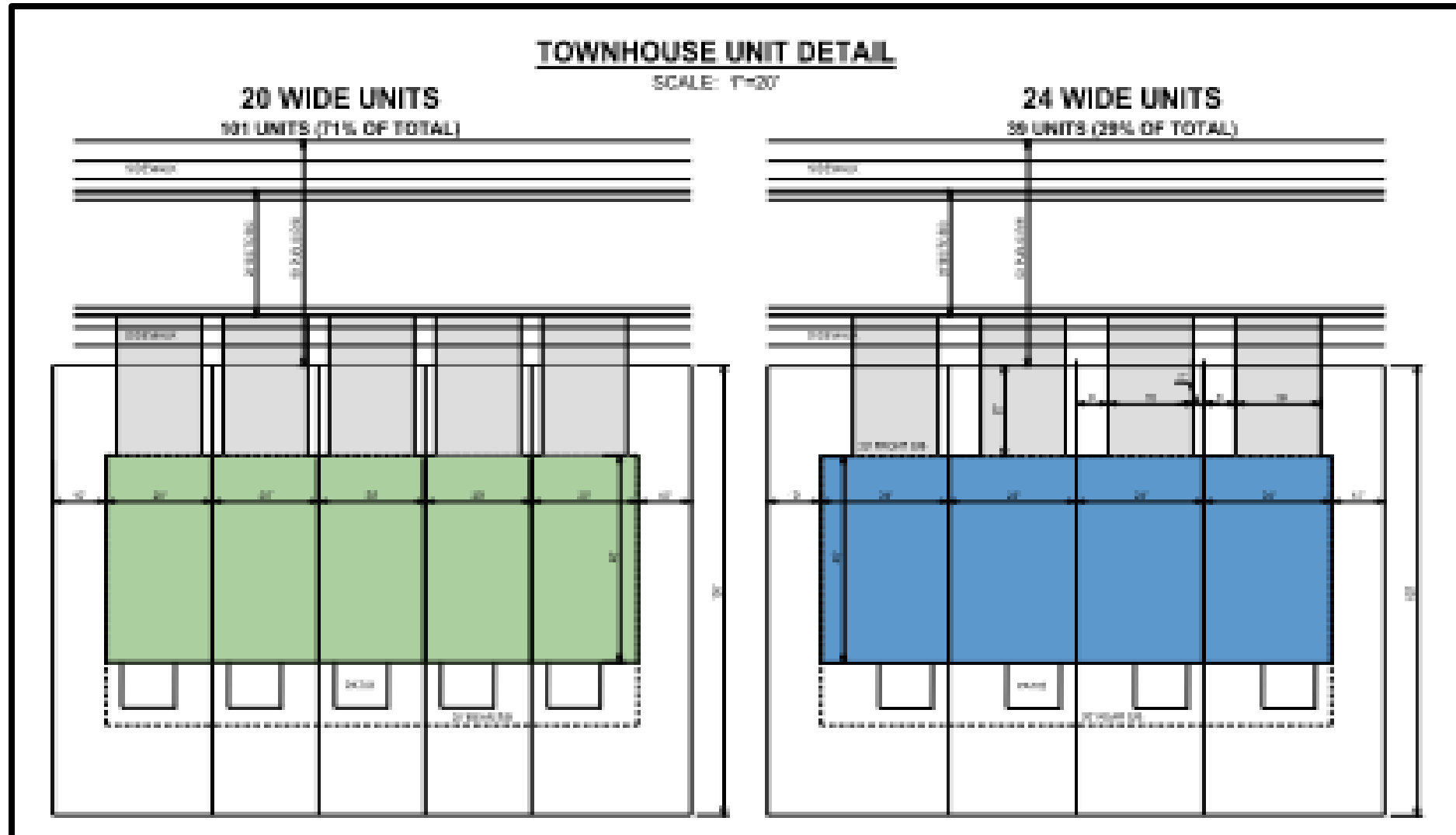
D. Traffic Impact Study. The applicant thus far has not submitted a traffic impact study nor a trip generation memorandum, although the Planning and Zoning Staff has encouraged the applicant to do so.

E. Townhome Lots, Buildings, and Designs:

1. Townhome Lots—Would be 100 feet deep. Smaller lots would be 20 feet wide and would be located near the rear of the property. Larger lots would be 24 feet wide and would be located at the front of the property. The required variances to reduce the front and side yard setbacks were previously mentioned.

2. Buildings -- The smaller townhome buildings would have one-car garages, and the larger townhome buildings would have two-car garages. The required spacing of 20 feet between buildings could not be determined.

PROPOSED TOWNHOME LOT DETAILS



RENDERINGS OF PROPOSED TOWNHOME BUILDINGS

**Smaller Townhome Buildings
(20 Feet Wide) with One-Car Garages**



**Larger Townhome Buildings
(24 Feet Wide) with Two-Car Garages**



ANALYSIS OF REQUEST -- PAGE ONE

The Planning and Zoning Staff analyzed nine (9) required standards for rezonings from the UDC.

1. Consistency with the Comprehensive Plan:

- a. Additional Housing – Would be provided, thereby meeting a goal of the City's Comprehensive Plan.
- b. Future Land Use Designation – Is currently “Medium-Density Mixed-Use”, which requires two types of uses and the applicant only plans to include a residential use (townhomes). Therefore, the property's future land use designation must be changed to “Medium-Density Residential.”
- c. Density – Would be 6.87 units per acre, which would be within the range of 4 to 7.99 units per acre for the requested Medium-Density Residential designation.

2. Rationale for the Rezoning:

- a. Zoning Classification -- The rezoning of the property to MFR is necessary because the proposed townhomes are not allowed under the property's existing C-2 zoning.
- b. Location on a Collector or Arterial Road – Although the property is not located on either one, it was originally a part of the Walmart Master Plan area, which had direct access to Hudson Bridge Road, which is an arterial.

ANALYSIS OF REQUEST -- PAGE TWO

3. Potential Positive Effects :

- a.** The subject property has remained vacant even after the Walmart Master Development Plan was prepared in 2003.
- b.** A restrictive covenant was imposed on the property by the Baptist Retirement Communities of Georgia to prohibit the development of retail uses. Yet, even after its expiration in 2008, no retail development has taken place on the site, despite its permissible C-2 zoning. This suggests that the immediate vicinity may have already reached its saturation point for retail uses.
- c.** Although the C-2 district also allows other types of non-retail commercial uses, many of them are not permitted in the PMU (Parkway Mixed-Use Overlay) district, in which the property also lies. Further, even if they were allowed, such uses most likely would need to have direct frontage onto Hudson Bridge Road to attract customer traffic, which the subject site does not offer.
- d.** Existing commercial uses to the south and east of the site would have access to a significant amount of potential new customers from the proposed townhome development, thereby increasing their business revenues.
- e.** The new townhome residents would have convenient access to the adjacent commercial uses within the Walmart and Centre@ Stockbridge Shopping Center.

ANALYSIS OF REQUEST – PAGE THREE

4. Suitability of the Site:

- a.** The eastern portion of subject site contains steep topography, wetlands with a 25-foot state buffer, a 50-foot stream buffer, and a 75-foot impervious setback as part of a nearby stream. Thus, no townhome units would be built in that area. The developer should take appropriate steps to protect this environmentally-sensitive area and to facilitate drainage.
- b.** The site would have its main access via Hudson Bridge Drive, which is an internal, private street supporting the Walmart and Centre@ Stockbridge Shopping Center.
- c.** Several easements were previously created to facilitate the site's access from the existing traffic signal at Hudson Bridge Road.

5. Impact upon Adjacent Property Owners. To prevent a significant influx of traffic onto Oakwood Drive and the adjacent Oakwood Subdivision to the west, no regular access should be allowed from the subject property onto Oakwood Drive, other than a locked emergency access. The site plan needs to be revised to show this. Further, a 25-foot zoning buffer, a fence, and tall trees should be located along the western boundary of the site.

ANALYSIS OF REQUEST – PAGE FOUR

- 6. Impact on the Water and Sewage System.** The applicant obtained a letter from the Henry County Water Authority, which was dated December 2, 2022. However, it was based on a previous developer's proposed apartment development, to contain 330 apartment units. Thus, the current applicant needs to obtain a new letter which addresses the proposal by the current developer, Lennar Georgia, LLC, to build 140 townhome units.
- 7. Traffic and Transportation Impacts:**
- a. Site Access:**
- (1)** The main site access would be from Hudson Bridge Drive at the southern end of the property.
 - (2)** Traffic from the site would utilize the traffic signal at Hudson Bridge Road, near the existing QuikTrip store and Taco Bell restaurant. Residents of the proposed townhomes may also utilize the second traffic signal on Hudson Bridge Road, which serves the Walmart driveway. The two traffic signals would facilitate turning movements.
 - (3)** A paved sidewalk is present along Hudson Bridge Drive, which would facilitate pedestrian travel to the surrounding retail stores.

ANALYSIS OF REQUEST – PAGE FIVE

- (4) The secondary access at Oakwood Drive should be designated for emergency use only, with a security gate, to prevent a large influx of traffic from the development going into the adjacent Oakwood Manor Subdivision.
- b. Traffic Impacts—No traffic impact study has been submitted, thus, the traffic impacts are unknown.

ANALYSIS OF REQUEST – PAGE SIX

8. Zoning District Compatibility:

- a.** The requested MFR zoning for the proposed townhome development would enable the subject property to be developed in accordance the Walmart Master Development Plan's specification that the subject property be developed with a multifamily use.
- b.** Townhomes would be an appropriate usage of the property in serving as a transition between the lower-density single-family residential subdivision to the west and the adjacent retail uses to the east.
- c.** The proposed MFR district would be compatible with the 'RM' (Residential Multifamily) Henry County zoning which exists on about half of the acreage of the adjacent Oakwood Manor Subdivision.
- d.** Adequate access is available via Hudson Bridge Drive, the existing easements, and the two traffic signals off Hudson Bridge Road.
- e.** Residents would benefit from being able to walk to many of the stores, and the stores could benefit from the business which the apartment residents would provide.

ANALYSIS OF REQUEST – PAGE SEVEN

- 9. Site Developability Under Present Zoning.** Although the subject property could be developed for commercial uses under its existing C-2 zoning due to the presence of numerous surrounding retail businesses, this may not be realistic or desirable for the reasons that are listed below. Conversely, this Analysis has shown that the proposed townhomes would be a reasonable and desirable use for the subject property.
- a.** The intent of the restrictive covenant by the Baptist Retirement Communities of Georgia was for the subject property to be prohibited from retail use.
 - b.** The Walmart Master Development Plan called for the subject property to be developed with multifamily uses.
 - c.** Despite the property's location in the midst of numerous retail businesses, it has not been developed with additional retail uses, even after the expiration of the restrictive covenant.
 - d.** Although some type of non-retail commercial uses could be built on the property, this is unlikely to happen since such uses would probably need direct access to Hudson Bridge Road for visibility, which the subject property lacks.
 - e.** Even if a non-retail commercial business were to be interested in locating on the site, the Parkway Mixed-Use Overlay District has a long list of prohibited non-retail commercial businesses.

ANALYSIS OF REQUEST – PAGE EIGHT

- f. The presence of the steep topography, stream, and buffer areas in the eastern portion of the site would eliminate needed land which might be needed for required parking to serve a retail or non-retail commercial business.**
- g. Any large commercial development on the subject property is likely to generate significantly more traffic than the proposed townhome development.**

STAFF RECOMMENDATIONS – PAGE ONE

Based on the findings of the Analysis above, the Planning and Zoning Staff recommends that the applicant's request to rezone the subject property from 'C-2' (General Commercial) to 'MFR' (Multiple Family Residential) to allow for the development of an apartment community be **APPROVED WITH CONDITIONS**. Such approval should be contingent upon the developer meeting the following **ten (10) conditions and fourteen (14) subconditions**:

1. **Comprehensive Plan Amendment –** This requested rezoning shall not be approved unless the applicant's requested Comprehensive Plan Amendment, via CP-2024-01, to change the subject property's land use designation from Medium-Density Mixed-Use to Medium-Density Residential, is approved before, or simultaneously with, the approval of RZ-2024-01.
2. **Site Plan:**
 - a. **Revised Site Plan --** The subject property shall be developed according to a revised site plan which is similar to, but including the required variances, to the site plan which was prepared by Moore Bass Consulting on 02/29/24, representing Sheet #A3551.0010-SP1. Its title is "Hudson Bridge Townhomes; Stockbridge, GA." Any major deviations in the number of residential units, the density, or the overall site design shall require City Council approval.

STAFF RECOMMENDATION – PAGE TWO

- b. Site Accesses—**This shall be a gated community, with both site accesses having gates plus flock cameras for security purposes. In addition, the proposed secondary access to Oakwood Drive shall be reserved for use by emergency vehicles only. All of this information shall be noted on the site plan.
- c. Internal Streets –** All internal streets shall be of widths that are acceptable to the Fire Marshal.
- d. Internal Sidewalks –** All internal streets shall have sidewalks on both sides of the streets, which are at least eight (8) feet wide.
- e. Amenities and Related Facilities –** The revised site plan shall include a mail kiosk, an 8-foot-wide multi-use path or walking trail, and a dog park, plus appropriate additional amenities for a community of this size, such as a grill area, a playground, a shuffleboard court, a tennis court, a pickleball court, etc.
- f. Central Trash Facility --** The revised site plan shall indicate the location of one or more central trash facilities.
- g. Spacing of Townhome Buildings –** The townhome buildings shall be spaced at least 20 feet apart to meet the requirements of the MFR district, and this shall be indicated on the revised site plan.

STAFF RECOMMENDATION – PAGE THREE

- h. Bedroom Information --** The revised site plan shall provide a breakdown of the number of units by the number of bedrooms, as well as the sizes of the bedrooms (for parking space requirements).
 - i. Parking --** Sufficient parking shall be provided to meet the requirements of the UDC.
 - j. Western Buffer, Fence, and Tall Trees --** The developer shall provide the required 25-foot zoning buffer along the western side of the property, adjacent to the Oakwood Manor Subdivision, along with the installation of a fence and tall trees.
- 3. One-Car Garage Townhome Units:**
- a.** Only 20 percent of the total townhome units may have one-car garages.
 - b.** All one-car garage units shall have full brick elevations.
- 4. External Sidewalk --** The existing sidewalk along Hudson Bridge Drive shall be extended into the main project entrance.
- 5. Water and Sewer Facilities:**
- a.** The applicant shall obtain a new letter from the Henry County Water Authority which describes the availability and adequacy of any existing water and sewer facilities to serve the proposed townhome development.
 - b.** The developer shall comply with all requirements of the Henry County Water Authority in providing adequate water and sewer facilities to the subject site to serve the proposed townhome development.

STAFF RECOMMENDATION – PAGE FOUR

6. **Traffic Impact Study --** The applicant shall submit an acceptable traffic impact study or trip generation report, which indicates that traffic conditions for the site area would be acceptable.
7. **Environmental Site Preservation --** The developer shall preserve the sensitive environmental features of the site, including the slopes, creek, stream buffer areas, and retaining wall, along the eastern side of the site.
8. **Easements --** The developer shall comply with the specifications of all easement agreements pertaining to the portion of Hudson Bridge Drive within and adjacent to the subject property.
9. **Property Maintenance --** A townhome association shall be established, or a property management company shall be secured, for the purpose of maintaining all common areas of the site.
10. **Variances –** Permits will not be issued until approval of required variances.

City of Stockbridge Planning and Zoning Division

Rezoning Application

Name of Applicant Lennar Georgia LLC Phone: (770) 670-2757 Date: 4/1/2024
Address Applicant: 11560 Great Oaks Way, Suite 100 Fax: _____ Cell #: _____

City: Alpharetta State: GA Zip: 30022 E-mail: frank.potts@lennar.com

Name of Agent Battle Law PC Phone: (404) 745-0045 Date: _____

Address Agent: 3562 Habersham at Northlake Rd Fax: _____ Cell #: _____

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

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

Rezoning being requested From C-2 to MFR

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: _____

Nearest intersection to the property: Hudson Bridge Road and Hudson Bridge Drive

(Street Address)

Size of Tract: 20.367 acre(s), Land Lot Number(s): _____, District(s): _____

Property Tax Parcel Number(s): 032-01026000 (Required)

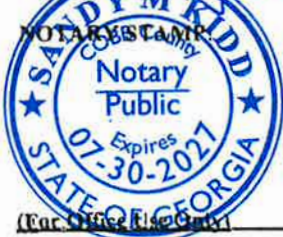
Witness' Signature

Lee Estock

Printed Name of Witness

Sandy M Kidd

Notary



(For Office Use Only)

Signature of Applicant

Tom Bowers

Printed Name of Applicant

Signature of Agent

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: _____

NOTE: If the proposed development site would contain more than one property, and/or more than one property owner, please first type a list on a separate sheet of paper which identifies each property (address and/or parcel number) and its corresponding property owner(s). Then fill out a separate Property Owner's Authorization Form (provided below) for each property and each property owner.

PROPERTY OWNER'S AUTHORIZATION FORM (See NOTE above.)

The undersigned below is the PROPERTY OWNER, or one of the property owners, of the property at Hudson Bridge Road and Hudson Bridge Drive [address], with Parcel Number 032-01026000 which is the subject of this application.

Name of Property Owner: MOUNT ZION 48 LLC

Property Owner's Address: 1 WOODY TRAIL MABLETON, GA 30126

Telephone: 770-265-6934 E-mail: SVKUMAR99@hotmail.com

I swear that I am the Property Owner, or one of the Property Owners, of the property that is the subject matter of the attached application, as is shown in the tax assessors' records of Henry [County], Georgia [State].

Signature: Surender V. Kumar Date: 3-22-24

The undersigned does duly authorize the person(s) and/or company who is named below to act as APPLICANT(S) in the pursuit of this application for the subject property.

Name(s) of Applicant(s): Lennar Georgia, LLC

Company/law firm (if applicable): Battle Law PC

Telephone, E-Mail, & Address: (404) 745-0045, mlb@battlelawpc.com

3562 Habersham at Northlake Rd Tucker, GA 30084

I authorize the Applicant or Applicants who are named above to act on my behalf for this application.

Surender V. Kumar
Manager, SURENDER V. KUMAR

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

3-22-24
Date

Levi Reece

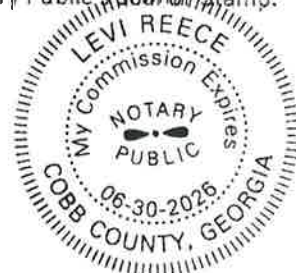
Signature of Notary Public

Levi Reece

Printed Name of Notary Public

3/22/24
Date

Notary Public's Seal or Stamp:



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 20th day of March, 2024

Tom BOWERS
Applicant's Name - Printed

Tom Bowers
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 20th day of March, 2024

Sandy M Kidd
Notary Public



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

Applicant Campaign Disclosure Form

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

Has the applicant made, within two (2) years immediately preceding the filing of this application for 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 _____ day of _____.

Applicant's Name - Printed

Suresnder V Kumar
Signature of Applicant/Property Owner/Agent

SURENDER V Kumar

Applicant's Attorney, if applicable - Printed

Signature of Applicant's Attorney, if applicable

Sworn to and subscribed before me this 22nd day of March 2024

Levi Reece
Notary Public



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

Proof of Pre-Application Meeting

Re: Hudson Bridge Road

ChatFilesDetailsScheduling AssistantRecapAttendanceMeeting WhiteboardBreakout roomsQ&A

JoinClose

Wednesday, January 24, 2024 9:57 AM - 10:52 AM

Download

7
Attended

9:57 AM - 10:52 AM
Start and end time

54m 13s
Meeting duration

49m 4s
Average attendance time

Participants

Name	First join	Last leave	In-meeting duration	Role
 Michele Battle mib@battlelawpc.com	10:01 AM	10:52 AM	50m 21s	Organizer
 Steve Moore smoore@moorebass.com	10:00 AM	10:52 AM	51m 40s	Presenter
 Raven Eatmon reatmon@stockbridgega.org	10:02 AM	10:52 AM	50m 1s	Presenter
 Frank Potts frank.potts@lennar.com	10:02 AM	10:52 AM	50m 3s	Presenter
 Ryan Anderson randerson@stockbridgega.org	10:02 AM	10:52 AM	49m 47s	Presenter
 Elton Alexander (Guest)	10:06 AM	10:52 AM	45m 51s	Presenter
 Rosalynd Rawls rrawls@stockbridgega.org	10:06 AM	10:52 AM	45m 48s	Presenter

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Q:\AS484.0001\Survey\Boundary\AS484.0001_BND.dwg, DCF1, desopod, Mar 31, 2022, 1:48:12pm

THIS BOX IS RESERVED FOR THE CLERK OF SUPERIOR COURT
RECORDING INFORMATION.

REFERENCES

1. FINAL SUBDIVISION PLAT EASEMENTS RECORDED IN PLAT BOOK 52, PAGE 176-179 PER HENRY COUNTY RECORDS.
2. LIMITED WARRANTY DEED RECORDED IN DEED BOOK 11917, PAGE 266-269 PER HENRY COUNTY RECORDS.
3. PERMANENT RETAINING WALL & GRADING EASEMENT RECORDED IN DEED BOOK 7038, PAGE 219 PER HENRY COUNTY RECORDS.
4. DRAINAGE EASEMENT RECORDED IN DEED BOOK 7038, PAGE 221-222 PER HENRY COUNTY RECORDS.
5. ACCESS EASEMENT RECORDED IN DEED BOOK 7038, PAGE 224 PER HENRY COUNTY RECORDS.
6. PERMANENT RETAINING WALL AND GRADING EASEMENT RECORDED IN DEED BOOK 7038, PAGE 220 PER HENRY COUNTY RECORDS.
7. INGRESS / EGRESS ACCESS EASEMENT RECORDED IN DEED BOOK 7038, PAGE 205 & 219 PER HENRY COUNTY RECORDS.
8. PERMANENT SLOPE EASEMENT RECORDED IN DEED BOOK 7038, PAGE 205 PER HENRY COUNTY RECORDS.
9. ACCESS EASEMENT RECORDED IN DEED BOOK 7038, PAGE 204 PER HENRY COUNTY RECORDS.

FLOOD NOTE

AS SHOWN ON FLOOD INSURANCE RATE MAPS OF HENRY COUNTY, GEORGIA COMMUNITY PANEL NUMBER: 13151C00860 EFFECTIVE DATE OCTOBER 6TH, 2016, THIS PROPERTY IS NOT LOCATED IN A FEMA FLOOD HAZARD ZONE.

SURVEY NOTES

NO N.G.S. MONUMENT FOUND WITHIN 500 FEET OF ANY POINT ON THE SUBJECT PROPERTY.

ALL PROPERTY CORNERS REFERENCED AS I.P.S. INDICATES A 1/2" REBAR PLACED W/ICAP LSF 001179 UNLESS OTHERWISE NOTED.

MOORE BASS CONSULTING AND/OR TIMOTHY M. WORLEY DO NOT GUARANTEE THAT ALL EASEMENTS AND SUB-SURFACE CONDITIONS WHICH MAY AFFECT THIS PROPERTY ARE SHOWN.

THIS DRAWING HAS BEEN GENERATED ELECTRONICALLY. THIS MEDIA SHOULD NOT CONSIDERED A CERTIFIED VALID DOCUMENT UNLESS IT HAS BEEN PROPERLY SEALED, SIGNED, AND DATED BY TIMOTHY M. WORLEY IN CONTRASTING COLOR OF INK PER O.C.G.A. 43-15-22.

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT WHICH COULD REVEAL ENCUMBRANCES NOT SHOWN. ALL MATTERS TO TITLE ARE EXCEPTED.

THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PARTY OR ENTITY NAMED HEREON AND THE CERTIFICATION DOES NOT EXTEND TO ANY OTHERS.

THIS PLAT MAY NOT CONFORM TO THE BEARINGS AND DISTANCES RECORDED ON THE DEED AND/OR PLAT OF RECORD DUE TO SEVERAL FACTORS INCLUDING, BUT NOT LIMITED TO, THE NATURE OF THE ADVANCES IN SURVEYING TECHNOLOGY SUCH AS ELECTRONIC DISTANCE MEASURING DEVICES AND THE ADVENT OF SURVEY GRADE G.P.S. MEASUREMENT EQUIPMENT.

THIS SURVEY IS REFERENCED TO THE NORTH AMERICAN DATUM (N.A.D.) OF 1983/1984 ADJUSTMENT FOR HORIZONTAL DATUM AND THE NORTH AMERICAN VERTICAL DATUM (N.A.V.D.) 1988 FOR THE VERTICAL DATUM. THE USE OF G.P.S. SURVEY MEASURING TECHNIQUES WERE USED FOR THESE DATUMS AND BASED ON THE POSITIONAL VALUES FOR THE VIRTUAL REFERENCE STATION NETWORK DEVELOPED BY EGPS SOLUTIONS. THE ORTHOMETRIC HEIGHTS WERE DERIVED USING THE GEOID A12.

ALL DISTANCES SHOWN HEREON ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED.

UTILITIES SHOWN ARE BASED ON ABOVE GROUND EVIDENCE. ADDITIONAL UTILITIES MAY EXIST ABOVE OR BELOW GROUND. NO CERTIFICATION OR GUARANTEE IS MADE AS TO THE ACCURACY OR THOROUGHNESS OF THE UTILITIES OR STRUCTURES SHOWN HEREON. PER GEORGIA LAW THE UNDERGROUND UTILITIES PROTECTION SERVICE MUST BE CALLED PRIOR TO THE COMMENCEMENT OF ANY AND ALL EARTH DISTURBING ACTIVITIES.

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 49,634 FEET, AND AN ANGULAR ERROR OF 01" PER ANGLE. IT WAS A CLOSED LOOP TRAVERSE AND WAS ADJUSTED USING THE LEAST SQUARES METHOD.

THE CLOSURE PRECISION OF THE DATA SHOWN ON THE MAP OR PLAT, "THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 1,240,132 FEET" THE CLOSURE PRECISION PLACED ON THE SURVEY SHALL BE BASED ON AN ACTUAL MAP CLOSURE THAT HAS BEEN INDEPENDENTLY CALCULATED BY THE SURVEYOR BY USING THE BEARINGS AND DISTANCES FROM THE FACE OF THE PLAT, AND SHALL NOT BE A GENERALIZATION.

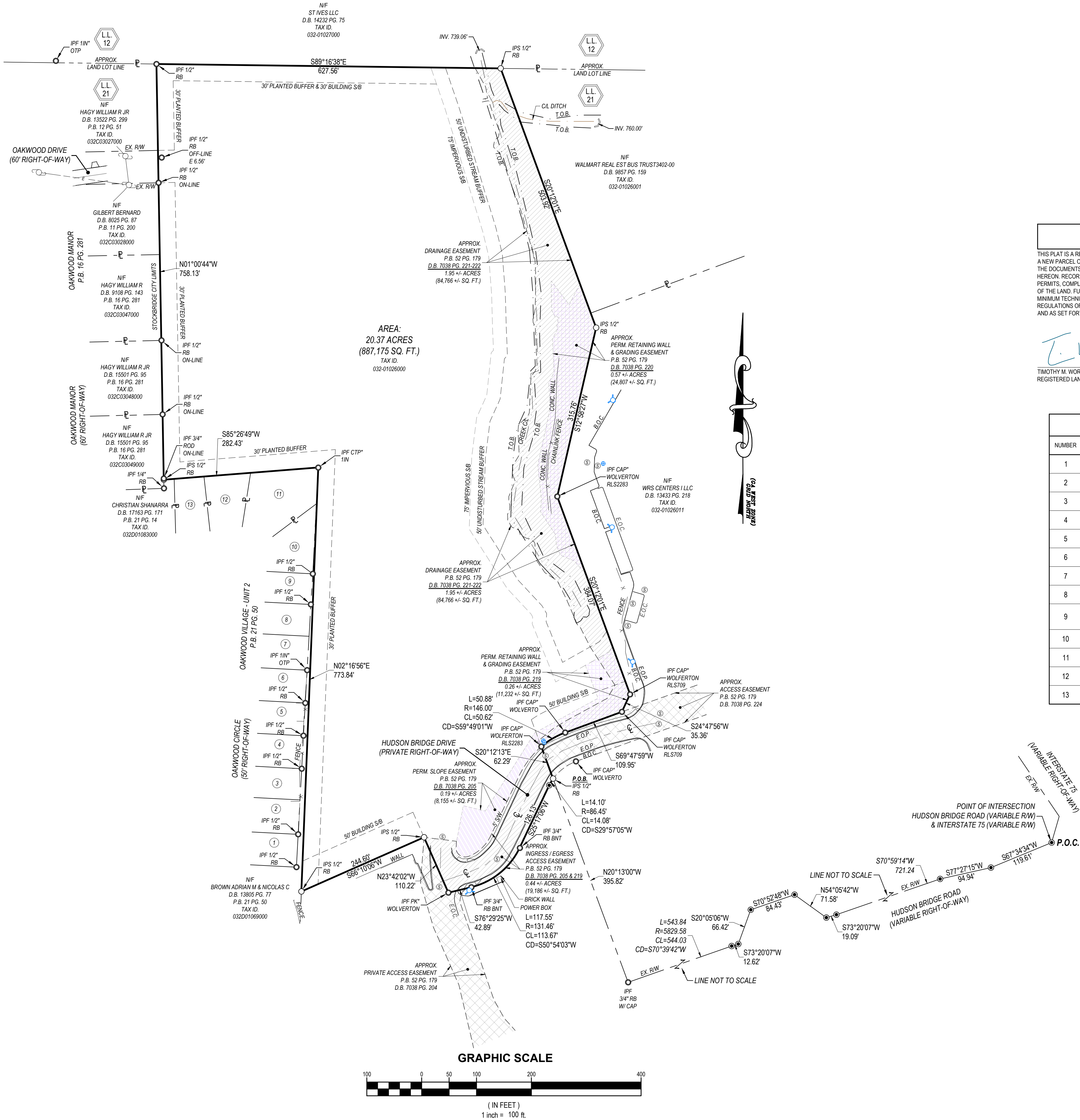
ALL LOTS OR PARCELS SHOWN ON LINEAR AND ANGULAR MEASUREMENTS WERE OBTAINED USING A TRIMBLE S6 ROBOTIC TOTAL STATION & CHAMPION TKO ROVER GPS UNIT. THE FIELDWORK WAS COMPLETED MARCH 21ST, 2022 ON THIS PROJECT.

LEGEND

D.B.	DEED BOOK	E.O.P.	EDGE OF PAVEMENT
P.B.	PLAT BOOK	FH	FIRE HYDRANT
P.G.	PAGE	L	LINE LABEL
LL	LAND LOT	NF	NOW OR FORMERLY
OTP	OPEN TOP PIPE	PKS	PK NAIL SET
RB	REBAR	S.S.E.	SANITARY SEWER EASEMENT
IPF	IRON PIN FOUND	UE	UTILITY EASEMENT
IPS	1/2" REBAR W/IC LSF 001179	REF.	REFERENCE
CTP	CRIMP TOP PIPE	C/O	SEWER CLEAN OUT
C&G	CURB & GUTTER	SQ	SQUARE FOOT
R/W	RIGHT OF WAY	FT	FEET
NF	NOW OR FORMERLY	O	IRON PIN FOUND
E	OVERHEAD POWER LINE	OP	IRON PIN SET
CMP	CORRUGATED METAL PIPE	CP	CALCULATED POINT
SMWF	STORMWATER MANAGEMENT FACILITY	PP	POWER POLE (PP)
TM	TEMPORARY BENCHMARK	FH	FIRE HYDRANT (FH)
P.O.B.	POINT OF BEGINNING	WV	WATER VALVE (WV)
P.O.C.	POINT OF COMMENCEMENT	WM	WATER METER (WM)
RCP	REINFORCED CONCRETE PIPE	JB	JUNCTION BOX (JB)
DP	DUCTILE IRON PIPE	SSMH	SANITARY SEWER MANHOLE (SSMH)
PVC	POLYVINYL CHLORIDE PIPE	DI	DROP INLET (DI)
HDPE	HIGH DENSITY POLYETHYLENE PIPE	CMF	CONCRETE R/W MONUMENT FOUND (CMF)
P	PROPERTY LINE	SWCB	SINGLE WING CATCH BASIN (SWCB)
CL	CENTERLINE	DWCB	DOUBLE WING CATCH BASIN (DWCB)
ID	IDENTIFICATION	CI	CURB INLET (CI)
B.S.L.	BUILDING SETBACK LINE	HW	HEADWALL (HW)
B.O.C.	BACK OF CURB	FL	FLARED END SECTION
C	CURVE LABEL	LP	LIGHT POST (LP)
CI	CURB INLET	YI	YARD INLET (YI)
D.E.	DRAINAGE EASEMENT	CO	SEWER CLEAN OUT (CO)
		A	AREA INLET (A)

LINE NOT TO SCALE

BOUNDARY SURVEY FOR: MT. ZION 48, LLC LAND LOT 21 ~ 6TH DISTRICT HENRY COUNTY, GEORGIA



GEORGIA SURVEY CERTIFICATE

THIS PLAT IS A RETRACEMMENT 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.

Timothy M. Worley
TIMOTHY M. WORLEY
REGISTERED LAND SURVEYOR #3360 (tworley@moorebass.com)

3/29/22

DATE:

ADJOINERS CHART

NUMBER	OWNER	D.B. & PG.	P.B. & PG.	TAX ID.
1	CALLAHAN TIMOTHY J & TONDA L	15369-196	21-50	032D01070000
2	LEVY MILLICENT	14038-104	21-50	032D01071000
3	WHISNANT DANNY R	13821-321	21-50	032D01072000
4	BAXTER GALEN C & COLLEEN N	14104-293	21-14	032D01073000
5	EASLEY SHARON P & ROBIN L	8215-268	21-50	032D01074000
6	TURNER VIRGINIA N	7838-292	21-14	032D01075000
7	AUGUSTINE MARIE E	12287-255	21-50	032D01076000
8	BERNLY FRANCISCO	60160-96	21-50	032D01077000
9	THE IRA CLUB FBO CHRISTOPHER ALLEN & KIMBERLY	15610-300	21-14	032D01078000
10	CENTRIC LLC	13289-206	21-50	032D01079000
11	MOTON MELBA & NATHANIEL JR	17525-293	21-14	032D01080000
12	TRICON SFR 2020-2 BORROWER LLC	17632-96	21-14	032D01081000
13	TAH 2017-1 BORROWER LLC	15420-17	21-14	032D01082000



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1350 Keys Ferry Court
McDonough, GA 30253
770.914.9394

HUDSON BRIDGE
HENRY COUNTY, GEORGIA

MT. ZION 48, LLC
1720 PEACHTREE STREET, SUITE 150,
ATLANTA, GEORGIA 30309

PROJECT NAME	CLIENT NAME
HUDSON BRIDGE HENRY COUNTY, GEORGIA	MT. ZION 48, LLC 1720 PEACHTREE STREET, SUITE 150, ATLANTA, GEORGIA 30309

REVISIONS

A3846.0001_BND

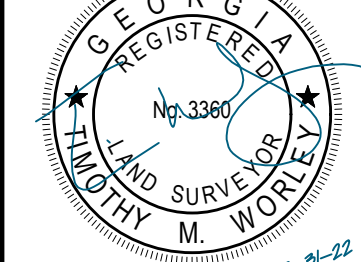
DATE 3-31-2022

CONTRACT # A3846.0001

DRAWN BY TMW, DC

The Drawings, Specifications and other documents incorporated by these drawings are hereby accepted by the Project and shall be deemed the author of these documents and shall retain all common law, statutory and other reserved rights, including the copyright.

1350 KEYS FERRY COURT
MCDONOUGH, GA 30253
770.914.9394

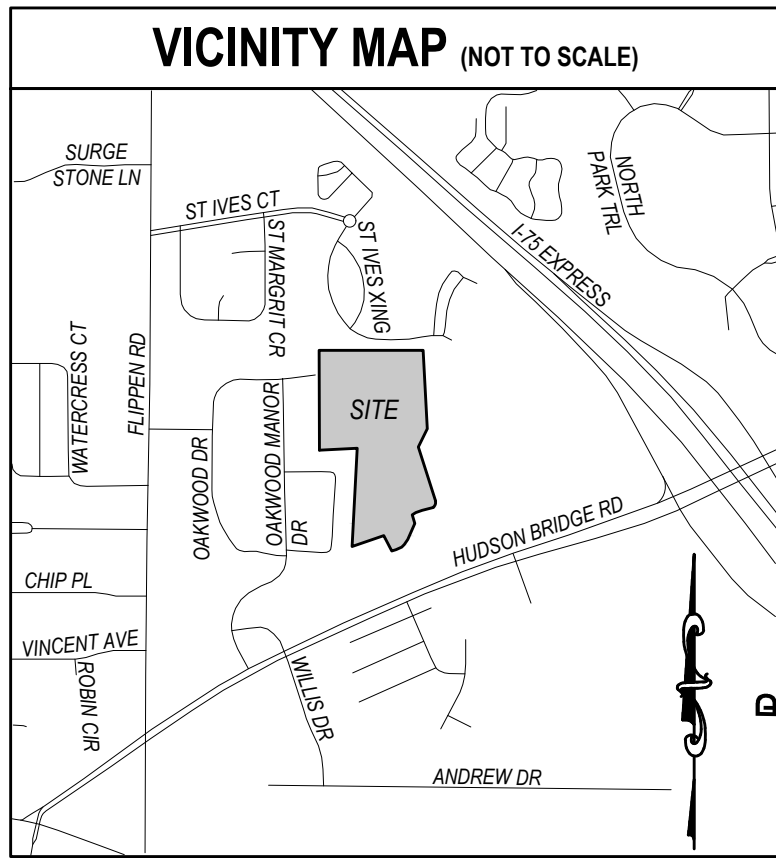


SHEET TITLE

BOUNDARY
SURVEY

SHEET

1 OF 1



N/F
WALMART REAL EST BUS TRUST3402-00
D.B. 9857 PG. 159
TAX ID.
032-01026001

TAX ID.
032-01026011

N/F
ST IVES LLC
D.B. 14232 PG. 55
TAX ID.
032-01027000

N/F
BROWN ADRIAN M & NICOLAS C
D.B. 13805 PG. 77
P.B. 21 PG. 50
TAX ID.
032D01069000

N/F
HAGY WILLIAM R JR
D.B. 13522 PG. 299
P.B. 12 PG. 51
TAX ID.
032C03028000

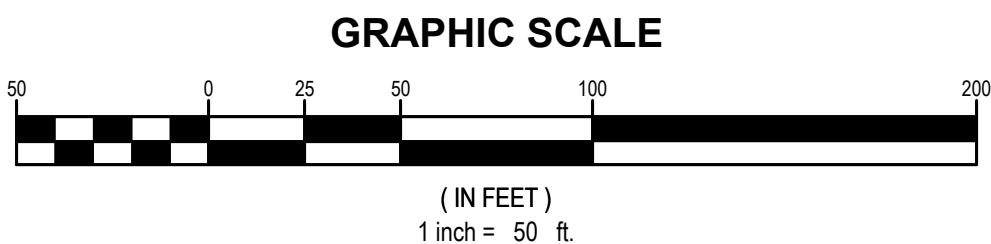
N/F
GILBERT BERNARD
D.B. 8025 PG. 87
P.B. 11 PG. 200
TAX ID.
032C03028000

N/F
HAGY WILLIAM R
D.B. 9108 PG. 143
P.B. 16 PG. 281
TAX ID.
032C03047000

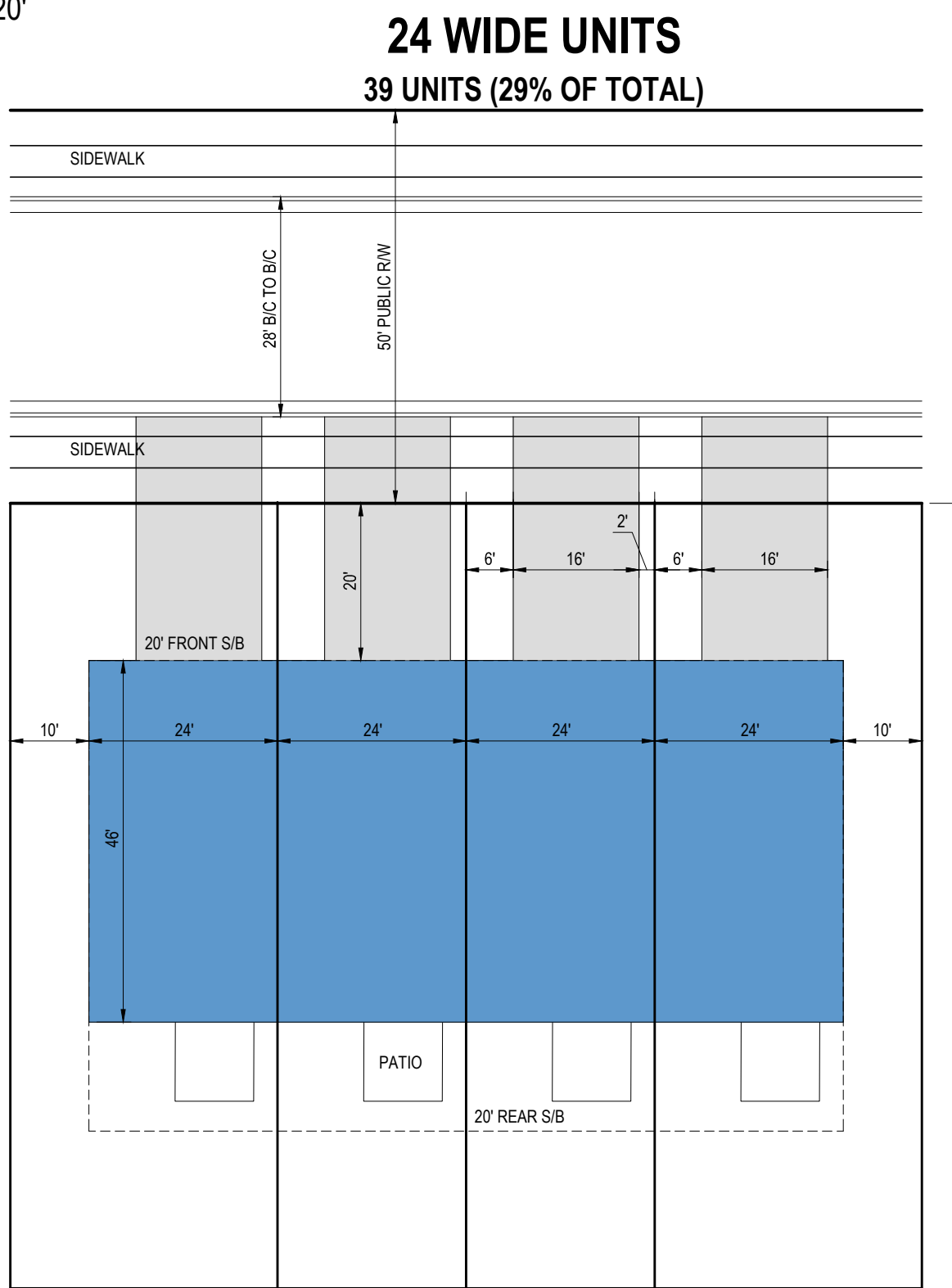
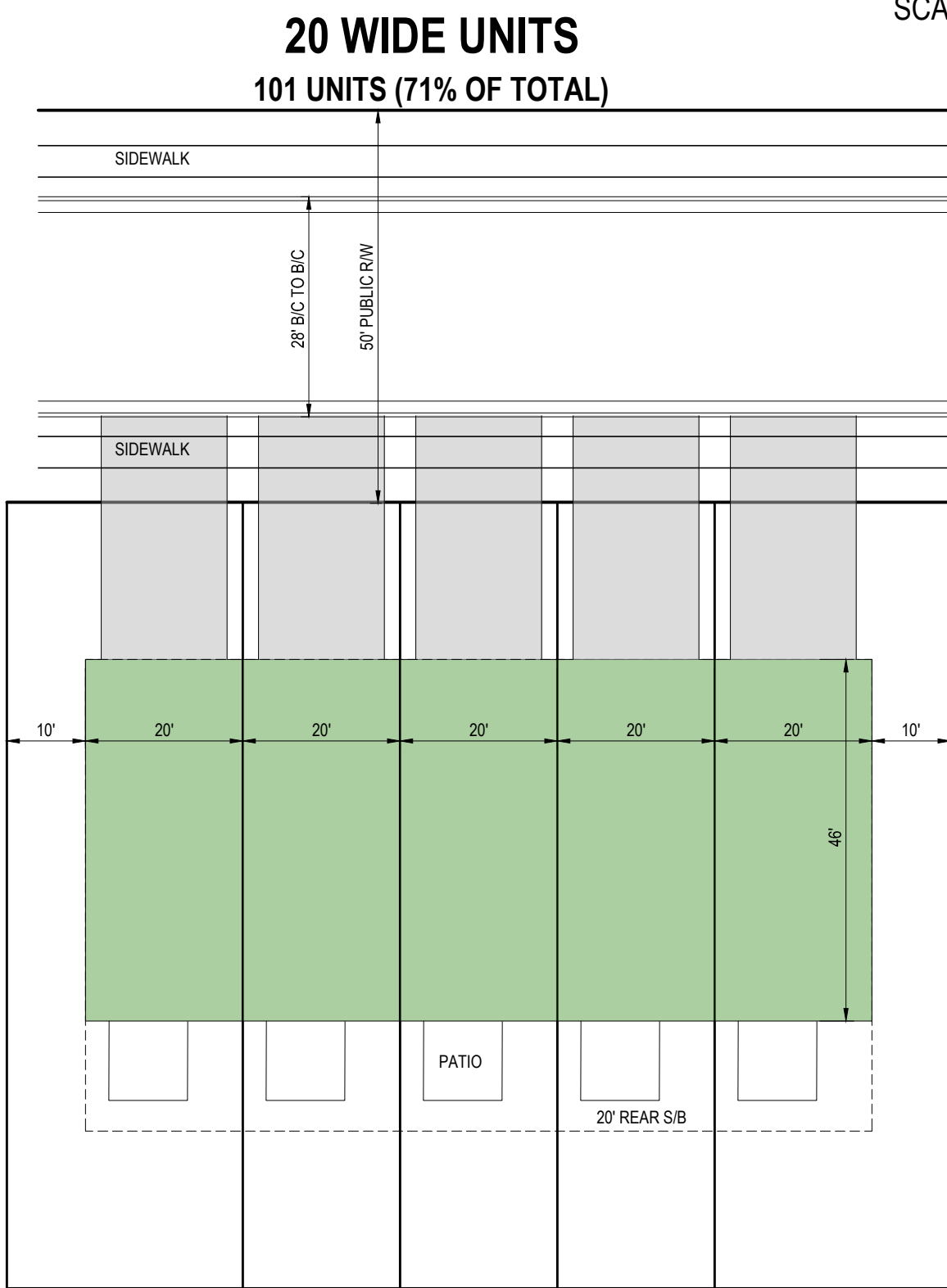
N/F
HAGY WILLIAM R JR
D.B. 15501 PG. 95
P.B. 16 PG. 281
TAX ID.
032C03048000

N/F
HAGY WILLIAM R JR
D.B. 15501 PG. 95
P.B. 16 PG. 281
TAX ID.
032C03049000

SITE DATA			
PROJECT NAME	HUDSON BRIDGE TOWNHOMES		
SITE AREA	20.37 AC.		
TAX ID	032-01026000		
CURRENT ZONING	C-2		
PROPOSED ZONING	MFR		
PROPOSED USE	UNIT SIZE	SETBACKS	QUANTITY
FEE SIMPLE TOWNHOMES	20' WIDE	FRONT: 20', SIDE: 10', REAR: 20'	101 UNITS
FEE SIMPLE TOWNHOMES	24' WIDE	FRONT: 20', SIDE: 10', REAR: 20'	39 UNITS
		TOTAL	140 UNITS
PROPOSED DENSITY	140 UNITS / 20.37 AC.	6.87 UNITS PER ACRE	
OPEN SPACE PROVIDED	PROPOSED OVERALL OPEN SPACE		8.37 AC.
	PROPOSED OVERALL OPEN SPACE AREA AS A % OF SITE		41.1%
IMPERVIOUS AREA	10.0 AC. (49 % OF TOTAL SITE AREA)		
OFF-STREET PARKING PROVIDED:	41 SPACES		



(GA WEST ZONE)
GRID NORTH



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770.914.9394

PROJECT NAME
HUDSON BRIDGE TOWNHOMES
STOCKBRIDGE, GA

CLIENT NAME

LENNAR GEORGIA, LLC

REVISIONS

A3551.0010-SP1

DATE 02/29/2024

CONTRACT #

DRAWN BY SDM

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

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MCDONOUGH, GA 30253
ESP #1170

SEAL

SHEET TITLE

SITE PLAN

SHEET

1.0

Lennar Homes Hudson Bridge Project Renderings





Battle Law

STATEMENT OF INTENT

and

Other Material Required by
City of Stockbridge Unified Development Code
For
A Rezoning from C-2 to MFR and Land Use Amendment
From Medium Density Vertical Mixed Use to Medium Density Residential

of

**LENNAR GEORGIA, LLC.
c/o Battle Law, P.C.**

for

+/-20.37 Acres of Land
Being Hudson Bridge Drive
City of Stockbridge, Georgia and
Parcel Nos. 032-01026000

Submitted for Applicant by:

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



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I. LETTER OF INTENT

Lennar Georgia, LLC (the “Applicant”) is seeking to develop that certain undeveloped +/- 20.37 acre tract of land being Tax Parcel No. 032-01026000 having frontage on Hudson Bridge Drive (the “Subject Property”) for one hundred forty (140) townhome units as depicted on the submitted elevations. The Subject Property is located within the Parkway Mixed Use Overlay District (“Parkway Overlay District”), and is currently zoned C-2, with a land use designation of Medium Density Mixed Use. The Applicant is seeking to rezone the Subject Property to MFR, while simultaneously seeking a land use amendment to Medium Density Residential.

This document serves as a statement of intent, analysis of the criteria under the City of Stockbridge Unified Development Code and contains notice of constitutional allegations as a reservation of the Applicant’s rights.

II. STEINBERG ACT REZONING CRITERIA

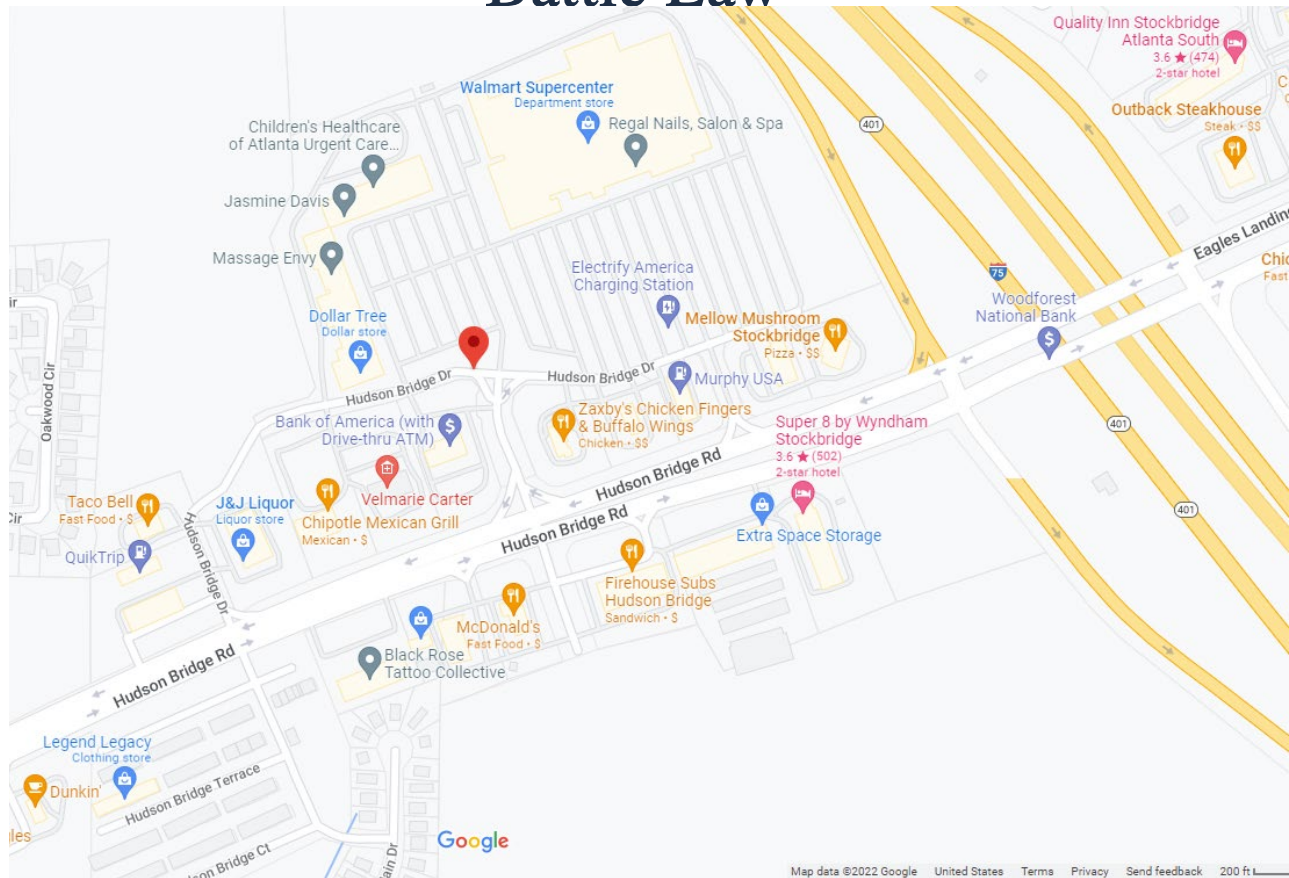
The State of Georgia proposes the following decision criteria to be considered for rezonings in jurisdictions that do not propose other criteria:

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

The zoning proposal will permit a use that is suitable in view of the current density and uses allowed under the Parkway Overlay District, in addition to existing uses on the adjacent and nearby property. Amongst other things, the purpose and intent of the Parkway Overlay District is “to encourage a balanced mix of retail, professional, residential, civic, entertainment and cultural uses,” and “to improve public health and provide safe and efficient movement within the overlay district by promoting development patterns that encourage physical activity such as walking and bicycling.” The area surrounding the Subject Property within the City of Stockbridge is predominately commercial and retail uses, except for the Hudson Bridge Townhome community that was built in 1986.



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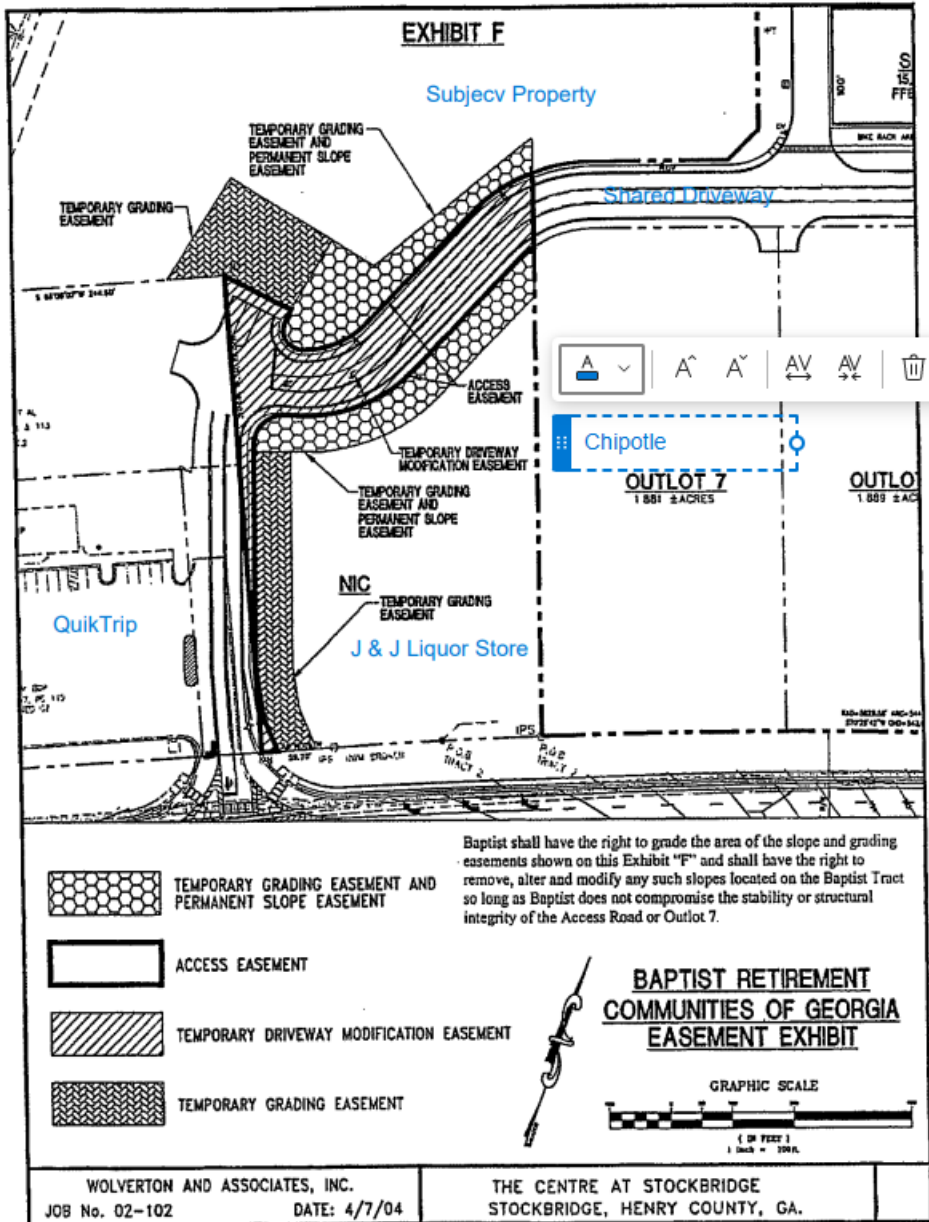
The Subject Property is part of a 72.69 acre planned commercial/retail/residential project which was been developed by multiple owners. Hudson Bridge Drive is a private street which provides shared access to excess of 20 stores, including the following businesses:

1. QuikTrip;
2. Walmart;
3. Chipotle
4. J&J Liquor;
5. Taco Bell
6. Zaxby's
7. Murphy's Gas Station
8. Mellow Mushroom
9. Arby's
10. Discount Tire; and
11. Bank of America.



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DOC# 020854
FILED IN OFFICE
04/28/2004 02:10 PM
BK:7038 PG:237-243
JUDITH A LEWIS
CLERK OF SUPERIOR COURT
HENRY COUNTY

After recording return to:
Calloway Title & Escrow, LLC
Attn: David Dudley 2-1333
4800 Ashford Dunwoody Rd. Ste. 240
Atlanta, Georgia 30338

BOOK 7038 PAGE 237

STATE OF GEORGIA)
COUNTY OF HENRY) RESTRICTIVE COVENANT

This Restrictive Covenant ("Covenant") is made this ^{20th} day of April, 2004, by the BAPTIST RETIREMENT COMMUNITIES OF GEORGIA, INC., a Georgia non-profit corporation ("Declarant"), for the benefit of WR OF STOCKBRIDGE, L.L.C., a South Carolina limited liability company ("WR"), and its successors and assigns.

WHEREAS, Declarant is the owner of that certain real property referred to as the "Remaining Tract" and which is more particularly described on Exhibit "A" attached hereto and made a part hereof;

WHEREAS, WR is the owner of that certain real property referred to as the "Development Tract" and which is more particularly described on Exhibit "B" attached hereto and made a part hereof; and

WHEREAS, it is the intent and desire of Declarant to execute this Restrictive Covenant to establish certain restrictions upon the Remaining Tract for the benefit of the Development Tract;

NOW, THEREFORE, Declarant for itself, its successors and assigns does hereby agree that the Remaining Tract shall be subject to and shall be used in conformance with the following covenants and agreements:

- I. No part of the Remaining Tract shall be used for any retail purposes, which restriction shall include, but not be limited to, the sale of any goods or merchandise of any nature and/or the offering of any services of any nature for profit. Examples of such prohibited activities include, but are not limited to, the retail sale of any foodstuffs or grocery items, whether packaged or freshly prepared, the retail sale of prepared foods, whether "fast food" or sit-down meals, the retail sale of any clothing items, the retail sale of housewares and/or supplies, the retail sale of hardware items or tools, the retail sale of any crafts, hobby supplies, artwork, and the provision, for profit, of any haircutting services,



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BOOK 7038 PAGE 238

cosmetic services and/or manicure, pedicure or massage services. Declarant specifically acknowledges and agrees that the foregoing prohibited uses are mere examples, and does not intend that they represent all uses restricted or prohibited hereby. Notwithstanding the foregoing, such retained uses as are ancillary or incident to the use of the Remaining Tract for residential apartments are permitted, including, but not limited to, coin-operated laundries, vending machines and the occasional sale of novelty items bearing the logo or trademark of the owner or manager of the apartment complex.

2. The foregoing restriction shall expire on March 31, 2008, if not theretofore terminated.

The foregoing restrictions and agreements are imposed on the Remaining Tract for the benefit of the Development Tract.

The agreements, restrictions and covenants herein made shall be deemed restrictive covenants running with the land and shall be binding upon the Remaining Tract and any person or entity who may from time to time own, lease or otherwise have an interest in the Remaining Tract.

[SIGNATURES ON FOLLOWING PAGE]

It can be inferred that the intent of this prohibition on the development of other retail uses, while permitting the development of multi-family apartments, was to support the viability of the retail stores without additional competition, AND to create a mixed-use environment with residents living adjacent to the site that could support the commercial businesses being developed. Based upon the Subject Property being included in the Parkway Overlay District the purpose and intent of the development of this area and the Subject Property remains the same.

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

The zoning proposal will not adversely affect the existing use or usability of adjacent or nearby properties. The zoning proposal will permit a use that creates the mixed-use environment promulgated by the Parkway Overlay District. Additionally, the development of the Subject Property as currently zoned would in fact have an adverse impact on the adjacent property owners by oversaturating an already robust commercial corridor.

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

The property to be affected by the zoning proposal does not have a reasonable economic use as



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currently zoned. The area in which the Subject Property is located is already saturated with commercial development, which is inconsistent with the intent and purpose of the Parkway Overlay District, and based on the current economic climate in which retail stores are being challenged by the growing online shopping trends, the development of additional commercial space in this corridor would be economically unfeasible.

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

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

Additionally, according to the letter attached to this application from the Henry County Water Authority, water and sewer are available for the Subject Property. The Henry County Water Authority stated that there is enough capacity to serve the proposed number of units.

Lastly, the zoning proposal will not overly burden the local schools as the majority of the units as the anticipated market for the proposed units are young professionals, and single individuals looking for a low maintenance homeownership option.

Therefore, the zoning proposal will not result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

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

The Applicant is seeking to amend the current land use designation to Medium Density Residential which is consistent with the purpose and intent of the Parkway Overlay District which allows for a density of up to 60 units per acre with density bonuses, and heights up to 20 stories. The current Medium Density Mixed-Use only allows for up to 2 to 3.6 units per acres, with a maximum height of 3 stories. The comprehensive plan from which the land use designations were derived was adopted in 2018; however, the City's Revised Unified Development Code, which contains the current Parkway Overlay District, was adopted in March of 2022. Therefore, the current land use plan for the City and the Subject Property is outdated, and inconsistent with the Parkway Overlay District.

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

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



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III. CONCLUSION

For the foregoing reasons, the Applicant hereby requests that the application for a Rezoning from C-2 to MFR be approved. The Applicant welcomes any questions and feedback from the planning staff.

IV. NOTICE OF CONSTITUTIONAL ALLEGATIONS AND PRESERVATION OF CONSTITUTIONAL RIGHTS

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

The application of the City of Stockbridge Zoning Ordinance to the Subject Property which restricts its use to any classification other than that proposed by the Applicant is unconstitutional, illegal, null and void, constituting a taking of Applicant's Property in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States, Article I,

Section I, Paragraph I, and Article I, Section III, Paragraph I of the Constitution of the State of

Georgia of 1983, and the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States denying the Applicant an economically viable use of its land while not substantially advancing legitimate state interests.

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

A refusal by the City of Stockbridge City Council to amend the land use and/or rezone the Subject Property to the classification as requested by the Applicant would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any Rezoning of the Property subject to conditions which are different from the conditions requested by the Applicant, to the extent such



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different conditions would have the effect of further restricting Applicant's utilization of the property, would also constitute an arbitrary, capricious and discriminatory act in zoning the Subject Property to an unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove.

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

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

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



Michele L. Battle, Esq.
Attorney for the Applicant



Henry County Water Authority
Engineering Division

December 2, 2022

Re: Water and Sewer Services - Availability

Proposed Development: **Apartment Complex**

Property Information: **Hudson Bridge Road Parcel No. 032-01026000**

LL 21; District 6; 20.37+/- acres

Proposed Zoning: **MFR**

Sewer Basin: **Walnut Creek**

Watershed Basin: **Big Cotton Indian**

TO WHOM IT MAY CONCERN:

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

Water service can be made available to the property described above by way of a line extension, as illustrated on the Conceptual Site Plan at the developer's expense. A fire flow test calculated in the area revealed the following data:

Static:	110	psi
Residual:	95	psi
Flow	1130	gpm
Calculated Flow @ 20 psi:	2973	gpm

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

Sewage **treatment** and sewer line **capacity** are available for the property. ***However, installation of a private lift-station (proposed to be located on the developer's site), associated force main and gravity sewer main extension will be necessary at the developer's expense.***

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

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

This letter was prepared with information submitted to HCWA on a Conceptual Site Plan dated 08/24/2022 prepared by Moore Bass Consulting, Inc.

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



TO: City of Stockbridge Mayor and City Council
City of Stockbridge Planning Commission

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

CC: Ryan Anderson, Community Development Director
Keedra Jackson, Chief Planner

DATE: August 15, 2024

SUBJECT: Staff Report for Rezoning Case #RZ-2024-01--Parcel #032-01026000
on Hudson Bridge Drive, in Council District 5

I. PURPOSE

To consider a rezoning application (Rezoning Case #RZ-2024-01) by Lennar Georgia, LLC, c/o Battle Law, P.C, to rezone Parcel #032-01026000 on Hudson Bridge Drive from 'C-2' (General Commercial) to 'MFR' (Multiple Family Residential) to allow for the development of a townhome community with 140 units. Mount Zion 48, LLC is the current owner of the property, and it contains approximately 20.367 acres.

The applicant has also submitted two other applications for the subject property. For Comprehensive Plan Amendment Case #CP-2024-01, the applicant requests that the property's future land use designation be changed from Medium-Density Mixed-Use to Medium-Density Residential. For Variance Case #VR-2024-03, the applicant requests the granting of two variances. In Variance Request #1, the applicant requests that the front yard setbacks of the townhome lots be reduced from the required 50 feet in the MFR district to 20 feet. In Variance Request #2, the applicant requests that the rear yard setbacks of the townhome lots be reduced from the required 20 feet to 10 feet.

An aerial photo of the subject property is shown after the Case Facts (Table 1) below.

II. CASE FACTS (Table 1)

DESCRIPTIVE FACTOR	FINDINGS
Proposed Development:	Townhome community with 140 fee simple units.
Parcel Identification:	032-01026000 (no address).
Parcel Acreage:	+/- 20.367 acres.
Land District and Land Lot:	District 6, Land Lot 21.
Applicant:	Lennar Georgia, c/o Battle Law, P.C.

Owner:	Mount Zion 48, LLC.
Current City Zoning:	C-2 and Parkway Mixed-Use Overlay District.
Surrounding Zoning:	• <u>North</u>—MFR (Multiple Family Residential). • <u>Northwest</u>—SR (Suburban Residential). • <u>East</u>—C-2 & C-3 (General Commercial & Heavy Commercial). • <u>South</u>—C-2 (General Commercial). • <u>Southeast</u>—C-2 & C-3 (General Commercial & Heavy Commercial). • <u>West</u>—Outside of the City. Zoned 'RD' & 'RM' (Residential-Duplex & Residential-Multifamily) by Henry County. • <u>Southwest</u>—Outside of the City. Zoned 'C-2' (General Commercial) by Henry County.
City Land Use Designation:	Medium-Density Mixed-Use.
Current Use:	Vacant.
Surrounding Land Uses:	• <u>North</u>—St. Ives Apartments. • <u>Northwest</u>—St. Margrit Subdivision. • <u>East</u>—Walmart and adjacent Centre @ Stockbridge Shopping Center. • <u>South</u>—Commercial uses fronting onto Hudson Bridge Road, including J & J Liquor and Western Union. • <u>Southeast</u>—Retail uses (Taco Bell and QuikTrip) outside the City, with access from Hudson Bridge Dr. • <u>West</u>—Oakwood Village Subdivision, outside City).
Property Location:	To the rear of 1590 Hudson Bridge Road. Property has no access to any public street. Access exists from Hudson Bridge Drive, an internal street for the adjacent Centre @ Stockbridge shopping center, which includes Walmart. A portion of this street actually is part of the subject property.
Property Conditions:	Vacant land; mostly wooded. The eastern portion of site contains steep topography, wetlands with a 25-foot state buffer, a 50-foot stream buffer, and a 75-foot impervious setback as part of a nearby stream. Site includes a portion of Hudson Bridge Drive, which was granted an easement.

AERIAL PHOTO OF SUBJECT PROPERTY



III. PROPERTY AND ZONING HISTORY

A. Restrictive Covenant. The subject property was previously owned by Baptist Retirement Communities of Georgia, who sold it in 2005. Before doing so, a restrictive covenant, dated April 26, 2004, was prepared and filed with the Henry County Superior Court (in Book 7028, Page 237). It prohibited the use of the subject property for retail uses. This restriction expired, however, on March 31, 2008.

B. Walmart Master Development Plan and DRI. The subject property was originally a part of a Master Development Plan (Centre @ Stockbridge) with a Wal-Mart Supercenter as a mixed-used development for a total of 70.16 acres. The entire property was annexed by the City of Stockbridge in 2002. The subject site as a part of the Master Plan was described as "Tract 2." Tracts 1 and 2 were annexed as C-2 (Commercial – Medium Density) and C-3 (Heavy Commercial). Tracts 1 and 2 were further subdivided on

February 4, 2004, creating a "new" Tract 2 as a part of the Walmart Development. The original Tract 2 would become a "stand-alone" parcel for future development. The Master Development Plan initially allowed the subject site to have access from Hudson Bridge Road, but outparcels were later created, and this removed the site's access to Hudson

Bridge Road. A Development of Regional Impact Analysis (DRI #481) was completed on the Master Development Plan, including the subject site, on November 21, 2003, and a Development Agreement was also prepared. Per the DRI for the entire Plan area, "The site shall be mixed-use and contain a minimum of 200 residential units and a maximum of 343,500 square feet of commercial/office/retail space." However, DRI officials have stated that DRI conditions have no effect after ten years.

C. Previous Parcel Split and Easement Creation. Wolverton & Associates of Duluth, Georgia created a series of drawings on February 26, 2013 as part of a Final Subdivision Plat for Broad Street Stockbridge II, LLC. It showed that the subject property was split into two Tracts, with Tract 1 representing the current boundaries of the site and Tract 2 being cut off from the site. This resulted the Tract 1 (the current site) losing its access from Hudson Bridge Drive. However, ten easements were created along and adjacent to

WALMART MASTER DEVELOPMENT PLAN AREA



Hudson Bridge Drive, including an easement to allow a portion of Hudson Bridge Drive, which is a private street, and which is actually contained within the boundaries of the subject site, to be used by the public for access to the surrounding commercial properties. The fact that this portion of Hudson Bridge Drive is located within the site boundaries is confirmed today by the aerial photo of the site from the Henry County Tax Assessors' records.

D. Recent Zoning Activity: RZ-2019-04 and RZ-2020-01 by TPA Residential. A rezoning of the subject property from C-2 (General Commercial) to MUND (Mixed-Use

Neighborhood Development) was sought by TPA Residential (c/o Falcon Design Consultants, LLC) in 2019 via RZ-2019-04 to allow for a mixed-use development to contain 118 townhomes plus small commercial uses. The Planning and Zoning Staff, as well as the Planning Commission (at their September 14, 2019 meeting) both recommended the approval of this case, with conditions. However, at the subsequent City Council meeting on October 14, 2019, the applicant announced that he wanted to withdraw his application. TPA Residential returned to the City with a revised rezoning application via RZ-2020-01. This time, the applicant wanted to build a purely residential development, containing 147 townhomes only. GRTA determined that an updated DRI review was not required since the proposed density would be less than what the Walmart Master Development Plan called for. The Staff recommended approval with conditions, as did the Planning Commission at its June 25, 2020 meeting; but the City Council denied the case at its meeting on July 13, 2020.

PREVIOUS PARCEL SPLIT AND EASEMENT CREATION

GENERAL NOTES		SURVEYORS CERTIFICATE		VICINITY MAP - N.T.S.																	
1. THE FIELD DATA UPON WHICH THIS SURVEY IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 10,000 FEET AND AN ANGULAR ERROR OF 1 SECOND PER ANGLE AND WAS ADJUSTED USING LEAST SQUARES. A TRIANGLE WAS USED TO OBTAIN LINEAR AND ANGULAR MEASUREMENTS. WORK WAS COLLECTED ON 01-27-2012. THIS PLAN HAS BEEN CALCULATED FOR CLOSURE AND HAS BEEN FOUND TO BE ACCURATE WITHIN ONE FOOT IN 10,000 FEET. 2. THIS SURVEY IS RELATIVE TO THE GEORGIA STATE PLANE COORDINATE SYSTEM, WEST ZONE AS REFERENCED TO NAD83 (2011) HORIZONTAL AND NAD83 (2011) VERTICAL. COORDINATES WERE OBTAINED FROM NETWORK GPS MEASUREMENTS USING A LEICA VNA 510 GPS RECEIVER. 3. NO PORTION OF THIS PROPERTY IS LOCATED WITHIN A FLOOD HAZARD AREA AS PER FEMA FLOOD INSURANCE RATE MAPS OF HENRY COUNTY, GEORGIA, AS SHOWN ON MAP NUMBER 13155C0000, DATED AN EFFECTIVE DATE OF MAY 14, 2006 AND HENRY COUNTY PRESENT AND FUTURE CONDITIONS MAPS PANEL 89 OF 300 DATED MAY 2010. 4. CORNERS NOTED HEREON AS IRON PIN SET (IPS) ARE 3/4 INCH REBARS WITH A PLASTIC CAP STAMPED "WOLVERTON LSP TOP" AND "PS" IS THE "AIL" SET. 5. LAND SURVEYORS, AS LICENSED PROFESSIONALS BY THE STATE OF GEORGIA, ARE NOT EXPERTS IN THE IDENTIFICATION OF WETLANDS, COMPLEXES OR BURAL GRASSES. (NONE OF HISTORICAL OR CULTURAL SIGNIFICANCE, THEREFORE EXCEPTION IS TAKEN TO ANY SUCH MATTERS WHICH MAY EXIST ON THIS PROPERTY). 6. THE PROPERTY MAY BE SUBJECT TO EASEMENTS, RESTRICTIONS, RIGHTS OF WAY, OR RESTRICTIONS WHICH ARE NOT RECORDED OR OTHERWISE UNKNOWN TO THE SURVEYOR. THEREFORE EXCEPTION IS TAKEN TO ANY SUCH ITEMS. 7. ALL SUBJECT PROPERTY CORNERS HAVE BEEN SET OR FOUND AS LABELED. 8. C-2 ZONING CONDITIONS: 50' FRONT SETBACK 0' SIDE SETBACK 20' REAR SETBACK 150' MINIMUM LOT WIDTH 15,000 SQUARE FOOT MINIMUM LOT AREA 30' MAXIMUM BUILDING HEIGHT NONE OF THE PARCELS DEPICTED ON THIS PLAN ARE CORNER LOTS; THEREFORE NO SIDE YARD SETBACK LINES ARE REQUIRED BY THE CODE OF ORDINANCES OF THE CITY OF STOCKBRIDGE. 9. ACCESS FOR TRACT 1 IS PROVIDED BY THE CURRENT PRIVATE ACCESS(ES) AND CROSS ACCESS(ES) EASEMENTS SHOWN HEREON.		THIS SURVEY IS AN ACCURATE REPRESENTATION OF THE PROPERTY SURVEYED UNDER MY SUPERVISION. THIS SURVEY WAS PERFORMED WITHOUT A TITLE COMMITMENT AND MAY BE SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD NOT REFLECTED UPON THIS SURVEY. MICHAEL G. HIGH S.R. # 2008 DATE: 6/14/13		THE CITY OF STOCKBRIDGE ASSUMES NO RESPONSIBILITY FOR THE OVERFLOW OR EROSION OF NATURAL OR ARTIFICIAL DRAINS BEYOND THE EXTENT OF THE STREET RIGHT-OF-WAY, NOR FOR THE EXTENSION OF CULVERTS BEYOND THE POINTS SHOWN ON THIS PLAN AND AS REQUIRED BY THE CITY OF STOCKBRIDGE SUBDIVISION ORDINANCE. 1. 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. WETLANDS 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. LIVE STREAMS DO EXIST ONSITE.																	
TRACT CHART TRACT 1 - NO ADDRESS ASSIGNED PARCEL # - 032-01026000 TRACT 2 - 1590 HUDSON BRIDGE RD PARCEL # - 032-01026002		SHEET INDEX SHEET 3 SHEET 2 TRACT 1 TRACT 2 HUDSON BRIDGE ROAD (R/W VARIATION)		OWNER/SUBDIVIDER BROAD STREET STOCKBRIDGE II, LLC BY: SR INVESTMENTS, INC., ITS MANAGER 300 WEST COLEMAN BLVD., STE 106 MOUNT PLEASANT, SC 29564 JASON SMALLWOOD 803-474-0930																	
AREA CHART <table border="1"> <thead> <tr> <th>TRACT</th> <th>ACRES</th> <th>SQ. FT.</th> <th>ZONED</th> </tr> </thead> <tbody> <tr> <td>TRACT 1</td> <td>20.367</td> <td>887,136</td> <td>C-2</td> </tr> <tr> <td>TRACT 2</td> <td>1.709</td> <td>74,457</td> <td>C-2</td> </tr> <tr> <td>TOTAL:</td> <td>22.076</td> <td>961,593</td> <td></td> </tr> </tbody> </table>		TRACT	ACRES	SQ. FT.	ZONED	TRACT 1	20.367	887,136	C-2	TRACT 2	1.709	74,457	C-2	TOTAL:	22.076	961,593		OWNERS STATEMENT CITY OF STOCKBRIDGE COUNTY OF HENRY The owner of the land shown on this plat and whose name is subscribed thereto, and its person or through a duly authorized agent, acknowledges that this plat was made from an actual survey, and declares by this Declaration to the use of the public for use, all streets, sewer collectors, lift stations, drains, and other public facilities and improvements thereon shown, and transfers ownership of all public use areas in fee simple by deed, for the purposes therein expressed. Broad Street Stockbridge II, LLC BY: SR Investments, Inc., its manager NAME: Stephen Rance ITS: President DATE: June 13, 2013		THIS PLAT IS HEREBY APPROVED FOR RECORDING: BY: [Signature] HENRY COUNTY DEPARTMENT OF ENVIRONMENTAL COMPLIANCE & PLAN REVIEW DATE: 6/14/13 THIS PLAT IS HEREBY APPROVED FOR RECORDING: BY: [Signature] MAYOR, CITY OF STOCKBRIDGE DATE: 6-18-13 GEORGIA REGISTERED LAND SURVEYOR MICHAEL G. HIGH S.R. # 2008 THIS PLAT IS NOT VALID UNLESS IT CONTAINS THE ORIGINAL SIGNATURE, IN BLUE INK, OF THE REGISTRAR ACROSS THE REGISTRARS SEAL. HENRY COUNTY MAP 32 ALL BLOCK 1	
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EASEMENT CHART - PRIVATE ACCESS EASEMENT (DB 7038, PG 185). - PRIVATE PERMANENT RETAINING WALL & GRADING EASEMENT (DB 7038, PG 208). - PRIVATE BAPTIST COMMUNITY INGRESS/EGRESS EASEMENT (DB 7038, PG 208). - PERMANENT SLOPE EASEMENT (DB 7038, PG 185). - PRIVATE DRAINAGE EASEMENT (DB 7038, PG 208). - PRIVATE PERMANENT RETAINING WALL AND GRADING EASEMENT AND LANDSCAPING EASEMENT AREA (DB 7038, PG 208). - PRIVATE CROSS ACCESS EASEMENT (D.B. 9710, PG. 241). - PUBLIC 20' SANITARY SEWER EASEMENT (D.B. 9710, PG. 241). - PUBLIC WATERLINE EASEMENT (D.B. 9710, PG. 235). - PRIVATE PERMANENT SLOPE EASEMENT (DB 7038, PG 208).		REVISIONS <table border="1"> <thead> <tr> <th>REVISIONS</th> <th>BY</th> </tr> </thead> <tbody> <tr> <td>ADDRESS COUNTY COMMENTS - 04/24/2012</td> <td>KWB</td> </tr> <tr> <td>ADDRESS COUNTY COMMENTS - 05/15/2012</td> <td>KWB</td> </tr> </tbody> </table>		REVISIONS	BY	ADDRESS COUNTY COMMENTS - 04/24/2012	KWB	ADDRESS COUNTY COMMENTS - 05/15/2012	KWB	FINAL SUBDIVISION PLAT FOR: BROAD STREET STOCKBRIDGE II LAND LOT 21 OF THE 6TH DISTRICT CITY OF STOCKBRIDGE HENRY COUNTY, GEORGIA											
REVISIONS	BY																				
ADDRESS COUNTY COMMENTS - 04/24/2012	KWB																				
ADDRESS COUNTY COMMENTS - 05/15/2012	KWB																				
GEORGIA811 Online Property Information Call 1-800-877-8777		DRAWN BY KWB CHECKED BY MGH DATE: 02/26/2013 SCALE: 1"=100' JOB NO.: 13-602 SHEET NUMBER 1 OF 4 SHEETS		Wolverton & Associates Consulting Engineers & Land Surveyors 1000 Peachtree Street, N.E., Suite 1000 Atlanta, Georgia 30309 Phone: 404.525.4444 • Fax: 404.525.4445 www.wolvertonassociates.com																	

E. Recent Zoning Activity: RZ-2022-08 by Carter Acquisitions. In 2022, a new developer, Carter Acquisitions, LLC, c/o Battle Law, PC, sought to rezone the subject

property via RZ-2022-08 from C-2 to MFR (Multiple Family Residential) to allow for the development of a townhome community containing 330 units. The proposed density was 16.2 units per acre, which exceeded the allowable density of 16.0 units per acre for the proposed High-Density Residential future land use designation. The applicant needed to reduce the number of units by eliminating four units to meet the maximum allowable density. But the applicant never returned with a new site plan having a reduced density. After an extended period of time, the applicant withdrew their application, along with Comprehensive Plan Amendment application #CP-2022-07.

STREET VIEW OF SOUTHWEST CORNER OF SITE

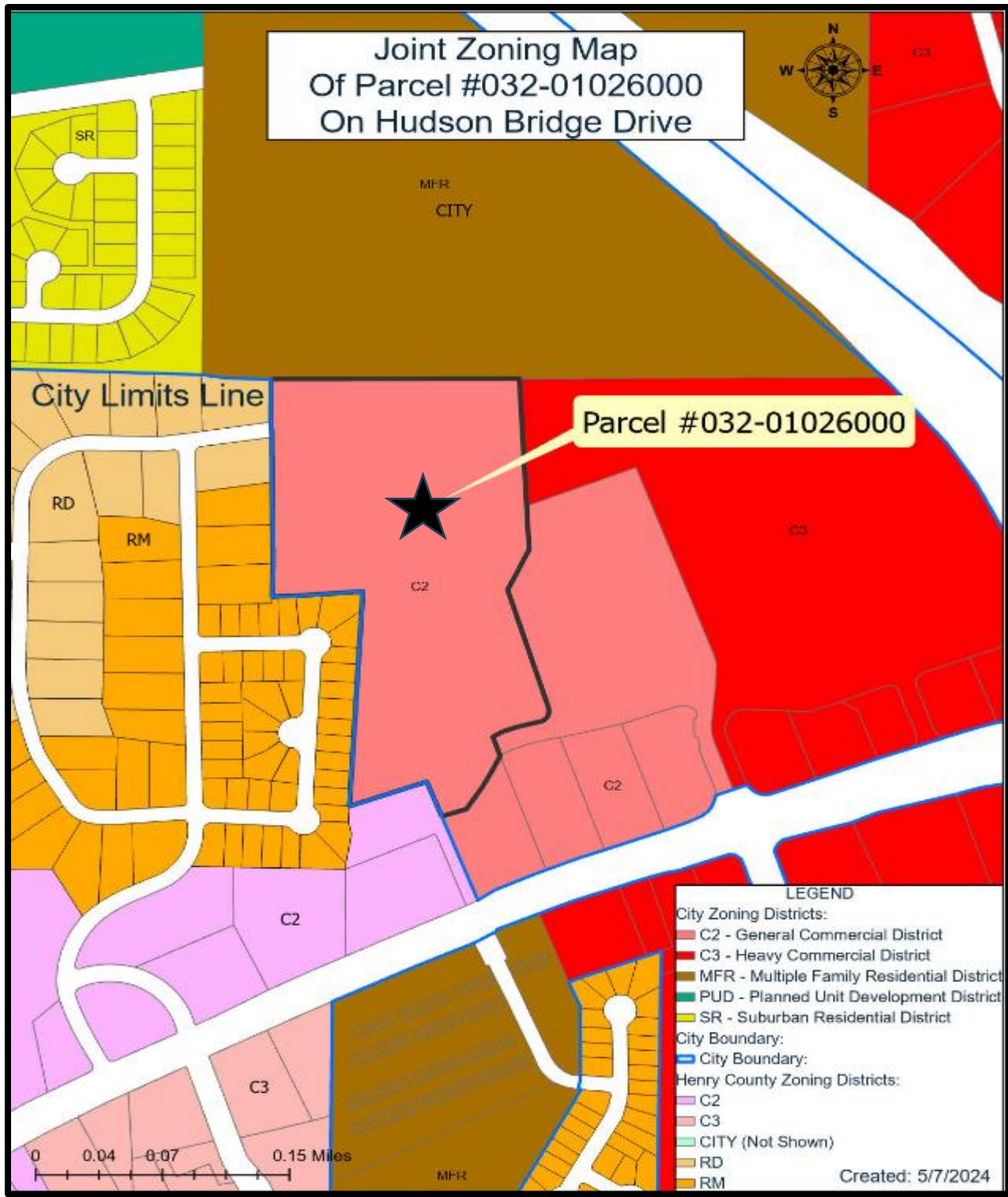


STREET VIEW OF SITE TOWARD SOUTHEAST CORNER

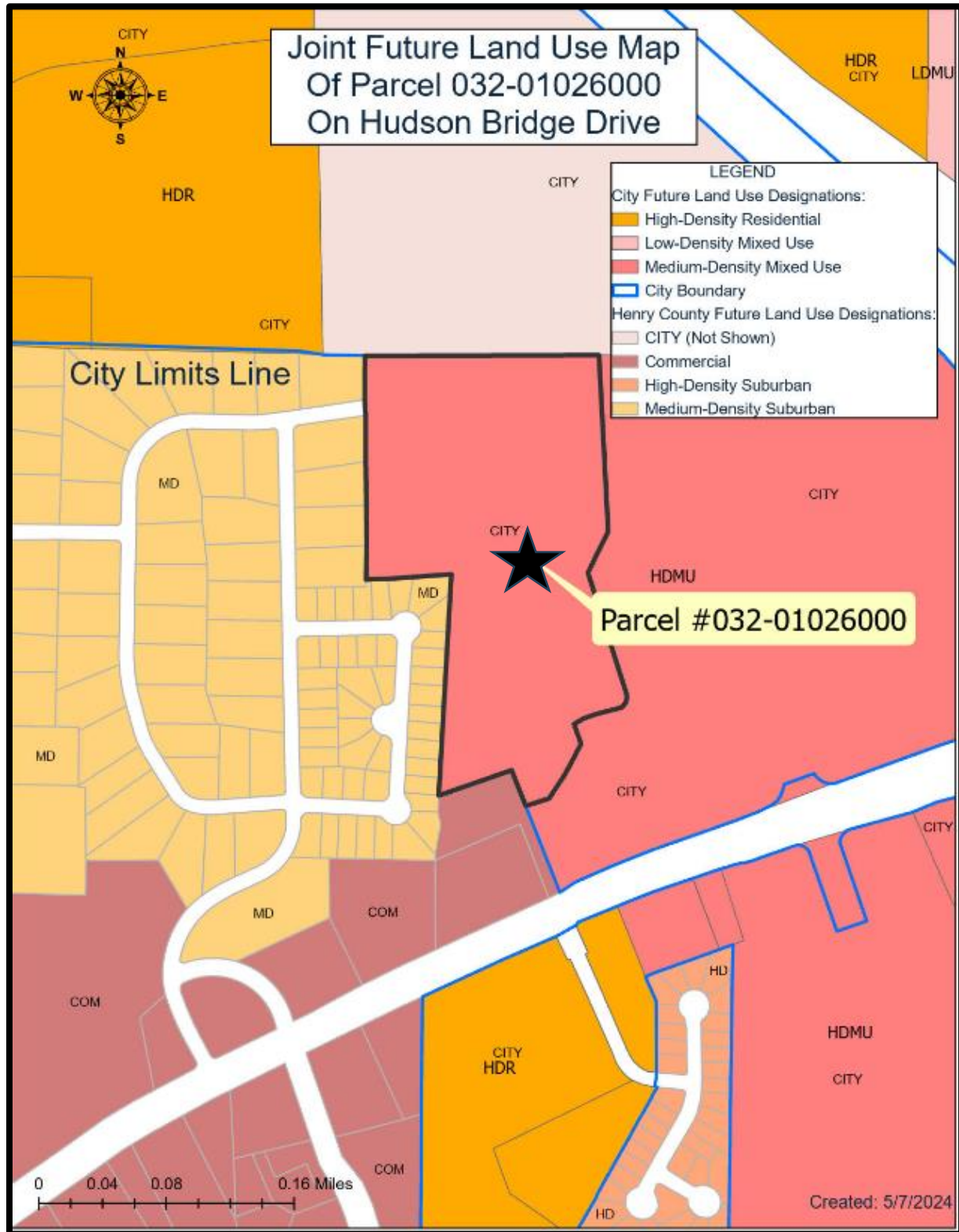


Shown below are the Zoning Map, the Future Land Use Map, and the Boundary Survey for the subject property.

2024 CITY OF STOCKBRIDGE ZONING MAP

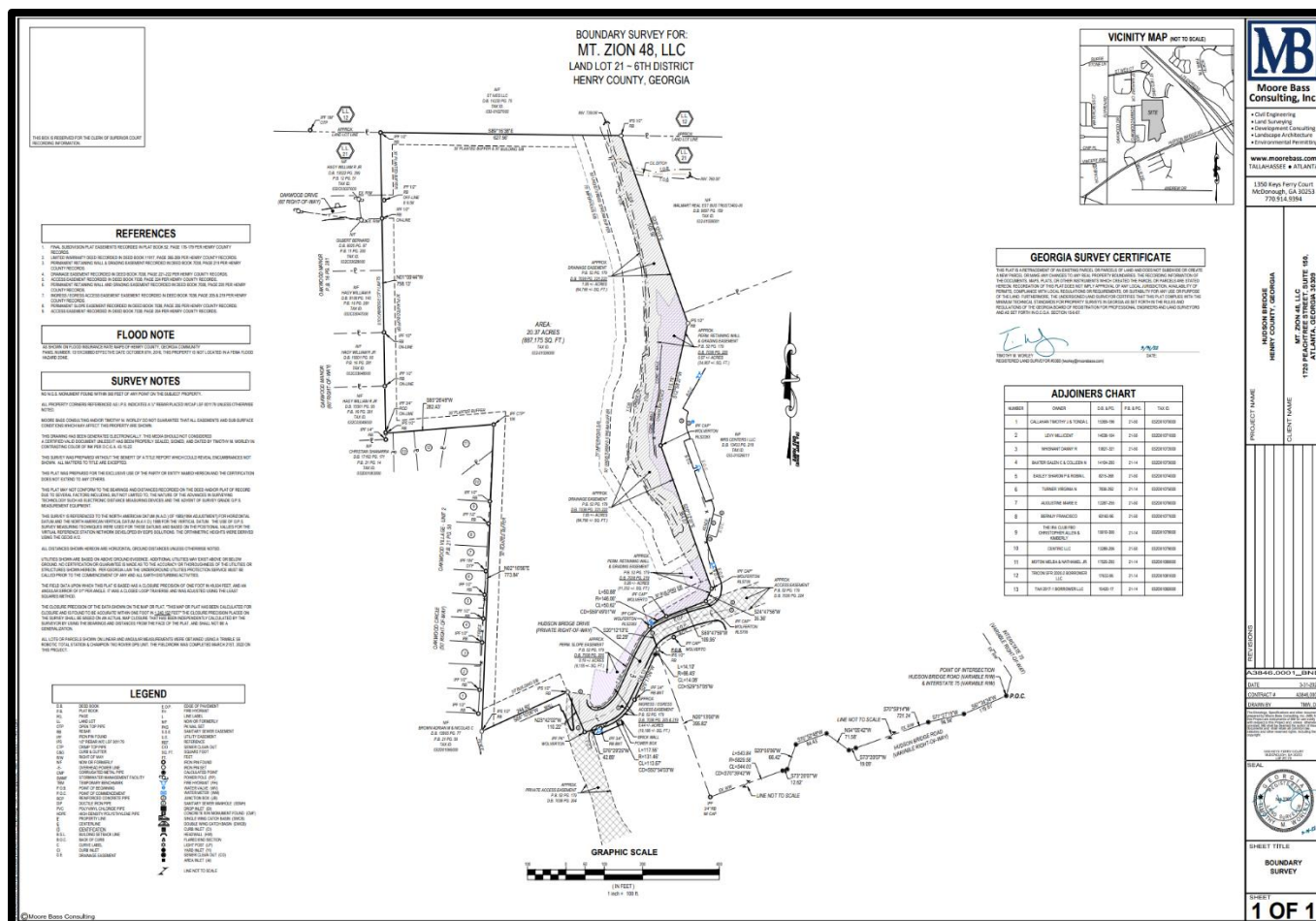


2024 CITY OF STOCKBRIDGE FUTURE LAND USE MAP



BOUNDARY SURVEY

Hudson Bridge Drive is located at the southern end of the property.



PROPOSED DEVELOPMENT

A. Project Size. The applicant has submitted a site plan which was prepared by Moore Bass Consulting on 02/29/24, representing Sheet #A3551.0010-SP1. Its title is "Hudson Bridge Townhomes; Stockbridge, GA." According to an inset box, entitled "Site Data", on the site plan, the applicant proposes to build 140 fee simple townhomes, including 101 smaller units and 39 larger units, at a density of 6.87 units per acre. The applicant would be required to designate at least 15 percent of the total site area as open space, and the applicant would substantially exceed that amount by designating about 41 percent of the site area as open space (8.37 acres of the total site area of 20.367 acres). The impervious area would be 10.0 acres, comprising 49 percent of the total site area. Forty-one (41) off-street parking spaces would be provided, which would meet the requirements. However, the required front and side yard setbacks would not be met for the requested MFR district, as is shown in the table below. The applicant has submitted a variance application to

request the reduction in the front yard setbacks of the townhome lots from the MFR District's required 50 feet to 20 feet, and to reduce the side yard setbacks (between townhome buildings) from the required 20 feet to 10 feet. The analysis of the merits of these variance requests are presented in the Staff Report for Variance Case #VR-2024-03.

Table 2--Required Versus Proposed Setbacks in the Requested MFR District

<u>MFR District Setback Requirements:</u>	<u>Proposed Setbacks:</u>	<u>Meets MFR Requirements?</u>
<u>Front Yard Setbacks – 50 feet</u>	<u>Front Yard Setbacks – 20 feet</u>	<u>No</u>
<u>Side Yard Setbacks – 20 feet</u>	<u>Side Yard Setbacks – 10 feet</u>	<u>No</u>
<u>Rear Yard Setbacks – 20 feet</u>	<u>Rear Yard Setbacks – 20 feet</u>	<u>Yes</u>

B. Site Plan Design. The submitted site plan shows that the development site would have two accesses, including the main entrance off Hudson Bridge Drive and a secondary access at Oakwood Drive to the northwest. A swimming pool, clubhouse, and guest parking would be provided near the main entrance, and a detention pond would be situated near the pool. No mail kiosk has been shown. The project entrance street would make a loop toward the rear of the property, where three other guest parking lots and an unspecified small amenity would be provided. A second detention pond would be located at the northeast rear of the property. Landscaped buffering would surround the property, although there is no indication of buffer widths. The Buffer Area Standards within Section 4.6.3A of the Stockbridge UDC requires the provision of a 25-foot zoning buffer between multifamily developments and single-family-zoned districts. Thus, this buffer should be provided along the western boundary of the property. A 50-foot undisturbed stream buffer would be designated along the eastern side of the property. No walking trails or dog parks have been indicated on the site plan.

C. Utilities Facilities. The applicant received a letter from the Henry County Water Authority, which was dated June 21, 2024, in response to the applicant's submitted application for a water and sewer availability letter. The findings and requirements of the Authority's letter are listed below, which the developer would need to comply with if RZ-2024-01 is approved.

1. Water service could be made available to the property via a water line extension.
2. Sewage treatment and sewer line capacity are available for the property, but the developer would be required to pay for an offsite sanitary sewer line extension, including the acquisition of easements, to meet the Authority's standards, and then to convey that extension to the Authority.
3. The specifications above would be effective for 365 days from the date of the letter (June 21, 2024), and any deviation in zoning that would increase the project density or usage would void the letter and require a re-evaluation.

D. Traffic Impact Study. The applicant submitted a Traffic Impact Study to the Planning & Zoning Office on June 21, 2024. It was prepared for Moore Bass Consulting, Inc. by

SEI Engineering, Inc., in collaboration with Acampora Traffic, LLC. The study evaluated existing traffic conditions within the vicinity of the subject property, used a standard growth factor to make projections on future traffic conditions in the vicinity if the proposed development does not occur (the “no-build” scenario). After that, the study made traffic projections based on anticipated future traffic conditions plus the expected addition of new traffic from the proposed townhome development, and also considering the effects of the completion of various planned road improvements to be made by Georgia DOT in the vicinity. Traffic counts were collected at five intersections near the subject property on May 30, 2024, when area schools were in recess. The counts were taken during the morning (7-9 AM) and afternoon (4-6 PM) peak hours. The study stated that acceptable traffic conditions were found at all of the traffic count locations.

In the no-build scenario, most of the intersections that were studied appeared to operate in a satisfactory manner, except for the afternoon peak hour for the intersection of Hudson Bridge Drive at Hudson Bridge Road, as well as Hudson Bridge Road at Flippen Road, which would both operate at Level of Service E. This situation could be improved by adding a second westbound turn lane toward Flippen Road. Additional roadway pavement is already available for such purpose, so it only needs to be restriped (in conjunction with alterations to the timing of the traffic signal at the intersection of Hudson Bridge Road and Flippen Road). The study recommended that this improvement take place whether or not the proposed townhomes are built.

The Traffic Impact Study projected that the proposed 140 townhomes on the subject property would generate 1,016 trips per weekday, including 67 trips during the morning peak hour and 80 trips during the afternoon peak hour. These data are presented in the table below, with a further breakdown of the numbers of AM and PM trips being generated going in and out of the proposed development.

**Table 3--Projected Numbers of Trips
For the Proposed 140-Unit Townhome Development**

AM Peak, Going In	AM Peak, Going Out	AM Peak, Total	PM Peak, Going In	PM Peak, Going Out	PM Peak, Total	24-Hour 2-Way Total
17	50	67	47	33	80	1,016

Future traffic operations in the vicinity, with the addition of trips from the proposed townhome development, would have “a slight deterioration in operations at each study intersection.” As with the no-build scenario, the intersections of Hudson Bridge Drive with Flippen Road and with Hudson Bridge Drive would operate at Level of Service E during the PM peak hour if the townhomes are built. But since the Hudson Bridge Road/Hudson Bridge Drive Intersection features a side street which would operate poorly only for the southbound direction during the PM peak hour, the Study did not recommend that any traffic improvements be made, especially since drivers at that intersection would have the option of travelling to the traffic signal at the Hudson Bridge Road / Western Parallel Connector Intersection to make turns. The addition of a westbound left-turn lane from

Hudson Bridge Road to Flippen Road was recommended, whether or not the townhomes are developed.

E. Townhome Lots, Buildings, and Designs. An inset on the applicant's site plan shows that the proposed townhome lots would have a depth of 100 feet. The smaller townhome lots would be 20 feet wide and would be located toward the rear of the property, while the larger townhome lots would be 24 feet wide and would be located at the front of the property. The requested MFR zoning district requires front yard setbacks of 50 feet, but the townhome lots drawings show distances of only 20 feet from the fronts of the buildings to the right-of-way lines. For this reason, the applicant has requested a variance to reduce the front yard setbacks to only 20 feet. The MFR district also requires a minimum spacing of 20 feet between townhome buildings, but the applicant has requested a variance to reduce the side yard setbacks of the townhome lots to 10 feet. The proposed townhome renderings from the applicant, which are shown below, indicate that the smaller townhome buildings would have one-car garages and the larger townhome buildings would have two-car garages.

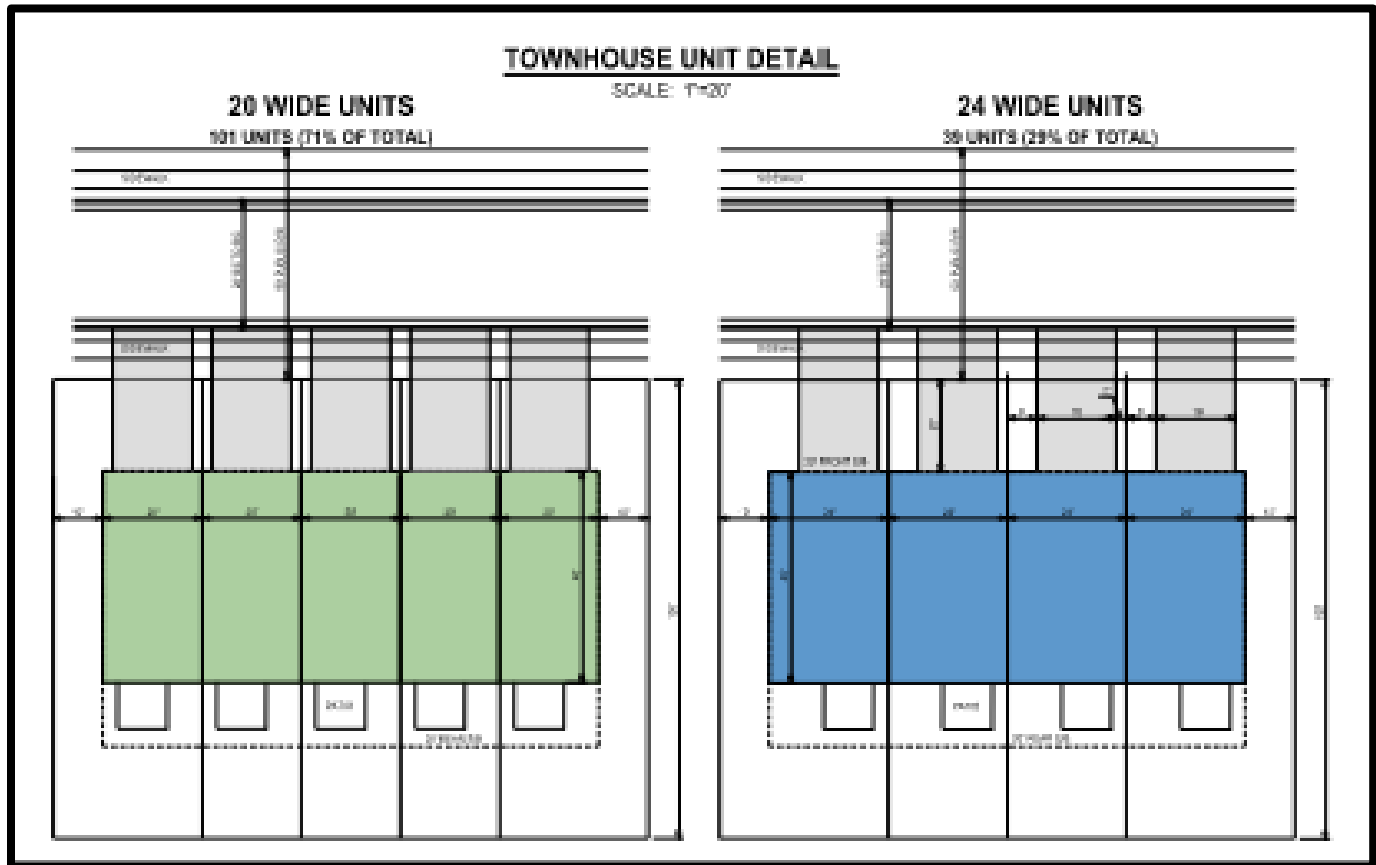
PROPOSED SITE PLAN -- FULL SHEET (View from the South)



AERIAL PHOTO OF THE VICINITY, OVERLAIN BY THE SITE PLAN



PROPOSED SITE PLAN – TOWNHOME LOT DETAILS



NOTES: All 140 townhome lots would be 100 feet deep. There would be 101 larger lots (71% of the total) and 39 smaller lots (29% of the total). The larger townhome units would be 24 feet wide and have two-car garages, while the smaller townhome units would be 20 feet wide and have one-car garages.

RENDERINGS OF PROPOSED TOWNHOME BUILDINGS

Smaller Townhome Buildings (20 Feet Wide) with One-Car Garages:



Larger Townhome Buildings (24 Feet Wide) with Two-Car Garages:



IV. ANALYSIS OF REQUEST

The applicant requests a rezoning under Section 9.2.1 of the City of Stockbridge's Unified Development Code (UDC). Under Section 9.2.1(C), the UDC states that the Planning Commission and the City Council shall consider nine (9) standards in considering any proposal that would result in a change to the text or map of the UDC, giving due weight or priority to those factors that are appropriate to the circumstances of each proposal. An analysis of the compliance of the proposed rezoning with those standards is made below.

STANDARD #1--Consistency with the Comprehensive Plan. The 2024-2028 Five-Year Update to the Stockbridge Comprehensive Plan calls for the development of additional housing in the City, and the proposed townhome development would help to meet that need. The companion Future Land Use Map shows a future land use designation for the subject property of "Medium-Density Mixed-Use", to include both residential and commercial uses. But since the applicant only proposes to include residential uses, the applicant has requested a Comprehensive Plan amendment application, comprising Case #CP-2024-01, to change the property's future land use designation to Medium-Density Residential, which allows densities of 4 to 7.99 units per acre, which includes the applicant's proposed density of 6.87 units per acre. The consistency of the proposed development with the Comprehensive Plan is further discussed within the staff report for CP-2024-01.

STANDARD #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 Unified Development Code (UDC). The rezoning of the subject property to the requested 'MFR' (Multiple Family Residential) district is necessary because the proposed townhome development is not permissible under the property's existing C-2 zoning. The MFR district permits townhome development, as does the PMU (Parkway Mixed-Use Overlay District), wherein the property lies. Although the intent of the MFR district is for new developments to be located on streets having a classification of 'collector' or higher, and Hudson Bridge Drive is only a local street, the property is located in close proximity to Hudson Bridge Road, an arterial road with a signalized intersection near the property. Further, the subject property is part of the Walmart Master Plan area, and the property originally extended to Hudson Bridge Road but was later subdivided into two tracts, thereby removing its direct access to Hudson Bridge Road.

STANDARD #3 -- Potential positive effects of the rezoning amendment on the character of the proposed zoning district, a particular piece of property, neighborhood, a particular area, or community. The subject property has remained vacant even after the Walmart Master Development Plan was prepared in 2003. A restrictive covenant was imposed by the Baptist Retirement Communities of Georgia on the subject property to prohibit the development of retail uses. Yet, even after its expiration in 2008, no retail development has taken place on the site, despite its permissible C-2 zoning. This suggests that the immediate vicinity may have already reached its saturation point for retail uses. Although the C-2 district also allows other types of non-retail

commercial uses, many of them are not permitted in the PMU district. Further, even if they were allowed, such uses most likely would need to have direct frontage onto Hudson Bridge Road to attract customer traffic, which the subject site does not offer.

Existing commercial uses to the south and east of the site would have access to potential new customers from the proposed townhome development, thereby increasing their business revenues. In addition, the new townhome residents would have convenient access to the adjacent commercial uses within the Walmart and Centre@ Stockbridge Shopping Center.

STANDARD #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 eastern portion of the subject site contains steep topography, wetlands with a 25-foot state buffer, a 50-foot stream buffer, and a 75-foot impervious setback as part of a nearby stream. The developer should take appropriate steps to protect this environmentally-sensitive area, and to facilitate drainage.

STANDARD #5 --The impacts of the proposed development upon adjacent property owners, should the request be granted. To protect the residents of the existing Oakwood Manor Subdivision to the west, the secondary access that is shown at the northwest corner of the site, onto Oakwood Drive, it is recommended that the secondary access be designated for emergency access only, with a locked gate. To meet the requirements of the Buffer Area Standards in Section 4.6.3 of the UDC, a 25-foot-wide zoning buffer should be provided along the western property line, plus a fence and tall trees. The proposed development is likely to be a positive impact on the adjacent commercial businesses, whereby the new townhome residents could represent new customers at those businesses, thereby bringing additional revenues to the businesses.

STANDARD #6 -- The potential impact of the rezoning on City infrastructure, including the water and sewage system. The applicant obtained a letter from the Henry County Water Authority, which was dated June 21, 2024. While water service could be made available with a water line extension, the developer would need to pay for an offsite sanitary sewer line extension, including the acquisition of easements, and then convey that extension to the Authority. Further, if any zoning or site plan changes occurred within 365 days of the date of the letter, then the specifications of the letter would be void and a re-evaluation would be required. The developer would therefore need to meet the stated requirements upon any approval of the rezoning of the subject property.

STANDARD #7 -- The impact of the proposed amendment on adjacent thoroughfares and pedestrian and vehicular circulation and traffic volumes. The submitted site plan shows that the proposed development would have two accesses. The main access would be via Hudson Bridge Drive at the southern end of the property, which is an internal, private street supporting the Walmart and Centre@Stockbridge Shopping Center. Several easements were previously created to facilitate the site's access from the existing traffic signal at Hudson Bridge Road. The Development Agreement governing Tract 1 (Walmart development) stated that the City acknowledged that the use of the

created easement along Hudson Bridge Drive for access into the subject site could also serve as the means for access to Hudson Bridge Road. Traffic from the site would be able to utilize two nearby traffic signals on Hudson Bridge Road. The closest one is located at Hudson Bridge Drive, adjacent to the existing QuikTrip store and Taco Bell restaurant; and the second one is located at the Walmart driveway entrance. The two traffic signals would facilitate turning movements. A paved sidewalk is present along Hudson Bridge Drive, which would facilitate pedestrian travel to the surrounding retail stores. The submitted site plan also shows the provision of a secondary access to the northwest, to connect with Oakwood Drive. However, to prevent any adverse traffic impacts on the adjacent Oakwood Manor Subdivision, this should be designated as an emergency access only, with a gate.

The applicant submitted a Traffic Impact Study, which was prepared on June 20, 2024. Traffic counts were taken on May 30, 2024 at five nearby intersections, when area schools were in recess. The findings of the Study indicated that traffic conditions are acceptable at most of the intersections, and that they would only have a “slight deterioration” if the proposed townhomes were constructed on the subject property. Although the Hudson Bridge Drive/Flippen Road Intersection would operate at Level of Service E, with or without the townhomes, this could be improved if an additional westbound, left-turn lane were to be provided in the westbound approach to the intersection. Extra pavement is already available for this improvement, and it only needs to be restriped, along with modifications begin made to the signal timing at that intersection. While southbound traffic from the proposed development would incur substantial delays on Hudson Bridge Drive during the afternoon peak hour, drivers could lessen their delays by instead using the traffic signal at the Hudson Bridge Drive/Western Parallel Connector. The Study therefore did not recommend that any other traffic improvements be made.

STANDARD #8 -- The merits of the requested change in zoning relative to any other guidelines and policies for development, which the Planning Commission and City Council may use in furthering the objective of the comprehensive plan. The Walmart Master Plan called for a multifamily development containing at least 200 units, but the proposed development would have only 140 units. Townhomes would be an appropriate usage of the property in serving as a transition between the lower-density single-family residential subdivision to the west and the adjacent retail uses to the east. Further, the proposed MFR district would be compatible with the RM Henry County zoning which exists on about half of the acreage of the adjacent Oakwood Village Subdivision. Adequate access is available via Hudson Bridge Drive, the existing easements, and the two traffic signals off Hudson Bridge Road. Residents would benefit from being able to walk to many of the stores, and the stores could benefit from the business which the townhome residents would provide.

STANDARD #9 -- The ability of the subject land to be developed as it is presently zoned. Although the subject property could be developed for commercial uses under its existing C-2 zoning due to the presence of numerous surrounding retail businesses, this may not be realistic for the reasons that are listed below. Conversely, this Analysis has shown that the proposed townhomes would be a reasonable use.

1. The intent of the restrictive covenant by the Baptist Retirement Communities of Georgia was for the subject property to be prohibited from retail use.
2. Despite the property's location in the midst of numerous retail businesses, it has not been developed with additional retail uses, even after the expiration of the restrictive covenant.
3. Although some type of non-retail commercial uses could be built on the property, this is unlikely to happen since such uses would probably need direct access to Hudson Bridge Road for visibility, which the subject property lacks.
4. The presence of the steep topography, stream, and buffer areas in the eastern portion of the site would eliminate needed land which might be needed for required parking to serve a retail or non-retail commercial business.

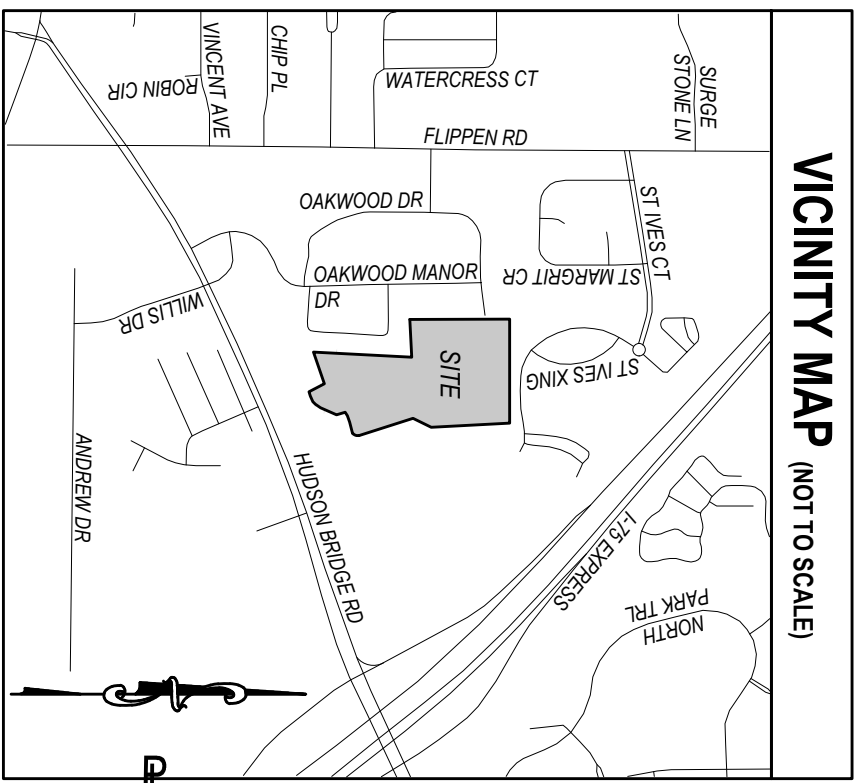
RECOMMENDATIONS

Based on the findings of the Analysis above, the Planning and Zoning Staff recommends that the applicant's request to rezone the subject property from 'C-2' (General Commercial) to 'MFR' (Multiple Family Residential) via RZ-2024-01 to allow for the development of a townhome community be **APPROVED WITH CONDITIONS**. Such approval should be contingent upon the developer meeting the following nine (9) zoning conditions:

1. **Comprehensive Plan Amendment** – This requested rezoning shall not be approved unless the applicant's requested Comprehensive Plan Amendment, via CP-2024-01, to change the subject property's land use designation from Medium-Density Mixed-Use to Medium-Density Residential, is approved before, or simultaneously with, the approval of RZ-2024-01.
2. **Site Plan**:
 - a. **Revised Site Plan** -- The subject property shall be developed according to a revised site plan which is similar to, but including the required variances, to the site plan which was prepared by Moore Bass Consulting on 02/29/24, representing Sheet #A3551.0010-SP1. Its title is "Hudson Bridge Townhomes; Stockbridge, GA." Any major deviations in the number of residential units, the density, or the overall site design shall require City Council approval.
 - b. **Site Accesses**—This shall be a gated community, with both site accesses having gates plus flock cameras for security purposes. In addition, the proposed secondary access to Oakwood Drive shall be reserved for use by emergency vehicles only. All of this information shall be noted on the site plan.
 - c. **Internal Streets** – All internal streets shall be of widths that are acceptable to the

Fire Marshal.

- d. **Internal Sidewalks** – All internal streets shall have sidewalks on both sides of the streets, which are at least eight (8) feet wide.
 - e. **Amenities and Related Facilities** – The revised site plan shall include a mail kiosk, an 8-foot-wide multi-use path or walking trail, and a dog park, plus appropriate additional amenities for a community of this size, such as a grill area, a playground, a shuffleboard court, a tennis court, a pickleball court, etc.
 - f. **Central Trash Facility** -- The revised site plan shall indicate the location of one or more central trash facilities.
 - g. **Bedroom Information** -- The revised site plan shall provide a breakdown of the number of units by the number of bedrooms, as well as the sizes of the bedrooms (for parking space requirements).
 - h. **Parking** – Sufficient parking shall be provided to meet the requirements of the Unified Development Code (UDC).
 - i. **Western Buffer, Fence, and Tall Trees** – The developer shall provide the required 25-foot zoning buffer along the western side of the property, adjacent to the Oakwood Manor Subdivision, along with the installation of a fence and tall trees.
3. **One-Car Garage Townhome Units:**
- a. Only 20 percent of the total townhome units shall have one-car garages.
 - b. All one-car garage units shall have full brick elevations.
4. **External Sidewalk** -- The existing sidewalk along Hudson Bridge Drive shall be extended into the main project entrance.
5. **Water and Sewer Facilities** -- The developer shall comply with all requirements of the Henry County Water Authority in providing adequate water and sewer facilities to the subject site to serve the proposed townhome development.
6. **Environmental Site Preservation** -- The developer shall preserve the sensitive environmental features of the site, including the slopes, creek, stream buffer areas, and retaining wall, along the eastern side of the site.
7. **Easements** -- The developer shall comply with the specifications of all easement agreements pertaining to the portion of Hudson Bridge Drive which lies within and adjacent to the subject property.
9. **Property Maintenance** -- A townhome association shall be established, or a property management company shall be secured, for the purpose of maintaining all common areas of the site.



NF
WALMART REAL ESTATE TRUST
D.B. 9857 PG. 159
TAX ID
032-01028001

NF
ST VES LLC
D.B. 1422 PG. 75
TAX ID
032-01027000

NF
HAGY WILLIAM R JR
D.B. 1352 PG. 299
P.B. 12 PG. 51
TAX ID
032C03027000

NF
GILBERT GERNARD
D.B. 8025 PG. 87
P.B. 11 PG. 200
TAX ID
032C03028000

NF
HAGY WILLIAM R JR
D.B. 9108 PG. 143
P.B. 13 PG. 281
TAX ID
032C03047000

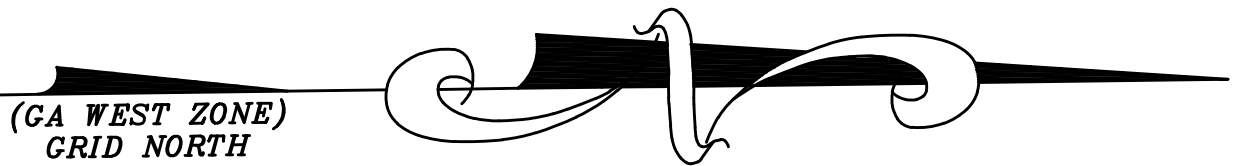
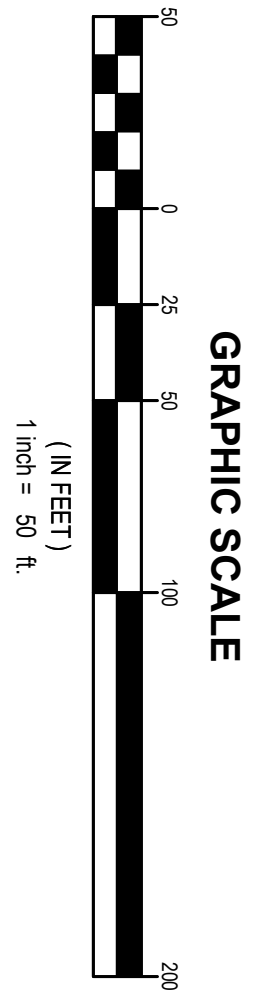
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032C03048000

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HAGY WILLIAM R JR
D.B. 15501 PG. 95
P.B. 16 PG. 281
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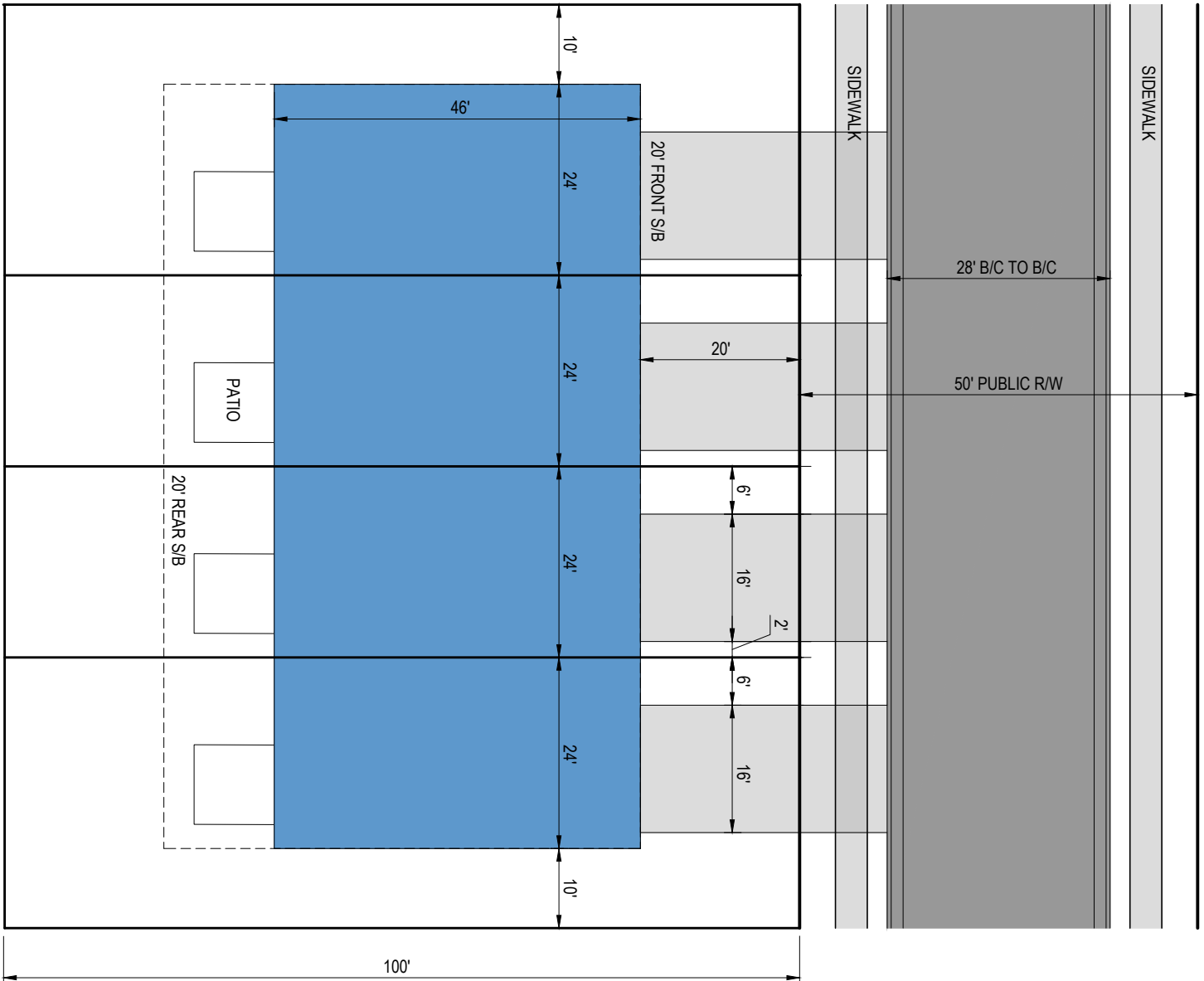
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032D01083000

NF
BROWN ADRIAN M & NICOLA SC
D.B. 13805 PG. 77
P.B. 21 PG. 50
TAX ID
032D01088000

SITE DATA			
PROJECT NAME	HUDSON BRIDGE TOWNHOMES		
SITE AREA	20.37 AC.		
TAX ID	032-01028000		
CURRENT ZONING	C-2		
PROPOSED ZONING	MFR		
PROPOSED USE	UNIT SIZE	SETBACKS	QUANTITY
FEE SIMPLE TOWNHOMES	24 WIDE	FRONT: 20' SIDE: 10' REAR: 20'	127 UNITS
PROPOSED DENSITY	127 UNITS / 20.37 AC.	6.67 UNITS PER ACRE	
OPEN SPACE PROVIDED	PROPOSED OVERALL OPEN SPACE 8.76 AC.		
IMPERVIOUS AREA PROVIDED:	PROPOSED OVERALL IMPERVIOUS AREA 5.14 AC. 43.0% OF SITE		
OFF-STREET PARKING PROVIDED:	42 SPACES		



TYPICAL LOT DETAIL



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McDonough, GA 30253
770.914.3994

HUDSON BRIDGE TOWNHOMES
STOCKBRIDGE, GA

LENNAR GEORGIA, LLC

PROJECT NAME

CLIENT NAME

REVISIONS

1. REVISED LAYOUT TO SHOW ALL 24' WIDE UNITS - 09-26-2024 - SDM

A3551.0010-SP3

DATE 02/29/2024

CONTRACT #

DRAWN BY

SDM

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SEAL

SHEET TITLE

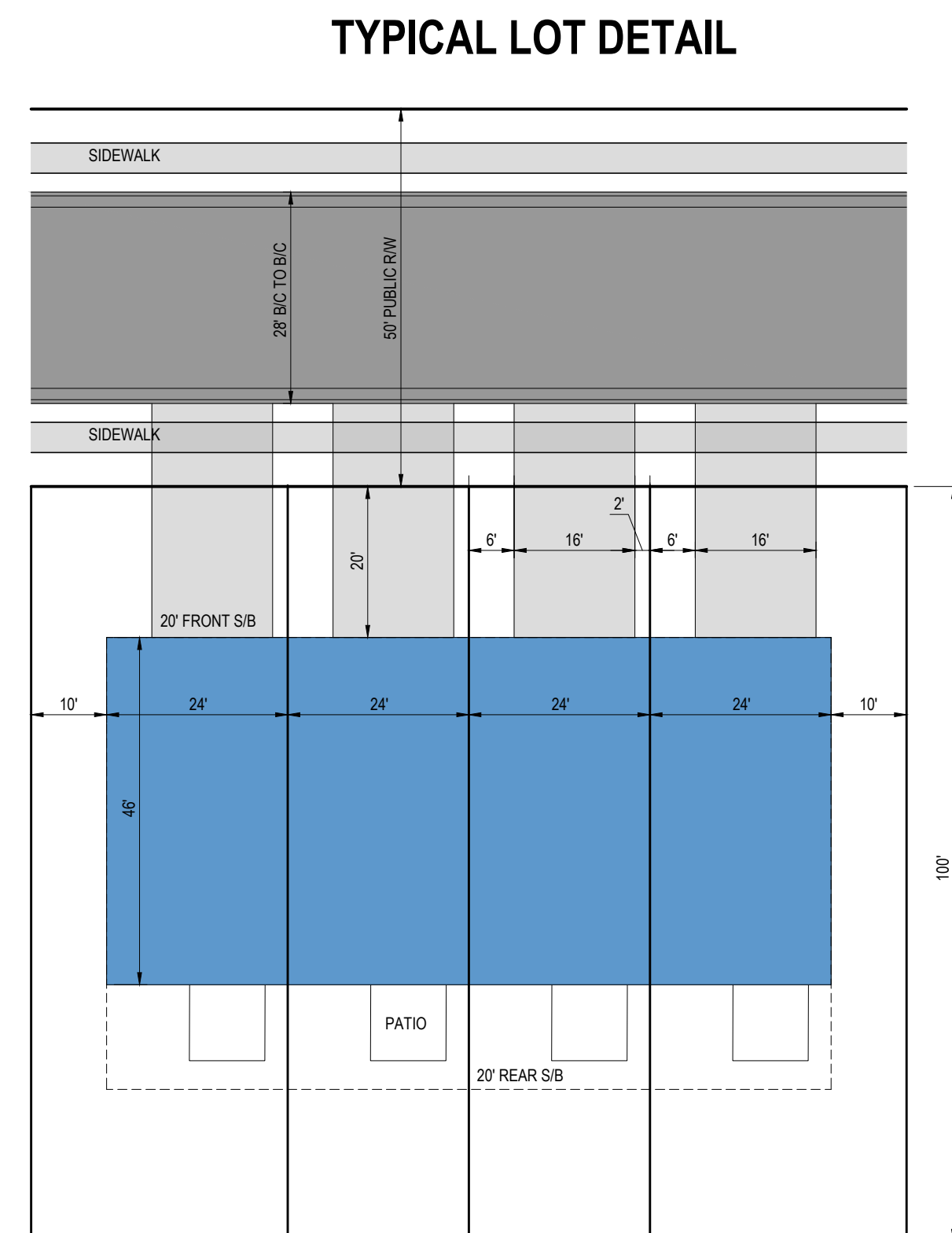
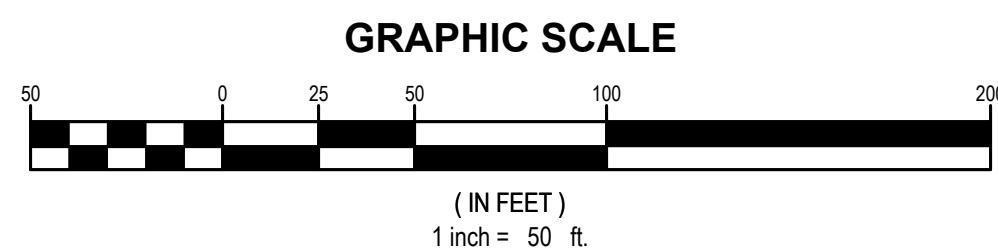
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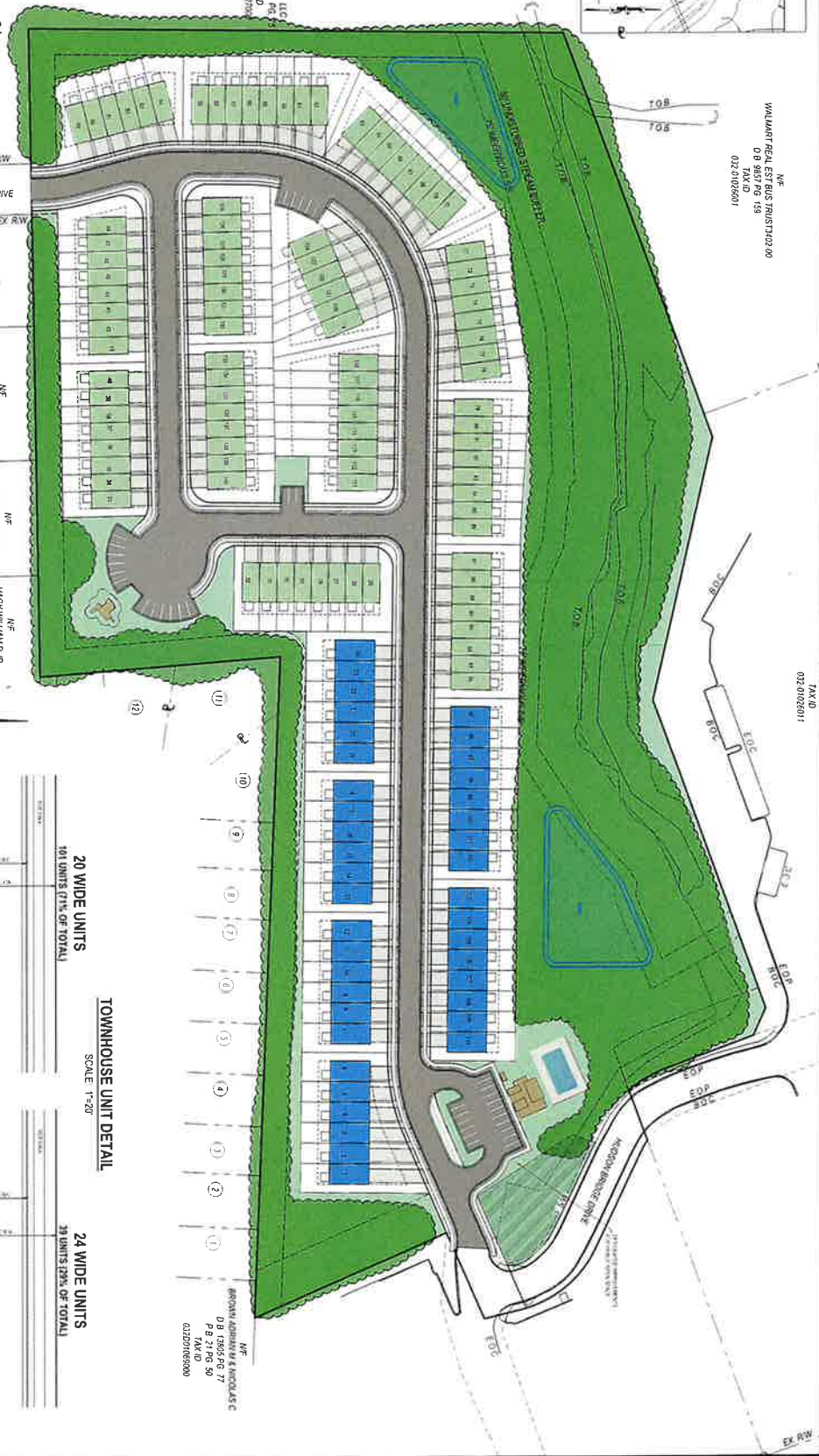
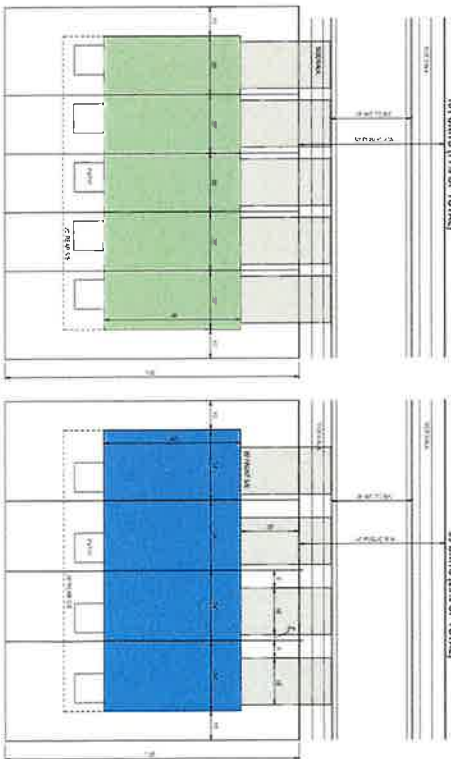
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SITE DATA			
PROJECT NAME	HUDSON BRIDGE TOWNHOMES		
SITE AREA	20.37 AC.		
TAX ID	032-01026000		
CURRENT ZONING	C-2		
PROPOSED ZONING	MFR		
PROPOSED USE	UNIT SIZE	SETBACKS	QUANTITY
FEE SIMPLE TOWNHOMES	24' WIDE	FRONT: 20', SIDE: 10', REAR: 20'	127 UNITS
PROPOSED DENSITY	127 UNITS / 20.37 AC.	6.87 UNITS PER ACRE	
OPEN SPACE PROVIDED	PROPOSED OVERALL OPEN SPACE		8.76 AC.
	PROPOSED OVERALL OPEN SPACE AREA AS A % OF SITE		43.0%
IMPERVIOUS AREA	7.5 AC. (38 % OF TOTAL SITE AREA)		
OFF-STREET PARKING PROVIDED:	42 SPACES		



[illegible]

REVISIONS

PROJECT NAME:	HUDSON BRIDGE TOWNHOMES STOCKBRIDGE, GA
CLIENT NAME:	LENNAR GEORGIA, LLC



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WALMART REAL ESTATE TRUST 3402.00
D B 9557 PG 159
TAX ID
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TAX ID
032.01026011

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STANES LLC
D B 14233 PG 77
TAX ID
032.01027000

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BROWN ADRIAN M & NICOLAS C
D B 13805 PG 77
P B 21 PG 50
TAX ID
032D01069000

NF
HAGY WILLIAM R JR
D B 13522 PG 299
P B 12 PG 51
TAX ID
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GILBERT BERNARD
D B 8025 PG 87
P B 14 PG 200
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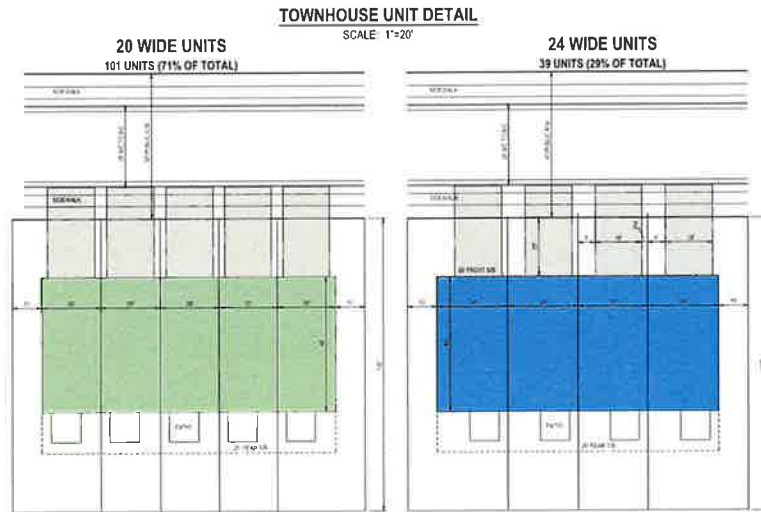
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D B 9108 PG 143
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PROJECT NAME	HUDSON BRIDGE TOWNHOMES		
SITE AREA	20.37 AC		
TAX ID	032-01026000		
CURRENT ZONING	C-2		
PROPOSED ZONING	MFR		
PROPOSED USE	UNIT SIZE	SETBACKS	QUANTITY
FEE SIMPLE TOWNHOMES	20' WIDE	FRONT 10' SIDE 10' REAR 10'	101 UNITS
FEE SIMPLE TOWNHOMES	24' WIDE	FRONT 10' SIDE 10' REAR 10'	39 UNITS
		TOTAL	140 UNITS
PROPOSED DENSITY	140 UNITS / 20.37 AC 6.87 UNITS PER ACRE		
OPEN SPACE PROVIDED	PROPOSED OVERALL OPEN SPACE		8.37 AC
	PROPOSED OVERALL OPEN SPACE AREA AS A % OF SITE		41.1%
BIOPRODUCER AREA	15.5 AC (76% OF TOTAL SITE AREA)		
OFF-STREET PARKING PROVIDED	41 SPACES		

GRAPHIC SCALE



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PROJECT NAME
HUDSON BRIDGE TOWNHOMES
STOCKBRIDGE, GA

CLIENT NAME
LENNAR GEORGIA, LLC

REVISIONS	DATE	BY	DESCRIPTION
1	03/20/20	JDH	ADDED TO SITE PLAN
2	03/20/20	JDH	CONTRACT # 328
3	03/20/20	JDH	ADDED TO SITE PLAN

SCALE

SHEET TITLE

SITE PLAN

SHEET
1.0



Flippin Rd

St Ives Ct

St Ives Crossing Apartments

Rock Quarry Rd
N Park Ct

75

75

Walmart Supercenter

Chic

Mellow Mushroom Stockbridge

Hudson Bridge Dr

Oakwood Dr

Oakwood Manor Dr

Firehouse Subs Hudson Bridge

J&J Liquor

McDonald's

Hudson Bridge Rd

N Main Dr

Kroger

Flippin Rd

Hudson Bridge Veterinary

Willis Dr

Traffic Impact Study

Proposed Hudson Bridge Residential Townhome Development
City of Stockbridge, Georgia

June 20, 2024



in collaboration with

ACAMPORA TRAFFIC, LLC



Traffic Impact Study

Proposed Hudson Bridge Residential Townhome Development
City of Stockbridge, Georgia

prepared for:

Moore Bass Consulting, Inc.
1350 Keys Ferry Ct.
McDonough, GA 30253

June 20, 2024



in collaboration with



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Introduction

This study assesses the traffic impact of a proposed residential townhome development in the City of Stockbridge, Georgia. The site is located north of Hudson Bridge Road and will be served by vehicular connections to Hudson Bridge Drive and Oakwood Drive, which provides a connection to Flippen Road via Flippen Drive. The project location is shown in Figure 1. The project will consist of 140 attached residential townhomes.

The purpose of this traffic impact study is to determine existing traffic operating conditions in the vicinity of the proposed development, project future traffic volumes, assess the impact of the subject development, then develop conclusions and recommendations to mitigate the project traffic impact and ensure safe and efficient existing and future traffic conditions in the vicinity of the project.

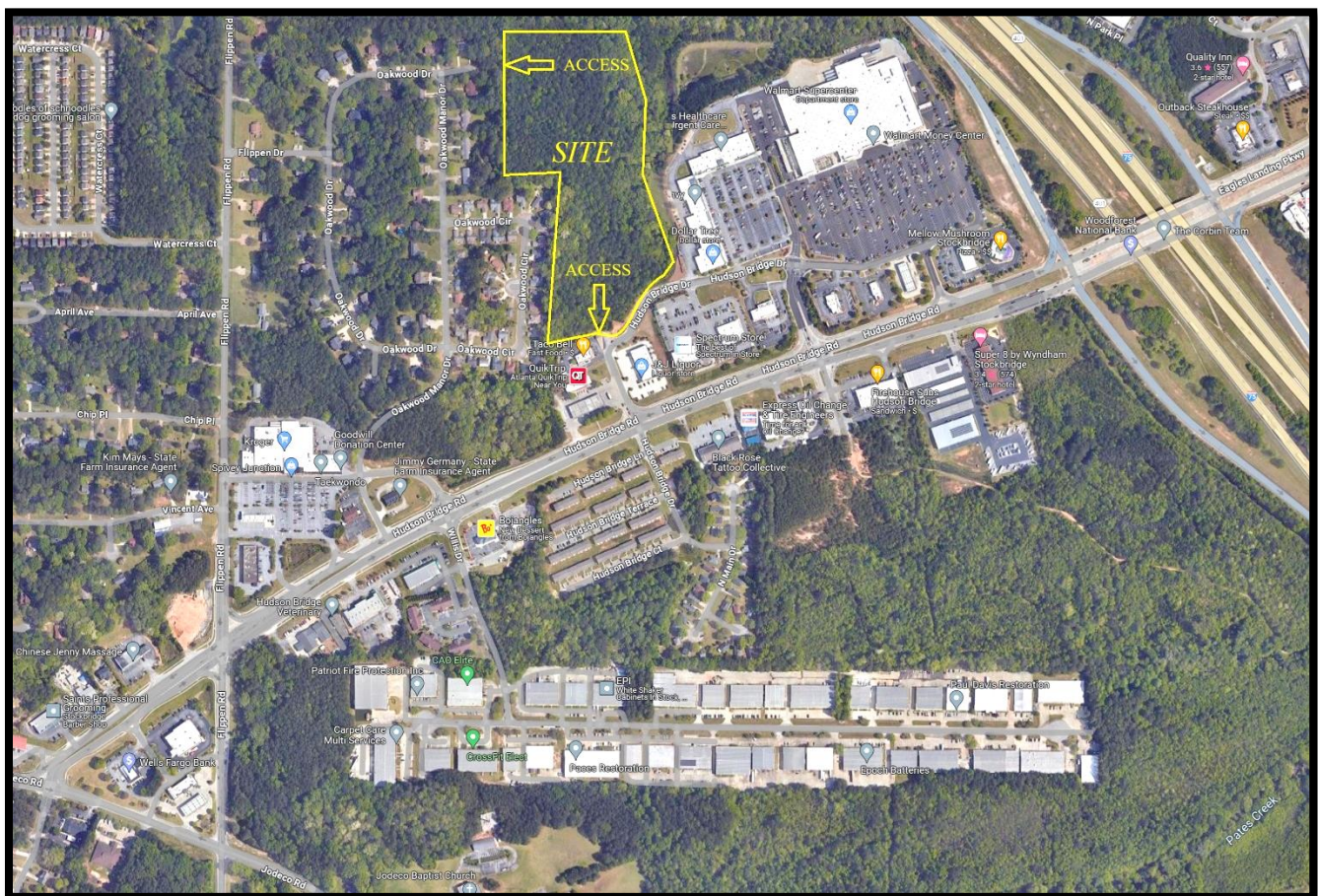


Figure 1 – Site Location Map

Existing Traffic Conditions

Existing traffic operating conditions in the vicinity of the proposed development were assessed. The following is a description of existing transportation facilities, traffic volumes, and intersection operations.

Description of Existing Roadways

Hudson Bridge Road is an east-west urban minor arterial that begins at Jodeco Road, has signalized intersections in the vicinity of the site at Flippen Road, Willis Road, Hudson Bridge Drive (which will provide access to the site), Western Connector, and then the southbound and northbound ramps to Interstate 75. Adjacent to the site, the road has two through travel lanes in each direction, with a third westbound through lane between I-75 and Western Connector. There are also exclusive turn lanes at major intersections. The terrain along Hudson Bridge Road is level to very gently rolling and the posted speed limit is 45 mph. In 2022 the Georgia DOT recorded an Annual Average Daily Traffic (AADT) volume of 23,500 vehicles per day (vpd) on Hudson Bridge Road east of Flippen Road.

Flippen Road is a two lane north-south urban minor arterial with gently rolling terrain and a posted speed limit of 45 mph. In 2022 the Georgia DOT recorded an AADT volume of 14,100 vpd on Flippen Road north of Hudson Bridge Road.

Pedestrian, Bicycle, and Transit Accessibility

There are sidewalks along both sides of Hudson Bridge Road and there are crosswalks and pedestrian crossing signals on all approaches at the signalized intersections in this vicinity. There is no sidewalk on Flippen Road. There are no dedicated bicycle lanes in the immediate vicinity. There is no regularly schedule mass transit service in this area.

Existing Traffic Volumes

Existing full turning movement peak hour traffic volume counts were collected at the following intersections in the vicinity of the site:

1. Hudson Bridge Road at Flippen Road
2. Flippen Road at Flippen Drive
3. Hudson Bridge Road at Hudson Bridge Drive
4. Hudson Bridge Drive at Western Connector
5. Hudson Bridge Road at Western Connector

The counts were collected on Thursday, May 30, 2024, from 7:00 a.m. to 9:00 a.m. and from 4:00 p.m. to 6:00 p.m. Area schools were in session on the day on which the counts were recorded. The locations of the traffic counts are presented in Figure 2.



Figure 2 – Traffic Volume Count Location Map

From the intersection turning movement count data, the highest four consecutive 15-minute interval volumes at each intersection, during each time period, were determined. These volumes make up the unadjusted existing weekday a.m. and p.m. peak hour traffic volumes at each intersection.

The counts were collected during summer recess in area schools, which affects typical volumes and travel patterns. The Georgia DOT provides recommended adjustment factors by month in their table 2022 Traffic Factors found on their website under Traffic Reports. For Factor Group 08 – Urban Minor/Major Arterials (ATL), the Georgia DOT recommends a monthly adjustment factor of 0.96 for May and 0.99 for June. Because most of May occurs with schools in session and June occurs with schools in recess, and the counts were collected with schools in recess, the June monthly adjustment factor was deemed to be more appropriate to apply to the May 30th counts. The 0.99 monthly adjustment factor applied to the counted volumes would reduce the volumes very slightly. In order to be conservative, and given the adjustment factor that is nearly 1.00, it was decided to use the counted data with no reduction. The existing traffic counts at each intersection are shown in Figure 3. The raw count data is found in Appendix A.

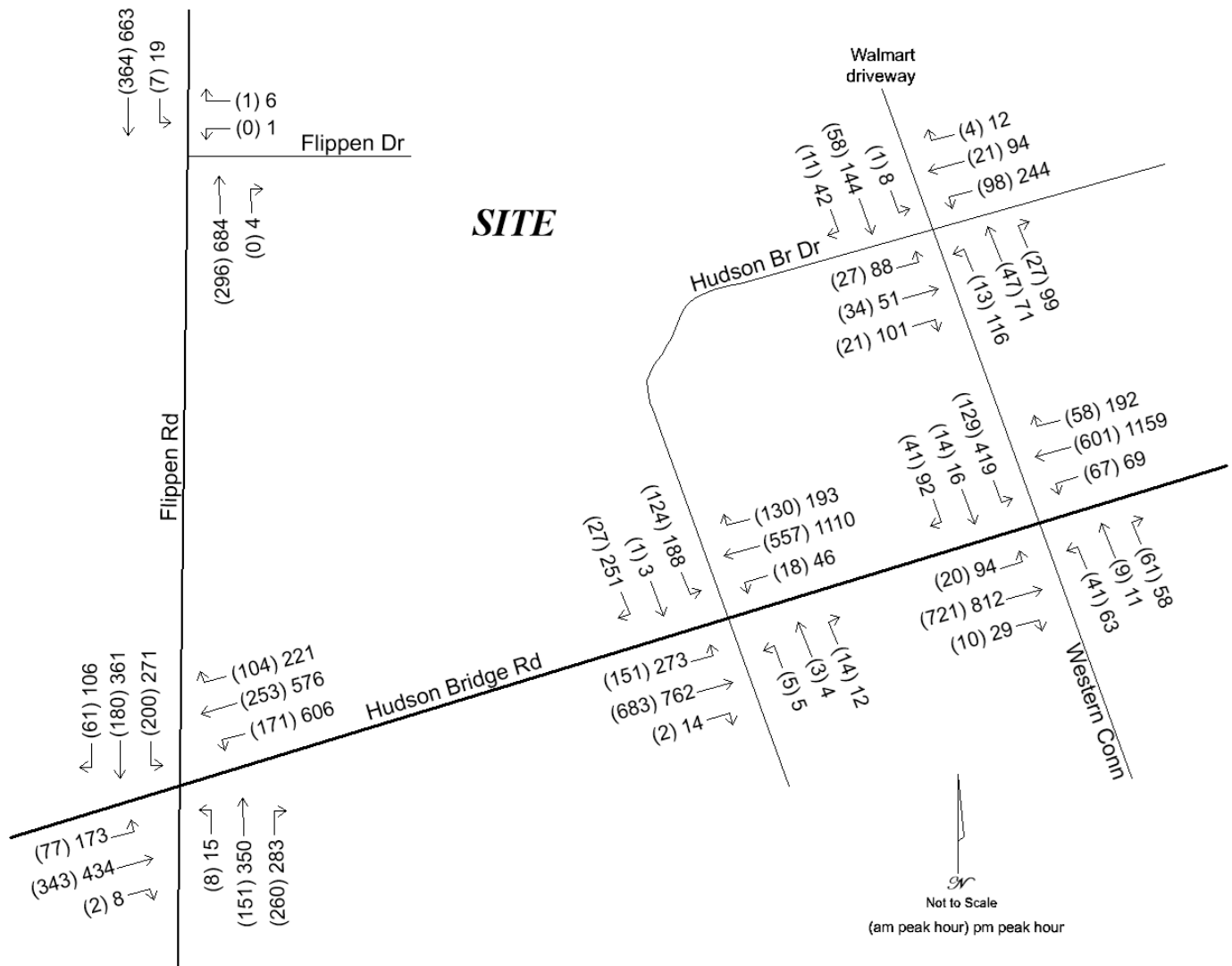


Figure 3 – Existing Weekday A.M. and P.M. Peak Hour Traffic Volumes

Existing Intersection Operations

Existing traffic operations were analyzed at the counted intersections using Synchro software, version 12, in accordance with the methodology presented in the Transportation Research Board's 2022 *Highway Capacity Manual 7th Edition (HCM 7)*. This methodology is presented in Appendix B. The analysis was based on the existing volumes, lanes, and control. The results of the analysis are shown in Table 1. Computer printouts containing detailed results of the existing analysis are located in Appendix C. Levels of service and delays are provided for each overall intersection and for each controlled approach or movement. Locations that operate unacceptably (LOS E or LOS F) are presented in bold type.

Table 1 – Existing Intersection Operations

Intersection / Approach	A.M. Peak Hour		P.M. Peak Hour	
	LOS	Delay (s/veh)	LOS	Delay (s/veh)
1. Hudson Bridge Rd at Flippen Rd (signal)	C	26.7	D	47.9
northbound approach	C	23.1	D	52.2
southbound approach	B	12.8	D	44.0
eastbound approach	D	38.1	D	51.2
westbound approach	C	34.8	D	46.4
2. Flippen Rd at Flippen Dr (side street stop)	A	0.1	A	0.3
southbound left turn	A	8.0	A	9.2
westbound approach	B	10.2	C	16.5
3. Hudson Bridge Rd at Hudson Bridge Dr (signal)	C	23.9	C	28.8
northbound approach	A	9.9	C	31.0
southbound approach	B	11.4	D	43.3
eastbound approach	C	26.1	D	36.1
westbound approach	C	24.9	B	18.6
4. Hudson Bridge Dr at Western Conn (all-way stop)	A	9.0	C	16.7
northbound approach	A	8.6	B	13.2
southbound approach	A	9.0	C	18.7
eastbound approach	A	8.7	B	14.0
westbound approach	A	9.6	C	20.0
5. Hudson Bridge Rd at Western Conn (signal)	C	25.4	C	30.0
northbound approach	C	24.9	C	32.2
southbound approach	C	31.2	D	43.8
eastbound approach	C	23.2	B	12.5
westbound approach	C	26.3	D	38.0

The existing analysis reveals acceptable traffic operations at all study locations. Therefore, no mitigation is identified for the existing condition.

No-Build Traffic Conditions

A 2029 no-build condition was developed. This represents the traffic conditions that will exist in the future at the anticipated date of full build-out and occupancy of the townhomes, but not including the townhomes' trips. The purpose of the analysis of this condition is to isolate the traffic impacts of the proposed development from background growth in volumes that is expected to occur in the area while the development is under construction.

In order to develop no-build volumes, a background growth factor was developed based on a review of historic Georgia DOT AADT traffic counts, as shown in Table 2.

Table 2 – Historic Georgia DOT Traffic Volume Counts and Annual Growth Rates

Year	Hudson Br E of Flippen	Annual Growth	Flippen N of Hudson Br	Annual Growth	Jodeco W of Spivey Chase	Annual Growth
Station ID	151-0396		151-0422		151-0223	
2018	21,800		14,500		8,200	
2019	21,900	0.5%	14,600	0.7%	8,250	0.6%
2020	20,200	-7.8%	12,800	-12.3%	7,610	-7.8%
2021	21,900	8.4%	13,800	7.8%	8,220	8.0%
2022	23,500	7.3%	14,100	2.2%	8,420	2.4%
<i>avg growth</i>		1.5%		-0.6%		0.5%

Growth in the area has fluctuated, but has been generally positive and moderate. All three Georgia DOT count stations experienced a decrease in volumes between 2019 and 2020 which is considered an anomaly due to the COVID-19 pandemic. There was positive growth at all locations the following year, which is somewhat attributable to a return to pre-pandemic levels and not necessarily new growth. Overall, growth has been low, with an annual average rate of between -0.6% to +1.5%. Based on the growth trends identified in Table 2, and taking the pandemic into consideration, it was decided that a modest background annual growth rate of 2.0% could be expected on the roads in this study while the proposed townhomes are built-out. This equates to a 10.4% increase in volumes from existing to the anticipated 2029 project buildout year. The 10.4% background growth factor was applied to the counted volumes at each study intersection to develop the 2029 no-build volumes.

Programmed Transportation Infrastructure Improvements

The Georgia DOT projects website and the Henry County Transportation Plan (CTP), 2022 Update, were reviewed for transportation projects in the vicinity of the subject development. The following programmed (scheduled and funded) or planned (anticipated) transportation infrastructure projects were identified:

Georgia DOT Project 0014482 – Western Parallel Connector – This proposed project is a new roadway in unincorporated Henry County and the City of Stockbridge along the west side of I-75 from Jonesboro Road

to Hudson Bridge Road, a distance of 3.3 miles. The project begins at the existing 4-way intersection of Jonesboro Road and Mt. Olive Road and proceeds north on the existing alignment approximately 1,600 feet before going on new location and ending at the existing intersection of Hudson Bridge Road. The roadway consists of 4-lanes (two in each direction) separated by an 18-foot raised median. This project is described as “Deferred” and, therefore, was not included in the analyses in this study.

CTP-S23 – Hudson Bridge Road – This project is listed in the CTP as a long-term (2036-2050) arterial upgrade for Hudson Bridge Road to consolidate driveways and intersections from Flippen Road to the I-75 northbound ramps. Because this project is anticipated well after the future analysis date of this study, this project was not factored into the no-build or future operational analyses.

CTP-IS07 – Intersection of Hudson Bridge Road at Flippen Road – This is listed as a long term (2036-2050) intersection safety project. Because this project is anticipated well after the future analysis date of this study, this project was not factored into the no-build or future operational analyses.

CTP-IS05 – Jodeco Road at Hudson Bridge Road – This project is a mid-term project to improve intersection safety. This intersection is not evaluated in this traffic impact study, but is in the vicinity. The no-build and future analysis in this traffic impact study assume no changes to traffic volumes or travel patterns at any study intersection due to this project.

CTP-IS08 and IS09 – Hudson Bridge Road at I-75 SB Ramps and I-75 NB Ramps – These are listed as mid-term intersection safety improvements. These intersections are beyond the scope of this traffic study.

CTP-R02 – Flippen Road Widening – This is a long-term (2036-2050) capacity project to widen Flippen Road from two to four lanes. Because this project is anticipated well after the future analysis date of this study, this project was not factored into the no-build or future operational analyses.

No-Build Intersection Operations

The no-build condition includes the no-build traffic volumes, as described above, applied to the existing lanes and control. The no-build volumes were entered into the Synchro 12 model and the 2029 no-build traffic operations were analyzed at each study intersection. The results of the no-build analysis are shown in Table 3. Computer printouts containing detailed results of the no-build analysis are located in Appendix D. Levels of service and delays are provided for each overall intersection and for each controlled approach or movement. Locations that operate unacceptably (LOS E or LOS F) are presented in bold type.

Table 3 – No-Build Intersection Operations

Intersection / Approach	A.M. Peak Hour		P.M. Peak Hour	
	LOS	Delay (s/veh)	LOS	Delay (s/veh)
1. Hudson Bridge Rd at Flippen Rd (signal)	C	25.3	<i>E</i>	63.3
northbound approach	B	19.6	<i>E</i>	73.0
southbound approach	B	10.2	<i>E</i>	57.9
eastbound approach	D	39.0	D	53.5
westbound approach	C	34.5	<i>E</i>	66.5
2. Flippen Rd at Flippen Dr (side street stop)	A	0.1	A	0.3
southbound left turn	A	8.1	A	9.5
westbound approach	B	10.4	C	18.0
3. Hudson Bridge Rd at Hudson Bridge Dr (signal)	C	23.3	C	30.3
northbound approach	B	11.4	C	34.0
southbound approach	B	14.0	<i>E</i>	59.5
eastbound approach	C	25.0	D	35.8
westbound approach	C	24.0	B	16.6
4. Hudson Bridge Dr at Western Conn (all-way stop)	A	9.3	C	20.6
northbound approach	A	8.7	B	14.7
southbound approach	A	9.2	C	23.7
eastbound approach	A	8.9	C	15.9
westbound approach	A	10.0	D	26.2
5. Hudson Bridge Rd at Western Conn (signal)	C	24.5	C	29.9
northbound approach	C	26.9	C	34.4
southbound approach	C	31.5	D	47.7
eastbound approach	C	22.1	B	10.9
westbound approach	C	25.2	D	37.3

The no-build analysis reveals continued acceptable traffic operations at most study locations, comparable to the existing condition, with just modest increases in delays due to anticipated growth in volumes. The intersection of Hudson Bridge Road at Flippen Road drops to LOS E in the p.m. peak, but continues to operate acceptably in the a.m. The southbound approach of Hudson Bridge Drive at Hudson Bridge Road also drops to LOS E in the p.m., while the overall intersection operates acceptably in both the p.m. and the a.m. The addition of a second westbound left turn lane on Hudson Bridge Road at the Flippen Road intersection would provide the needed capacity to allow that intersection to operate well, and the adjusted signal operations to account for this extra capacity also allows the Hudson Bridge Road / Hudson Bridge Drive intersection to operate acceptably on all approaches during the p.m. peak. There is already hatched-out lane width to accommodate the second westbound left turn lane, so no road

widening would be necessary – the improvement would be a matter of restriping the existing lanes and changes to the signal phasing. Therefore, this mitigation is recommended for the no-build condition. This mitigation is considered a system improvement which should be implemented whether or not the proposed townhomes are developed.

Project Traffic Characteristics

This section describes the anticipated traffic characteristics of the proposed development, including a site description, how much traffic the project will generate, and where that traffic will travel.

Project Description

The project will consist of 140 attached residential townhomes. Vehicular connections will be made to Hudson Bridge Drive and Oakwood Drive, which provides a connection to Flippen Road via Flippen Drive. The site plan is presented in Figure 4.



Figure 4 – Townhomes Site Plan

Trip Generation

Trip generation is an estimate of the number of entering and exiting vehicular trips that will be generated by the proposed development. The volume of traffic that will be generated by the townhomes was calculated using the equations and rates in the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, 11th Edition (the current edition). ITE Land Use 215 – Single Family Attached Housing was chosen as representative of the project. The trip generation for the project is presented in Table 4.

Table 4 – Townhomes Trip Generation

Land Use	ITE Code	Size	A.M. Peak Hour			P.M. Peak Hour			24-Hour
			In	Out	Total	In	Out	Total	2-Way
Single Family Attached	215	140 homes	17	50	67	47	33	80	1,016

The proposed townhomes will generate 67 a.m. peak hour trips, 80 p.m. peak hour trips, and 1,016 weekday trips.

Trip Distribution and Assignment

The trip distribution percentages indicate what proportion of the townhomes' trips will travel to and from various directions. The trip distribution percentages for the townhomes were developed based on the locations and proximity of likely trip origins and destinations including regional employment centers, retail and offices in the area, nearby schools, other regional trip attractors, and the major routes of travel in the area, notably the nearby interchange with I-75. The project trips, shown in Table 4, were assigned to each study intersection based on the distribution percentages. The trip distribution percentages and the a.m. and p.m. peak hour trips expected to be generated by the proposed development are shown in Figure 5.

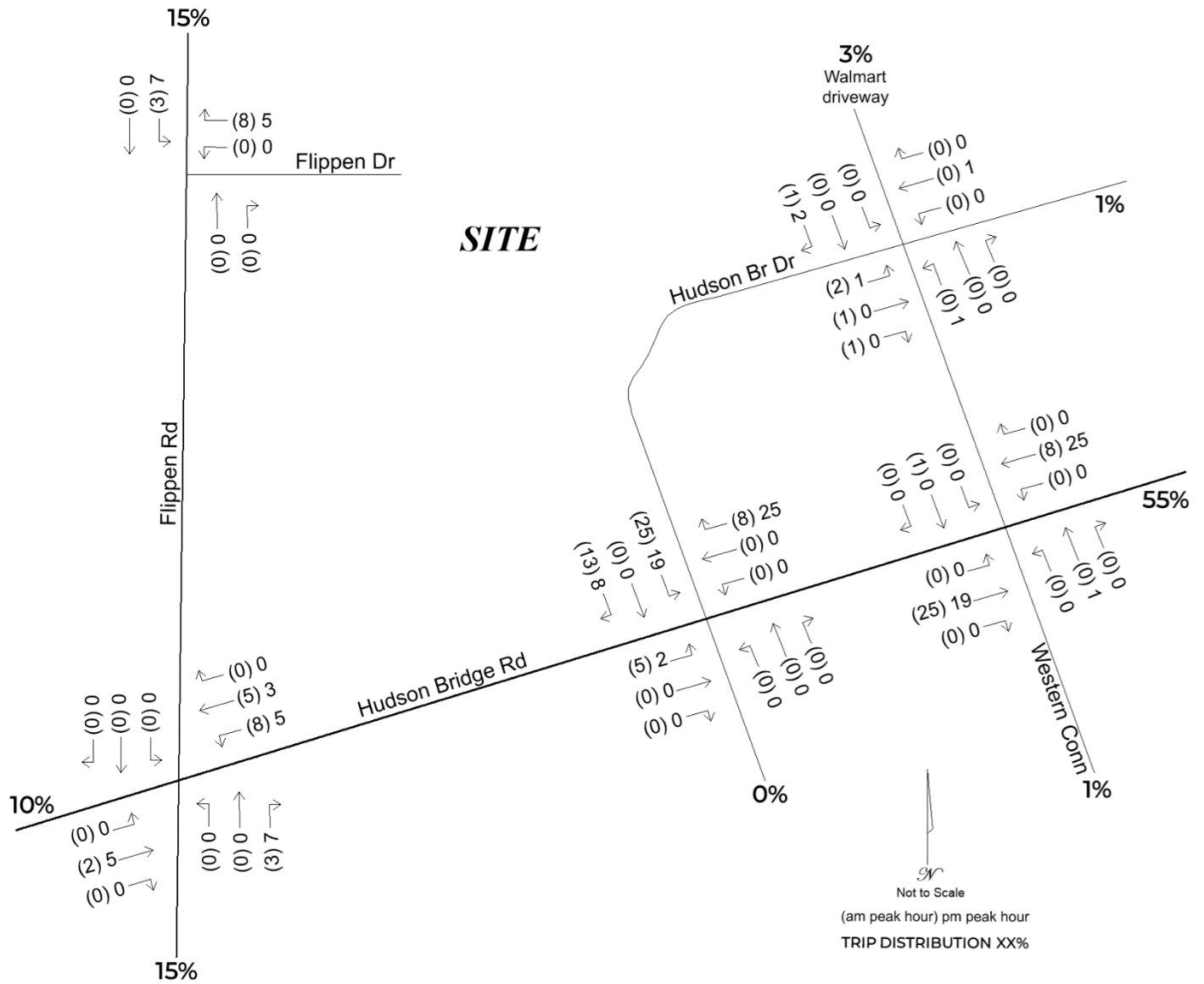


Figure 5 – Weekday A.M. and P.M. Peak Hour Project Trips and Distribution Percentages

Future Traffic Conditions

The future volumes consist of the no-build volumes plus the trips that will be generated by the proposed townhomes. The future volumes are shown in Figure 6.

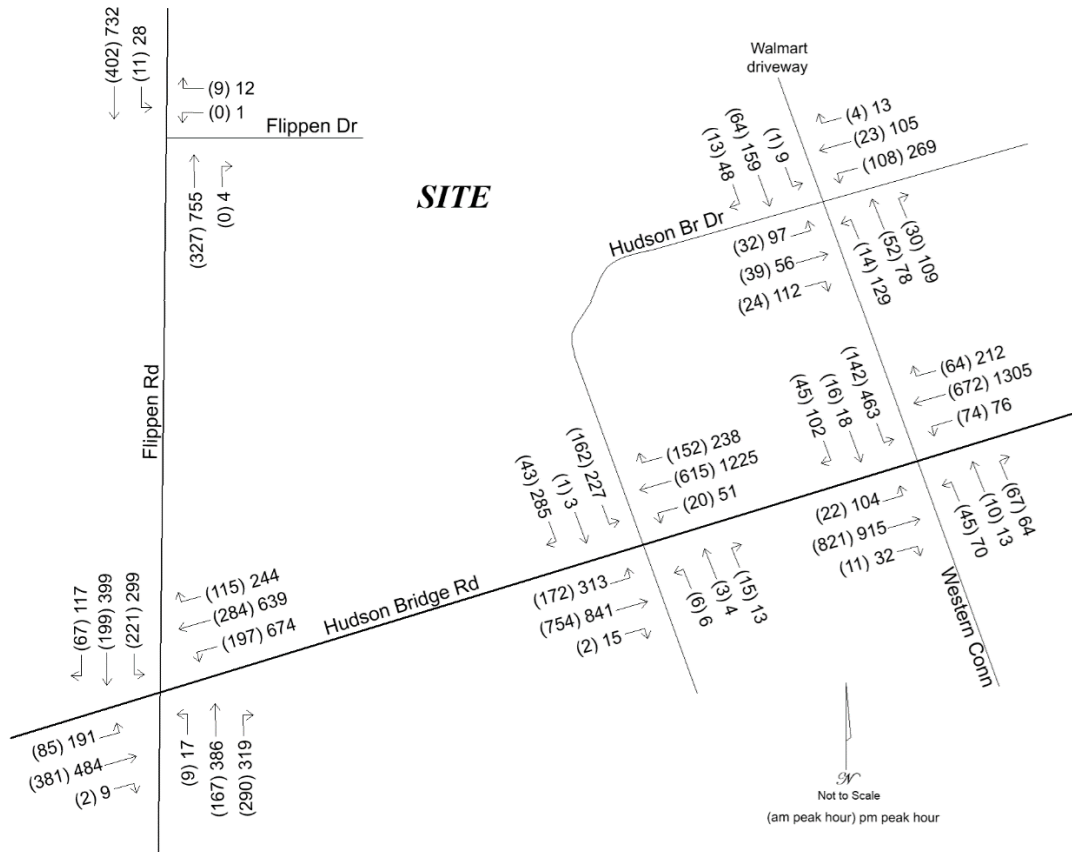


Figure 6 – Future Weekday A.M. and P.M. Peak Hour Volumes

Auxiliary Lane Requirements at Project Accesses

The project will connect to Hudson Bridge Drive, which provides access to Hudson Bridge Road, and to Oakwood Drive which provides a connection to Flippen Road. At Hudson Bridge Drive, Hudson Bridge Road has an eastbound left turn lane and a westbound right turn lane. No additional auxiliary turn lanes are necessary on Hudson Bridge Road at Hudson Bridge Drive. On Flippen Road there are no left or right turn lanes at Flippen Drive. The volumes turning into Flippen Drive at Hudson Bridge Road are very low and will continue to be low with the modest volume of project trips that will be added to that existing intersection. The future northbound right turn volume from Flippen Road into Flippen Drive is projected at 0 a.m. peak hour trips and 4 p.m. peak hour trips. The future southbound left turn volume from Flippen Road is projected at 11 a.m. peak hour trips and 28 p.m. peak hour trips. Based on the lanes and volumes at the intersections at which the project will connect to the public roadways, no changes to the auxiliary turn lanes (or lack thereof) are recommended as a consequence of the proposed townhomes project.

Future Intersection Operations

An operational analysis was performed for the anticipated future project build-out at the study intersections. Table 5 presents the results of the future analysis. Computer printouts containing detailed results of the future analysis are located in Appendix E. Levels of service and delays are provided for each overall intersection and for each controlled approach or movement. Locations that operate unacceptably (LOS E or LOS F) are presented in bold type.

Table 5 – Future Intersection Operations

Intersection / Approach	A.M. Peak Hour		P.M. Peak Hour	
	LOS	Delay (s/veh)	LOS	Delay (s/veh)
1. Hudson Bridge Rd at Flippen Rd (signal)	C	25.5	E	64.7
northbound approach	C	20.1	E	75.5
southbound approach	B	10.5	E	58.4
eastbound approach	D	39.0	D	53.9
westbound approach	C	34.4	E	68.1
2. Flippen Rd at Flippen Dr (side street stop)	A	0.6	A	0.4
southbound left turn	A	8.1	A	9.5
westbound approach	B	10.7	C	17.2
3. Hudson Bridge Rd at Hudson Bridge Dr (signal)	C	23.3	C	32.7
northbound approach	B	13.2	C	34.3
southbound approach	B	16.9	E	74.1
eastbound approach	C	24.7	D	35.9
westbound approach	C	24.0	B	16.3
4. Hudson Bridge Dr at Western Conn (all-way stop)	A	9.3	C	20.8
northbound approach	A	8.8	B	14.8
southbound approach	A	9.2	C	24.1
eastbound approach	A	9.0	C	15.9
westbound approach	A	10.0	D	26.4
5. Hudson Bridge Rd at Western Conn (signal)	C	22.6	C	29.7
northbound approach	C	26.4	C	34.8
southbound approach	C	31.5	D	47.7
eastbound approach	B	17.8	B	10.6
westbound approach	C	25.6	D	37.4

The future analysis with the addition of the proposed townhomes' trips reveals a slight deterioration in operations at each study intersection. As with the no-build analysis, the Hudson Bridge Road / Flippen Road intersection operates at LOS E in the p.m. peak, as does the southbound approach of Hudson Bridge Drive at Hudson Bridge Road. The mitigation identified for the no-build analysis – the addition of a second westbound left turn lane on Hudson Bridge Road at Flippen Road – continues to be appropriate. That intersection and all approaches will operate acceptably in the future condition with the implementation of that improvement. The southbound approach of Hudson Bridge Drive would continue to operate at LOS E. However, because it is a LOS E (not LOS F) for just one time period on just one approach, and the other approaches and overall intersection will operate acceptably, no mitigation is recommended. This one approach is a side street at a busy thoroughfare. The delays are only incurred by motorists on the minor street approach and those vehicles do have the option to travel to the signal at Western Connector at Hudson Bridge Road, which operates acceptably for all approaches. Because the westbound left turn lane was recommended as a system improvement, needed in the no-build condition, no mitigation is identified as a consequence of the proposed townhomes development.

Conclusions and Recommendations

This study assesses the traffic impact of a proposed residential townhome development in Stockbridge. The site is located north of Hudson Bridge Road and will be served by vehicular connections to Hudson Bridge Drive and Oakwood Drive, which provides a connection to Flippen Road via Flippen Drive. The project will consist of 140 attached residential townhomes. The following are the findings and recommendations of this study:

1. The existing analysis reveals acceptable traffic operations at all study locations. Therefore, no mitigation is identified for the existing condition.
2. Traffic volume growth in this area has been modest. An annual growth rate of 2.0%, applied for five years, for a total of 10.4% growth, was used in developing future volume projections.
3. The no-build analysis reveals continued acceptable traffic operations at most study locations, comparable to the existing condition, with just modest increases in delays due to anticipated growth in volumes. However, the Hudson Bridge Road / Flippen Road intersection will drop to LOS E in the p.m. peak. The southbound approach of Hudson Bridge Drive at Hudson Bridge Road will also drop to LOS E in the p.m. peak. It is recommended that a second westbound left turn lane be added on Hudson Bridge Road at Flippen Road for the no-build condition. This is considered a system improvement, needed whether or not the proposed townhomes are developed.
4. The proposed townhomes will generate 67 a.m. peak hour trips, 80 p.m. peak hour trips, and 1,016 weekday trips.
5. The future analysis with the addition of the proposed townhomes' trips reveals a slight deterioration in operations at each study intersection. The mitigation identified for the no-build condition will continue to be appropriate and no additional mitigation identified as a consequence of the proposed townhomes development.
6. The project civil/site engineer should comply with all applicable design standards including sight distances, turn lane storage and taper lengths, turn radii, driveway widths, islands, angles with the adjacent roadways, and grades.

Appendix A

Traffic Count Data

Hudson Bridge Townhomes Traffic Impact Study
City of Stockbridge, Georgia

June 2024

Intersection: 1. Hudson Bridge Road at Flippen Road

Weekday A.M. Peak Hour	Northbound Flippen Road				Southbound Flippen Road				Eastbound Hudson Bridge Road				Westbound Hudson Bridge Road			
	L	T	R	Tot	L	T	R	Tot	L	T	R	Tot	L	T	R	Tot
Counted Volumes (Thursday, May 30, 2024 8:00-9:00)	8	151	260	419	200	180	61	441	77	343	2	422	171	253	104	528
Annual Background Growth to 2029	10.4%	10.4%	10.4%		10.4%	10.4%	10.4%		10.4%	10.4%	10.4%		10.4%	10.4%	10.4%	
2029 No-Build Volumes	9	167	287	463	221	199	67	487	85	379	2	466	189	279	115	583
Hudson Bridge Townhomes Trips	0	0	3	3	0	0	0	0	0	2	0	2	8	5	0	13
2029 Build Volumes	9	167	290	466	221	199	67	487	85	381	2	468	197	284	115	596

Weekday P.M. Peak Hour	Northbound Flippen Road				Southbound Flippen Road				Eastbound Hudson Bridge Road				Westbound Hudson Bridge Road			
	L	T	R	Tot	L	T	R	Tot	L	T	R	Tot	L	T	R	Tot
Counted Volumes (Thursday, May 30, 2024 4:45-5:45)	15	350	283	648	271	361	106	738	173	434	8	615	606	576	221	1403
Annual Background Growth to 2029	10.4%	10.4%	10.4%		10.4%	10.4%	10.4%		10.4%	10.4%	10.4%		10.4%	10.4%	10.4%	
2029 No-Build Volumes	17	386	312	715	299	399	117	815	191	479	9	679	669	636	244	1549
Hudson Bridge Townhomes Trips	0	0	7	7	0	0	0	0	0	5	0	5	5	3	0	8
2029 Build Volumes	17	386	319	722	299	399	117	815	191	484	9	684	674	639	244	1557

Hudson Bridge Townhomes Traffic Impact Study
City of Stockbridge, Georgia

June 2024

Intersection: 2. Flippen Road at Flippen Drive

Weekday A.M. Peak Hour	Northbound Flippen Road			Southbound Flippen Road				Westbound Flippen Drive		
	T	R	Tot	L	T	Tot		L	R	Tot
Counted Volumes (Thursday, May 30, 2024 8:00-9:00)	296	0	296	7	364	371		0	1	1
Annual Background Growth to 2029	10.4%	10.4%		10.4%	10.4%			10.4%	10.4%	
2029 No-Build Volumes	327	0	327	8	402	410		0	1	1
Hudson Bridge Townhomes Trips	0	0	0	3	0	3		0	8	8
2029 Build Volumes	327	0	327	11	402	413		0	9	9

Weekday P.M. Peak Hour	Northbound Flippen Road			Southbound Flippen Road				Westbound Flippen Drive		
	T	R	Tot	L	T	Tot		L	R	Tot
Counted Volumes (Thursday, May 30, 2024 4:45-5:45)	684	4	688	19	663	682		1	6	7
Annual Background Growth to 2029	10.4%	10.4%		10.4%	10.4%			10.4%	10.4%	
2029 No-Build Volumes	755	4	760	21	732	753		1	7	8
Hudson Bridge Townhomes Trips	0	0	0	7	0	7		0	5	5
2029 Build Volumes	755	4	760	28	732	760		1	12	13

Hudson Bridge Townhomes Traffic Impact Study
City of Stockbridge, Georgia

June 2024

Intersection: 3. Hudson Bridge Road at Hudson Bridge Drive

Weekday A.M. Peak Hour	Northbound Hudson Bridge Drive				Southbound Hudson Bridge Drive				Eastbound Hudson Bridge Road				Westbound Hudson Bridge Road			
	L	T	R	Tot	L	T	R	Tot	L	T	R	Tot	L	T	R	Tot
Counted Volumes (Thursday, May 30, 2024 7:30-8:30)	5	3	14	22	124	1	27	152	151	683	2	836	18	557	130	705
Annual Background Growth to 2029	10.4%	10.4%	10.4%		10.4%	10.4%	10.4%		10.4%	10.4%	10.4%		10.4%	10.4%	10.4%	
2029 No-Build Volumes	6	3	15	24	137	1	30	168	167	754	2	923	20	615	144	778
Hudson Bridge Townhomes Trips	0	0	0	0	25	0	13	38	5	0	0	5	0	0	8	8
2029 Build Volumes	6	3	15	24	162	1	43	206	172	754	2	928	20	615	152	786

Weekday P.M. Peak Hour	Northbound Hudson Bridge Drive				Southbound Hudson Bridge Drive				Eastbound Hudson Bridge Road				Westbound Hudson Bridge Road			
	L	T	R	Tot	L	T	R	Tot	L	T	R	Tot	L	T	R	Tot
Counted Volumes (Thursday, May 30, 2024 4:30-5:30)	5	4	12	21	188	3	251	442	273	762	14	1049	46	1110	193	1349
Annual Background Growth to 2029	10.4%	10.4%	10.4%		10.4%	10.4%	10.4%		10.4%	10.4%	10.4%		10.4%	10.4%	10.4%	
2029 No-Build Volumes	6	4	13	23	208	3	277	488	301	841	15	1158	51	1225	213	1489
Hudson Bridge Townhomes Trips	0	0	0	0	19	0	8	27	12	0	0	12	0	0	25	25
2029 Build Volumes	6	4	13	23	227	3	285	515	313	841	15	1170	51	1225	238	1514

Hudson Bridge Townhomes Traffic Impact Study
City of Stockbridge, Georgia

June 2024

Intersection: 4. Hudson Bridge Drive at Western Connector / Walmart Driveway

Weekday A.M. Peak Hour	Northbound Western Connector				Southbound Walmart Driveway				Eastbound Hudson Bridge Drive				Westbound Hudson Bridge Drive			
	L	T	R	Tot	L	T	R	Tot	L	T	R	Tot	L	T	R	Tot
Counted Volumes (Thursday, May 30, 2024 8:00-9:00)	13	47	27	87	1	58	11	70	27	34	21	82	98	21	4	123
Annual Background Growth to 2029	10.4%	10.4%	10.4%		10.4%	10.4%	10.4%		10.4%	10.4%	10.4%		10.4%	10.4%	10.4%	
2029 No-Build Volumes	14	52	30	96	1	64	12	77	30	38	23	91	108	23	4	136
Hudson Bridge Townhomes Trips	0	0	0	0	0	0	1	1	2	1	1	4	0	0	0	0
2029 Build Volumes	14	52	30	96	1	64	13	78	32	39	24	95	108	23	4	136

Weekday P.M. Peak Hour	Northbound Western Connector				Southbound Walmart Driveway				Eastbound Hudson Bridge Drive				Westbound Hudson Bridge Drive			
	L	T	R	Tot	L	T	R	Tot	L	T	R	Tot	L	T	R	Tot
Counted Volumes (Thursday, May 30, 2024 4:30-5:30)	116	71	99	286	8	144	42	194	88	51	101	240	244	94	12	350
Annual Background Growth to 2029	10.4%	10.4%	10.4%		10.4%	10.4%	10.4%		10.4%	10.4%	10.4%		10.4%	10.4%	10.4%	
2029 No-Build Volumes	128	78	109	316	9	159	46	214	97	56	112	265	269	104	13	386
Hudson Bridge Townhomes Trips	1	0	0	1	0	0	2	2	0	0	0	0	0	1	0	1
2029 Build Volumes	129	78	109	317	9	159	48	216	97	56	112	265	269	105	13	387

Hudson Bridge Townhomes Traffic Impact Study
City of Stockbridge, Georgia

June 2024

Intersection: 5. Hudson Bridge Road at Western Connector

Weekday A.M. Peak Hour	Northbound Western Connector				Southbound Western Connector				Eastbound Hudson Bridge Road				Westbound Hudson Bridge Road			
	L	T	R	Tot	L	T	R	Tot	L	T	R	Tot	L	T	R	Tot
Counted Volumes (Thursday, May 30, 2024 8:00-9:00)	41	9	61	111	129	14	41	184	20	721	10	751	67	601	58	726
Annual Background Growth to 2029	10.4%	10.4%	10.4%		10.4%	10.4%	10.4%		10.4%	10.4%	10.4%		10.4%	10.4%	10.4%	
2029 No-Build Volumes	45	10	67	123	142	15	45	203	22	796	11	829	74	664	64	802
Hudson Bridge Townhomes Trips	0	0	0	0	0	1	0	1	0	25	0	25	0	8	0	8
2029 Build Volumes	45	10	67	123	142	16	45	204	22	821	11	854	74	672	64	810

Weekday P.M. Peak Hour	Northbound Western Connector				Southbound Western Connector				Eastbound Hudson Bridge Road				Westbound Hudson Bridge Road			
	L	T	R	Tot	L	T	R	Tot	L	T	R	Tot	L	T	R	Tot
Counted Volumes (Thursday, May 30, 2024 4:30-5:30)	63	11	58	132	419	16	92	527	94	812	29	935	69	1159	192	1420
Annual Background Growth to 2029	10.4%	10.4%	10.4%		10.4%	10.4%	10.4%		10.4%	10.4%	10.4%		10.4%	10.4%	10.4%	
2029 No-Build Volumes	70	12	64	146	463	18	102	582	104	896	32	1032	76	1280	212	1568
Hudson Bridge Townhomes Trips	0	1	0	1	0	0	0	0	0	19	0	19	0	25	0	25
2029 Build Volumes	70	13	64	147	463	18	102	582	104	915	32	1051	76	1305	212	1593

Reliable Traffic Data Services

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TMC Data
Hudson Bridge Rd @ Flippen Rd
Stockbridge, GA
7-9 AM | 4-6 PM

File Name : 48970001
Site Code : 48970001
Start Date : 5/30/2024
Page No : 1

Groups Printed- Cars, Buses and Trucks

	Flippen Rd Northbound					Flippen Rd Southbound					Hudson Bridge Rd Eastbound					Hudson Bridge Rd Westbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
07:00 AM	1	23	42	0	66	48	15	12	0	75	15	64	0	0	79	25	52	13	0	90	310
07:15 AM	1	29	67	0	97	36	23	18	0	77	8	74	1	0	83	30	47	17	0	94	351
07:30 AM	1	37	73	0	111	44	53	14	0	111	16	89	1	0	106	33	54	24	0	111	439
07:45 AM	0	29	84	0	113	52	39	11	0	102	14	93	2	0	109	30	58	29	0	117	441
Total	3	118	266	0	387	180	130	55	0	365	53	320	4	0	377	118	211	83	0	412	1541
08:00 AM	2	30	56	0	88	54	37	10	0	101	18	99	1	0	118	38	53	26	0	117	424
08:15 AM	3	33	69	0	105	57	52	21	0	130	24	74	1	0	99	43	67	27	0	137	471
08:30 AM	1	42	80	0	123	42	53	16	0	111	14	78	0	0	92	40	69	25	0	134	460
08:45 AM	2	46	55	0	103	47	38	14	0	99	21	92	0	0	113	50	64	26	0	140	455
Total	8	151	260	0	419	200	180	61	0	441	77	343	2	0	422	171	253	104	0	528	1810
*** BREAK ***																					
04:00 PM	4	70	59	0	133	69	87	19	0	175	42	100	2	0	144	114	116	46	0	276	728
04:15 PM	3	69	68	0	140	49	94	17	0	160	45	104	1	0	150	135	120	45	0	300	750
04:30 PM	3	88	61	0	152	59	88	23	0	170	38	109	0	0	147	145	130	42	0	317	786
04:45 PM	4	85	64	0	153	78	80	29	0	187	38	101	4	0	143	147	126	58	0	331	814
Total	14	312	252	0	578	255	349	88	0	692	163	414	7	0	584	541	492	191	0	1224	3078
05:00 PM	4	93	67	0	164	61	89	20	0	170	45	111	0	0	156	156	152	60	0	368	858
05:15 PM	4	90	64	0	158	62	97	26	0	185	43	115	4	0	162	159	157	57	0	373	878
05:30 PM	3	82	88	0	173	70	95	31	0	196	47	107	0	0	154	144	141	46	0	331	854
05:45 PM	5	76	65	0	146	66	90	24	0	180	34	102	1	0	137	120	122	40	0	282	745
Total	16	341	284	0	641	259	371	101	0	731	169	435	5	0	609	579	572	203	0	1354	3335
Grand Total	41	922	1062	0	2025	894	1030	305	0	2229	462	1512	18	0	1992	1409	1528	581	0	3518	9764
Apprch %	2	45.5	52.4	0		40.1	46.2	13.7	0		23.2	75.9	0.9	0		40.1	43.4	16.5	0		
Total %	0.4	9.4	10.9	0	20.7	9.2	10.5	3.1	0	22.8	4.7	15.5	0.2	0	20.4	14.4	15.6	6	0	36	

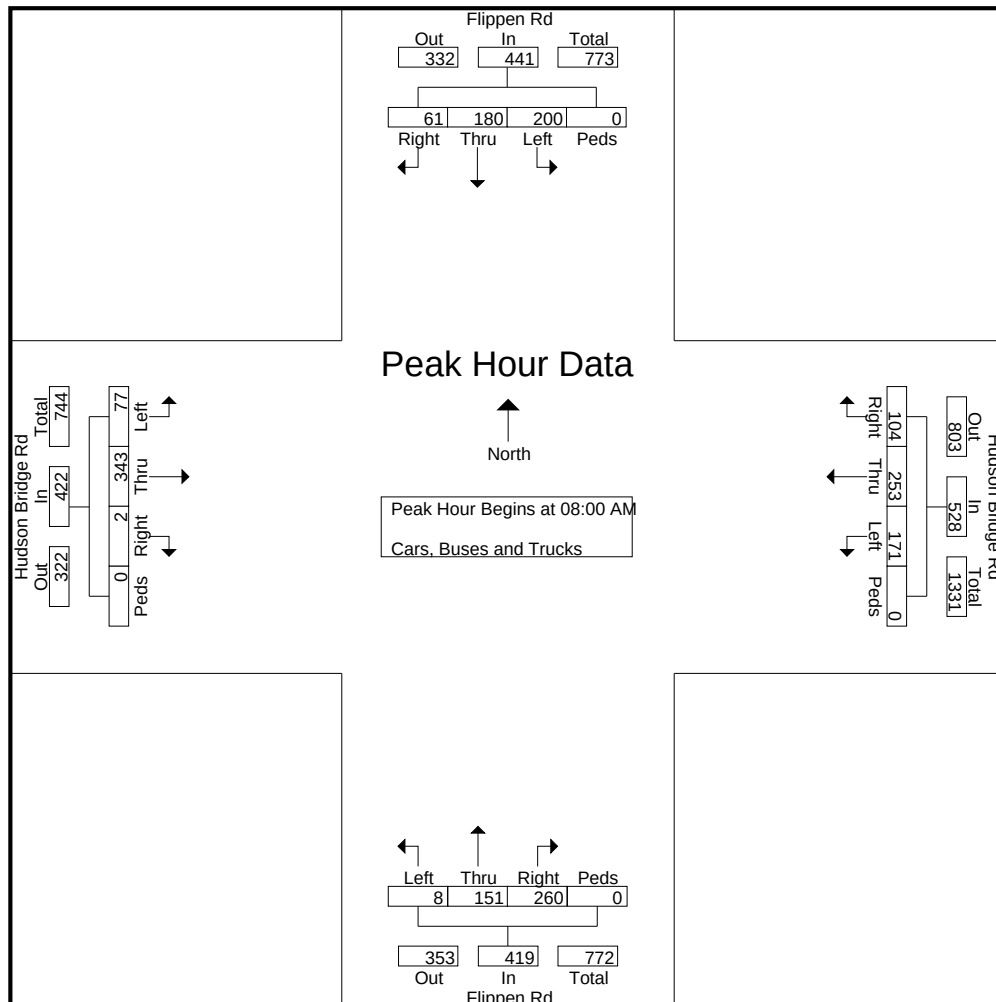
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TMC Data
Hudson Bridge Rd @ Flippen Rd
Stockbridge, GA
7-9 AM | 4-6 PM

File Name : 48970001
Site Code : 48970001
Start Date : 5/30/2024
Page No : 2

	Flippen Rd Northbound					Flippen Rd Southbound					Hudson Bridge Rd Eastbound					Hudson Bridge Rd Westbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
Peak Hour Analysis From 07:00 AM to 08:45 AM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 08:00 AM																					
08:00 AM	2	30	56	0	88	54	37	10	0	101	18	99	1	0	118	38	53	26	0	117	424
08:15 AM	3	33	69	0	105	57	52	21	0	130	24	74	1	0	99	43	67	27	0	137	471
08:30 AM	1	42	80	0	123	42	53	16	0	111	14	78	0	0	92	40	69	25	0	134	460
08:45 AM	2	46	55	0	103	47	38	14	0	99	21	92	0	0	113	50	64	26	0	140	455
Total Volume	8	151	260	0	419	200	180	61	0	441	77	343	2	0	422	171	253	104	0	528	1810
% App. Total			62.1			45.4	40.8	13.8			18.2	81.3				32.4	47.9	19.7			
PHF	.667	.821	.813	.000	.852	.877	.849	.726	.000	.848	.802	.866	.500	.000	.894	.855	.917	.963	.000	.943	.961



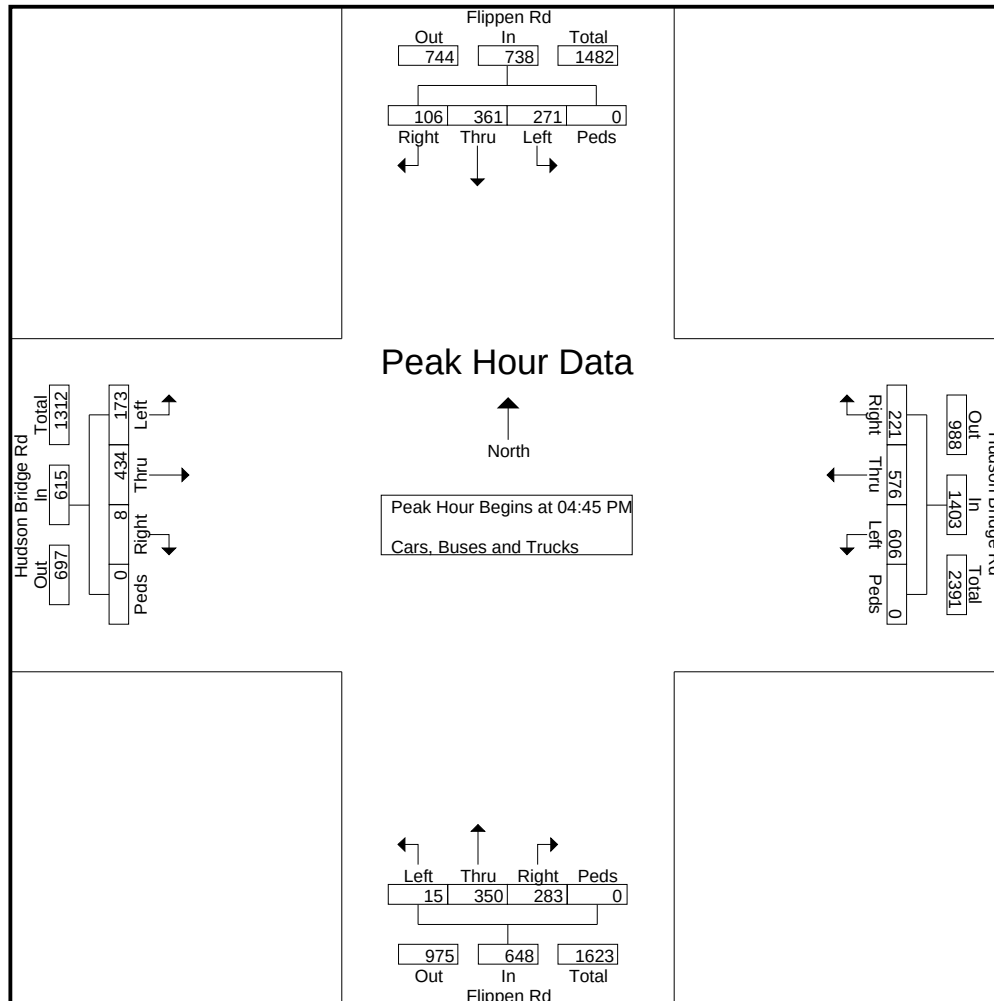
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TMC Data
Hudson Bridge Rd @ Flippen Rd
Stockbridge, GA
7-9 AM | 4-6 PM

File Name : 48970001
Site Code : 48970001
Start Date : 5/30/2024
Page No : 3

	Flippen Rd Northbound					Flippen Rd Southbound					Hudson Bridge Rd Eastbound					Hudson Bridge Rd Westbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 04:45 PM																					
04:45 PM	4	85	64	0	153	78	80	29	0	187	38	101	4	0	143	147	126	58	0	331	814
05:00 PM	4	93	67	0	164	61	89	20	0	170	45	111	0	0	156	156	152	60	0	368	858
05:15 PM	4	90	64	0	158	62	97	26	0	185	43	115	4	0	162	159	157	57	0	373	878
05:30 PM	3	82	88	0	173	70	95	31	0	196	47	107	0	0	154	144	141	46	0	331	854
Total Volume	15	350	283	0	648	271	361	106	0	738	173	434	8	0	615	606	576	221	0	1403	3404
% App. Total			43.7			36.7	48.9	14.4			28.1	70.6				43.2	41.1	15.8			
PHF	.938	.941	.804	.000	.936	.869	.930	.855	.000	.941	.920	.943	.500	.000	.949	.953	.917	.921	.000	.940	.969



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TMC Data
 Flippen Rd @ Flippen Dr
 Stockbridge, GA
 7-9 AM | 4-6 PM

File Name : 48970002
 Site Code : 48970002
 Start Date : 5/30/2024
 Page No : 1

Groups Printed- Cars, Buses and Trucks

	Flippen Rd Northbound					Flippen Rd Southbound					Eastbound					Flippen Dr Westbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
07:00 AM	0	56	0	0	56	2	64	0	0	66	0	0	0	0	0	0	0	0	0	0	122
07:15 AM	0	47	0	0	47	3	67	0	0	70	0	0	0	0	0	1	0	3	0	4	121
07:30 AM	0	77	1	0	78	0	94	0	0	94	0	0	0	0	0	0	0	2	0	2	174
07:45 AM	0	55	0	0	55	0	85	0	0	85	0	0	0	0	0	1	0	3	0	4	144
Total	0	235	1	0	236	5	310	0	0	315	0	0	0	0	0	2	0	8	0	10	561
08:00 AM	0	66	0	0	66	1	83	0	0	84	0	0	0	0	0	0	0	0	0	0	150
08:15 AM	0	76	0	0	76	2	98	0	0	100	0	0	0	0	0	0	0	0	0	0	176
08:30 AM	0	69	0	0	69	3	87	0	0	90	0	0	0	0	0	0	0	0	0	0	159
08:45 AM	0	85	0	0	85	1	96	0	0	97	0	0	0	0	0	0	0	1	0	1	183
Total	0	296	0	0	296	7	364	0	0	371	0	0	0	0	0	0	0	1	0	1	668
*** BREAK ***																					
04:00 PM	0	153	3	0	156	4	162	0	0	166	0	0	0	0	0	3	0	1	0	4	326
04:15 PM	0	156	1	0	157	3	146	0	0	149	0	0	0	0	0	0	0	3	0	3	309
04:30 PM	0	164	0	0	164	0	154	0	0	154	0	0	0	0	0	0	0	3	0	3	321
04:45 PM	0	164	1	0	165	5	179	0	0	184	0	0	0	0	0	1	0	2	0	3	352
Total	0	637	5	0	642	12	641	0	0	653	0	0	0	0	0	4	0	9	0	13	1308
05:00 PM	0	179	2	0	181	4	165	0	0	169	0	0	0	0	0	0	0	2	0	2	352
05:15 PM	0	173	1	0	174	5	159	0	0	164	0	0	0	0	0	0	0	1	0	1	339
05:30 PM	0	168	2	0	170	5	160	0	0	165	0	0	0	0	0	0	0	1	0	1	336
05:45 PM	0	154	2	0	156	4	183	0	0	187	0	0	0	0	0	0	0	1	0	1	344
Total	0	674	7	0	681	18	667	0	0	685	0	0	0	0	0	0	0	5	0	5	1371
Grand Total	0	1842	13	0	1855	42	1982	0	0	2024	0	0	0	0	0	6	0	23	0	29	3908
Apprch %	0	99.3	0.7	0		2.1	97.9	0	0		0	0	0	0		20.7	0	79.3	0		
Total %	0	47.1	0.3	0	47.5	1.1	50.7	0	0	51.8	0	0	0	0	0	0.2	0	0.6	0	0.7	

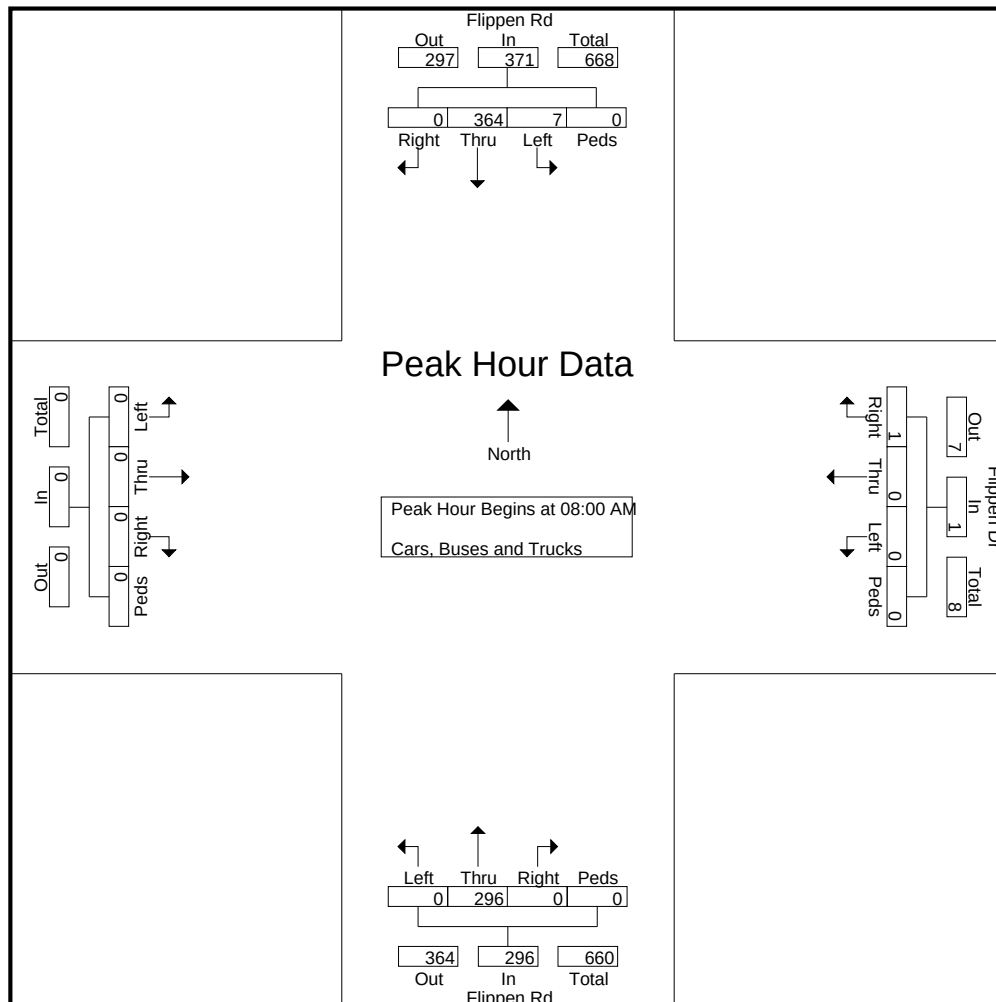
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TMC Data
 Flippen Rd @ Flippen Dr
 Stockbridge, GA
 7-9 AM | 4-6 PM

File Name : 48970002
 Site Code : 48970002
 Start Date : 5/30/2024
 Page No : 2

	Flippen Rd Northbound					Flippen Rd Southbound					Eastbound					Flippen Dr Westbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
Peak Hour Analysis From 07:00 AM to 08:45 AM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 08:00 AM																					
08:00 AM	0	66	0	0	66	1	83	0	0	84	0	0	0	0	0	0	0	0	0	0	150
08:15 AM	0	76	0	0	76	2	98	0	0	100	0	0	0	0	0	0	0	0	0	0	176
08:30 AM	0	69	0	0	69	3	87	0	0	90	0	0	0	0	0	0	0	0	0	0	159
08:45 AM	0	85	0	0	85	1	96	0	0	97	0	0	0	0	0	0	0	1	0	1	183
Total Volume	0	296	0	0	296	7	364	0	0	371	0	0	0	0	0	0	0	1	0	1	668
% App. Total							98.1														
PHF	.000	.871	.000	.000	.871	.583	.929	.000	.000	.928	.000	.000	.000	.000	.000	.000	.000	.250	.000	.250	.913



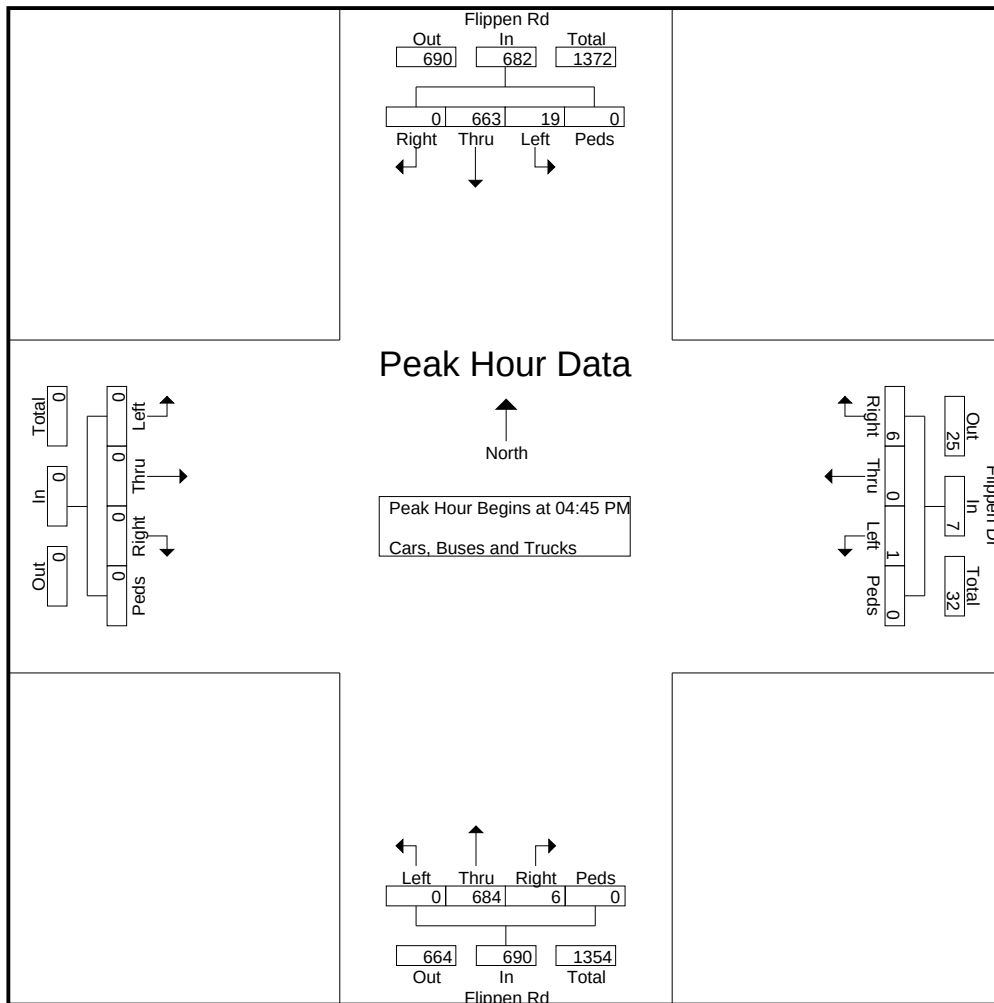
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TMC Data
 Flippen Rd @ Flippen Dr
 Stockbridge, GA
 7-9 AM | 4-6 PM

File Name : 48970002
 Site Code : 48970002
 Start Date : 5/30/2024
 Page No : 3

	Flippen Rd Northbound					Flippen Rd Southbound					Eastbound					Flippen Dr Westbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 04:45 PM																					
04:45 PM	0	164	1	0	165	5	179	0	0	184	0	0	0	0	0	1	0	2	0	3	352
05:00 PM	0	179	2	0	181	4	165	0	0	169	0	0	0	0	0	0	0	2	0	2	352
05:15 PM	0	173	1	0	174	5	159	0	0	164	0	0	0	0	0	0	0	1	0	1	339
05:30 PM	0	168	2	0	170	5	160	0	0	165	0	0	0	0	0	0	0	1	0	1	336
Total Volume	0	684	6	0	690	19	663	0	0	682	0	0	0	0	0	1	0	6	0	7	1379
% App. Total		99.1					97.2									14.3		85.7			
PHF	.000	.955	.750	.000	.953	.950	.926	.000	.000	.927	.000	.000	.000	.000	.000	.250	.000	.750	.000	.583	.979



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TMC Data
Hudson Bridge Rd @ Hudson Bridge Dr
Stockbridge, GA
7-9 AM | 4-6 PM

File Name : 48970003
Site Code : 48970003
Start Date : 5/30/2024
Page No : 1

Groups Printed- Cars, Buses and Trucks

	Hudson Bridge Dr Northbound					Hudson Bridge Dr Southbound					Hudson Bridge Rd Eastbound					Hudson Bridge Rd Westbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
07:00 AM	0	2	3	0	5	30	0	6	0	36	31	116	0	0	147	4	93	40	0	137	325
07:15 AM	2	0	8	0	10	21	1	4	0	26	21	168	1	0	190	0	109	21	0	130	356
07:30 AM	0	0	5	0	5	28	0	9	0	37	36	196	0	0	232	6	138	28	0	172	446
07:45 AM	2	2	7	0	11	27	1	3	0	31	30	187	0	0	217	2	131	29	0	162	421
Total	4	4	23	0	31	106	2	22	0	130	118	667	1	0	786	12	471	118	0	601	1548
08:00 AM	2	0	0	0	2	31	0	7	0	38	46	152	0	0	198	4	135	36	0	175	413
08:15 AM	1	1	2	0	4	38	0	8	0	46	39	148	2	0	189	6	153	37	0	196	435
08:30 AM	0	1	2	0	3	25	0	12	0	37	43	162	1	0	206	6	117	29	0	152	398
08:45 AM	0	1	1	0	2	46	0	12	0	58	57	165	0	0	222	3	154	26	0	183	465
Total	3	3	5	0	11	140	0	39	0	179	185	627	3	0	815	19	559	128	0	706	1711
*** BREAK ***																					
04:00 PM	0	0	1	0	1	48	1	40	0	89	59	187	2	0	248	13	257	38	0	308	646
04:15 PM	1	0	1	0	2	49	2	50	0	101	66	190	4	0	260	13	271	52	0	336	699
04:30 PM	1	2	2	0	5	43	0	63	0	106	72	178	4	0	254	10	274	53	0	337	702
04:45 PM	2	2	3	0	7	48	2	49	0	99	78	172	4	0	254	17	265	39	0	321	681
Total	4	4	7	0	15	188	5	202	0	395	275	727	14	0	1016	53	1067	182	0	1302	2728
05:00 PM	1	0	5	0	6	51	1	65	0	117	57	217	5	0	279	7	298	64	0	369	771
05:15 PM	1	0	2	0	3	46	0	74	0	120	66	195	1	0	262	12	273	37	0	322	707
05:30 PM	3	1	2	0	6	29	0	41	0	70	76	183	2	0	261	18	257	43	0	318	655
05:45 PM	1	0	2	0	3	35	2	58	0	95	61	192	0	0	253	9	231	40	0	280	631
Total	6	1	11	0	18	161	3	238	0	402	260	787	8	0	1055	46	1059	184	0	1289	2764
Grand Total	17	12	46	0	75	595	10	501	0	1106	838	2808	26	0	3672	130	3156	612	0	3898	8751
Apprch %	22.7	16	61.3	0		53.8	0.9	45.3	0		22.8	76.5	0.7	0		3.3	81	15.7	0		
Total %	0.2	0.1	0.5	0	0.9	6.8	0.1	5.7	0	12.6	9.6	32.1	0.3	0	42	1.5	36.1	7	0	44.5	

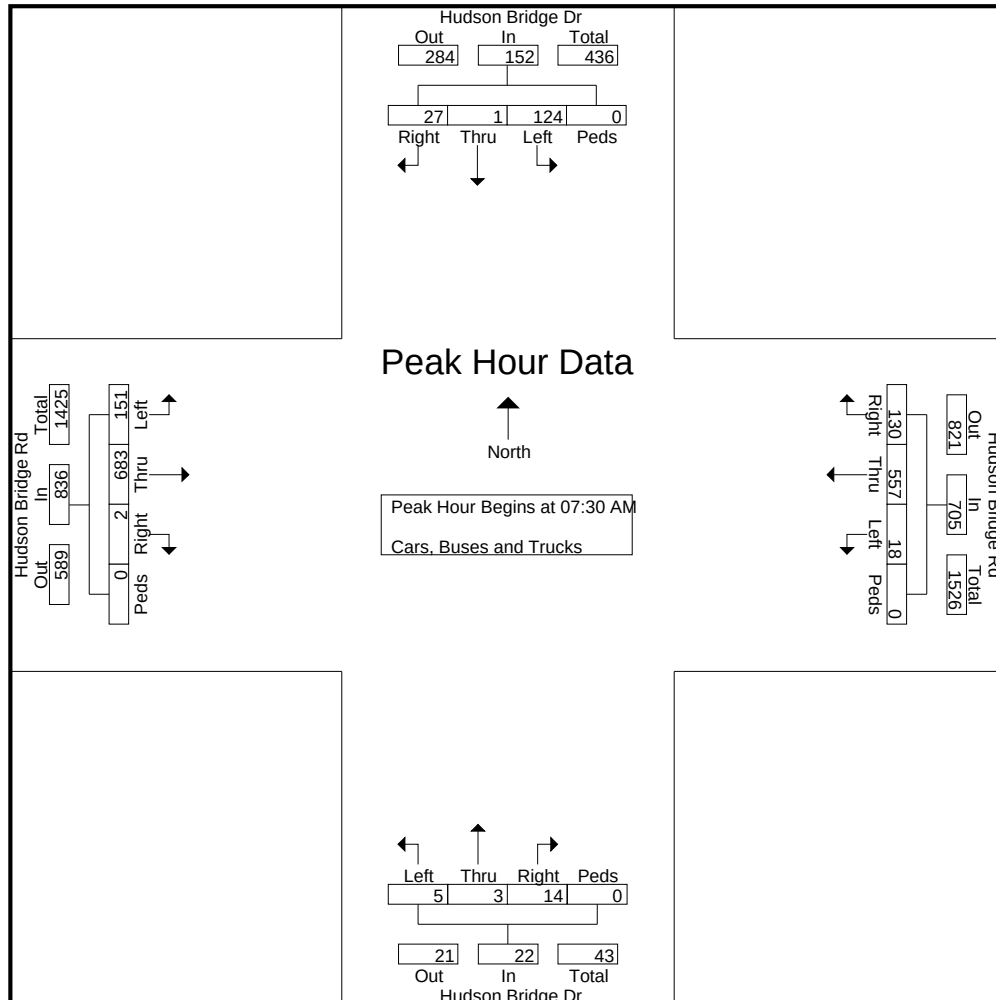
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TMC Data
Hudson Bridge Rd @ Hudson Bridge Dr
Stockbridge, GA
7-9 AM | 4-6 PM

File Name : 48970003
Site Code : 48970003
Start Date : 5/30/2024
Page No : 2

	Hudson Bridge Dr Northbound					Hudson Bridge Dr Southbound					Hudson Bridge Rd Eastbound					Hudson Bridge Rd Westbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
Peak Hour Analysis From 07:00 AM to 08:45 AM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 07:30 AM																					
07:30 AM	0	0	5	0	5	28	0	9	0	37	36	196	0	0	232	6	138	28	0	172	446
07:45 AM	2	2	7	0	11	27	1	3	0	31	30	187	0	0	217	2	131	29	0	162	421
08:00 AM	2	0	0	0	2	31	0	7	0	38	46	152	0	0	198	4	135	36	0	175	413
08:15 AM	1	1	2	0	4	38	0	8	0	46	39	148	2	0	189	6	153	37	0	196	435
Total Volume	5	3	14	0	22	124	1	27	0	152	151	683	2	0	836	18	557	130	0	705	1715
% App. Total	22.7	13.6	63.6			81.6		17.8			18.1	81.7						18.4			
PHF	.625	.375	.500	.000	.500	.816	.250	.750	.000	.826	.821	.871	.250	.000	.901	.750	.910	.878	.000	.899	.961



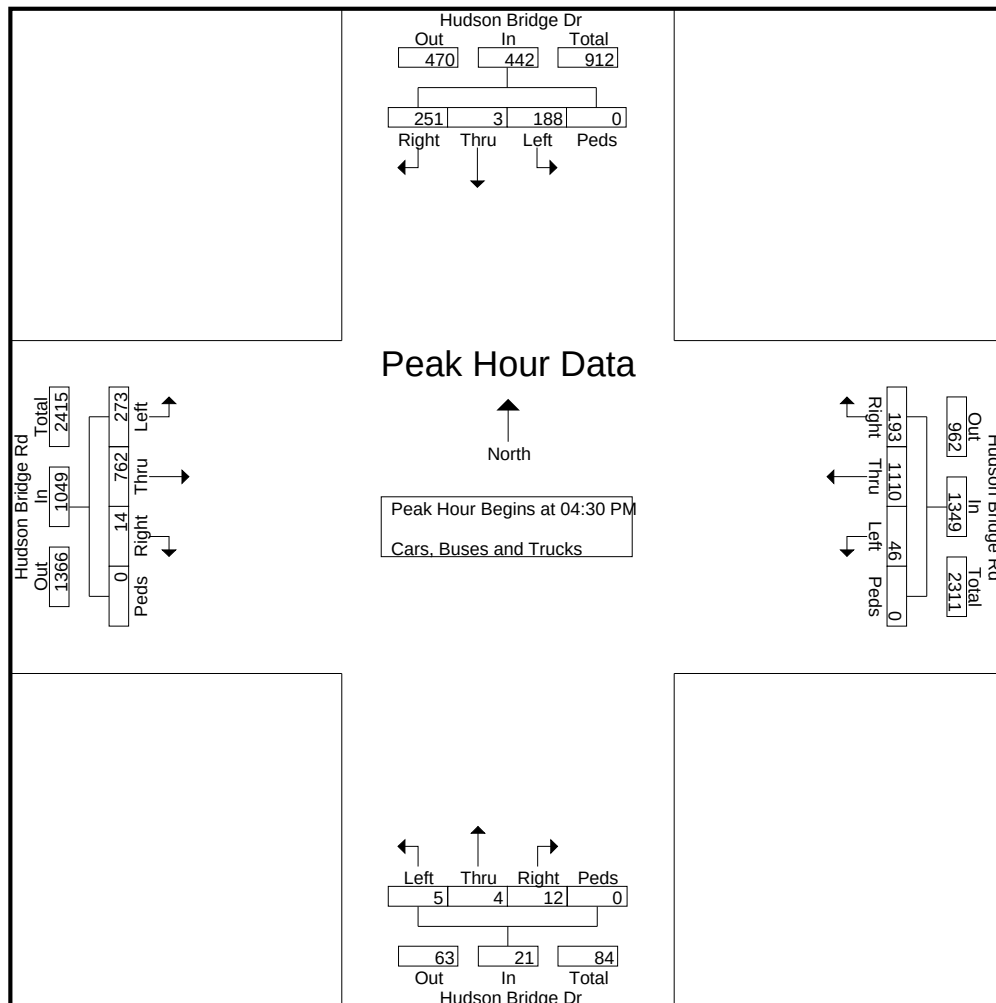
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TMC Data
Hudson Bridge Rd @ Hudson Bridge Dr
Stockbridge, GA
7-9 AM | 4-6 PM

File Name : 48970003
Site Code : 48970003
Start Date : 5/30/2024
Page No : 3

	Hudson Bridge Dr Northbound					Hudson Bridge Dr Southbound					Hudson Bridge Rd Eastbound					Hudson Bridge Rd Westbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 04:30 PM																					
04:30 PM	1	2	2	0	5	43	0	63	0	106	72	178	4	0	254	10	274	53	0	337	702
04:45 PM	2	2	3	0	7	48	2	49	0	99	78	172	4	0	254	17	265	39	0	321	681
05:00 PM	1	0	5	0	6	51	1	65	0	117	57	217	5	0	279	7	298	64	0	369	771
05:15 PM	1	0	2	0	3	46	0	74	0	120	66	195	1	0	262	12	273	37	0	322	707
Total Volume	5	4	12	0	21	188	3	251	0	442	273	762	14	0	1049	46	1110	193	0	1349	2861
% App. Total	23.8	19	57.1	0		42.5	0.7	56.8	0		26	72.6	1.3	0		3.4	82.3	14.3	0		
PHF	.625	.500	.600	.000	.750	.922	.375	.848	.000	.921	.875	.878	.700	.000	.940	.676	.931	.754	.000	.914	.928



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TMC Data
Hudson Bridge Dr @ Western Connector
Stockbridge, GA
7-9 AM | 4-6 PM

File Name : 48970004
Site Code : 48970004
Start Date : 5/30/2024
Page No : 1

Groups Printed- Cars, Buses and Trucks

	Western Connector Northbound					Walmart Drwy Southbound					Hudson Bridge Dr Eastbound					Hudson Bridge Dr Westbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
07:00 AM	7	5	8	0	20	0	5	0	0	5	7	2	1	0	10	7	2	0	0	9	44
07:15 AM	10	6	6	0	22	0	9	2	0	11	2	5	1	0	8	15	3	1	0	19	60
07:30 AM	3	14	4	0	21	0	13	3	0	16	6	7	3	0	16	18	9	0	0	27	80
07:45 AM	6	9	11	0	26	1	20	2	0	23	9	5	2	0	16	18	2	4	0	24	89
Total	26	34	29	0	89	1	47	7	0	55	24	19	7	0	50	58	16	5	0	79	273
08:00 AM	1	6	7	0	14	1	12	2	0	15	6	11	4	0	21	27	3	0	0	30	80
08:15 AM	4	12	5	0	21	0	16	2	0	18	8	9	3	0	20	30	7	1	0	38	97
08:30 AM	2	16	3	0	21	0	13	4	0	17	5	7	3	0	15	15	6	1	0	22	75
08:45 AM	6	13	12	0	31	0	17	3	0	20	8	7	11	0	26	26	5	2	0	33	110
Total	13	47	27	0	87	1	58	11	0	70	27	34	21	0	82	98	21	4	0	123	362
*** BREAK ***																					
04:00 PM	20	15	25	0	60	2	39	3	0	44	13	12	32	0	57	73	28	1	0	102	263
04:15 PM	25	16	23	0	64	2	36	6	0	44	15	13	28	0	56	61	23	4	0	88	252
04:30 PM	35	17	26	0	78	1	32	8	0	41	23	15	25	0	63	72	19	2	0	93	275
04:45 PM	32	15	22	0	69	2	36	10	0	48	24	13	23	0	60	60	20	1	0	81	258
Total	112	63	96	0	271	7	143	27	0	177	75	53	108	0	236	266	90	8	0	364	1048
05:00 PM	23	17	28	0	68	5	45	12	0	62	28	8	20	0	56	53	20	4	0	77	263
05:15 PM	26	22	23	0	71	0	31	12	0	43	13	15	33	0	61	59	35	5	0	99	274
05:30 PM	27	16	31	0	74	1	41	4	0	46	14	19	23	0	56	36	30	3	0	69	245
05:45 PM	28	21	23	0	72	0	41	4	0	45	18	11	24	0	53	64	25	2	0	91	261
Total	104	76	105	0	285	6	158	32	0	196	73	53	100	0	226	212	110	14	0	336	1043
Grand Total	255	220	257	0	732	15	406	77	0	498	199	159	236	0	594	634	237	31	0	902	2726
Apprch %	34.8	30.1	35.1	0		3	81.5	15.5	0		33.5	26.8	39.7	0		70.3	26.3	3.4	0		
Total %	9.4	8.1	9.4	0	26.9	0.6	14.9	2.8	0	18.3	7.3	5.8	8.7	0	21.8	23.3	8.7	1.1	0	33.1	

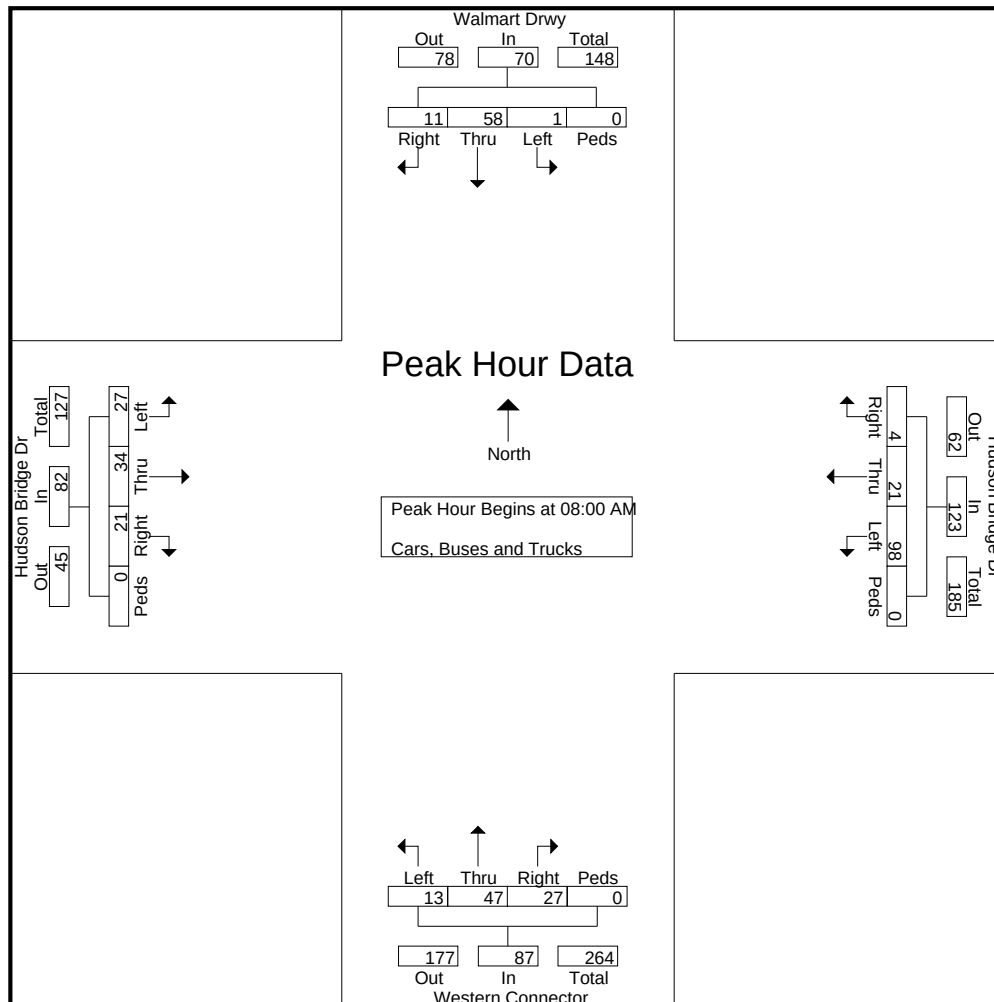
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TMC Data
Hudson Bridge Dr @ Western Connector
Stockbridge, GA
7-9 AM | 4-6 PM

File Name : 48970004
Site Code : 48970004
Start Date : 5/30/2024
Page No : 2

	Western Connector Northbound					Walmart Drwy Southbound					Hudson Bridge Dr Eastbound					Hudson Bridge Dr Westbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
Peak Hour Analysis From 07:00 AM to 08:45 AM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 08:00 AM																					
08:00 AM	1	6	7	0	14	1	12	2	0	15	6	11	4	0	21	27	3	0	0	30	80
08:15 AM	4	12	5	0	21	0	16	2	0	18	8	9	3	0	20	30	7	1	0	38	97
08:30 AM	2	16	3	0	21	0	13	4	0	17	5	7	3	0	15	15	6	1	0	22	75
08:45 AM	6	13	12	0	31	0	17	3	0	20	8	7	11	0	26	26	5	2	0	33	110
Total Volume	13	47	27	0	87	1	58	11	0	70	27	34	21	0	82	98	21	4	0	123	362
% App. Total	14.9					82.9	15.7				32.9	41.5	25.6			79.7	17.1				
PHF	.542	.734	.563	.000	.702	.250	.853	.688	.000	.875	.844	.773	.477	.000	.788	.817	.750	.500	.000	.809	.823



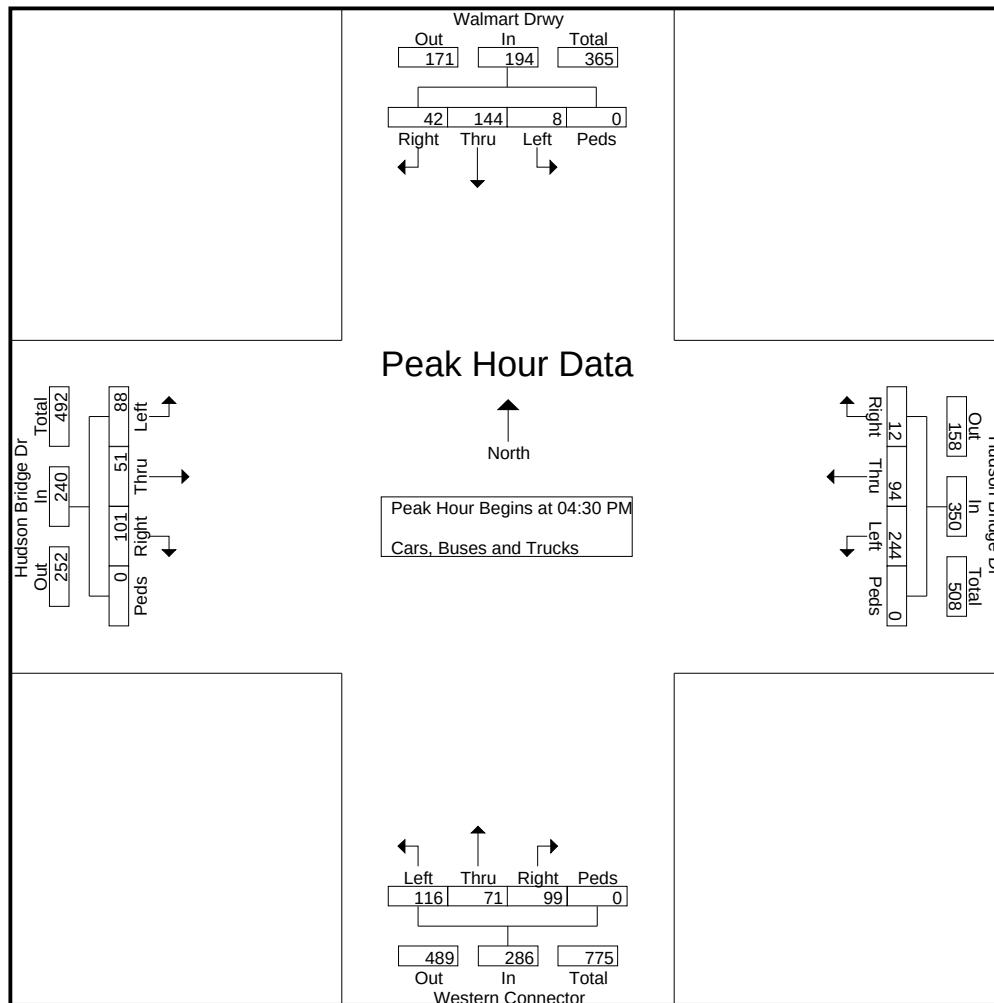
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TMC Data
Hudson Bridge Dr @ Western Connector
Stockbridge, GA
7-9 AM | 4-6 PM

File Name : 48970004
Site Code : 48970004
Start Date : 5/30/2024
Page No : 3

	Western Connector Northbound					Walmart Drwy Southbound					Hudson Bridge Dr Eastbound					Hudson Bridge Dr Westbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 04:30 PM																					
04:30 PM	35	17	26	0	78	1	32	8	0	41	23	15	25	0	63	72	19	2	0	93	275
04:45 PM	32	15	22	0	69	2	36	10	0	48	24	13	23	0	60	60	20	1	0	81	258
05:00 PM	23	17	28	0	68	5	45	12	0	62	28	8	20	0	56	53	20	4	0	77	263
05:15 PM	26	22	23	0	71	0	31	12	0	43	13	15	33	0	61	59	35	5	0	99	274
Total Volume	116	71	99	0	286	8	144	42	0	194	88	51	101	0	240	244	94	12	0	350	1070
% App. Total	40.6	24.8	34.6				74.2	21.6			36.7	21.2	42.1			69.7	26.9				
PHF	.829	.807	.884	.000	.917	.400	.800	.875	.000	.782	.786	.850	.765	.000	.952	.847	.671	.600	.000	.884	.973



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TMC Data
Hudson Bridge Rd @ Western Connector
Stockbridge, GA
7-9 AM | 4-6 PM

File Name : 48970005
Site Code : 48970005
Start Date : 5/30/2024
Page No : 1

Groups Printed- Cars, Buses and Trucks

Start Time	Western Connector Northbound					Western Connector Southbound					Hudson Bridge Rd Eastbound					Hudson Bridge Rd Westbound					Int. Total
	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	U-Turns	App. Total	
07:00 AM	6	4	11	0	21	10	1	2	0	13	3	147	2	0	152	17	115	13	9	154	340
07:15 AM	6	2	17	0	25	24	3	1	0	28	4	186	1	0	191	18	129	16	9	172	416
07:30 AM	8	1	18	0	27	23	3	11	0	37	3	215	2	0	220	15	141	18	8	182	466
07:45 AM	2	2	19	0	23	25	4	10	0	39	4	208	2	0	214	18	137	16	9	180	456
Total	22	9	65	0	96	82	11	24	0	117	14	756	7	0	777	68	522	63	35	688	1678
08:00 AM	8	1	18	0	27	29	2	11	0	42	5	176	5	0	186	23	147	8	14	192	447
08:15 AM	11	0	18	0	29	31	4	12	0	47	5	172	2	0	179	13	158	16	11	198	453
08:30 AM	12	1	13	0	26	24	3	8	0	35	5	189	1	0	195	22	139	16	13	190	446
08:45 AM	10	7	12	0	29	45	5	10	0	60	5	184	2	0	191	9	157	18	14	198	478
Total	41	9	61	0	111	129	14	41	0	184	20	721	10	0	751	67	601	58	52	778	1824
*** BREAK ***																					
04:00 PM	10	3	19	0	32	128	4	26	0	158	17	197	5	0	219	20	268	49	25	362	771
04:15 PM	14	1	9	0	24	92	3	29	0	124	19	202	6	0	227	17	283	47	27	374	749
04:30 PM	13	3	18	0	34	106	6	25	0	137	26	193	7	0	226	14	286	48	11	359	756
04:45 PM	14	0	16	0	30	107	2	25	0	134	22	197	9	0	228	20	277	52	25	374	766
Total	51	7	62	0	120	433	15	105	0	553	84	789	27	0	900	71	1114	196	88	1469	3042
05:00 PM	20	2	9	0	31	95	2	20	0	117	26	208	7	0	241	22	311	47	19	399	788
05:15 PM	16	6	15	0	37	111	6	22	0	139	20	214	6	0	240	13	285	45	19	362	778
05:30 PM	11	7	9	0	27	76	8	26	0	110	18	209	6	0	233	21	268	61	19	369	739
05:45 PM	13	8	11	0	32	108	2	27	0	137	18	205	6	0	229	13	241	41	22	317	715
Total	60	23	44	0	127	390	18	95	0	503	82	836	25	0	943	69	1105	194	79	1447	3020
Grand Total	174	48	232	0	454	1034	58	265	0	1357	200	3102	69	0	3371	275	3342	511	254	4382	9564
Apprch %	38.3	10.6	51.1	0		76.2	4.3	19.5	0		5.9	92	2	0		6.3	76.3	11.7	5.8		
Total %	1.8	0.5	2.4	0	4.7	10.8	0.6	2.8	0	14.2	2.1	32.4	0.7	0	35.2	2.9	34.9	5.3	2.7	45.8	

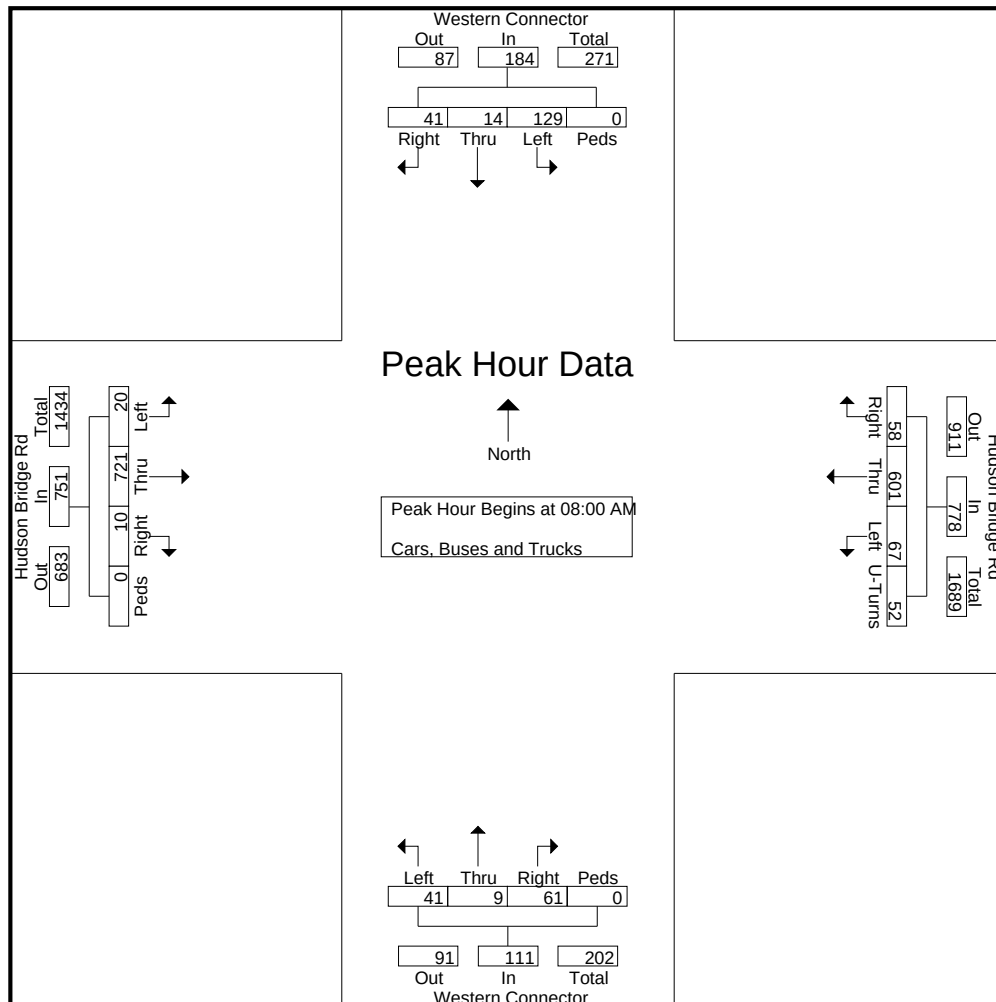
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TMC Data
Hudson Bridge Rd @ Western Connector
Stockbridge, GA
7-9 AM | 4-6 PM

File Name : 48970005
Site Code : 48970005
Start Date : 5/30/2024
Page No : 2

	Western Connector Northbound					Western Connector Southbound					Hudson Bridge Rd Eastbound					Hudson Bridge Rd Westbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	U-Turns	App. Total	Int. Total
Peak Hour Analysis From 07:00 AM to 08:45 AM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 08:00 AM																					
08:00 AM	8	1	18	0	27	29	2	11	0	42	5	176	5	0	186	23	147	8	14	192	447
08:15 AM	11	0	18	0	29	31	4	12	0	47	5	172	2	0	179	13	158	16	11	198	453
08:30 AM	12	1	13	0	26	24	3	8	0	35	5	189	1	0	195	22	139	16	13	190	446
08:45 AM	10	7	12	0	29	45	5	10	0	60	5	184	2	0	191	9	157	18	14	198	478
Total Volume	41	9	61	0	111	129	14	41	0	184	20	721	10	0	751	67	601	58	52	778	1824
% App. Total	36.9					70.1		22.3								77.2					
PHF	.854	.321	.847	.000	.957	.717	.700	.854	.000	.767	1.00	.954	.500	.000	.963	.728	.951	.806	.929	.982	.954



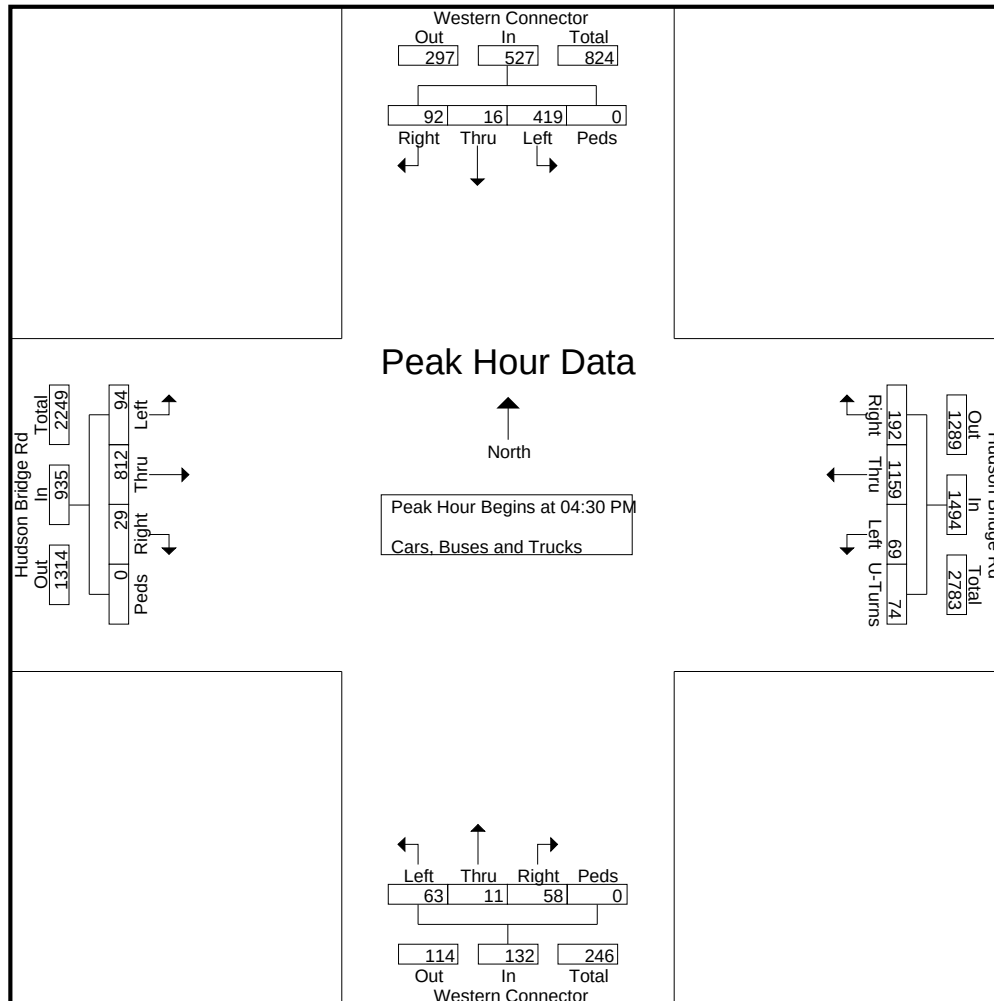
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TMC Data
Hudson Bridge Rd @ Western Connector
Stockbridge, GA
7-9 AM | 4-6 PM

File Name : 48970005
Site Code : 48970005
Start Date : 5/30/2024
Page No : 3

	Western Connector Northbound					Western Connector Southbound					Hudson Bridge Rd Eastbound					Hudson Bridge Rd Westbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	U-Turns	App. Total	Int. Total
Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 04:30 PM																					
04:30 PM	13	3	18	0	34	106	6	25	0	137	26	193	7	0	226	14	286	48	11	359	756
04:45 PM	14	0	16	0	30	107	2	25	0	134	22	197	9	0	228	20	277	52	25	374	766
05:00 PM	20	2	9	0	31	95	2	20	0	117	26	208	7	0	241	22	311	47	19	399	788
05:15 PM	16	6	15	0	37	111	6	22	0	139	20	214	6	0	240	13	285	45	19	362	778
Total Volume	63	11	58	0	132	419	16	92	0	527	94	812	29	0	935	69	1159	192	74	1494	3088
% App. Total	47.7	8.3	43.9	0		79.5	3	17.5	0		10.1	86.8	3.1	0		4.6	77.6	12.9	5		
PHF	.788	.458	.806	.000	.892	.944	.667	.920	.000	.948	.904	.949	.806	.000	.970	.784	.932	.923	.740	.936	.980



Appendix B

Intersection Analysis Methodology

Intersection Analysis Methodology

The methodology used for evaluating traffic operations at intersections is presented in the Transportation Research Board's 2022 *Highway Capacity Manual*, 7th Edition (HCM 7). Synchro 12 software, which emulates the HCM 7 methodology, was used for all analyses. The following is an overview of the methodology employed for the analysis of signalized intersections and roundabouts and stop-sign controlled (unsignalized) intersections. Levels of service (LOS) are assigned letters A through F. LOS A indicates operations with very low control delay while LOS F describes operations with high control delay. LOS F is considered to be unacceptable by most drivers, while LOS E is typically considered to be the limit of acceptable delay.

Signalized Intersections and Roundabouts – Level of service for a signalized intersection and a roundabout is defined in terms of control delay per vehicle. For signalized intersections and roundabouts, a composite intersection level of service is determined. The thresholds for each level of service are higher for signalized intersections and roundabouts than for unsignalized intersections. This is attributable to a variety of factors including expectation and acceptance of higher delays at signals/roundabouts, and the fact that drivers can relax when waiting at a signal as opposed to having to remain attentive as they proceed through the unsignalized intersection. The level of service criteria for signalized intersections and roundabouts are shown in Table A.

Table A – Level of Service Criteria for Signalized Intersections and Roundabouts

Control Delay (s/veh)	LOS
≤ 10	A
> 10 and ≤ 20	B
> 20 and ≤ 35	C
> 35 and ≤ 55	D
> 55 and ≤ 80	E
> 80	F

Source: Highway Capacity Manual 7

Unsignalized Intersections – Level of service for an unsignalized intersection is defined in terms of control delay per vehicle. Control delay is that portion of delay attributable to the control device and includes initial deceleration delay, queue move-up time, stopped delay, and final acceleration delay. The delays at unsignalized intersections are based on gap acceptance theory, factoring in availability of gaps, usefulness of the gaps, and the priority of right-of-way given to each traffic stream. The level of service criteria for unsignalized intersections are presented in Table B.

Table B – Level of Service Criteria for Unsignalized Intersections

Control Delay (s/veh)	LOS
0 – 10	A
> 10 and ≤ 15	B
> 15 and ≤ 25	C
> 25 and ≤ 35	D
> 35 and ≤ 50	E
> 50	F

Source: Highway Capacity Manual 7

Appendix C

Existing Intersection Operational Analysis

Hudson Bridge Townhomes

1: Flippen Rd & Hudson Bridge Rd

existing a.m.

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	77	343	2	171	253	104	8	151	260	200	180	61
Future Volume (veh/h)	77	343	2	171	253	104	8	151	260	200	180	61
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Lane Width Adj.	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach	No			No			No			No		
Adj Sat Flow, veh/h/ln	1856	1856	1856	1856	1856	1856	1856	1856	1856	1856	1856	1856
Adj Flow Rate, veh/h	87	385	0	182	269	0	9	178	306	235	212	72
Peak Hour Factor	0.89	0.89	0.89	0.94	0.94	0.94	0.85	0.85	0.85	0.85	0.85	0.85
Percent Heavy Veh, %	3	3	3	3	3	3	3	3	3	3	3	3
Cap, veh/h	311	502		305	678		344	546	463	712	1115	945
Arrive On Green	0.06	0.14	0.00	0.04	0.06	0.00	0.29	0.29	0.29	0.26	0.60	0.60
Sat Flow, veh/h	1767	3526	1572	1767	3526	1572	1086	1856	1572	1767	1856	1572
Grp Volume(v), veh/h	87	385	0	182	269	0	9	178	306	235	212	72
Grp Sat Flow(s),veh/h/ln	1767	1763	1572	1767	1763	1572	1086	1856	1572	1767	1856	1572
Q Serve(g_s), s	3.7	9.5	0.0	7.6	6.6	0.0	0.6	6.7	10.9	0.0	4.6	1.7
Cycle Q Clear(g_c), s	3.7	9.5	0.0	7.6	6.6	0.0	5.2	6.7	10.9	0.0	4.6	1.7
Prop In Lane	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	311	502		305	678		344	546	463	712	1115	945
V/C Ratio(X)	0.28	0.77		0.60	0.40		0.03	0.33	0.66	0.33	0.19	0.08
Avail Cap(c_a), veh/h	339	764		362	999		344	546	463	712	1115	945
HCM Platoon Ratio	1.00	1.00	1.00	0.33	0.33	0.33	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	0.00	0.69	0.69	0.00	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	30.4	37.1	0.0	29.8	37.1	0.0	26.0	24.8	13.9	18.1	8.1	7.5
Incr Delay (d2), s/veh	0.5	2.6	0.0	1.3	0.3	0.0	0.1	1.6	7.2	0.3	0.4	0.2
Initial Q Delay(d3), s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	1.5	4.0	0.0	3.3	2.9	0.0	0.2	3.1	4.3	3.3	1.7	0.5
Unsig. Movement Delay, s/veh												
LnGrp Delay(d), s/veh	30.9	39.7	0.0	31.1	37.4	0.0	26.1	26.4	21.2	18.4	8.5	7.7
LnGrp LOS	C	D		C	D		C	C	C	B	A	A
Approach Vol, veh/h	472			451			493			519		
Approach Delay, s/veh	38.1			34.8			23.1			12.8		
Approach LOS	D			C			C			B		
Timer - Assigned Phs	1	2	3	4		6	7	8				
Phs Duration (G+Y+Rc), s	27.6	31.0	14.1	17.3		58.6	9.6	21.8				
Change Period (Y+Rc), s	4.5	4.5	4.5	4.5		4.5	4.5	4.5				
Max Green Setting (Gmax), s	13.5	26.5	12.5	19.5		44.5	6.5	25.5				
Max Q Clear Time (g_c+I1), s	2.0	12.9	9.6	11.5		6.6	5.7	8.6				
Green Ext Time (p_c), s	0.5	1.7	0.1	1.4		1.4	0.0	1.3				

Intersection Summary

HCM 7th Control Delay, s/veh	26.7
HCM 7th LOS	C

Notes

Unsignalized Delay for [EBR, WBR] is excluded from calculations of the approach delay and intersection delay.

Hudson Bridge Townhomes 2: Flippen Rd & Flippen Dr

existing a.m.

Intersection						
Int Delay, s/veh	0.1					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	0	1	296	0	7	364
Future Vol, veh/h	0	1	296	0	7	364
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	25	25	87	87	93	93
Heavy Vehicles, %	2	2	3	2	2	3
Mvmt Flow	0	4	340	0	8	391
Major/Minor	Minor1	Major1		Major2		
Conflicting Flow All	747	340	0	0	340	0
Stage 1	340	-	-	-	-	-
Stage 2	406	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	381	702	-	-	1219	-
Stage 1	721	-	-	-	-	-
Stage 2	672	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	378	702	-	-	1219	-
Mov Cap-2 Maneuver	378	-	-	-	-	-
Stage 1	721	-	-	-	-	-
Stage 2	667	-	-	-	-	-
Approach	WB	NB		SB		
HCM Control Delay, s/v10.16		0		0.15		
HCM LOS	B					
Minor Lane/Major Mvmt	NBT	NBRWBLn1	SBL	SBT		
Capacity (veh/h)	-	-	702	34	-	
HCM Lane V/C Ratio	-	-	0.006	0.006	-	
HCM Control Delay (s/veh)	-	-	10.2	8	0	
HCM Lane LOS	-	-	B	A	A	
HCM 95th %tile Q(veh)	-	-	0	0	-	

Hudson Bridge Townhomes

3: Hudson Bridge Dr & Hudson Bridge Rd

existing a.m.

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	151	683	2	18	557	130	5	3	14	124	1	27
Future Volume (veh/h)	151	683	2	18	557	130	5	3	14	124	1	27
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Lane Width Adj.	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach	No			No			No			No		
Adj Sat Flow, veh/h/ln	1870	1856	1870	1870	1856	1870	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h	168	759	2	20	619	144	10	6	28	149	1	33
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90	0.50	0.50	0.50	0.83	0.83	0.83
Percent Heavy Veh, %	2	3	2	2	3	2	2	2	2	2	2	2
Cap, veh/h	291	1043	3	196	770	346	213	144	538	790	5	854
Arrive On Green	0.12	0.38	0.38	0.04	0.44	0.44	0.54	0.54	0.54	0.54	0.54	0.54
Sat Flow, veh/h	1781	3607	10	1781	3526	1585	303	267	999	1318	9	1585
Grp Volume(v), veh/h	168	371	390	20	619	144	44	0	0	150	0	33
Grp Sat Flow(s),veh/h/ln	1781	1763	1854	1781	1763	1585	1569	0	0	1328	0	1585
Q Serve(g_s), s	6.3	16.2	16.2	0.8	13.7	5.6	0.0	0.0	0.0	0.0	0.0	0.9
Cycle Q Clear(g_c), s	6.3	16.2	16.2	0.8	13.7	5.6	7.1	0.0	0.0	6.9	0.0	0.9
Prop In Lane	1.00		0.01	1.00		1.00	0.23		0.64	0.99		1.00
Lane Grp Cap(c), veh/h	291	510	536	196	770	346	895	0	0	795	0	854
V/C Ratio(X)	0.58	0.73	0.73	0.10	0.80	0.42	0.05	0.00	0.00	0.19	0.00	0.04
Avail Cap(c_a), veh/h	413	793	834	286	1273	572	895	0	0	795	0	854
HCM Platoon Ratio	1.33	1.33	1.33	2.00	2.00	2.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	0.87	0.87	0.87	0.92	0.92	0.92	1.00	0.00	0.00	1.00	0.00	1.00
Uniform Delay (d), s/veh	23.1	24.7	24.7	26.2	23.7	21.4	9.8	0.0	0.0	11.2	0.0	9.8
Incr Delay (d2), s/veh	1.6	1.7	1.7	0.2	1.9	0.7	0.1	0.0	0.0	0.5	0.0	0.1
Initial Q Delay(d3), s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	2.5	5.8	6.1	0.3	4.3	1.8	0.4	0.0	0.0	1.7	0.0	0.3
Unsig. Movement Delay, s/veh												
LnGrp Delay(d), s/veh	24.6	26.4	26.3	26.4	25.5	22.1	9.9	0.0	0.0	11.7	0.0	9.9
LnGrp LOS	C	C	C	C	C	C	A			B		A
Approach Vol, veh/h	929			783			44			183		
Approach Delay, s/veh	26.1			24.9			9.9			11.4		
Approach LOS	C			C			A			B		
Timer - Assigned Phs	2		3	4		6	7	8				
Phs Duration (G+Y+Rc), s	53.0		6.5	30.5		53.0	12.8	24.2				
Change Period (Y+Rc), s	4.5		4.5	4.5		4.5	4.5	4.5				
Max Green Setting (Gmax), s	29.5		6.5	40.5		29.5	14.5	32.5				
Max Q Clear Time (g_c+I1), s	9.1		2.8	18.2		8.9	8.3	15.7				
Green Ext Time (p_c), s	0.2		0.0	4.3		0.9	0.2	3.9				
Intersection Summary												
HCM 7th Control Delay, s/veh	23.9											
HCM 7th LOS	C											

Hudson Bridge Townhomes

4: Western Conn/Walmart Driveway & Hudson Bridge Dr

existing a.m.

Intersection

Intersection Delay, s/veh	9
Intersection LOS	A

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	27	34	21	98	21	4	13	47	27	1	58	11
Future Vol, veh/h	27	34	21	98	21	4	13	47	27	1	58	11
Peak Hour Factor	0.79	0.79	0.79	0.81	0.81	0.81	0.70	0.70	0.70	0.88	0.88	0.88
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	34	43	27	121	26	5	19	67	39	1	66	13
Number of Lanes	1	1	0	1	1	0	1	1	1	1	1	0

Approach	EB	WB	NB	SB
Opposing Approach	WB	EB	SB	NB
Opposing Lanes	2	2	2	3
Conflicting Approach Left	SB	NB	EB	WB
Conflicting Lanes Left	2	3	2	2
Conflicting Approach Right	NB	SB	WB	EB
Conflicting Lanes Right	3	2	2	2
HCM Control Delay, s/veh	8.7	9.6	8.6	9
HCM LOS	A	A	A	A

Lane	NBLn1	NBLn2	NBLn3	EBLn1	EBLn2	WBLn1	WBLn2	SBLn1	SBLn2
Vol Left, %	100%	0%	0%	100%	0%	100%	0%	100%	0%
Vol Thru, %	0%	100%	0%	0%	62%	0%	84%	0%	84%
Vol Right, %	0%	0%	100%	0%	38%	0%	16%	0%	16%
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Stop	Stop	Stop
Traffic Vol by Lane	13	47	27	27	55	98	25	1	69
LT Vol	13	0	0	27	0	98	0	1	0
Through Vol	0	47	0	0	34	0	21	0	58
RT Vol	0	0	27	0	21	0	4	0	11
Lane Flow Rate	19	67	39	34	70	121	31	1	78
Geometry Grp	6	6	6	6	6	6	6	6	6
Degree of Util (X)	0.031	0.102	0.051	0.056	0.1	0.196	0.045	0.002	0.119
Departure Headway (Hd)	5.974	5.472	4.768	5.946	5.176	5.823	5.209	6.065	5.449
Convergence, Y/N	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Cap	597	652	747	600	689	615	684	588	655
Service Time	3.731	3.228	2.524	3.708	2.938	3.579	2.965	3.827	3.211
HCM Lane V/C Ratio	0.032	0.103	0.052	0.057	0.102	0.197	0.045	0.002	0.119
HCM Control Delay, s/veh	8.9	8.9	7.8	9.1	8.5	10	8.2	8.8	9
HCM Lane LOS	A	A	A	A	A	A	A	A	A
HCM 95th-tile Q	0.1	0.3	0.2	0.2	0.3	0.7	0.1	0	0.4

Hudson Bridge Townhomes

5: Western Conn & Hudson Bridge Rd

existing a.m.

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	20	721	10	67	601	58	41	9	61	129	14	41
Future Volume (veh/h)	20	721	10	67	601	58	41	9	61	129	14	41
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Lane Width Adj.	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach	No			No			No			No		
Adj Sat Flow, veh/h/ln	1870	1856	1870	1870	1856	1870	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h	21	751	10	68	613	0	43	9	0	181	0	0
Peak Hour Factor	0.96	0.96	0.96	0.98	0.98	0.98	0.96	0.96	0.96	0.77	0.77	0.77
Percent Heavy Veh, %	2	3	2	2	3	2	2	2	2	2	2	2
Cap, veh/h	40	1329	597	176	1541		406	85		713	0	
Arrive On Green	0.02	0.38	0.38	0.30	0.30	0.00	0.27	0.27	0.00	0.20	0.00	0.00
Sat Flow, veh/h	1781	3526	1585	705	5066	1585	1485	311	1585	3563	0	1585
Grp Volume(v), veh/h	21	751	10	68	613	0	52	0	0	181	0	0
Grp Sat Flow(s),veh/h/ln	1781	1763	1585	705	1689	1585	1796	0	1585	1781	0	1585
Q Serve(g_s), s	1.0	15.2	0.4	8.3	8.6	0.0	2.0	0.0	0.0	3.9	0.0	0.0
Cycle Q Clear(g_c), s	1.0	15.2	0.4	23.5	8.6	0.0	2.0	0.0	0.0	3.9	0.0	0.0
Prop In Lane	1.00		1.00	1.00		1.00	0.83		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	40	1329	597	176	1541		491	0		713	0	
V/C Ratio(X)	0.52	0.57	0.02	0.39	0.40		0.11	0.00		0.25	0.00	
Avail Cap(c_a), veh/h	99	1567	704	200	1717		491	0		713	0	
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	0.80	0.80	0.80	1.00	1.00	0.00	1.00	0.00	0.00	1.00	0.00	0.00
Uniform Delay (d), s/veh	43.5	22.2	17.6	37.2	24.8	0.0	24.5	0.0	0.0	30.3	0.0	0.0
Incr Delay (d2), s/veh	8.0	0.3	0.0	1.4	0.2	0.0	0.4	0.0	0.0	0.9	0.0	0.0
Initial Q Delay(d3), s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	0.5	5.8	0.1	1.4	3.2	0.0	0.9	0.0	0.0	1.7	0.0	0.0
Unsig. Movement Delay, s/veh												
LnGrp Delay(d), s/veh	51.5	22.5	17.6	38.6	25.0	0.0	24.9	0.0	0.0	31.2	0.0	0.0
LnGrp LOS	D	C	B	D	C		C			C		
Approach Vol, veh/h	782			681			52			181		
Approach Delay, s/veh	23.2			26.3			24.9			31.2		
Approach LOS	C			C			C			C		
Timer - Assigned Phs	2			4			6			7		
Phs Duration (G+Y+Rc), s	29.1			38.4			22.5			6.5		
Change Period (Y+Rc), s	4.5			4.5			4.5			4.5		
Max Green Setting (Gmax), s	18.5			40.0			18.0			5.0		
Max Q Clear Time (g_c+I1), s	4.0			17.2			5.9			3.0		
Green Ext Time (p_c), s	0.1			4.9			0.4			1.9		
Intersection Summary												
HCM 7th Control Delay, s/veh	25.4											
HCM 7th LOS	C											
Notes												
User approved volume balancing among the lanes for turning movement.												
Unsignalized Delay for [NBR, WBR, SBR] is excluded from calculations of the approach delay and intersection delay.												

Hudson Bridge Townhomes

1: Flippen Rd & Hudson Bridge Rd

existing p.m.

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	173	434	8	606	576	221	15	350	283	271	361	106
Future Volume (veh/h)	173	434	8	606	576	221	15	350	283	271	361	106
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Lane Width Adj.	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach	No			No			No			No		
Adj Sat Flow, veh/h/ln	1856	1856	1856	1856	1856	1856	1856	1856	1856	1856	1856	1856
Adj Flow Rate, veh/h	182	457	0	645	613	0	16	372	301	288	384	113
Peak Hour Factor	0.95	0.95	0.95	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94
Percent Heavy Veh, %	3	3	3	3	3	3	3	3	3	3	3	3
Cap, veh/h	370	529		673	1331		278	461	390	299	734	622
Arrive On Green	0.10	0.15	0.00	0.11	0.12	0.00	0.25	0.25	0.25	0.11	0.40	0.40
Sat Flow, veh/h	1767	3526	1572	1767	3526	1572	893	1856	1572	1767	1856	1572
Grp Volume(v), veh/h	182	457	0	645	613	0	16	372	301	288	384	113
Grp Sat Flow(s),veh/h/ln	1767	1763	1572	1767	1763	1572	893	1856	1572	1767	1856	1572
Q Serve(g_s), s	9.4	13.9	0.0	34.5	17.8	0.0	1.5	20.7	19.6	11.7	17.4	5.1
Cycle Q Clear(g_c), s	9.4	13.9	0.0	34.5	17.8	0.0	2.7	20.7	19.6	11.7	17.4	5.1
Prop In Lane	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	370	529		673	1331		278	461	390	299	734	622
V/C Ratio(X)	0.49	0.86		0.96	0.46		0.06	0.81	0.77	0.96	0.52	0.18
Avail Cap(c_a), veh/h	403	580		674	1331		278	461	390	299	734	622
HCM Platoon Ratio	1.00	1.00	1.00	0.33	0.33	0.33	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	0.00	0.53	0.53	0.00	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	34.1	45.6	0.0	38.3	37.7	0.0	32.5	38.9	38.4	31.5	25.3	21.7
Incr Delay (d2), s/veh	1.0	12.0	0.0	16.2	0.1	0.0	0.4	14.1	13.7	42.2	2.7	0.6
Initial Q Delay(d3), s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	4.0	6.8	0.0	19.1	8.3	0.0	0.4	10.9	8.7	8.9	7.9	1.9
Unsig. Movement Delay, s/veh												
LnGrp Delay(d), s/veh	35.1	57.7	0.0	54.5	37.9	0.0	32.9	53.0	52.2	73.8	28.0	22.3
LnGrp LOS	D	E		D	D		C	D	D	E	C	C
Approach Vol, veh/h	639			1258			689			785		
Approach Delay, s/veh	51.2			46.4			52.2			44.0		
Approach LOS	D			D			D			D		
Timer - Assigned Phs	1	2	3	4		6	7	8				
Phs Duration (G+Y+Rc), s	16.2	31.8	41.0	21.0		48.0	16.0	46.0				
Change Period (Y+Rc), s	4.5	4.5	4.5	4.5		4.5	4.5	4.5				
Max Green Setting (Gmax), s	11.7	25.7	36.5	18.1		41.9	13.5	41.1				
Max Q Clear Time (g_c+I1), s	13.7	22.7	36.5	15.9		19.4	11.4	19.8				
Green Ext Time (p_c), s	0.0	1.0	0.0	0.6		2.5	0.1	3.7				

Intersection Summary

HCM 7th Control Delay, s/veh	47.9
HCM 7th LOS	D

Notes

Unsignalized Delay for [EBR, WBR] is excluded from calculations of the approach delay and intersection delay.

Hudson Bridge Townhomes

2: Flippen Rd & Flippen Dr

existing p.m.

Intersection						
Int Delay, s/veh	0.3					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	1	6	684	6	19	663
Future Vol, veh/h	1	6	684	6	19	663
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	58	58	95	95	93	93
Heavy Vehicles, %	2	2	3	2	2	3
Mvmt Flow	2	10	720	6	20	713
Major/Minor	Minor1	Major1	Major2			
Conflicting Flow All	1477	723	0	0	726	0
Stage 1	723	-	-	-	-	-
Stage 2	754	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	139	426	-	-	877	-
Stage 1	480	-	-	-	-	-
Stage 2	465	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	133	426	-	-	877	-
Mov Cap-2 Maneuver	133	-	-	-	-	-
Stage 1	480	-	-	-	-	-
Stage 2	447	-	-	-	-	-
Approach	WB	NB	SB			
HCM Control Delay, s/v16.52		0	0.26			
HCM LOS	C					
Minor Lane/Major Mvmt	NBT	NBRWBLn1	SBL	SBT		
Capacity (veh/h)	-	-	324	50	-	
HCM Lane V/C Ratio	-	-	0.037	0.023	-	
HCM Control Delay (s/veh)	-	-	16.5	9.2	0	
HCM Lane LOS	-	-	C	A	A	
HCM 95th %tile Q(veh)	-	-	0.1	0.1	-	

Hudson Bridge Townhomes

3: Hudson Bridge Dr & Hudson Bridge Rd

existing p.m.

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	273	762	14	46	1110	193	5	4	12	188	3	251
Future Volume (veh/h)	273	762	14	46	1110	193	5	4	12	188	3	251
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Lane Width Adj.	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach	No			No			No			No		
Adj Sat Flow, veh/h/ln	1870	1856	1870	1870	1856	1870	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h	290	811	15	51	1220	212	7	5	16	204	3	273
Peak Hour Factor	0.94	0.94	0.94	0.91	0.91	0.91	0.75	0.75	0.75	0.92	0.92	0.92
Percent Heavy Veh, %	2	3	2	2	3	2	2	2	2	2	2	2
Cap, veh/h	328	1649	30	299	1308	588	41	40	53	247	3	595
Arrive On Green	0.04	0.15	0.15	0.07	0.74	0.74	0.38	0.38	0.38	0.38	0.38	0.38
Sat Flow, veh/h	1781	3541	65	1781	3526	1585	0	105	140	484	7	1585
Grp Volume(v), veh/h	290	404	422	51	1220	212	28	0	0	207	0	273
Grp Sat Flow(s),veh/h/ln	1781	1763	1844	1781	1763	1585	246	0	0	491	0	1585
Q Serve(g_s), s	11.9	23.1	23.1	1.9	31.9	5.2	0.0	0.0	0.0	0.0	0.0	14.3
Cycle Q Clear(g_c), s	11.9	23.1	23.1	1.9	31.9	5.2	41.3	0.0	0.0	41.3	0.0	14.3
Prop In Lane	1.00		0.04	1.00		1.00	0.25		0.57	0.99		1.00
Lane Grp Cap(c), veh/h	328	821	859	299	1308	588	133	0	0	249	0	595
V/C Ratio(X)	0.88	0.49	0.49	0.17	0.93	0.36	0.21	0.00	0.00	0.83	0.00	0.46
Avail Cap(c_a), veh/h	444	1008	1054	318	1490	670	133	0	0	249	0	595
HCM Platoon Ratio	0.33	0.33	0.33	2.00	2.00	2.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	0.50	0.50	0.50	0.63	0.63	0.63	1.00	0.00	0.00	1.00	0.00	1.00
Uniform Delay (d), s/veh	31.6	34.6	34.6	19.9	13.0	9.6	27.5	0.0	0.0	36.6	0.0	25.9
Incr Delay (d2), s/veh	8.2	0.2	0.2	0.2	7.0	0.2	3.6	0.0	0.0	26.3	0.0	2.5
Initial Q Delay(d3), s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	6.1	10.8	11.3	0.7	5.8	1.5	0.6	0.0	0.0	7.6	0.0	5.5
Unsig. Movement Delay, s/veh												
LnGrp Delay(d), s/veh	39.7	34.9	34.8	20.1	20.0	9.8	31.0	0.0	0.0	62.9	0.0	28.4
LnGrp LOS	D	C	C	C	C	A	C			E		C
Approach Vol, veh/h	1116			1483			28			480		
Approach Delay, s/veh	36.1			18.6			31.0			43.3		
Approach LOS	D			B			C			D		
Timer - Assigned Phs	2		3	4		6	7	8				
Phs Duration (G+Y+Rc), s	45.8		8.4	55.7		45.8	18.9	45.3				
Change Period (Y+Rc), s	4.5		4.5	4.5		4.5	4.5	4.5				
Max Green Setting (Gmax), s	28.5		5.1	62.9		28.5	21.5	46.5				
Max Q Clear Time (g_c+I1), s	43.3		3.9	25.1		43.3	13.9	33.9				
Green Ext Time (p_c), s	0.0		0.0	5.2		0.0	0.5	6.9				
Intersection Summary												
HCM 7th Control Delay, s/veh	28.8											
HCM 7th LOS	C											

Hudson Bridge Townhomes

4: Western Conn/Walmart Driveway & Hudson Bridge Dr

existing p.m.

Intersection

Intersection Delay, s/veh 16.7

Intersection LOS C

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	88	51	101	244	94	12	116	71	99	8	144	42
Future Vol, veh/h	88	51	101	244	94	12	116	71	99	8	144	42
Peak Hour Factor	0.95	0.95	0.95	0.88	0.88	0.88	0.92	0.92	0.92	0.78	0.78	0.78
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	93	54	106	277	107	14	126	77	108	10	185	54
Number of Lanes	1	1	0	1	1	0	1	1	1	1	1	0

Approach	EB	WB	NB	SB
Opposing Approach	WB	EB	SB	NB
Opposing Lanes	2	2	2	3
Conflicting Approach Left	SB	NB	EB	WB
Conflicting Lanes Left	2	3	2	2
Conflicting Approach Right	NB	SB	WB	EB
Conflicting Lanes Right	3	2	2	2
HCM Control Delay, s/veh	14	20	13.2	18.7
HCM LOS	B	C	B	C

Lane	NBLn1	NBLn2	NBLn3	EBLn1	EBLn2	WBLn1	WBLn2	SBLn1	SBLn2
Vol Left, %	100%	0%	0%	100%	0%	100%	0%	100%	0%
Vol Thru, %	0%	100%	0%	0%	34%	0%	89%	0%	77%
Vol Right, %	0%	0%	100%	0%	66%	0%	11%	0%	23%
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Stop	Stop	Stop
Traffic Vol by Lane	116	71	99	88	152	244	106	8	186
LT Vol	116	0	0	88	0	244	0	8	0
Through Vol	0	71	0	0	51	0	94	0	144
RT Vol	0	0	99	0	101	0	12	0	42
Lane Flow Rate	126	77	108	93	160	277	120	10	238
Geometry Grp	6	6	6	6	6	6	6	6	6
Degree of Util (X)	0.295	0.17	0.215	0.219	0.334	0.619	0.249	0.024	0.521
Departure Headway (Hd)	8.432	7.919	7.201	8.499	7.513	8.038	7.449	8.546	7.869
Convergence, Y/N	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Cap	425	451	496	421	477	449	481	418	455
Service Time	6.209	5.696	4.977	6.278	5.291	5.809	5.219	6.326	5.648
HCM Lane V/C Ratio	0.296	0.171	0.218	0.221	0.335	0.617	0.249	0.024	0.523
HCM Control Delay, s/veh	14.7	12.3	12	13.7	14.1	23.1	12.7	11.5	19
HCM Lane LOS	B	B	B	B	B	C	B	B	C
HCM 95th-tile Q	1.2	0.6	0.8	0.8	1.5	4.1	1	0.1	2.9

Hudson Bridge Townhomes

5: Western Conn & Hudson Bridge Rd

existing p.m.

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	94	812	29	69	1159	192	63	11	58	419	16	92
Future Volume (veh/h)	94	812	29	69	1159	192	63	11	58	419	16	92
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Lane Width Adj.	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach	No			No			No			No		
Adj Sat Flow, veh/h/ln	1870	1856	1870	1870	1856	1870	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h	97	837	30	73	1233	0	71	12	0	453	0	0
Peak Hour Factor	0.97	0.97	0.97	0.94	0.94	0.94	0.89	0.89	0.89	0.95	0.95	0.95
Percent Heavy Veh, %	2	3	2	2	3	2	2	2	2	2	2	2
Cap, veh/h	121	1446	650	206	1528		403	68		729	0	
Arrive On Green	0.14	0.82	0.82	0.30	0.30	0.00	0.26	0.26	0.00	0.20	0.00	0.00
Sat Flow, veh/h	1781	3526	1585	638	5066	1585	1534	259	1585	3563	0	1585
Grp Volume(v), veh/h	97	837	30	73	1233	0	83	0	0	453	0	0
Grp Sat Flow(s),veh/h/ln	1781	1763	1585	638	1689	1585	1794	0	1585	1781	0	1585
Q Serve(g_s), s	5.8	8.9	0.4	11.1	24.7	0.0	3.9	0.0	0.0	12.7	0.0	0.0
Cycle Q Clear(g_c), s	5.8	8.9	0.4	20.0	24.7	0.0	3.9	0.0	0.0	12.7	0.0	0.0
Prop In Lane	1.00		1.00	1.00		1.00	0.86		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	121	1446	650	206	1528		471	0		729	0	
V/C Ratio(X)	0.80	0.58	0.05	0.35	0.81		0.18	0.00		0.62	0.00	
Avail Cap(c_a), veh/h	170	1715	771	237	1773		471	0		729	0	
HCM Platoon Ratio	2.00	2.00	2.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	0.91	0.91	0.91	1.00	1.00	0.00	1.00	0.00	0.00	1.00	0.00	0.00
Uniform Delay (d), s/veh	46.8	6.6	5.9	37.7	35.5	0.0	31.4	0.0	0.0	39.9	0.0	0.0
Incr Delay (d2), s/veh	15.5	0.3	0.0	1.0	2.5	0.0	0.8	0.0	0.0	4.0	0.0	0.0
Initial Q Delay(d3), s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	2.9	2.0	0.1	1.7	10.0	0.0	1.8	0.0	0.0	6.0	0.0	0.0
Unsig. Movement Delay, s/veh												
LnGrp Delay(d), s/veh	62.3	7.0	5.9	38.8	38.0	0.0	32.2	0.0	0.0	43.8	0.0	0.0
LnGrp LOS	E	A	A	D	D		C			D		
Approach Vol, veh/h	964			1306			83			453		
Approach Delay, s/veh	12.5			38.0			32.2			43.8		
Approach LOS	B			D			C			D		
Timer - Assigned Phs	2			4			6			7		
Phs Duration (G+Y+Rc), s	33.4			49.6			27.0			12.0		
Change Period (Y+Rc), s	4.5			4.5			4.5			4.5		
Max Green Setting (Gmax), s	20.5			53.5			22.5			10.5		
Max Q Clear Time (g_c+I1), s	5.9			10.9			14.7			7.8		
Green Ext Time (p_c), s	0.3			6.3			1.1			0.0		
Intersection Summary												
HCM 7th Control Delay, s/veh	30.0											
HCM 7th LOS	C											
Notes												
User approved volume balancing among the lanes for turning movement.												
Unsignalized Delay for [NBR, WBR, SBR] is excluded from calculations of the approach delay and intersection delay.												

Appendix D

No-Build Intersection Operational Analysis

Hudson Bridge Townhomes

1: Flippen Rd & Hudson Bridge Rd

no-build a.m.

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	85	379	2	189	279	115	9	167	287	221	199	67
Future Volume (veh/h)	85	379	2	189	279	115	9	167	287	221	199	67
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Lane Width Adj.	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach	No			No			No			No		
Adj Sat Flow, veh/h/ln	1856	1856	1856	1856	1856	1856	1856	1856	1856	1856	1856	1856
Adj Flow Rate, veh/h	96	426	0	201	297	0	11	196	338	260	234	79
Peak Hour Factor	0.89	0.89	0.89	0.94	0.94	0.94	0.85	0.85	0.85	0.85	0.85	0.85
Percent Heavy Veh, %	3	3	3	3	3	3	3	3	3	3	3	3
Cap, veh/h	323	538		317	726		535	799	677	575	1082	917
Arrive On Green	0.06	0.15	0.00	0.04	0.07	0.00	0.43	0.43	0.43	0.10	0.58	0.58
Sat Flow, veh/h	1767	3526	1572	1767	3526	1572	1058	1856	1572	1767	1856	1572
Grp Volume(v), veh/h	96	426	0	201	297	0	11	196	338	260	234	79
Grp Sat Flow(s),veh/h/ln	1767	1763	1572	1767	1763	1572	1058	1856	1572	1767	1856	1572
Q Serve(g_s), s	4.1	10.5	0.0	8.2	7.3	0.0	0.5	6.1	14.0	6.9	5.4	2.0
Cycle Q Clear(g_c), s	4.1	10.5	0.0	8.2	7.3	0.0	0.5	6.1	14.0	6.9	5.4	2.0
Prop In Lane	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	323	538		317	726		535	799	677	575	1082	917
V/C Ratio(X)	0.30	0.79		0.63	0.41		0.02	0.25	0.50	0.45	0.22	0.09
Avail Cap(c_a), veh/h	342	725		380	999		535	799	677	666	1082	917
HCM Platoon Ratio	1.00	1.00	1.00	0.33	0.33	0.33	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	0.00	0.67	0.67	0.00	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	29.4	36.8	0.0	29.1	36.7	0.0	14.8	16.3	18.6	11.0	9.0	8.2
Incr Delay (d2), s/veh	0.5	4.3	0.0	1.7	0.2	0.0	0.1	0.7	2.6	0.6	0.5	0.2
Initial Q Delay(d3), s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	1.7	4.6	0.0	3.7	3.2	0.0	0.1	2.6	5.1	2.5	2.0	0.6
Unsig. Movement Delay, s/veh												
LnGrp Delay(d), s/veh	29.9	41.1	0.0	30.8	36.9	0.0	14.8	17.1	21.2	11.5	9.4	8.4
LnGrp LOS	C	D		C	D		B	B	C	B	A	A
Approach Vol, veh/h	522			498			545			573		
Approach Delay, s/veh	39.0			34.5			19.6			10.2		
Approach LOS	D			C			B			B		
Timer - Assigned Phs	1	2	3	4		6	7	8				
Phs Duration (G+Y+Rc), s	13.7	43.2	14.8	18.2		57.0	10.0	23.0				
Change Period (Y+Rc), s	4.5	4.5	4.5	4.5		4.5	4.5	4.5				
Max Green Setting (Gmax), s	13.9	26.1	13.5	18.5		44.5	6.5	25.5				
Max Q Clear Time (g_c+I1), s	8.9	16.0	10.2	12.5		7.4	6.1	9.3				
Green Ext Time (p_c), s	0.3	1.7	0.2	1.3		1.6	0.0	1.5				

Intersection Summary

HCM 7th Control Delay, s/veh	25.3
HCM 7th LOS	C

Notes

Unsignalized Delay for [EBR, WBR] is excluded from calculations of the approach delay and intersection delay.

Hudson Bridge Townhomes 2: Flippen Rd & Flippen Dr

no-build a.m.

Intersection						
Int Delay, s/veh	0.1					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	0	1	327	0	8	402
Future Vol, veh/h	0	1	327	0	8	402
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	25	25	87	87	93	93
Heavy Vehicles, %	2	2	3	2	2	3
Mvmt Flow	0	4	376	0	9	432
Major/Minor	Minor1	Major1		Major2		
Conflicting Flow All	825	376	0	0	376	0
Stage 1	376	-	-	-	-	-
Stage 2	449	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	342	671	-	-	1183	-
Stage 1	694	-	-	-	-	-
Stage 2	643	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	339	671	-	-	1183	-
Mov Cap-2 Maneuver	339	-	-	-	-	-
Stage 1	694	-	-	-	-	-
Stage 2	637	-	-	-	-	-
Approach	WB	NB		SB		
HCM Control Delay, s/v	10.4	0		0.16		
HCM LOS	B					
Minor Lane/Major Mvmt	NBT	NBRWBLn1	SBL	SBT		
Capacity (veh/h)	-	-	671	35	-	
HCM Lane V/C Ratio	-	-	0.006	0.007	-	
HCM Control Delay (s/veh)	-	-	10.4	8.1	0	
HCM Lane LOS	-	-	B	A	A	
HCM 95th %tile Q(veh)	-	-	0	0	-	

Hudson Bridge Townhomes

3: Hudson Bridge Dr & Hudson Bridge Rd

no-build a.m.

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	167	754	2	20	615	144	6	3	15	137	1	30
Future Volume (veh/h)	167	754	2	20	615	144	6	3	15	137	1	30
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Lane Width Adj.	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach	No			No			No			No		
Adj Sat Flow, veh/h/ln	1870	1856	1870	1870	1856	1870	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h	186	838	2	22	683	160	12	6	30	165	1	36
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90	0.50	0.50	0.50	0.83	0.83	0.83
Percent Heavy Veh, %	2	3	2	2	3	2	2	2	2	2	2	2
Cap, veh/h	301	1123	3	197	830	373	193	113	426	683	4	817
Arrive On Green	0.13	0.41	0.41	0.05	0.47	0.47	0.52	0.52	0.52	0.52	0.52	0.52
Sat Flow, veh/h	1781	3608	9	1781	3526	1585	277	220	827	1171	8	1585
Grp Volume(v), veh/h	186	409	431	22	683	160	48	0	0	166	0	36
Grp Sat Flow(s),veh/h/ln	1781	1763	1854	1781	1763	1585	1324	0	0	1179	0	1585
Q Serve(g_s), s	6.8	17.7	17.7	0.8	15.1	6.0	0.2	0.0	0.0	0.0	0.0	1.0
Cycle Q Clear(g_c), s	6.8	17.7	17.7	0.8	15.1	6.0	13.6	0.0	0.0	13.3	0.0	1.0
Prop In Lane	1.00		0.00	1.00		1.00	0.25		0.62	0.99		1.00
Lane Grp Cap(c), veh/h	301	549	577	197	830	373	732	0	0	687	0	817
V/C Ratio(X)	0.62	0.75	0.75	0.11	0.82	0.43	0.07	0.00	0.00	0.24	0.00	0.04
Avail Cap(c_a), veh/h	431	793	834	283	1234	555	732	0	0	687	0	817
HCM Platoon Ratio	1.33	1.33	1.33	2.00	2.00	2.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	0.83	0.83	0.83	0.91	0.91	0.91	1.00	0.00	0.00	1.00	0.00	1.00
Uniform Delay (d), s/veh	22.2	23.4	23.4	25.1	22.2	19.8	11.2	0.0	0.0	13.8	0.0	10.8
Incr Delay (d2), s/veh	1.7	1.9	1.8	0.2	2.7	0.7	0.2	0.0	0.0	0.8	0.0	0.1
Initial Q Delay(d3), s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	2.6	6.2	6.5	0.3	4.5	1.9	0.5	0.0	0.0	2.2	0.0	0.3
Unsig. Movement Delay, s/veh												
LnGrp Delay(d), s/veh	23.9	25.3	25.2	25.3	24.8	20.5	11.4	0.0	0.0	14.6	0.0	10.9
LnGrp LOS	C	C	C	C	C	C	B			B		B
Approach Vol, veh/h	1026			865			48			202		
Approach Delay, s/veh	25.0			24.0			11.4			14.0		
Approach LOS	C			C			B			B		
Timer - Assigned Phs	2		3	4		6	7	8				
Phs Duration (G+Y+Rc), s	50.9		6.6	32.5		50.9	13.4	25.7				
Change Period (Y+Rc), s	4.5		4.5	4.5		4.5	4.5	4.5				
Max Green Setting (Gmax), s	29.5		6.5	40.5		29.5	15.5	31.5				
Max Q Clear Time (g_c+I1), s	15.6		2.8	19.7		15.3	8.8	17.1				
Green Ext Time (p_c), s	0.1		0.0	4.7		0.9	0.3	4.1				
Intersection Summary												
HCM 7th Control Delay, s/veh	23.3											
HCM 7th LOS	C											

Hudson Bridge Townhomes

4: Western Conn/Walmart Driveway & Hudson Bridge Dr

no-build a.m.

Intersection

Intersection Delay, s/veh 9.3

Intersection LOS A

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	30	38	23	108	23	4	14	52	30	1	64	12
Future Vol, veh/h	30	38	23	108	23	4	14	52	30	1	64	12
Peak Hour Factor	0.79	0.79	0.79	0.81	0.81	0.81	0.70	0.70	0.70	0.88	0.88	0.88
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	38	48	29	133	28	5	20	74	43	1	73	14
Number of Lanes	1	1	0	1	1	0	1	1	1	1	1	0

Approach	EB	WB	NB	SB
Opposing Approach	WB	EB	SB	NB
Opposing Lanes	2	2	2	3
Conflicting Approach Left	SB	NB	EB	WB
Conflicting Lanes Left	2	3	2	2
Conflicting Approach Right	NB	SB	WB	EB
Conflicting Lanes Right	3	2	2	2
HCM Control Delay, s/veh	8.9	10	8.7	9.2
HCM LOS	A	A	A	A

Lane	NBLn1	NBLn2	NBLn3	EBLn1	EBLn2	WBLn1	WBLn2	SBLn1	SBLn2
Vol Left, %	100%	0%	0%	100%	0%	100%	0%	100%	0%
Vol Thru, %	0%	100%	0%	0%	62%	0%	85%	0%	84%
Vol Right, %	0%	0%	100%	0%	38%	0%	15%	0%	16%
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Stop	Stop	Stop
Traffic Vol by Lane	14	52	30	30	61	108	27	1	76
LT Vol	14	0	0	30	0	108	0	1	0
Through Vol	0	52	0	0	38	0	23	0	64
RT Vol	0	0	30	0	23	0	4	0	12
Lane Flow Rate	20	74	43	38	77	133	33	1	86
Geometry Grp	6	6	6	6	6	6	6	6	6
Degree of Util (X)	0.034	0.115	0.058	0.064	0.113	0.219	0.049	0.002	0.134
Departure Headway (Hd)	6.079	5.576	4.871	6.049	5.283	5.915	5.31	6.181	5.565
Convergence, Y/N	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Cap	586	639	729	589	673	604	670	575	640
Service Time	3.849	3.345	2.64	3.822	3.055	3.683	3.078	3.956	3.34
HCM Lane V/C Ratio	0.034	0.116	0.059	0.065	0.114	0.22	0.049	0.002	0.134
HCM Control Delay, s/veh	9.1	9.1	7.9	9.2	8.7	10.4	8.4	9	9.2
HCM Lane LOS	A	A	A	A	A	B	A	A	A
HCM 95th-tile Q	0.1	0.4	0.2	0.2	0.4	0.8	0.2	0	0.5

Hudson Bridge Townhomes

5: Western Conn & Hudson Bridge Rd

no-build a.m.

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	22	796	11	74	664	64	45	10	67	142	15	45
Future Volume (veh/h)	22	796	11	74	664	64	45	10	67	142	15	45
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Lane Width Adj.	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach	No			No			No			No		
Adj Sat Flow, veh/h/ln	1870	1856	1870	1870	1856	1870	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h	23	829	11	76	678	0	47	10	0	198	0	0
Peak Hour Factor	0.96	0.96	0.96	0.98	0.98	0.98	0.96	0.96	0.96	0.77	0.77	0.77
Percent Heavy Veh, %	2	3	2	2	3	2	2	2	2	2	2	2
Cap, veh/h	43	1419	638	175	1662		367	78		713	0	
Arrive On Green	0.02	0.40	0.40	0.33	0.33	0.00	0.25	0.25	0.00	0.20	0.00	0.00
Sat Flow, veh/h	1781	3526	1585	655	5066	1585	1481	315	1585	3563	0	1585
Grp Volume(v), veh/h	23	829	11	76	678	0	57	0	0	198	0	0
Grp Sat Flow(s),veh/h/ln	1781	1763	1585	655	1689	1585	1796	0	1585	1781	0	1585
Q Serve(g_s), s	1.1	16.5	0.4	10.1	9.3	0.0	2.2	0.0	0.0	4.2	0.0	0.0
Cycle Q Clear(g_c), s	1.1	16.5	0.4	26.6	9.3	0.0	2.2	0.0	0.0	4.2	0.0	0.0
Prop In Lane	1.00		1.00	1.00		1.00	0.82		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	43	1419	638	175	1662		445	0		713	0	
V/C Ratio(X)	0.53	0.58	0.02	0.44	0.41		0.13	0.00		0.28	0.00	
Avail Cap(c_a), veh/h	99	1567	704	182	1717		445	0		713	0	
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	0.78	0.78	0.78	1.00	1.00	0.00	1.00	0.00	0.00	1.00	0.00	0.00
Uniform Delay (d), s/veh	43.4	21.0	16.2	37.3	23.4	0.0	26.3	0.0	0.0	30.5	0.0	0.0
Incr Delay (d2), s/veh	7.7	0.4	0.0	1.7	0.2	0.0	0.6	0.0	0.0	1.0	0.0	0.0
Initial Q Delay(d3), s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	0.6	6.2	0.1	1.6	3.5	0.0	1.0	0.0	0.0	1.9	0.0	0.0
Unsig. Movement Delay, s/veh												
LnGrp Delay(d), s/veh	51.1	21.4	16.2	39.0	23.6	0.0	26.9	0.0	0.0	31.5	0.0	0.0
LnGrp LOS	D	C	B	D	C		C			C		
Approach Vol, veh/h	863			754			57			198		
Approach Delay, s/veh	22.1			25.2			26.9			31.5		
Approach LOS	C			C			C			C		
Timer - Assigned Phs	2			4			6			7		
Phs Duration (G+Y+Rc), s	26.8			40.7			22.5			6.7		
Change Period (Y+Rc), s	4.5			4.5			4.5			4.5		
Max Green Setting (Gmax), s	18.5			40.0			18.0			5.0		
Max Q Clear Time (g_c+I1), s	4.2			18.5			6.2			3.1		
Green Ext Time (p_c), s	0.2			5.4			0.5			0.9		
Intersection Summary												
HCM 7th Control Delay, s/veh	24.5											
HCM 7th LOS	C											
Notes												
User approved volume balancing among the lanes for turning movement.												
Unsignalized Delay for [NBR, WBR, SBR] is excluded from calculations of the approach delay and intersection delay.												

Hudson Bridge Townhomes

1: Flippen Rd & Hudson Bridge Rd

no-build p.m.

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		 			 						 	
Traffic Volume (veh/h)	191	479	9	669	636	244	17	386	312	299	399	117
Future Volume (veh/h)	191	479	9	669	636	244	17	386	312	299	399	117
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Lane Width Adj.	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach	No			No			No			No		
Adj Sat Flow, veh/h/ln	1856	1856	1856	1856	1856	1856	1856	1856	1856	1856	1856	1856
Adj Flow Rate, veh/h	201	504	0	712	677	0	18	411	332	318	424	124
Peak Hour Factor	0.95	0.95	0.95	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94
Percent Heavy Veh, %	3	3	3	3	3	3	3	3	3	3	3	3
Cap, veh/h	386	564		653	1304		249	428	363	291	732	620
Arrive On Green	0.11	0.16	0.00	0.11	0.12	0.00	0.23	0.23	0.23	0.12	0.39	0.39
Sat Flow, veh/h	1767	3526	1572	1767	3526	1572	852	1856	1572	1767	1856	1572
Grp Volume(v), veh/h	201	504	0	712	677	0	18	411	332	318	424	124
Grp Sat Flow(s),veh/h/ln	1767	1763	1572	1767	1763	1572	852	1856	1572	1767	1856	1572
Q Serve(g_s), s	10.3	15.4	0.0	35.5	19.8	0.0	1.9	24.1	22.6	13.5	19.7	5.7
Cycle Q Clear(g_c), s	10.3	15.4	0.0	35.5	19.8	0.0	3.6	24.1	22.6	13.5	19.7	5.7
Prop In Lane	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	386	564		653	1304		249	428	363	291	732	620
V/C Ratio(X)	0.52	0.89		1.09	0.52		0.07	0.96	0.91	1.09	0.58	0.20
Avail Cap(c_a), veh/h	439	577		653	1304		249	428	363	291	732	620
HCM Platoon Ratio	1.00	1.00	1.00	0.33	0.33	0.33	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	0.00	0.47	0.47	0.00	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	32.8	45.3	0.0	39.9	39.1	0.0	34.6	41.8	41.2	29.5	26.1	21.9
Incr Delay (d2), s/veh	1.1	16.0	0.0	52.4	0.2	0.0	0.6	34.4	29.9	80.0	3.3	0.7
Initial Q Delay(d3), s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	4.3	7.7	0.0	26.0	9.3	0.0	0.4	14.7	11.4	12.0	9.0	2.1
Unsig. Movement Delay, s/veh												
LnGrp Delay(d), s/veh	33.9	61.3	0.0	92.3	39.3	0.0	35.2	76.2	71.1	109.5	29.5	22.6
LnGrp LOS	C	E		F	D		D	E	E	F	C	C
Approach Vol, veh/h	705		1389				761		866			
Approach Delay, s/veh	53.5		66.5				73.0		57.9			
Approach LOS	D		E				E		E			
Timer - Assigned Phs	1	2	3	4	6		7	8				
Phs Duration (G+Y+Rc), s	18.0	29.9	40.0	22.1	47.9		16.9	45.2				
Change Period (Y+Rc), s	4.5	4.5	4.5	4.5	4.5		4.5	4.5				
Max Green Setting (Gmax), s	13.5	25.0	35.5	18.0	43.0		15.7	37.8				
Max Q Clear Time (g_c+I1), s	15.5	26.1	37.5	17.4	21.7		12.3	21.8				
Green Ext Time (p_c), s	0.0	0.0	0.0	0.2	2.8		0.2	3.8				
Intersection Summary												
HCM 7th Control Delay, s/veh	63.3											
HCM 7th LOS	E											
Notes												
Unsignalized Delay for [EBR, WBR] is excluded from calculations of the approach delay and intersection delay.												

Hudson Bridge Townhomes

2: Flippen Rd & Flippen Dr

no-build p.m.

Intersection						
Int Delay, s/veh	0.3					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	1	7	755	4	21	732
Future Vol, veh/h	1	7	755	4	21	732
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	58	58	95	95	93	93
Heavy Vehicles, %	2	2	3	2	2	3
Mvmt Flow	2	12	795	4	23	787
Major/Minor	Minor1	Major1		Major2		
Conflicting Flow All	1629	797	0	0	799	0
Stage 1	797	-	-	-	-	-
Stage 2	832	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	112	387	-	-	824	-
Stage 1	444	-	-	-	-	-
Stage 2	427	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	107	387	-	-	824	-
Mov Cap-2 Maneuver	107	-	-	-	-	-
Stage 1	444	-	-	-	-	-
Stage 2	406	-	-	-	-	-
Approach	WB	NB		SB		
HCM Control Delay, s/v17.99		0		0.26		
HCM LOS	C					
Minor Lane/Major Mvmt	NBT	NBRWBLn1	SBL	SBT		
Capacity (veh/h)	-	-	291	50	-	
HCM Lane V/C Ratio	-	-	0.047	0.027	-	
HCM Control Delay (s/veh)	-	-	18	9.5	0	
HCM Lane LOS	-	-	C	A	A	
HCM 95th %tile Q(veh)	-	-	0.1	0.1	-	

Hudson Bridge Townhomes

3: Hudson Bridge Dr & Hudson Bridge Rd

no-build p.m.

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	301	841	15	51	1225	213	6	4	13	208	3	277
Future Volume (veh/h)	301	841	15	51	1225	213	6	4	13	208	3	277
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Lane Width Adj.	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach	No			No			No			No		
Adj Sat Flow, veh/h/ln	1870	1856	1870	1870	1856	1870	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h	320	895	16	56	1346	234	8	5	17	226	3	301
Peak Hour Factor	0.94	0.94	0.94	0.91	0.91	0.91	0.75	0.75	0.75	0.92	0.92	0.92
Percent Heavy Veh, %	2	3	2	2	3	2	2	2	2	2	2	2
Cap, veh/h	357	1817	32	306	1415	636	41	37	48	235	2	519
Arrive On Green	0.05	0.17	0.17	0.07	0.80	0.80	0.33	0.33	0.33	0.33	0.33	0.33
Sat Flow, veh/h	1781	3544	63	1781	3526	1585	0	112	146	520	7	1585
Grp Volume(v), veh/h	320	445	466	56	1346	234	30	0	0	229	0	301
Grp Sat Flow(s),veh/h/ln	1781	1763	1844	1781	1763	1585	258	0	0	527	0	1585
Q Serve(g_s), s	13.9	25.2	25.2	2.0	35.0	4.5	0.0	0.0	0.0	0.0	0.0	17.3
Cycle Q Clear(g_c), s	13.9	25.2	25.2	2.0	35.0	4.5	36.0	0.0	0.0	36.0	0.0	17.3
Prop In Lane	1.00		0.03	1.00		1.00	0.27		0.57	0.99		1.00
Lane Grp Cap(c), veh/h	357	904	946	306	1415	636	126	0	0	238	0	519
V/C Ratio(X)	0.90	0.49	0.49	0.18	0.95	0.37	0.24	0.00	0.00	0.96	0.00	0.58
Avail Cap(c_a), veh/h	429	1029	1076	322	1554	699	126	0	0	238	0	519
HCM Platoon Ratio	0.33	0.33	0.33	2.00	2.00	2.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	0.41	0.41	0.41	0.58	0.58	0.58	1.00	0.00	0.00	1.00	0.00	1.00
Uniform Delay (d), s/veh	35.0	32.7	32.7	18.0	9.9	6.9	29.6	0.0	0.0	41.4	0.0	30.7
Incr Delay (d2), s/veh	9.0	0.2	0.2	0.2	8.2	0.2	4.4	0.0	0.0	49.8	0.0	4.7
Initial Q Delay(d3), s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	10.2	11.8	12.4	0.8	5.4	1.2	0.7	0.0	0.0	9.7	0.0	7.0
Unsig. Movement Delay, s/veh												
LnGrp Delay(d), s/veh	44.1	32.9	32.9	18.2	18.2	7.1	34.0	0.0	0.0	91.2	0.0	35.4
LnGrp LOS	D	C	C	B	B	A	C			F		D
Approach Vol, veh/h	1231			1636			30			530		
Approach Delay, s/veh	35.8			16.6			34.0			59.5		
Approach LOS	D			B			C			E		
Timer - Assigned Phs	2		3	4		6	7	8				
Phs Duration (G+Y+Rc), s	40.5		8.6	60.9		40.5	20.8	48.7				
Change Period (Y+Rc), s	4.5		4.5	4.5		4.5	4.5	4.5				
Max Green Setting (Gmax), s	27.2		5.1	64.2		27.2	20.8	48.5				
Max Q Clear Time (g_c+I1), s	38.0		4.0	27.2		38.0	15.9	37.0				
Green Ext Time (p_c), s	0.0		0.0	6.0		0.0	0.4	7.1				
Intersection Summary												
HCM 7th Control Delay, s/veh	30.3											
HCM 7th LOS	C											

Hudson Bridge Townhomes

4: Western Conn/Walmart Driveway & Hudson Bridge Dr

no-build p.m.

Intersection	
Intersection Delay, s/veh	20.6
Intersection LOS	C

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	97	56	112	269	104	13	128	78	109	9	159	46
Future Vol, veh/h	97	56	112	269	104	13	128	78	109	9	159	46
Peak Hour Factor	0.95	0.95	0.95	0.88	0.88	0.88	0.92	0.92	0.92	0.78	0.78	0.78
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	102	59	118	306	118	15	139	85	118	12	204	59
Number of Lanes	1	1	0	1	1	0	1	1	1	1	1	0

Approach	EB	WB	NB	SB
Opposing Approach	WB	EB	SB	NB
Opposing Lanes	2	2	2	3
Conflicting Approach Left	SB	NB	EB	WB
Conflicting Lanes Left	2	3	2	2
Conflicting Approach Right	NB	SB	WB	EB
Conflicting Lanes Right	3	2	2	2
HCM Control Delay, s/veh	15.9	26.2	14.7	23.7
HCM LOS	C	D	B	C

Lane	NBLn1	NBLn2	NBLn3	EBLn1	EBLn2	WBLn1	WBLn2	SBLn1	SBLn2
Vol Left, %	100%	0%	0%	100%	0%	100%	0%	100%	0%
Vol Thru, %	0%	100%	0%	0%	33%	0%	89%	0%	78%
Vol Right, %	0%	0%	100%	0%	67%	0%	11%	0%	22%
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Stop	Stop	Stop
Traffic Vol by Lane	128	78	109	97	168	269	117	9	205
LT Vol	128	0	0	97	0	269	0	9	0
Through Vol	0	78	0	0	56	0	104	0	159
RT Vol	0	0	109	0	112	0	13	0	46
Lane Flow Rate	139	85	118	102	177	306	133	12	263
Geometry Grp	6	6	6	6	6	6	6	6	6
Degree of Util (X)	0.35	0.201	0.257	0.26	0.401	0.731	0.296	0.029	0.62
Departure Headway (Hd)	9.062	8.546	7.824	9.153	8.159	8.611	8.02	9.177	8.497
Convergence, Y/N	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Cap	397	420	459	393	442	422	448	390	426
Service Time	6.813	6.296	5.573	6.9	5.906	6.354	5.763	6.925	6.244
HCM Lane V/C Ratio	0.35	0.202	0.257	0.26	0.4	0.725	0.297	0.031	0.617
HCM Control Delay, s/veh	16.6	13.4	13.3	15.1	16.3	31.5	14.1	12.2	24.2
HCM Lane LOS	C	B	B	C	C	D	B	B	C
HCM 95th-tile Q	1.5	0.7	1	1	1.9	5.8	1.2	0.1	4.1

Hudson Bridge Townhomes

5: Western Conn & Hudson Bridge Rd

no-build p.m.

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	104	896	32	76	1280	212	70	12	64	463	18	102
Future Volume (veh/h)	104	896	32	76	1280	212	70	12	64	463	18	102
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Lane Width Adj.	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach	No			No			No			No		
Adj Sat Flow, veh/h/ln	1870	1856	1870	1870	1856	1870	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h	107	924	33	81	1362	0	79	13	0	501	0	0
Peak Hour Factor	0.97	0.97	0.97	0.94	0.94	0.94	0.89	0.89	0.89	0.95	0.95	0.95
Percent Heavy Veh, %	2	3	2	2	3	2	2	2	2	2	2	2
Cap, veh/h	131	1549	696	217	1644		374	61		696	0	
Arrive On Green	0.15	0.88	0.88	0.32	0.32	0.00	0.24	0.24	0.00	0.20	0.00	0.00
Sat Flow, veh/h	1781	3526	1585	587	5066	1585	1540	253	1585	3563	0	1585
Grp Volume(v), veh/h	107	924	33	81	1362	0	92	0	0	501	0	0
Grp Sat Flow(s),veh/h/ln	1781	1763	1585	587	1689	1585	1793	0	1585	1781	0	1585
Q Serve(g_s), s	6.4	7.4	0.3	13.1	27.3	0.0	4.5	0.0	0.0	14.5	0.0	0.0
Cycle Q Clear(g_c), s	6.4	7.4	0.3	20.4	27.3	0.0	4.5	0.0	0.0	14.5	0.0	0.0
Prop In Lane	1.00		1.00	1.00		1.00	0.86		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	131	1549	696	217	1644		435	0		696	0	
V/C Ratio(X)	0.81	0.60	0.05	0.37	0.83		0.21	0.00		0.72	0.00	
Avail Cap(c_a), veh/h	157	1721	774	237	1819		435	0		696	0	
HCM Platoon Ratio	2.00	2.00	2.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	0.90	0.90	0.90	1.00	1.00	0.00	1.00	0.00	0.00	1.00	0.00	0.00
Uniform Delay (d), s/veh	46.2	4.2	3.8	35.2	34.3	0.0	33.3	0.0	0.0	41.4	0.0	0.0
Incr Delay (d2), s/veh	21.6	0.4	0.0	1.1	3.1	0.0	1.1	0.0	0.0	6.3	0.0	0.0
Initial Q Delay(d3), s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	3.4	1.5	0.1	1.9	11.1	0.0	2.1	0.0	0.0	6.9	0.0	0.0
Unsig. Movement Delay, s/veh												
LnGrp Delay(d), s/veh	67.7	4.6	3.8	36.2	37.4	0.0	34.4	0.0	0.0	47.7	0.0	0.0
LnGrp LOS	E	A	A	D	D		C			D		
Approach Vol, veh/h	1064			1443			92			501		
Approach Delay, s/veh	10.9			37.3			34.4			47.7		
Approach LOS	B			D			C			D		
Timer - Assigned Phs	2			4			6			7		
Phs Duration (G+Y+Rc), s	31.2			52.8			26.0			12.6		
Change Period (Y+Rc), s	4.5			4.5			4.5			4.5		
Max Green Setting (Gmax), s	21.3			53.7			21.5			9.7		
Max Q Clear Time (g_c+I1), s	6.5			9.4			16.5			8.4		
Green Ext Time (p_c), s	0.3			7.3			0.9			6.4		
Intersection Summary												
HCM 7th Control Delay, s/veh	29.9											
HCM 7th LOS	C											
Notes												
User approved volume balancing among the lanes for turning movement.												
Unsignalized Delay for [NBR, WBR, SBR] is excluded from calculations of the approach delay and intersection delay.												

Hudson Bridge Townhomes

1: Flippen Rd & Hudson Bridge Rd

no-build p.m. with mitigation

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	191	479	9	669	636	244	17	386	312	299	399	117
Future Volume (veh/h)	191	479	9	669	636	244	17	386	312	299	399	117
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Lane Width Adj.	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach	No			No			No			No		
Adj Sat Flow, veh/h/ln	1856	1856	1856	1856	1856	1856	1856	1856	1856	1856	1856	1856
Adj Flow Rate, veh/h	201	504	0	712	677	0	18	411	332	318	424	124
Peak Hour Factor	0.95	0.95	0.95	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94
Percent Heavy Veh, %	3	3	3	3	3	3	3	3	3	3	3	3
Cap, veh/h	272	584		771	978		321	543	460	379	880	746
Arrive On Green	0.11	0.17	0.00	0.07	0.09	0.00	0.29	0.29	0.29	0.14	0.47	0.47
Sat Flow, veh/h	1767	3526	1572	3428	3526	1572	852	1856	1572	1767	1856	1572
Grp Volume(v), veh/h	201	504	0	712	677	0	18	411	332	318	424	124
Grp Sat Flow(s),veh/h/ln	1767	1763	1572	1714	1763	1572	852	1856	1572	1767	1856	1572
Q Serve(g_s), s	11.0	13.9	0.0	20.6	18.6	0.0	1.5	20.1	10.5	12.1	15.6	4.5
Cycle Q Clear(g_c), s	11.0	13.9	0.0	20.6	18.6	0.0	1.5	20.1	10.5	12.1	15.6	4.5
Prop In Lane	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	272	584		771	978		321	543	460	379	880	746
V/C Ratio(X)	0.74	0.86		0.92	0.69		0.06	0.76	0.72	0.84	0.48	0.17
Avail Cap(c_a), veh/h	272	635		771	1029		321	543	460	379	880	746
HCM Platoon Ratio	1.00	1.00	1.00	0.33	0.33	0.33	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	0.00	0.46	0.46	0.00	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	41.7	40.6	0.0	45.4	41.3	0.0	25.6	32.2	9.8	22.4	17.9	15.0
Incr Delay (d2), s/veh	10.3	11.2	0.0	9.0	0.9	0.0	0.3	9.5	9.4	15.3	1.9	0.5
Initial Q Delay(d3), s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	5.4	6.7	0.0	10.3	8.8	0.0	0.3	10.0	4.3	6.2	6.7	1.6
Unsig. Movement Delay, s/veh												
LnGrp Delay(d), s/veh	52.0	51.8	0.0	54.4	42.1	0.0	25.9	41.7	19.2	37.7	19.8	15.5
LnGrp LOS	D	D		D	D		C	D	B	D	B	B
Approach Vol, veh/h	705		1389				761		866			
Approach Delay, s/veh	51.9		48.4				31.5		25.8			
Approach LOS	D		D				C		C			
Timer - Assigned Phs	1	2	3	4	6		7	8				
Phs Duration (G+Y+Rc), s	18.2	33.7	27.0	21.1	51.9		15.8	32.3				
Change Period (Y+Rc), s	4.5	4.5	4.5	4.5	4.5		4.5	4.5				
Max Green Setting (Gmax), s	13.7	27.8	22.5	18.0	46.0		11.3	29.2				
Max Q Clear Time (g_c+I1), s	14.1	22.1	22.6	15.9	17.6		13.0	20.6				
Green Ext Time (p_c), s	0.0	1.9	0.0	0.6	3.0		0.0	2.7				
Intersection Summary												
HCM 7th Control Delay, s/veh	40.3											
HCM 7th LOS	D											
Notes												
Unsignalized Delay for [EBR, WBR] is excluded from calculations of the approach delay and intersection delay.												

Hudson Bridge Townhomes

3: Hudson Bridge Dr & Hudson Bridge Rd

no-build p.m. with mitigation

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	301	841	15	51	1225	213	6	4	13	208	3	277
Future Volume (veh/h)	301	841	15	51	1225	213	6	4	13	208	3	277
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Lane Width Adj.	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach	No			No			No			No		
Adj Sat Flow, veh/h/ln	1870	1856	1870	1870	1856	1870	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h	320	895	16	56	1346	234	8	5	17	226	3	301
Peak Hour Factor	0.94	0.94	0.94	0.91	0.91	0.91	0.75	0.75	0.75	0.92	0.92	0.92
Percent Heavy Veh, %	2	3	2	2	3	2	2	2	2	2	2	2
Cap, veh/h	348	1778	32	388	1415	636	46	40	53	243	2	513
Arrive On Green	0.28	1.00	1.00	0.08	0.80	0.80	0.32	0.32	0.32	0.32	0.32	0.32
Sat Flow, veh/h	1781	3544	63	1781	3526	1585	0	124	162	529	7	1585
Grp Volume(v), veh/h	320	445	466	56	1346	234	30	0	0	229	0	301
Grp Sat Flow(s),veh/h/ln	1781	1763	1844	1781	1763	1585	286	0	0	536	0	1585
Q Serve(g_s), s	11.5	0.0	0.0	1.8	31.9	4.1	0.0	0.0	0.0	0.0	0.0	15.9
Cycle Q Clear(g_c), s	11.5	0.0	0.0	1.8	31.9	4.1	32.4	0.0	0.0	32.4	0.0	15.9
Prop In Lane	1.00		0.03	1.00		1.00	0.27		0.57	0.99		1.00
Lane Grp Cap(c), veh/h	348	884	925	388	1415	636	138	0	0	245	0	513
V/C Ratio(X)	0.92	0.50	0.50	0.14	0.95	0.37	0.22	0.00	0.00	0.93	0.00	0.59
Avail Cap(c_a), veh/h	432	1007	1053	409	1534	689	138	0	0	245	0	513
HCM Platoon Ratio	2.00	2.00	2.00	2.00	2.00	2.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	0.58	0.58	0.58	0.56	0.56	0.56	1.00	0.00	0.00	1.00	0.00	1.00
Uniform Delay (d), s/veh	19.5	0.0	0.0	15.5	9.1	6.3	26.9	0.0	0.0	37.7	0.0	28.2
Incr Delay (d2), s/veh	14.6	0.3	0.2	0.1	8.2	0.2	3.6	0.0	0.0	42.6	0.0	4.8
Initial Q Delay(d3), s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	4.6	0.1	0.1	0.7	4.9	1.1	0.6	0.0	0.0	8.6	0.0	6.3
Unsig. Movement Delay, s/veh												
LnGrp Delay(d), s/veh	34.0	0.3	0.2	15.6	17.2	6.5	30.5	0.0	0.0	80.3	0.0	33.1
LnGrp LOS	C	A	A	B	B	A	C			F		C
Approach Vol, veh/h	1231			1636			30			530		
Approach Delay, s/veh	9.0			15.7			30.5			53.5		
Approach LOS	A			B			C			D		
Timer - Assigned Phs	2		3	4		6	7	8				
Phs Duration (G+Y+Rc), s	36.9		8.4	54.7		36.9	18.5	44.6				
Change Period (Y+Rc), s	4.5		4.5	4.5		4.5	4.5	4.5				
Max Green Setting (Gmax), s	24.3		5.1	57.1		24.3	18.7	43.5				
Max Q Clear Time (g_c+I1), s	34.4		3.8	2.0		34.4	13.5	33.9				
Green Ext Time (p_c), s	0.0		0.0	6.1		0.0	0.4	6.3				
Intersection Summary												
HCM 7th Control Delay, s/veh				19.3								
HCM 7th LOS				B								

Hudson Bridge Townhomes

5: Western Conn & Hudson Bridge Rd

no-build p.m. with mitigation

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	104	896	32	76	1280	212	70	12	64	463	18	102
Future Volume (veh/h)	104	896	32	76	1280	212	70	12	64	463	18	102
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Lane Width Adj.	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach	No			No			No			No		
Adj Sat Flow, veh/h/ln	1870	1856	1870	1870	1856	1870	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h	107	924	33	81	1362	0	79	13	0	501	0	0
Peak Hour Factor	0.97	0.97	0.97	0.94	0.94	0.94	0.89	0.89	0.89	0.95	0.95	0.95
Percent Heavy Veh, %	2	3	2	2	3	2	2	2	2	2	2	2
Cap, veh/h	132	1552	698	221	1625		357	59		688	0	
Arrive On Green	0.15	0.88	0.88	0.32	0.32	0.00	0.23	0.23	0.00	0.19	0.00	0.00
Sat Flow, veh/h	1781	3526	1585	587	5066	1585	1540	253	1585	3563	0	1585
Grp Volume(v), veh/h	107	924	33	81	1362	0	92	0	0	501	0	0
Grp Sat Flow(s),veh/h/ln	1781	1763	1585	587	1689	1585	1793	0	1585	1781	0	1585
Q Serve(g_s), s	5.8	6.6	0.3	11.9	25.0	0.0	4.2	0.0	0.0	13.2	0.0	0.0
Cycle Q Clear(g_c), s	5.8	6.6	0.3	18.5	25.0	0.0	4.2	0.0	0.0	13.2	0.0	0.0
Prop In Lane	1.00		1.00	1.00		1.00	0.86		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	132	1552	698	221	1625		416	0		688	0	
V/C Ratio(X)	0.81	0.60	0.05	0.37	0.84		0.22	0.00		0.73	0.00	
Avail Cap(c_a), veh/h	160	1696	762	236	1753		416	0		688	0	
HCM Platoon Ratio	2.00	2.00	2.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	0.89	0.89	0.89	1.00	1.00	0.00	1.00	0.00	0.00	1.00	0.00	0.00
Uniform Delay (d), s/veh	41.9	3.7	3.4	32.2	31.6	0.0	31.1	0.0	0.0	37.9	0.0	0.0
Incr Delay (d2), s/veh	19.8	0.4	0.0	1.0	3.6	0.0	1.2	0.0	0.0	6.7	0.0	0.0
Initial Q Delay(d3), s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	3.0	1.3	0.1	1.7	10.0	0.0	1.9	0.0	0.0	6.3	0.0	0.0
Unsig. Movement Delay, s/veh												
LnGrp Delay(d), s/veh	61.7	4.2	3.4	33.2	35.1	0.0	32.3	0.0	0.0	44.6	0.0	0.0
LnGrp LOS	E	A	A	C	D		C			D		
Approach Vol, veh/h	1064			1443			92			501		
Approach Delay, s/veh	9.9			35.0			32.3			44.6		
Approach LOS	A			D			C			D		
Timer - Assigned Phs	2			4			6			7		
Phs Duration (G+Y+Rc), s	27.7			48.5			23.8			11.9		
Change Period (Y+Rc), s	4.5			4.5			4.5			4.5		
Max Green Setting (Gmax), s	19.1			48.1			19.3			9.0		
Max Q Clear Time (g_c+I1), s	6.2			8.6			15.2			7.8		
Green Ext Time (p_c), s	0.3			7.2			0.8			5.1		
Intersection Summary												
HCM 7th Control Delay, s/veh	27.9											
HCM 7th LOS	C											
Notes												
User approved volume balancing among the lanes for turning movement.												
Unsignalized Delay for [NBR, WBR, SBR] is excluded from calculations of the approach delay and intersection delay.												

Appendix E

Future Intersection Operational Analysis

Hudson Bridge Townhomes

1: Flippen Rd & Hudson Bridge Rd

future a.m.

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	85	381	2	197	284	115	9	167	290	221	199	67
Future Volume (veh/h)	85	381	2	197	284	115	9	167	290	221	199	67
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Lane Width Adj.	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach	No			No			No			No		
Adj Sat Flow, veh/h/ln	1856	1856	1856	1856	1856	1856	1856	1856	1856	1856	1856	1856
Adj Flow Rate, veh/h	96	428	0	210	302	0	11	196	341	260	234	79
Peak Hour Factor	0.89	0.89	0.89	0.94	0.94	0.94	0.85	0.85	0.85	0.85	0.85	0.85
Percent Heavy Veh, %	3	3	3	3	3	3	3	3	3	3	3	3
Cap, veh/h	326	540		324	742		530	789	668	570	1073	909
Arrive On Green	0.06	0.15	0.00	0.04	0.07	0.00	0.43	0.43	0.43	0.10	0.58	0.58
Sat Flow, veh/h	1767	3526	1572	1767	3526	1572	1058	1856	1572	1767	1856	1572
Grp Volume(v), veh/h	96	428	0	210	302	0	11	196	341	260	234	79
Grp Sat Flow(s),veh/h/ln	1767	1763	1572	1767	1763	1572	1058	1856	1572	1767	1856	1572
Q Serve(g_s), s	4.1	10.5	0.0	8.6	7.4	0.0	0.5	6.1	14.3	7.0	5.5	2.0
Cycle Q Clear(g_c), s	4.1	10.5	0.0	8.6	7.4	0.0	0.5	6.1	14.3	7.0	5.5	2.0
Prop In Lane	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	326	540		324	742		530	789	668	570	1073	909
V/C Ratio(X)	0.29	0.79		0.65	0.41		0.02	0.25	0.51	0.46	0.22	0.09
Avail Cap(c_a), veh/h	345	725		380	999		530	789	668	660	1073	909
HCM Platoon Ratio	1.00	1.00	1.00	0.33	0.33	0.33	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	0.00	0.68	0.68	0.00	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	29.4	36.7	0.0	29.0	36.5	0.0	15.0	16.6	19.0	11.2	9.2	8.4
Incr Delay (d2), s/veh	0.5	4.4	0.0	2.1	0.2	0.0	0.1	0.8	2.8	0.6	0.5	0.2
Initial Q Delay(d3), s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	1.7	4.6	0.0	3.9	3.2	0.0	0.1	2.6	5.2	2.5	2.1	0.6
Unsig. Movement Delay, s/veh												
LnGrp Delay(d), s/veh	29.9	41.1	0.0	31.1	36.7	0.0	15.1	17.4	21.8	11.8	9.6	8.6
LnGrp LOS	C	D		C	D		B	B	C	B	A	A
Approach Vol, veh/h	524			512			548			573		
Approach Delay, s/veh	39.0			34.4			20.1			10.5		
Approach LOS	D			C			C			B		
Timer - Assigned Phs	1	2	3	4		6	7	8				
Phs Duration (G+Y+Rc), s	13.8	42.8	15.2	18.3		56.5	10.0	23.4				
Change Period (Y+Rc), s	4.5	4.5	4.5	4.5		4.5	4.5	4.5				
Max Green Setting (Gmax), s	13.9	26.1	13.5	18.5		44.5	6.5	25.5				
Max Q Clear Time (g_c+I1), s	9.0	16.3	10.6	12.5		7.5	6.1	9.4				
Green Ext Time (p_c), s	0.3	1.7	0.2	1.3		1.6	0.0	1.5				
Intersection Summary												
HCM 7th Control Delay, s/veh				25.5								
HCM 7th LOS				C								
Notes												
Unsignalized Delay for [EBR, WBR] is excluded from calculations of the approach delay and intersection delay.												

Hudson Bridge Townhomes

2: Flippen Rd & Flippen Dr

future a.m.

Intersection						
Int Delay, s/veh	0.6					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	0	9	327	0	11	402
Future Vol, veh/h	0	9	327	0	11	402
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	25	25	87	87	93	93
Heavy Vehicles, %	2	2	3	2	2	3
Mvmt Flow	0	36	376	0	12	432
Major/Minor	Minor1	Major1		Major2		
Conflicting Flow All	832	376	0	0	376	0
Stage 1	376	-	-	-	-	-
Stage 2	456	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	339	671	-	-	1183	-
Stage 1	694	-	-	-	-	-
Stage 2	638	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	335	671	-	-	1183	-
Mov Cap-2 Maneuver	335	-	-	-	-	-
Stage 1	694	-	-	-	-	-
Stage 2	630	-	-	-	-	-
Approach	WB	NB		SB		
HCM Control Delay, s/v10.67		0		0.22		
HCM LOS	B					
Minor Lane/Major Mvmt	NBT	NBRWBLn1	SBL	SBT		
Capacity (veh/h)	-	-	671	48	-	
HCM Lane V/C Ratio	-	-	0.054	0.01	-	
HCM Control Delay (s/veh)	-	-	10.7	8.1	0	
HCM Lane LOS	-	-	B	A	A	
HCM 95th %tile Q(veh)	-	-	0.2	0	-	

Hudson Bridge Townhomes

3: Hudson Bridge Dr & Hudson Bridge Rd

future a.m.

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	172	754	2	20	615	152	6	3	15	162	1	43
Future Volume (veh/h)	172	754	2	20	615	152	6	3	15	162	1	43
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Lane Width Adj.	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach	No			No			No			No		
Adj Sat Flow, veh/h/ln	1870	1856	1870	1870	1856	1870	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h	191	838	2	22	683	169	12	6	30	195	1	52
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90	0.50	0.50	0.50	0.83	0.83	0.83
Percent Heavy Veh, %	2	3	2	2	3	2	2	2	2	2	2	2
Cap, veh/h	305	1131	3	199	831	374	144	89	305	556	3	813
Arrive On Green	0.13	0.42	0.42	0.05	0.47	0.47	0.51	0.51	0.51	0.51	0.51	0.51
Sat Flow, veh/h	1781	3608	9	1781	3526	1585	183	174	595	929	5	1585
Grp Volume(v), veh/h	191	409	431	22	683	169	48	0	0	196	0	52
Grp Sat Flow(s),veh/h/ln	1781	1763	1854	1781	1763	1585	952	0	0	934	0	1585
Q Serve(g_s), s	6.9	17.6	17.6	0.8	15.0	6.4	0.6	0.0	0.0	0.0	0.0	1.5
Cycle Q Clear(g_c), s	6.9	17.6	17.6	0.8	15.0	6.4	24.9	0.0	0.0	24.5	0.0	1.5
Prop In Lane	1.00		0.00	1.00		1.00	0.25		0.62	0.99		1.00
Lane Grp Cap(c), veh/h	305	553	581	199	831	374	538	0	0	559	0	813
V/C Ratio(X)	0.63	0.74	0.74	0.11	0.82	0.45	0.09	0.00	0.00	0.35	0.00	0.06
Avail Cap(c_a), veh/h	431	793	834	286	1234	555	538	0	0	559	0	813
HCM Platoon Ratio	1.33	1.33	1.33	2.00	2.00	2.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	0.82	0.82	0.82	0.91	0.91	0.91	1.00	0.00	0.00	1.00	0.00	1.00
Uniform Delay (d), s/veh	22.1	23.1	23.1	25.0	22.2	19.9	12.9	0.0	0.0	16.6	0.0	11.0
Incr Delay (d2), s/veh	1.7	1.8	1.7	0.2	2.6	0.8	0.3	0.0	0.0	1.7	0.0	0.2
Initial Q Delay(d3), s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	2.7	6.2	6.5	0.3	4.5	2.0	0.5	0.0	0.0	3.2	0.0	0.5
Unsig. Movement Delay, s/veh												
LnGrp Delay(d), s/veh	23.8	25.0	24.9	25.3	24.8	20.7	13.2	0.0	0.0	18.4	0.0	11.2
LnGrp LOS	C	C	C	C	C	C	B			B		B
Approach Vol, veh/h	1031			874			48			248		
Approach Delay, s/veh	24.7			24.0			13.2			16.9		
Approach LOS	C			C			B			B		
Timer - Assigned Phs	2		3	4		6	7	8				
Phs Duration (G+Y+Rc), s	50.7		6.6	32.7		50.7	13.6	25.7				
Change Period (Y+Rc), s	4.5		4.5	4.5		4.5	4.5	4.5				
Max Green Setting (Gmax), s	29.5		6.5	40.5		29.5	15.5	31.5				
Max Q Clear Time (g_c+I1), s	26.9		2.8	19.6		26.5	8.9	17.0				
Green Ext Time (p_c), s	0.0		0.0	4.8		0.4	0.3	4.2				
Intersection Summary												
HCM 7th Control Delay, s/veh	23.3											
HCM 7th LOS	C											

Hudson Bridge Townhomes

4: Western Conn/Walmart Driveway & Hudson Bridge Dr

future a.m.

Intersection

Intersection Delay, s/veh 9.3

Intersection LOS A

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	32	39	24	108	23	4	14	52	30	1	64	13
Future Vol, veh/h	32	39	24	108	23	4	14	52	30	1	64	13
Peak Hour Factor	0.79	0.79	0.79	0.81	0.81	0.81	0.70	0.70	0.70	0.88	0.88	0.88
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	41	49	30	133	28	5	20	74	43	1	73	15
Number of Lanes	1	1	0	1	1	0	1	1	1	1	1	0

Approach	EB	WB	NB	SB
Opposing Approach	WB	EB	SB	NB
Opposing Lanes	2	2	2	3
Conflicting Approach Left	SB	NB	EB	WB
Conflicting Lanes Left	2	3	2	2
Conflicting Approach Right	NB	SB	WB	EB
Conflicting Lanes Right	3	2	2	2
HCM Control Delay, s/veh	9	10	8.8	9.2
HCM LOS	A	A	A	A

Lane	NBLn1	NBLn2	NBLn3	EBLn1	EBLn2	WBLn1	WBLn2	SBLn1	SBLn2
Vol Left, %	100%	0%	0%	100%	0%	100%	0%	100%	0%
Vol Thru, %	0%	100%	0%	0%	62%	0%	85%	0%	83%
Vol Right, %	0%	0%	100%	0%	38%	0%	15%	0%	17%
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Stop	Stop	Stop
Traffic Vol by Lane	14	52	30	32	63	108	27	1	77
LT Vol	14	0	0	32	0	108	0	1	0
Through Vol	0	52	0	0	39	0	23	0	64
RT Vol	0	0	30	0	24	0	4	0	13
Lane Flow Rate	20	74	43	41	80	133	33	1	88
Geometry Grp	6	6	6	6	6	6	6	6	6
Degree of Util (X)	0.034	0.115	0.058	0.068	0.117	0.22	0.049	0.002	0.135
Departure Headway (Hd)	6.097	5.594	4.89	6.053	5.284	5.931	5.326	6.196	5.573
Convergence, Y/N	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Cap	584	637	726	588	673	603	668	574	639
Service Time	3.867	3.364	2.659	3.826	3.056	3.697	3.091	3.973	3.349
HCM Lane V/C Ratio	0.034	0.116	0.059	0.07	0.119	0.221	0.049	0.002	0.138
HCM Control Delay, s/veh	9.1	9.1	8	9.3	8.8	10.4	8.4	9	9.2
HCM Lane LOS	A	A	A	A	A	B	A	A	A
HCM 95th-tile Q	0.1	0.4	0.2	0.2	0.4	0.8	0.2	0	0.5

Hudson Bridge Townhomes

5: Western Conn & Hudson Bridge Rd

future a.m.

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	22	821	11	74	672	64	45	10	67	142	16	45
Future Volume (veh/h)	22	821	11	74	672	64	45	10	67	142	16	45
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Lane Width Adj.	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach	No			No			No			No		
Adj Sat Flow, veh/h/ln	1870	1856	1870	1870	1856	1870	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h	23	855	11	76	686	0	47	10	0	199	0	0
Peak Hour Factor	0.96	0.96	0.96	0.98	0.98	0.98	0.96	0.96	0.96	0.77	0.77	0.77
Percent Heavy Veh, %	2	3	2	2	3	2	2	2	2	2	2	2
Cap, veh/h	43	1395	627	177	1628		377	80		713	0	
Arrive On Green	0.03	0.53	0.53	0.32	0.32	0.00	0.25	0.25	0.00	0.20	0.00	0.00
Sat Flow, veh/h	1781	3526	1585	639	5066	1585	1481	315	1585	3563	0	1585
Grp Volume(v), veh/h	23	855	11	76	686	0	57	0	0	199	0	0
Grp Sat Flow(s),veh/h/ln	1781	1763	1585	639	1689	1585	1796	0	1585	1781	0	1585
Q Serve(g_s), s	1.1	15.3	0.3	10.3	9.6	0.0	2.2	0.0	0.0	4.3	0.0	0.0
Cycle Q Clear(g_c), s	1.1	15.3	0.3	25.6	9.6	0.0	2.2	0.0	0.0	4.3	0.0	0.0
Prop In Lane	1.00		1.00	1.00		1.00	0.82		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	43	1395	627	177	1628		457	0		713	0	
V/C Ratio(X)	0.53	0.61	0.02	0.43	0.42		0.12	0.00		0.28	0.00	
Avail Cap(c_a), veh/h	99	1567	704	188	1717		457	0		713	0	
HCM Platoon Ratio	1.33	1.33	1.33	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	0.78	0.78	0.78	1.00	1.00	0.00	1.00	0.00	0.00	1.00	0.00	0.00
Uniform Delay (d), s/veh	43.0	16.5	13.0	36.7	24.0	0.0	25.8	0.0	0.0	30.5	0.0	0.0
Incr Delay (d2), s/veh	7.7	0.5	0.0	1.6	0.2	0.0	0.6	0.0	0.0	1.0	0.0	0.0
Initial Q Delay(d3), s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	0.6	4.9	0.1	1.6	3.6	0.0	1.0	0.0	0.0	1.9	0.0	0.0
Unsig. Movement Delay, s/veh												
LnGrp Delay(d), s/veh	50.7	17.0	13.0	38.4	24.1	0.0	26.4	0.0	0.0	31.5	0.0	0.0
LnGrp LOS	D	B	B	D	C		C			C		
Approach Vol, veh/h	889			762			57			199		
Approach Delay, s/veh	17.8			25.6			26.4			31.5		
Approach LOS	B			C			C			C		
Timer - Assigned Phs	2			4			6			7		
Phs Duration (G+Y+Rc), s	27.4			40.1			22.5			6.7		
Change Period (Y+Rc), s	4.5			4.5			4.5			4.5		
Max Green Setting (Gmax), s	18.5			40.0			18.0			5.0		
Max Q Clear Time (g_c+I1), s	4.2			17.3			6.3			3.1		
Green Ext Time (p_c), s	0.2			5.7			0.5			0.0		
Intersection Summary												
HCM 7th Control Delay, s/veh	22.6											
HCM 7th LOS	C											
Notes												
User approved volume balancing among the lanes for turning movement.												
Unsignalized Delay for [NBR, WBR, SBR] is excluded from calculations of the approach delay and intersection delay.												

Hudson Bridge Townhomes

1: Flippen Rd & Hudson Bridge Rd

future p.m.

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	191	484	9	674	639	244	17	386	319	299	399	117
Future Volume (veh/h)	191	484	9	674	639	244	17	386	319	299	399	117
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Lane Width Adj.	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach	No			No			No			No		
Adj Sat Flow, veh/h/ln	1856	1856	1856	1856	1856	1856	1856	1856	1856	1856	1856	1856
Adj Flow Rate, veh/h	201	509	0	717	680	0	18	411	339	318	424	124
Peak Hour Factor	0.95	0.95	0.95	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94
Percent Heavy Veh, %	3	3	3	3	3	3	3	3	3	3	3	3
Cap, veh/h	386	568		653	1308		248	427	361	290	730	619
Arrive On Green	0.11	0.16	0.00	0.11	0.12	0.00	0.23	0.23	0.23	0.12	0.39	0.39
Sat Flow, veh/h	1767	3526	1572	1767	3526	1572	852	1856	1572	1767	1856	1572
Grp Volume(v), veh/h	201	509	0	717	680	0	18	411	339	318	424	124
Grp Sat Flow(s),veh/h/ln	1767	1763	1572	1767	1763	1572	852	1856	1572	1767	1856	1572
Q Serve(g_s), s	10.3	15.6	0.0	35.5	19.9	0.0	1.9	24.1	23.3	13.5	19.8	5.7
Cycle Q Clear(g_c), s	10.3	15.6	0.0	35.5	19.9	0.0	3.6	24.1	23.3	13.5	19.8	5.7
Prop In Lane	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	386	568		653	1308		248	427	361	290	730	619
V/C Ratio(X)	0.52	0.90		1.10	0.52		0.07	0.96	0.94	1.10	0.58	0.20
Avail Cap(c_a), veh/h	439	577		653	1308		248	427	361	290	730	619
HCM Platoon Ratio	1.00	1.00	1.00	0.33	0.33	0.33	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	0.00	0.47	0.47	0.00	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	32.7	45.2	0.0	39.9	39.1	0.0	34.7	41.9	41.6	29.5	26.2	22.0
Incr Delay (d2), s/veh	1.1	16.5	0.0	55.6	0.2	0.0	0.6	35.4	33.9	81.3	3.4	0.7
Initial Q Delay(d3), s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	4.3	7.9	0.0	26.6	9.3	0.0	0.4	14.9	12.0	12.1	9.0	2.1
Unsig. Movement Delay, s/veh												
LnGrp Delay(d), s/veh	33.8	61.8	0.0	95.6	39.3	0.0	35.3	77.3	75.5	110.8	29.6	22.7
LnGrp LOS	C	E		F	D		D	E	E	F	C	C
Approach Vol, veh/h	710		1397				768			866		
Approach Delay, s/veh	53.9		68.1				75.5			58.4		
Approach LOS	D		E				E			E		
Timer - Assigned Phs	1	2	3	4		6	7	8				
Phs Duration (G+Y+Rc), s	18.0	29.8	40.0	22.2		47.8	16.9	45.3				
Change Period (Y+Rc), s	4.5	4.5	4.5	4.5		4.5	4.5	4.5				
Max Green Setting (Gmax), s	13.5	25.0	35.5	18.0		43.0	15.7	37.8				
Max Q Clear Time (g_c+I1), s	15.5	26.1	37.5	17.6		21.8	12.3	21.9				
Green Ext Time (p_c), s	0.0	0.0	0.0	0.1		2.8	0.2	3.8				
Intersection Summary												
HCM 7th Control Delay, s/veh	64.7											
HCM 7th LOS	E											
Notes												
Unsignalized Delay for [EBR, WBR] is excluded from calculations of the approach delay and intersection delay.												

Hudson Bridge Townhomes 2: Flippen Rd & Flippen Dr

future p.m.

Intersection

Int Delay, s/veh 0.4

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	1	12	755	4	28	732
Future Vol, veh/h	1	12	755	4	28	732
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	58	58	95	95	93	93
Heavy Vehicles, %	2	2	3	2	2	3
Mvmt Flow	2	21	795	4	30	787

Major/Minor	Minor1	Major1	Major2
Conflicting Flow All	1644	797	0
Stage 1	797	-	-
Stage 2	847	-	-
Critical Hdwy	6.42	6.22	-
Critical Hdwy Stg 1	5.42	-	-
Critical Hdwy Stg 2	5.42	-	-
Follow-up Hdwy	3.518	3.318	-
Pot Cap-1 Maneuver	110	387	-
Stage 1	444	-	-
Stage 2	420	-	-
Platoon blocked, %		-	-
Mov Cap-1 Maneuver	102	387	-
Mov Cap-2 Maneuver	102	-	-
Stage 1	444	-	-
Stage 2	393	-	-

Approach	WB	NB	SB
HCM Control Delay, s/v17.15		0	0.35
HCM LOS	C		

Minor Lane/Major Mvmt	NBT	NBRWBLn1	SBL	SBT
Capacity (veh/h)	-	-	319	66
HCM Lane V/C Ratio	-	-	0.07	0.037
HCM Control Delay (s/veh)	-	-	17.2	9.5
HCM Lane LOS	-	-	C	A
HCM 95th %tile Q(veh)	-	-	0.2	0.1

Hudson Bridge Townhomes

3: Hudson Bridge Dr & Hudson Bridge Rd

future p.m.

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	313	841	15	51	1225	238	6	4	13	227	3	285
Future Volume (veh/h)	313	841	15	51	1225	238	6	4	13	227	3	285
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Lane Width Adj.	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach	No			No			No			No		
Adj Sat Flow, veh/h/ln	1870	1856	1870	1870	1856	1870	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h	333	895	16	56	1346	262	8	5	17	247	3	310
Peak Hour Factor	0.94	0.94	0.94	0.91	0.91	0.91	0.75	0.75	0.75	0.92	0.92	0.92
Percent Heavy Veh, %	2	3	2	2	3	2	2	2	2	2	2	2
Cap, veh/h	369	1843	33	311	1416	637	41	37	48	232	2	507
Arrive On Green	0.05	0.17	0.17	0.07	0.80	0.80	0.32	0.32	0.32	0.32	0.32	0.32
Sat Flow, veh/h	1781	3544	63	1781	3526	1585	0	114	150	522	6	1585
Grp Volume(v), veh/h	333	445	466	56	1346	262	30	0	0	250	0	310
Grp Sat Flow(s),veh/h/ln	1781	1763	1844	1781	1763	1585	264	0	0	529	0	1585
Q Serve(g_s), s	14.7	25.1	25.1	2.0	34.9	5.3	0.0	0.0	0.0	0.0	0.0	18.2
Cycle Q Clear(g_c), s	14.7	25.1	25.1	2.0	34.9	5.3	35.2	0.0	0.0	35.2	0.0	18.2
Prop In Lane	1.00		0.03	1.00		1.00	0.27		0.57	0.99		1.00
Lane Grp Cap(c), veh/h	369	917	959	311	1416	637	126	0	0	234	0	507
V/C Ratio(X)	0.90	0.49	0.49	0.18	0.95	0.41	0.24	0.00	0.00	1.07	0.00	0.61
Avail Cap(c_a), veh/h	429	1029	1076	327	1554	699	126	0	0	234	0	507
HCM Platoon Ratio	0.33	0.33	0.33	2.00	2.00	2.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	0.40	0.40	0.40	0.57	0.57	0.57	1.00	0.00	0.00	1.00	0.00	1.00
Uniform Delay (d), s/veh	35.8	32.3	32.3	17.9	9.9	7.0	29.9	0.0	0.0	42.3	0.0	31.6
Incr Delay (d2), s/veh	9.6	0.2	0.2	0.2	8.1	0.2	4.4	0.0	0.0	77.9	0.0	5.4
Initial Q Delay(d3), s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	10.7	11.8	12.3	0.8	5.3	1.4	0.7	0.0	0.0	11.6	0.0	7.4
Unsig. Movement Delay, s/veh												
LnGrp Delay(d), s/veh	45.3	32.4	32.4	18.0	18.0	7.2	34.3	0.0	0.0	120.2	0.0	37.0
LnGrp LOS	D	C	C	B	B	A	C			F		D
Approach Vol, veh/h	1244			1664			30			560		
Approach Delay, s/veh	35.9			16.3			34.3			74.1		
Approach LOS	D			B			C			E		
Timer - Assigned Phs	2		3	4		6	7	8				
Phs Duration (G+Y+Rc), s	39.7		8.6	61.7		39.7	21.6	48.7				
Change Period (Y+Rc), s	4.5		4.5	4.5		4.5	4.5	4.5				
Max Green Setting (Gmax), s	27.2		5.1	64.2		27.2	20.8	48.5				
Max Q Clear Time (g_c+I1), s	37.2		4.0	27.1		37.2	16.7	36.9				
Green Ext Time (p_c), s	0.0		0.0	6.0		0.0	0.4	7.2				
Intersection Summary												
HCM 7th Control Delay, s/veh	32.7											
HCM 7th LOS	C											

Hudson Bridge Townhomes

4: Western Conn/Walmart Driveway & Hudson Bridge Dr

future p.m.

Intersection

Intersection Delay, s/veh 20.8

Intersection LOS C

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	97	56	112	269	105	13	129	78	109	9	159	48
Future Vol, veh/h	97	56	112	269	105	13	129	78	109	9	159	48
Peak Hour Factor	0.95	0.95	0.95	0.88	0.88	0.88	0.92	0.92	0.92	0.78	0.78	0.78
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	102	59	118	306	119	15	140	85	118	12	204	62
Number of Lanes	1	1	0	1	1	0	1	1	1	1	1	0

Approach	EB	WB	NB	SB
Opposing Approach	WB	EB	SB	NB
Opposing Lanes	2	2	2	3
Conflicting Approach Left	SB	NB	EB	WB
Conflicting Lanes Left	2	3	2	2
Conflicting Approach Right	NB	SB	WB	EB
Conflicting Lanes Right	3	2	2	2
HCM Control Delay, s/veh	15.9	26.4	14.8	24.1
HCM LOS	C	D	B	C

Lane	NBLn1	NBLn2	NBLn3	EBLn1	EBLn2	WBLn1	WBLn2	SBLn1	SBLn2
Vol Left, %	100%	0%	0%	100%	0%	100%	0%	100%	0%
Vol Thru, %	0%	100%	0%	0%	33%	0%	89%	0%	77%
Vol Right, %	0%	0%	100%	0%	67%	0%	11%	0%	23%
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Stop	Stop	Stop
Traffic Vol by Lane	129	78	109	97	168	269	118	9	207
LT Vol	129	0	0	97	0	269	0	9	0
Through Vol	0	78	0	0	56	0	105	0	159
RT Vol	0	0	109	0	112	0	13	0	48
Lane Flow Rate	140	85	118	102	177	306	134	12	265
Geometry Grp	6	6	6	6	6	6	6	6	6
Degree of Util (X)	0.354	0.202	0.258	0.26	0.402	0.733	0.3	0.029	0.627
Departure Headway (Hd)	9.086	8.57	7.847	9.179	8.185	8.632	8.041	9.192	8.506
Convergence, Y/N	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Cap	397	419	457	391	440	419	447	390	425
Service Time	6.835	6.318	5.595	6.931	5.937	6.378	5.787	6.943	6.257
HCM Lane V/C Ratio	0.353	0.203	0.258	0.261	0.402	0.73	0.3	0.031	0.624
HCM Control Delay, s/veh	16.8	13.5	13.3	15.1	16.4	31.7	14.2	12.2	24.6
HCM Lane LOS	C	B	B	C	C	D	B	B	C
HCM 95th-tile Q	1.6	0.7	1	1	1.9	5.8	1.2	0.1	4.2

Hudson Bridge Townhomes

5: Western Conn & Hudson Bridge Rd

future p.m.

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	104	915	32	76	1305	212	70	13	64	463	18	102
Future Volume (veh/h)	104	915	32	76	1305	212	70	13	64	463	18	102
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Lane Width Adj.	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach	No			No			No			No		
Adj Sat Flow, veh/h/ln	1870	1856	1870	1870	1856	1870	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h	107	943	33	81	1388	0	79	15	0	501	0	0
Peak Hour Factor	0.97	0.97	0.97	0.94	0.94	0.94	0.89	0.89	0.89	0.95	0.95	0.95
Percent Heavy Veh, %	2	3	2	2	3	2	2	2	2	2	2	2
Cap, veh/h	131	1561	702	217	1662		361	68		696	0	
Arrive On Green	0.15	0.89	0.89	0.33	0.33	0.00	0.24	0.24	0.00	0.20	0.00	0.00
Sat Flow, veh/h	1781	3526	1585	576	5066	1585	1509	286	1585	3563	0	1585
Grp Volume(v), veh/h	107	943	33	81	1388	0	94	0	0	501	0	0
Grp Sat Flow(s),veh/h/ln	1781	1763	1585	576	1689	1585	1795	0	1585	1781	0	1585
Q Serve(g_s), s	6.4	7.2	0.3	13.3	27.9	0.0	4.6	0.0	0.0	14.5	0.0	0.0
Cycle Q Clear(g_c), s	6.4	7.2	0.3	20.5	27.9	0.0	4.6	0.0	0.0	14.5	0.0	0.0
Prop In Lane	1.00		1.00	1.00		1.00	0.84		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	131	1561	702	217	1662		429	0		696	0	
V/C Ratio(X)	0.81	0.60	0.05	0.37	0.83		0.22	0.00		0.72	0.00	
Avail Cap(c_a), veh/h	157	1721	774	234	1819		429	0		696	0	
HCM Platoon Ratio	2.00	2.00	2.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	0.90	0.90	0.90	1.00	1.00	0.00	1.00	0.00	0.00	1.00	0.00	0.00
Uniform Delay (d), s/veh	46.2	3.9	3.5	34.8	34.2	0.0	33.6	0.0	0.0	41.4	0.0	0.0
Incr Delay (d2), s/veh	21.6	0.5	0.0	1.1	3.3	0.0	1.2	0.0	0.0	6.3	0.0	0.0
Initial Q Delay(d3), s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	3.4	1.5	0.1	1.9	11.3	0.0	2.2	0.0	0.0	6.9	0.0	0.0
Unsig. Movement Delay, s/veh												
LnGrp Delay(d), s/veh	67.7	4.4	3.5	35.9	37.5	0.0	34.8	0.0	0.0	47.7	0.0	0.0
LnGrp LOS	E	A	A	D	D		C			D		
Approach Vol, veh/h	1083			1469			94			501		
Approach Delay, s/veh	10.6			37.4			34.8			47.7		
Approach LOS	B			D			C			D		
Timer - Assigned Phs	2			4			6			7		
Phs Duration (G+Y+Rc), s	30.8			53.2			26.0			12.6		
Change Period (Y+Rc), s	4.5			4.5			4.5			4.5		
Max Green Setting (Gmax), s	21.3			53.7			21.5			9.7		
Max Q Clear Time (g_c+I1), s	6.6			9.2			16.5			8.4		
Green Ext Time (p_c), s	0.3			7.5			0.9			6.2		
Intersection Summary												
HCM 7th Control Delay, s/veh	29.7											
HCM 7th LOS	C											
Notes												
User approved volume balancing among the lanes for turning movement.												
Unsignalized Delay for [NBR, WBR, SBR] is excluded from calculations of the approach delay and intersection delay.												

Hudson Bridge Townhomes

1: Flippen Rd & Hudson Bridge Rd

future p.m. with mitigation

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	191	484	9	674	639	244	17	386	319	299	399	117
Future Volume (veh/h)	191	484	9	674	639	244	17	386	319	299	399	117
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Lane Width Adj.	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach	No			No			No			No		
Adj Sat Flow, veh/h/ln	1856	1856	1856	1856	1856	1856	1856	1856	1856	1856	1856	1856
Adj Flow Rate, veh/h	201	509	0	717	680	0	18	411	339	318	424	124
Peak Hour Factor	0.95	0.95	0.95	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94
Percent Heavy Veh, %	3	3	3	3	3	3	3	3	3	3	3	3
Cap, veh/h	286	587		771	954		320	541	458	378	878	744
Arrive On Green	0.12	0.17	0.00	0.07	0.09	0.00	0.29	0.29	0.29	0.14	0.47	0.47
Sat Flow, veh/h	1767	3526	1572	3428	3526	1572	852	1856	1572	1767	1856	1572
Grp Volume(v), veh/h	201	509	0	717	680	0	18	411	339	318	424	124
Grp Sat Flow(s),veh/h/ln	1767	1763	1572	1714	1763	1572	852	1856	1572	1767	1856	1572
Q Serve(g_s), s	11.0	14.1	0.0	20.8	18.8	0.0	1.5	20.2	10.8	12.1	15.6	4.5
Cycle Q Clear(g_c), s	11.0	14.1	0.0	20.8	18.8	0.0	1.5	20.2	10.8	12.1	15.6	4.5
Prop In Lane	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	286	587		771	954		320	541	458	378	878	744
V/C Ratio(X)	0.70	0.87		0.93	0.71		0.06	0.76	0.74	0.84	0.48	0.17
Avail Cap(c_a), veh/h	286	635		771	1001		320	541	458	378	878	744
HCM Platoon Ratio	1.00	1.00	1.00	0.33	0.33	0.33	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	0.00	0.44	0.44	0.00	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	41.6	40.6	0.0	45.5	41.8	0.0	25.6	32.3	9.9	22.5	18.0	15.1
Incr Delay (d2), s/veh	7.6	11.5	0.0	9.3	1.0	0.0	0.3	9.7	10.3	15.7	1.9	0.5
Initial Q Delay(d3), s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	5.2	6.8	0.0	10.4	8.9	0.0	0.3	10.1	4.5	6.3	6.7	1.6
Unsig. Movement Delay, s/veh												
LnGrp Delay(d), s/veh	49.1	52.1	0.0	54.8	42.8	0.0	26.0	41.9	20.1	38.2	19.9	15.5
LnGrp LOS	D	D		D	D		C	D	C	D	B	B
Approach Vol, veh/h	710			1397			768			866		
Approach Delay, s/veh	51.3			48.9			31.9			26.0		
Approach LOS	D			D			C			C		
Timer - Assigned Phs	1	2	3	4		6	7	8				
Phs Duration (G+Y+Rc), s	18.2	33.6	27.0	21.2		51.8	16.6	31.6				
Change Period (Y+Rc), s	4.5	4.5	4.5	4.5		4.5	4.5	4.5				
Max Green Setting (Gmax), s	13.7	27.8	22.5	18.0		46.0	12.1	28.4				
Max Q Clear Time (g_c+I1), s	14.1	22.2	22.8	16.1		17.6	13.0	20.8				
Green Ext Time (p_c), s	0.0	1.9	0.0	0.6		3.0	0.0	2.5				

Intersection Summary

HCM 7th Control Delay, s/veh	40.6
HCM 7th LOS	D

Notes

Unsignalized Delay for [EBR, WBR] is excluded from calculations of the approach delay and intersection delay.

Hudson Bridge Townhomes

3: Hudson Bridge Dr & Hudson Bridge Rd

future p.m. with mitigation

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	313	841	15	51	1225	238	6	4	13	227	3	285
Future Volume (veh/h)	313	841	15	51	1225	238	6	4	13	227	3	285
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Lane Width Adj.	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach	No			No			No			No		
Adj Sat Flow, veh/h/ln	1870	1856	1870	1870	1856	1870	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h	333	895	16	56	1346	262	8	5	17	247	3	310
Peak Hour Factor	0.94	0.94	0.94	0.91	0.91	0.91	0.75	0.75	0.75	0.92	0.92	0.92
Percent Heavy Veh, %	2	3	2	2	3	2	2	2	2	2	2	2
Cap, veh/h	368	1818	33	334	1408	633	46	40	52	238	2	495
Arrive On Green	0.10	0.34	0.34	0.08	0.80	0.80	0.31	0.31	0.31	0.31	0.31	0.31
Sat Flow, veh/h	1781	3544	63	1781	3526	1585	0	128	168	533	6	1585
Grp Volume(v), veh/h	333	445	466	56	1346	262	30	0	0	250	0	310
Grp Sat Flow(s),veh/h/ln	1781	1763	1844	1781	1763	1585	296	0	0	540	0	1585
Q Serve(g_s), s	13.0	20.0	20.0	1.8	32.5	5.0	0.0	0.0	0.0	0.0	0.0	16.7
Cycle Q Clear(g_c), s	13.0	20.0	20.0	1.8	32.5	5.0	31.2	0.0	0.0	31.2	0.0	16.7
Prop In Lane	1.00		0.03	1.00		1.00	0.27		0.57	0.99		1.00
Lane Grp Cap(c), veh/h	368	904	946	334	1408	633	138	0	0	240	0	495
V/C Ratio(X)	0.90	0.49	0.49	0.17	0.96	0.41	0.22	0.00	0.00	1.04	0.00	0.63
Avail Cap(c_a), veh/h	407	968	1012	355	1498	674	138	0	0	240	0	495
HCM Platoon Ratio	0.67	0.67	0.67	2.00	2.00	2.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	0.57	0.57	0.57	0.56	0.56	0.56	1.00	0.00	0.00	1.00	0.00	1.00
Uniform Delay (d), s/veh	29.5	22.5	22.5	16.0	9.3	6.5	27.4	0.0	0.0	39.0	0.0	29.4
Incr Delay (d2), s/veh	14.2	0.2	0.2	0.1	9.0	0.2	3.6	0.0	0.0	69.1	0.0	5.9
Initial Q Delay(d3), s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	9.6	8.5	8.9	0.7	5.1	1.3	0.6	0.0	0.0	10.6	0.0	6.8
Unsig. Movement Delay, s/veh												
LnGrp Delay(d), s/veh	43.6	22.8	22.8	16.1	18.3	6.8	31.0	0.0	0.0	108.2	0.0	35.3
LnGrp LOS	D	C	C	B	B	A	C			F		D
Approach Vol, veh/h	1244			1664			30			560		
Approach Delay, s/veh	28.3			16.4			31.0			67.8		
Approach LOS	C			B			C			E		
Timer - Assigned Phs	2		3	4		6	7	8				
Phs Duration (G+Y+Rc), s	35.7		8.4	55.8		35.7	19.8	44.4				
Change Period (Y+Rc), s	4.5		4.5	4.5		4.5	4.5	4.5				
Max Green Setting (Gmax), s	26.5		5.1	54.9		26.5	17.5	42.5				
Max Q Clear Time (g_c+I1), s	33.2		3.8	22.0		33.2	15.0	34.5				
Green Ext Time (p_c), s	0.0		0.0	5.9		0.0	0.3	5.5				
Intersection Summary												
HCM 7th Control Delay, s/veh	29.0											
HCM 7th LOS	C											

Hudson Bridge Townhomes

5: Western Conn & Hudson Bridge Rd

future p.m. with mitigation

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	104	915	32	76	1305	212	70	13	64	463	18	102
Future Volume (veh/h)	104	915	32	76	1305	212	70	13	64	463	18	102
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Lane Width Adj.	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach	No			No			No			No		
Adj Sat Flow, veh/h/ln	1870	1856	1870	1870	1856	1870	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h	107	943	33	81	1388	0	79	15	0	501	0	0
Peak Hour Factor	0.97	0.97	0.97	0.94	0.94	0.94	0.89	0.89	0.89	0.95	0.95	0.95
Percent Heavy Veh, %	2	3	2	2	3	2	2	2	2	2	2	2
Cap, veh/h	132	1574	708	225	1657		340	65		688	0	
Arrive On Green	0.15	0.89	0.89	0.33	0.33	0.00	0.23	0.23	0.00	0.19	0.00	0.00
Sat Flow, veh/h	1781	3526	1585	576	5066	1585	1509	286	1585	3563	0	1585
Grp Volume(v), veh/h	107	943	33	81	1388	0	94	0	0	501	0	0
Grp Sat Flow(s),veh/h/ln	1781	1763	1585	576	1689	1585	1795	0	1585	1781	0	1585
Q Serve(g_s), s	5.8	6.1	0.2	12.0	25.4	0.0	4.3	0.0	0.0	13.2	0.0	0.0
Cycle Q Clear(g_c), s	5.8	6.1	0.2	18.2	25.4	0.0	4.3	0.0	0.0	13.2	0.0	0.0
Prop In Lane	1.00		1.00	1.00		1.00	0.84		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	132	1574	708	225	1657		405	0		688	0	
V/C Ratio(X)	0.81	0.60	0.05	0.36	0.84		0.23	0.00		0.73	0.00	
Avail Cap(c_a), veh/h	160	1720	774	240	1788		405	0		688	0	
HCM Platoon Ratio	2.00	2.00	2.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	0.88	0.88	0.88	1.00	1.00	0.00	1.00	0.00	0.00	1.00	0.00	0.00
Uniform Delay (d), s/veh	41.9	3.3	3.0	31.4	31.2	0.0	31.7	0.0	0.0	37.9	0.0	0.0
Incr Delay (d2), s/veh	19.6	0.4	0.0	1.0	3.5	0.0	1.3	0.0	0.0	6.7	0.0	0.0
Initial Q Delay(d3), s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	3.0	1.2	0.1	1.6	10.2	0.0	2.0	0.0	0.0	6.3	0.0	0.0
Unsig. Movement Delay, s/veh												
LnGrp Delay(d), s/veh	61.5	3.7	3.0	32.3	34.6	0.0	33.0	0.0	0.0	44.6	0.0	0.0
LnGrp LOS	E	A	A	C	C		C			D		
Approach Vol, veh/h	1083			1469			94			501		
Approach Delay, s/veh	9.4			34.5			33.0			44.6		
Approach LOS	A			C			C			D		
Timer - Assigned Phs	2			4			6			7		
Phs Duration (G+Y+Rc), s	27.0			49.2			23.8			11.9		
Change Period (Y+Rc), s	4.5			4.5			4.5			4.5		
Max Green Setting (Gmax), s	18.4			48.8			19.3			9.0		
Max Q Clear Time (g_c+I1), s	6.3			8.1			15.2			7.8		
Green Ext Time (p_c), s	0.3			7.4			0.8			5.3		
Intersection Summary												
HCM 7th Control Delay, s/veh	27.4											
HCM 7th LOS	C											
Notes												
User approved volume balancing among the lanes for turning movement.												
Unsignalized Delay for [NBR, WBR, SBR] is excluded from calculations of the approach delay and intersection delay.												



Henry County Water Authority
Engineering Division

June 21, 2024

Re: Water and Sewer Services - Availability
Proposed Development: **Townhomes**
Property Information: **Hudson Bridge Road (Parcel No. 032-01026000)**
LL 21; District 6; 20.37+/- acres
Proposed Zoning: **Multi-Family Residential**
Sewer Basin: **Walnut Creek**
Watershed Basin: **Big Cotton Indian**

TO WHOM IT MAY CONCERN:

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

Water service can be made available to the property described above by way of a line extension, as illustrated on the Conceptual Site Plan at the developer's expense. A fire flow test calculated in the area revealed the following data:

Static:	110	psi
Residual:	95	psi
Flow	1130	gpm
Calculated Flow @ 20 psi:	2973	gpm

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

Sewage **treatment** and sewer line **capacity** are available for the property. ***However, an offsite sanitary sewer line extension is required at the developer's expense. The offsite sewer line extension may require acquisition of easements at the developer's expense.***

Additionally, the private system option will require easement acquisition, inspection indicating the system meets HCWA standards, and conveying the existing private extension to HCWA at the developer's expense.

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

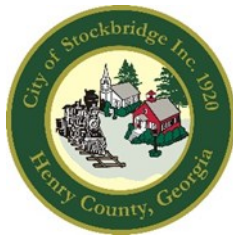
The Authority will reevaluate the availability of water and sewer services to the property at the time that the development plans are submitted. If there are any additional requirements, or if water or sewer capacity is not available, you will be notified in writing.

This letter was prepared with information submitted to HCWA on a Site Plan dated 06/11/2024 prepared by Moore Bass Consulting, Inc.



Digitally signed
by Scott Sage, P.E.
Date: 2024.06.21
09:12:38 -04'00'

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



City of Stockbridge

AGENDA ITEM

MEETING DATE

OCTOBER 14, 2024

FUNDING SOURCE

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

- ☐ GENERAL FUND
- ☐ FUND BALANCE
- ☐ SPLOST or TSPLOST
- ☐ ARPA
- ☐ GRANT
- ☐ HOTEL/MOTEL TOURISM
- ☐ COUNCIL INITIATIVE
- ☐ PARTNER/SPONSOR
- ☐ DEPARTMENT FUND BALANCE
- ☐ BONDING

ACCOUNT TRANSFER FROM:

ACCOUNT TRANSFER TO:

PRESENTER:

Community Development Staff

DEPARTMENT:

Community Development

ITEM/PROJECT/EVENT:

VARIANCE CASE #VR-2024-03: Variance Request #1. To consider a request to reduce the required front yard setbacks of proposed townhome lots from the required 50 feet to 20 feet as part of a townhome development containing 140 units on 20.37 +/- acres. The applicant is Lennar Georgia, LLC.

BACKGROUND INFORMATION:

The applicant has also applied for Comp. Plan Amend. Case #CP-2024-01, Rezoning Case #RZ-2024-01, & Variance Case #VR-2024-03: Variance Request #2 (reduction in the side yard setbacks). Board Actions: Staff Recommendation--Denial of reduction to 20 feet; approval of reduction to 30 feet. Planning Commission Recommendation on 05/16/24--N/A; application not yet submitted. City Council Action on 06/10/24--N/A; application not yet submitted. Planning Commission Recommendation on 08/15/24--Automatic denial since CP-2024-01 was denied. City Council Action on 09/09/24--Deferred, per the applicant's request.

APPROVALS: CITY MANAGER _____

CITY TREASURER _____

CITY ATTORNEY _____

GRANTS ADMIN. _____

☐ FINANCIAL IMPACT ☐ N/A

AMOUNT \$

ATTACHMENTS:

☐

ITEM/PROJECT/EVENT:

VARIANCE CASE #VR-2024-03: Variance Request #1.

BACKGROUND INFORMATION:

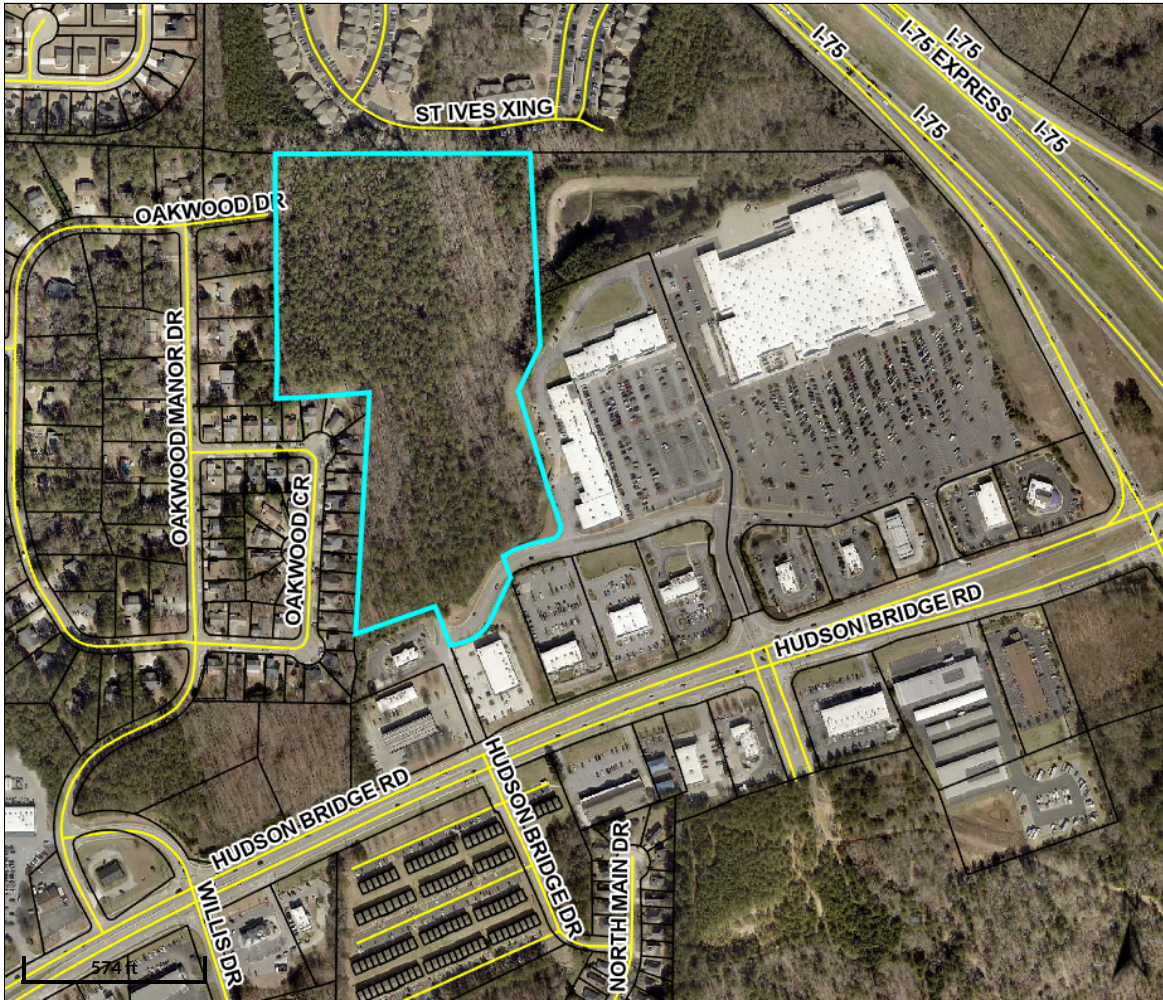
STAFF RECOMMENDATION:

DENIAL OF FRONT YARD SETBACK REDUCTION TO 20 FEET, BUT APPROVAL FOR 30 FEET.

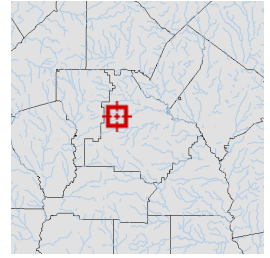
Staff Signature_____



Henry County, GA



Overview



Legend

- Parcels
- Roads

Parcel ID	032-01026000	Class	C	Owner	MOUNT ZION	Land	\$1.12019e+006				
Property		Acreage	20.367	Address	48 LLC	Value:					
Address					1 WOODY	Building	\$0	Last 2 Sales			
District	City/Stockbridge				TRAIL	Value:		Date	Price	Reason	Qual
					MABLETON	Misc	\$0	4/29/2022	\$556,000	OTHER	U
					GA 30126	Value:		11/1/2010	\$0	CORPORATE	U
						Total	\$1120185				
						Value:					

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

Date created: 4/23/2024

Last Data Uploaded: 4/22/2024 9:15:03 PM

Developed by Schneider
GEOSPATIAL

Presentations for CP- 2024-01, RZ-2024- 01, VR-2024-03

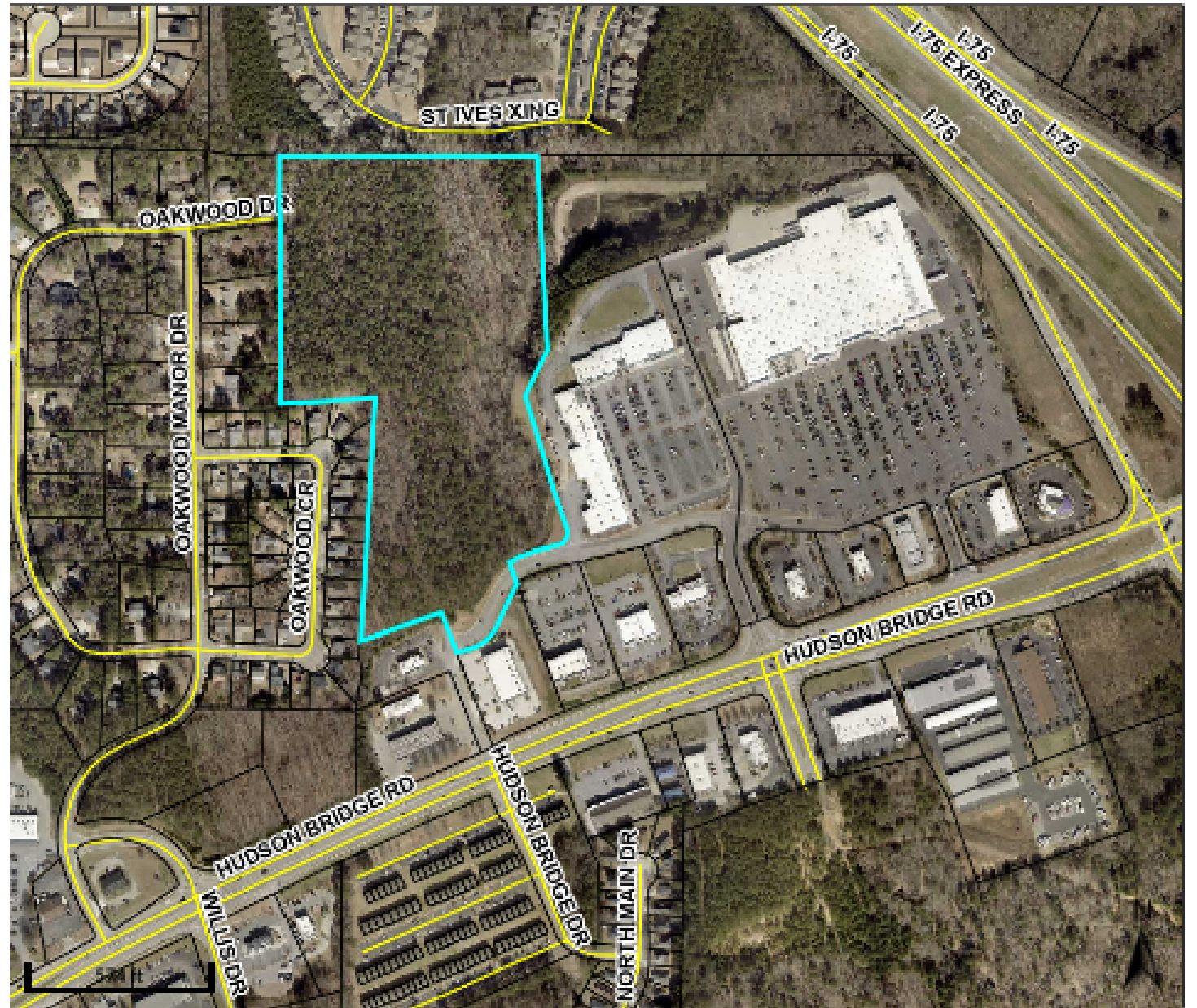
Mayor and Council: September 9, 2024



Case Facts

- Applicant: Lennar Georgia, c/o Battle Law, P.C.
- Owner: Mount Zion 48, LLC.
- Number of Proposed Units Per Acre: 6.87 units per acre
- Address of Property: Hudson Bridge Drive
- Number of Acres: 20.367 acres
- Project Characteristics: Vacant land; mostly wooded. The eastern portion of site contains steep topography, wetlands with a 25-foot state buffer, a 50-foot stream buffer, and a 75-foot impervious setback as part of a nearby stream. Site includes a portion of Hudson Bridge Drive, which was granted an easement.
- Current Future Land Use Designation: Medium-Density Mixed-Use.
- Current Zoning of Property: C-2 (General Commercial)
- Sign Posting: July 16, 2024

AERIAL PHOTO OF SUBJECT PROPERTY





Aerial Photo with Site Plan

STREET
VIEW OF
SOUTHWEST
CORNER OF
SITE



STREET VIEW
OF SITE
TOWARD
SOUTHEAST
CORNER

SITE

TO WALMART



PROPERTY AND ZONING HISTORY



Walmart Master Development Plan and DRI

The subject property was originally a part of a Master Development Plan (Centre @ Stockbridge) with a Wal-Mart Supercenter as a mixed-used development for a total of 70.16 acres. The entire property was annexed by the City of Stockbridge in 2002. The subject site as a part of the Master Plan was described as "Tract 2." Tracts 1 and 2 were annexed as C-2 (Commercial – Medium Density) and C-3 (Heavy Commercial). Tracts 1 and 2 were further subdivided on February 4, 2004, creating a "new" Tract 2 as a part of the Walmart Development. The original Tract 2 would become a "stand-alone" parcel for future development. The Master Development Plan initially allowed the subject site to have access from Hudson Bridge Road, but outparcels were later created, and this removed the site's access to Hudson Bridge Road. A Development of Regional Impact Analysis (DRI #481) was completed on the Master Development Plan, including the subject site, on November 21, 2003, and a Development Agreement was also prepared. Per the DRI for the entire Plan area, "The site shall be mixed-use and contain a minimum of 200 residential units and a maximum of 343,500 square feet of commercial/office/retail space." However, DRI officials have stated that DRI conditions have no effect after ten years.

Previous Parcel Split and Easement Creation

Wolverton & Associates of Duluth, Georgia created a series of drawings on February 26, 2013 as part of a Final Subdivision Plat for Broad Street Stockbridge II, LLC. It showed that the subject property was split into two Tracts, with Tract 1 representing the current boundaries of the site and Tract 2 being cut off from the site. This resulted the Tract 1 (the current site) losing its access from Hudson Bridge Drive. However, ten easements were created along and adjacent to Hudson Bridge Drive, including an easement to allow a portion of Hudson Bridge Drive which is a private street, and which is actually contained within the boundaries of the subject site, to be used by the public for access to the surrounding commercial properties. The fact that this portion of Hudson Bridge Drive is located within the site boundaries is confirmed today by the aerial photo of the site from the Henry County Tax Assessors' records.

GENERAL NOTES	SURVEYORS CERTIFICATE	VICINITY MAP - N.T.S.																
1. THE FIELD DATA UPON WHICH THIS SURVEY IS BASED WAS A CLOSURE, PRODUCTION OF ONE FOOT IN 10,000 FEET AND AN ANGULAR ERROR OF 1 SECOND PER ANGULAR MEASUREMENT. THIS SURVEY WAS PERFORMED WITHOUT A TITLE COMMITMENT AND MAY BE SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD NOT REFLECTED UPON THIS SURVEY. 2. THIS SURVEY IS BASED UPON THE GEORGIA STATE PLANE COORDINATE SYSTEM, WEST ZONE AS REFERENCED TO NAD83 (2011) HORIZONTAL AND NAD83 (2011) VERTICAL. COORDINATES WERE OBTAINED FROM NETWORK GPS MEASUREMENTS USING A LEICA UNAS 2015 GPS RECEIVER. 3. ALL PORTION OF THIS PROPERTY IS LOCATED WITHIN A FLOODED HAZARD AREA AS PER FLOOD INSURANCE RATE MAPS OF HENRY COUNTY, GEORGIA, AS SHOWN ON MAP NUMBER 1315500000, DATING AN EFFECTIVE DATE OF MAY 14, 2008 AND HENRY COUNTY PRESENT AND FUTURE CONDITIONS MAPS PANEL 88 OF 300 DATED MAY 2013. 4. CORNERS NOTED HEREON AS IRON PIN SET (IPS) ARE 3/4 INCH REBAR WITH A PLASTIC CAP. CORNERS WOLVERTON LOT 7000 AND P&S IS 1/2 INCH SET. 5. LAND SURVEYORS, AS LICENSED PROFESSIONALS BY THE STATE OF GEORGIA, ARE NOT EMPLOYED IN THE DEVELOPMENT OF RETAINING, EASEMENTS OR BOUNDING, UNLESS THEY ARE OF HISTORICAL OR CULTURAL SIGNIFICANCE. THEREFORE EXCEPTION IS GIVEN TO ANY SUCH MATTERS WHICH MAY EXIST ON THIS PROPERTY. 6. THE PROPERTY MAY BE SUBJECT TO EASEMENTS, RESTRICTIONS, RIGHTS OF WAY, OR ENCROACHMENTS WHICH ARE NOT RECORDED OR OTHERWISE KNOWN TO THE SURVEYOR. THEREFORE EXCEPTION IS TAKEN TO ANY SUCH ITEM. 7. ALL SUBJECT PROPERTY OWNERS HAVE BEEN SET OR FOUND AS LABELED. 8. C-2 ZONING (CONDITIONS): 50' FRONT SETBACK 10' SIDE SETBACK 10' REAR SETBACK 100' MINIMUM LOT WIDTH 10,000 SQUARE FOOT MINIMUM LOT AREA 30' MINIMUM BUILDING HEIGHT NONE OF THE PARCELS DEPICTED ON THIS PLAT ARE CORNER LOTS, THEREFORE NO SIDE YARD SETBACKS ARE REQUIRED BY THE CODE OF ORDINANCES OF THE CITY OF STOCKBRIDGE. 9. ACCESS FOR TRACT 1 IS PROVIDED BY THE CURRENT PRIVATE ACCESS(ES) AND CROSS ACCESS(ES) EASEMENTS SHOWN HEREON.	THIS SURVEY IS AN ACCURATE REPRESENTATION OF THE PROPERTY SURVEYED UNDER MY SUPERVISION. THIS SURVEY WAS PERFORMED WITHOUT A TITLE COMMITMENT AND MAY BE SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD NOT REFLECTED UPON THIS SURVEY. MICHAEL G. HIGH OR. #12 1008 DATE: 6/11/13	THE CITY OF STOCKBRIDGE ASSUMES NO RESPONSIBILITY FOR THE OVERFLOW OR EROSION OF NATURAL OR ARTIFICIAL DRAINS BEYOND THE EXTENT OF THE STREET RIGHT-OF-WAY, NOR FOR THE EXTENSION OF CULVERTS BEYOND THE POINTS SHOWN ON THIS PLAT AND AS REQUIRED BY THE CITY OF STOCKBRIDGE SUBDIVISION ORDINANCE. 1. MAINTENANCE OF DETENTION POND(S) SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNERS AND SHALL BE MAINTAINED AND REPAIRED WHEN NEEDED OR AS REQUESTED BY THE CITY OF STOCKBRIDGE. WETLANDS SHOWN ON THIS PLAT 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. LIVE STREAMS DO EXIST ONSITE.																
TRACT CHART TRACT 1 - NO ADDRESS ASSIGNED PARCEL # - 032-01026000 TRACT 2 - 1580 HUDSON BRIDGE RD PARCEL # - 032-01026002 <table border="1"><thead><tr><th>TRACT</th><th>ACRES</th><th>SQ. FT.</th><th>ZONED</th></tr></thead><tbody><tr><td>TRACT 1</td><td>20.367</td><td>887,136</td><td>C-2</td></tr><tr><td>TRACT 2</td><td>1.709</td><td>74,457</td><td>C-2</td></tr><tr><td>TOTAL:</td><td>22.076</td><td>961,593</td><td></td></tr></tbody></table> EASEMENT CHART 1) PRIVATE ACCESS EASEMENT (DB 7038, PG 185). 2) PRIVATE PERMANENT RETAINING WALL & GRADING EASEMENT (DB 7038, PG 208). 3) PRIVATE BAPTIST COMMUNITY INGRESS/EGRESS EASEMENT (DB 7038, PG 208). 4) PERMANENT SLOPE EASEMENT (DB 7038, PG 185). 5) PRIVATE DRAINAGE EASEMENT (DB 7038, PG 208). 6) PRIVATE PERMANENT RETAINING WALL AND GRADING EASEMENT AND LANDSCAPING EASEMENT AREA (DB 7038, PG 208). 7) PRIVATE CROSS ACCESS EASEMENT (DB 7038, PG 208). 8) PUBLIC 20' SANITARY SEWER EASEMENT (D.B. 8710, PG. 241). 9) PUBLIC WATERLINE EASEMENT (D.B. 8710, PG. 235). 10) PRIVATE PERMANENT SLOPE EASEMENT (DB 7038, PG 208).	TRACT	ACRES	SQ. FT.	ZONED	TRACT 1	20.367	887,136	C-2	TRACT 2	1.709	74,457	C-2	TOTAL:	22.076	961,593		SHEET INDEX SHEET 3 SHEET 2 TRACT 1 TRACT 2 HUDSON BRIDGE ROAD (P/W VARIES) OWNERS STATEMENT CITY OF STOCKBRIDGE COUNTY OF HENRY The owner of the land shown on this plat and whose name is subscribed thereto, and in person or through a duly authorized agent, acknowledges that the plat was made from an actual survey, and dedicates by this Declaration to the use of the public forever, all streets, sewer collectors, lift stations, drains, and other public facilities and appurtenances thereon shown, and transfers ownership of all public use areas in fee simple by deed, for the purposes therein expressed. Broad Street Stockbridge II, LLC. BY: SR Investments, Inc., its manager NAME: <u>Stephen P. Davis</u> ITS: <u>President</u> DATE: <u>June 12, 2013</u>	OWNER/SUBOWNER Doc. No.: 0322770000 First Plat Recorded: 07/23/2013 at 1:41:15 PM Return to Clerk of Superior Court Berkley Matthew Clark of Court #52 #176 BROAD STREET STOCKBRIDGE II, LLC. BY: SR INVESTMENTS, INC., ITS MANAGER 300 WEST COLUMBIA BLVD., STE 106 MOUNT PLEASANT, SC 29484 JASON SWANLUND 803-474-0830 THIS PLAT IS HEREBY APPROVED FOR RECORDING: BY: <u>[Signature]</u> DIRECTOR, HENRY COUNTY DEPARTMENT OF ENVIRONMENTAL COMPLIANCE & PLANNING DATE: <u>6/11/13</u> THIS PLAT IS HEREBY APPROVED FOR RECORDING: BY: <u>[Signature]</u> 6-18-13 MAYOR, CITY OF STOCKBRIDGE DATE HENRY COUNTY MAP 32 ALL BLOCK 1
TRACT	ACRES	SQ. FT.	ZONED															
TRACT 1	20.367	887,136	C-2															
TRACT 2	1.709	74,457	C-2															
TOTAL:	22.076	961,593																

PROPOSED DEVELOPMENT INFORMATION



Development Information

- **Project Size:** The applicant has submitted a site plan which was prepared by Moore Bass Consulting on 02/29/24, representing Sheet #A3551.0010-SP1. Its title is “Hudson Bridge Townhomes; Stockbridge, GA.” According to an inset box, entitled “Site Data”, on the site plan, the applicant proposes to build 140 fee simple townhomes, including 101 smaller units and 39 larger units, at a density of 6.87 units per acre. The applicant would be required to designate at least 15 percent of the total site area as open space, and the applicant would substantially exceed that amount by designating about 41 percent of the site area as open space (8.37 acres of the total site area of 20.367 acres). The impervious area would be 10.0 acres, comprising 49 percent of the total site area. Forty-one (41) off-street parking spaces would be provided, which would meet the requirements. However, the required front and side yard setbacks would not be met for the requested MFR district, as is shown in the table below. The applicant has submitted a variance application to request the reduction in the front yard setbacks of the townhome lots from the MFR District’s required 50 feet to 20 feet, and to reduce the side yard setbacks (between townhome buildings) from the required 20 feet to 10 feet. The analysis of the merits of these variance requests are presented in the Staff Report for Variance Case #VR-2024-03.
- **Site Plan Design:** The submitted site plan shows that the development site would have two accesses, including the main entrance off Hudson Bridge Drive and a secondary access at Oakwood Drive to the northwest. A swimming pool, clubhouse, and guest parking would be provided near the main entrance, and a detention pond would be situated near the pool. No mail kiosk has been shown. The project entrance street would make a loop toward the rear of the property, where three other guest parking lots and an unspecified small amenity would be provided. A second detention pond would be located at the northeast rear of the property. Landscaped buffering would surround the property, although there is no indication of buffer widths. The Buffer Area Standards within Section 4.6.3A of the Stockbridge UDC requires the provision of a 25-foot zoning buffer between multifamily developments and single-family-zoned districts. Thus, this buffer should be provided along the western boundary of the property. A 50-foot undisturbed stream buffer would be designated along the eastern side of the property. No walking trails or dog parks have been indicated on the site plan.
- **Utilities Facilities:** The applicant received a letter from the Henry County Water Authority, which was dated June 21, 2024, in response to the applicant’s submitted application for a water and sewer availability letter. The findings and requirements of the Authority’s letter are listed below, which the developer would need to comply with if RZ-2024-01 is approved.
 1. Water service could be made available to the property via a water line extension.
 2. Sewage treatment and sewer line capacity are available for the property, but the developer would be required to pay for an offsite sanitary sewer line extension, including the acquisition of easements, to meet the Authority’s standards, and then to convey that extension to the Authority.
 3. The specifications above would be effective for 365 days from the date of the letter (June 21, 2024), and any deviation in zoning that would increase the project density or usage would void the letter and require a re-evaluation.

Development Information (cont.)

- **Traffic Impact Study:** The applicant submitted a Traffic Impact Study to the Planning & Zoning Office on June 21, 2024. It was prepared for Moore Bass Consulting, Inc. by SEI Engineering, Inc., in collaboration with Acampora Traffic, LLC. The study evaluated existing traffic conditions within the vicinity of the subject property, used a standard growth factor to make projections on future traffic conditions in the vicinity if the proposed development does not occur (the “no-build” scenario). After that, the study made traffic projections based on anticipated future traffic conditions plus the expected addition of new traffic from the proposed townhome development, and also considering the effects of the completion of various planned road improvements to be made by Georgia DOT in the vicinity. Traffic counts were collected at five intersections near the subject property on May 30, 2024, when area schools were in recess. The counts were taken during the morning (7-9 AM) and afternoon (4-6 PM) peak hours. The study stated that acceptable traffic conditions were found at all of the traffic count locations. In the no-build scenario, most of the intersections that were studied appeared to operate in a satisfactory manner, except for the afternoon peak hour for the intersection of Hudson Bridge Drive at Hudson Bridge Road, as well as Hudson Bridge Road at Flippen Road, which would both operate at Level of Service E. This situation could be improved by adding a second westbound turn lane toward Flippen Road. Additional roadway pavement is already available for such purpose, so it only needs to be restriped (in conjunction with alterations to the timing of the traffic signal at the intersection of Hudson Bridge Road and Flippen Road). The study recommended that this improvement take place whether or not the proposed townhomes are built. The Traffic Impact Study projected that the proposed 140 townhomes on the subject property would generate 1,016 trips per weekday, including 67 trips during the morning peak hour and 80 trips during the afternoon peak hour. These data are presented in the table below, with a further breakdown of the numbers of AM and PM trips being generated going in and out of the proposed development. Future traffic operations in the vicinity, with the addition of trips from the proposed townhome development, would have “a slight deterioration in operations at each study intersection.” As with the no-build scenario, the intersections of Hudson Bridge Drive with Flippen Road and with Hudson Bridge Drive would operate at Level of Service E during the PM peak hour if the townhomes are built. But since the Hudson Bridge Road/Hudson Bridge Drive Intersection features a side street which would operate poorly only for the southbound direction during the PM peak hour, the Study did not recommend that any traffic improvements be made, especially since drivers at that intersection would have the option of travelling to the traffic signal at the Hudson Bridge Road / Western Parallel Connector Intersection to make turns. The addition of a westbound left-turn lane from Hudson Bridge Road to Flippen Road was recommended, whether or not the townhomes are developed.

Development Information (cont.)

- **Townhome Lots, Buildings, and Designs:** An inset on the applicant's site plan shows that the proposed townhome lots would have a depth of 100 feet. The smaller townhome lots would be 20 feet wide and would be located toward the rear of the property, while the larger townhome lots would be 24 feet wide and would be located at the front of the property. The requested MFR zoning district requires front yard setbacks of 50 feet, but the townhome lots drawings show distances of only 20 feet from the fronts of the buildings to the right-of-way lines. For this reason, the applicant has requested a variance to reduce the front yard setbacks to only 20 feet. The MFR district also requires a minimum spacing of 20 feet between townhome buildings, but the applicant has requested a variance to reduce the side yard setbacks of the townhome lots to 10 feet. The proposed townhome renderings from the applicant, which are shown below, indicate that the smaller townhome buildings would have one-car garages and the larger townhome buildings would have two-car garages.

[illegible]

Smaller
Townhome
Buildings (20
Feet Wide)
with One-Car
Garages:

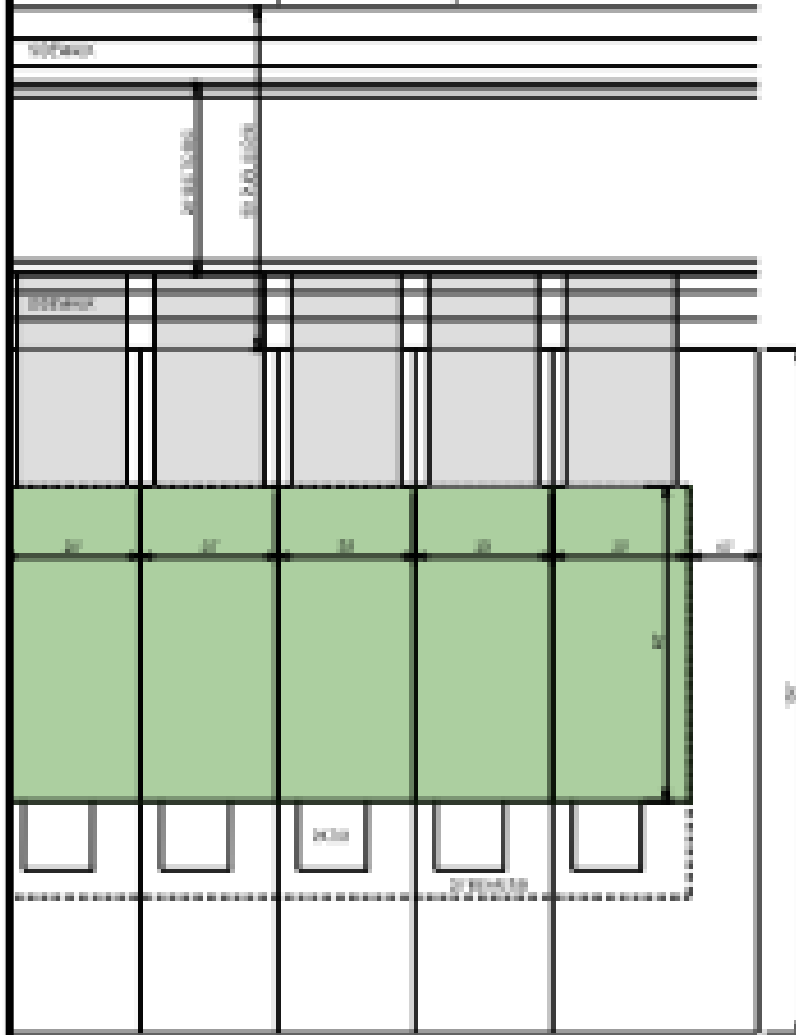


Larger
Townhome
Buildings (24
Feet Wide)
with Two-Car
Garages:

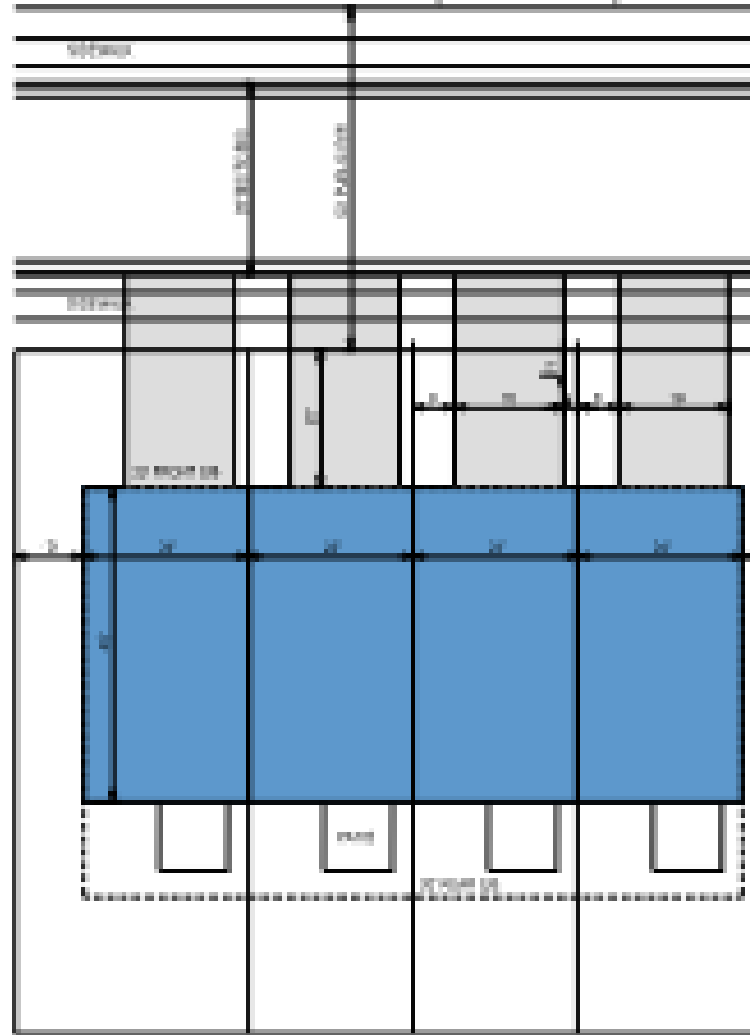


SCALE 1-50

701 UNITS (71% OF TOTAL)



30 UNITS (20% OF TOTAL)



PROPOSED SITE PLAN – TOWNHOME LOT DETAILS

- All 140 townhome lots would be 100 feet deep. There would be 101 larger lots (71% of the total) and 39 smaller lots (29% of the total). The larger townhome units would be 24 feet wide and have two-car garages, while the smaller townhome units would be 20 feet wide and have one-car garages.

Presentation for CP-2024- 01



MEDIUM-DENSITY RESIDENTIAL (4-7.99 UNITS/ACRE)

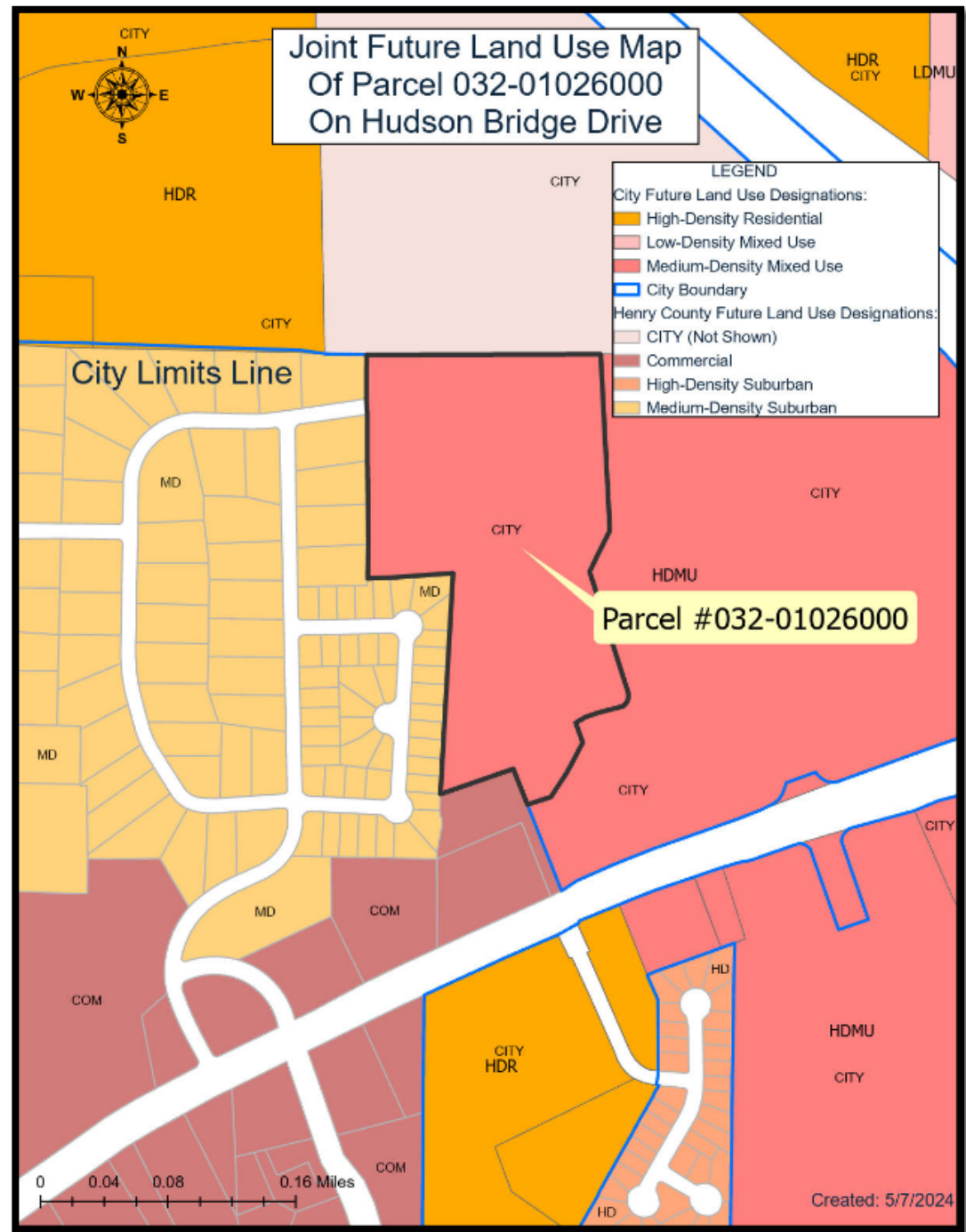
This designation is intended for residential developments which include single-family, detached homes on lots ranging from 10,000 – 30,000 square feet, including parcels zoned for single family attached and detached homes, as well as duplex residential developments and mobile home/manufactured home developments.

Applicant's Request

The applicant requests a Comprehensive Plan Amendment to change the subject property's future land use designation from Medium-Density Mixed-Use to Medium-Density Residential to allow for the construction of a 140-unit townhome development. The current land use designation of Medium-Density Mixed-Use is incompatible with the applicant's requested rezoning of the property to MFR (Multiple-Family Residential).

The current land use designation of Medium-Density Mixed-Use is incompatible with the applicant's requested rezoning of the property to MFR (Multiple-Family Residential).

2024 CITY OF STOCKBRIDGE FUTURE LAND USE MAP



SURROUNDING LAND USE DESIGNATION

Location	Existing Land Use	Existing Future Land Use Designation
Property to the North	St. Ives Apartments St. Margrit Subdivision	High Density Residential
Property to the South	Commercial uses fronting onto Hudson Bridge Road, including J & J Liquor and Western Union. Hudson Bridge Townhomes	Medium Density Mixed Use; High Density Residential
Property to the East	Adjacent shopping center	Medium Density Mixed Use
Property to the West	Oakwood Village Subdivision Oakwood Manor Subdivision	Medium-Density Residential (Henry County Future Land Use Map) Medium-Density Residential (Henry County Future Land Use Map)

SURROUNDING LAND USE DENSITIES

Name of Subdivision	Units	Estimate Density Per Acres
St. Ives Apartments	19	1 unit per acre
St. Margrit Subdivision	54	3 units per acre
Hudson Bridge Townhomes	13	1 unit per acre
Oakwood Village Subdivision	45	4.5 units per acre
Oakwood Manor	41	1 unit per acre
Lennar Georgia, LLC.	140	6.87 units per acre

Staff Analysis (Section 9.2.7 of The Unified Development Code)

1. **Consistency with the Comprehensive Plan:** The 2024-2028 Five-Year Update to the Stockbridge Comprehensive Plan calls for the development of additional housing in the City, and the proposed townhome development would help to meet that need. The companion Future Land Use Map shows a future land use designation for the subject property of “Medium-Density Mixed-Use”, which is intended for commercial areas or mixed-use developments containing mostly commercial uses. But since the applicant only proposes to include residential uses, the current land use designation of Medium-Density Mixed-Use would not be consistent with the Comprehensive Plan. The applicant has therefore requested a Comprehensive Plan amendment, via Case #CP-2024-01, to change the property’s future land use designation to Medium-Density Residential for an exclusive residential development, which allows densities of 4 to 7.99 units per acre. This would include the applicant’s proposed density of 6.87 units per acre.
2. **Relation to the Zoning of the Property:** Although the applicant’s requested MFR zoning would be consistent with the property’s current Medium-Density Mixed-Use future land use designation, a change to Medium-Density Residential would be more appropriate since the proposed development would only contain a residential use and no commercial uses. Further, the Medium-Density Residential specifies a density range of 4 to 7.99 units per acre, which would be appropriate for the proposed development’s density of 6.87 units per acre.
3. **Suitability of the Site’s Location:** The proposed ‘Medium-Density Residential’ future land use designation would be compatible with the adjacent Medium-Density Residential designation of the Oakwood Manor Subdivision to the west. Furthermore, the requested MFR rezoning of the property, which calls for multifamily uses, would be compatible with the Oakwood Manor Subdivision’s Henry County zoning of ‘RM’ (Residential Multifamily).
4. **Maintaining the Current Land Use Designation:** Due to the location of the subject property adjacent to major commercial uses along a major commercial corridor, as well as the large size of the property, it is unlikely that the types of uses that are intended for areas having the Medium-Density Mixed-Use designation would be developed on this property. Those uses include “two to three story buildings, combining street-level commercial/retail/office uses with second and third stories accommodating office or lofts/apartments/condominiums.”

Staff Recommendation

This Staff Report has demonstrated that the requested Comprehensive Plan Amendment for Parcel #032-01026000 on the north side of Hudson Bridge Drive, via CP-2024-01, would be necessary and desirable for the subject property, in conjunction with the requested rezoning of the property to MFR via RZ-2024-01, to allow for the proposed townhome development. Therefore, the Planning and Zoning staff recommends the APPROVAL of CP-2024-01.

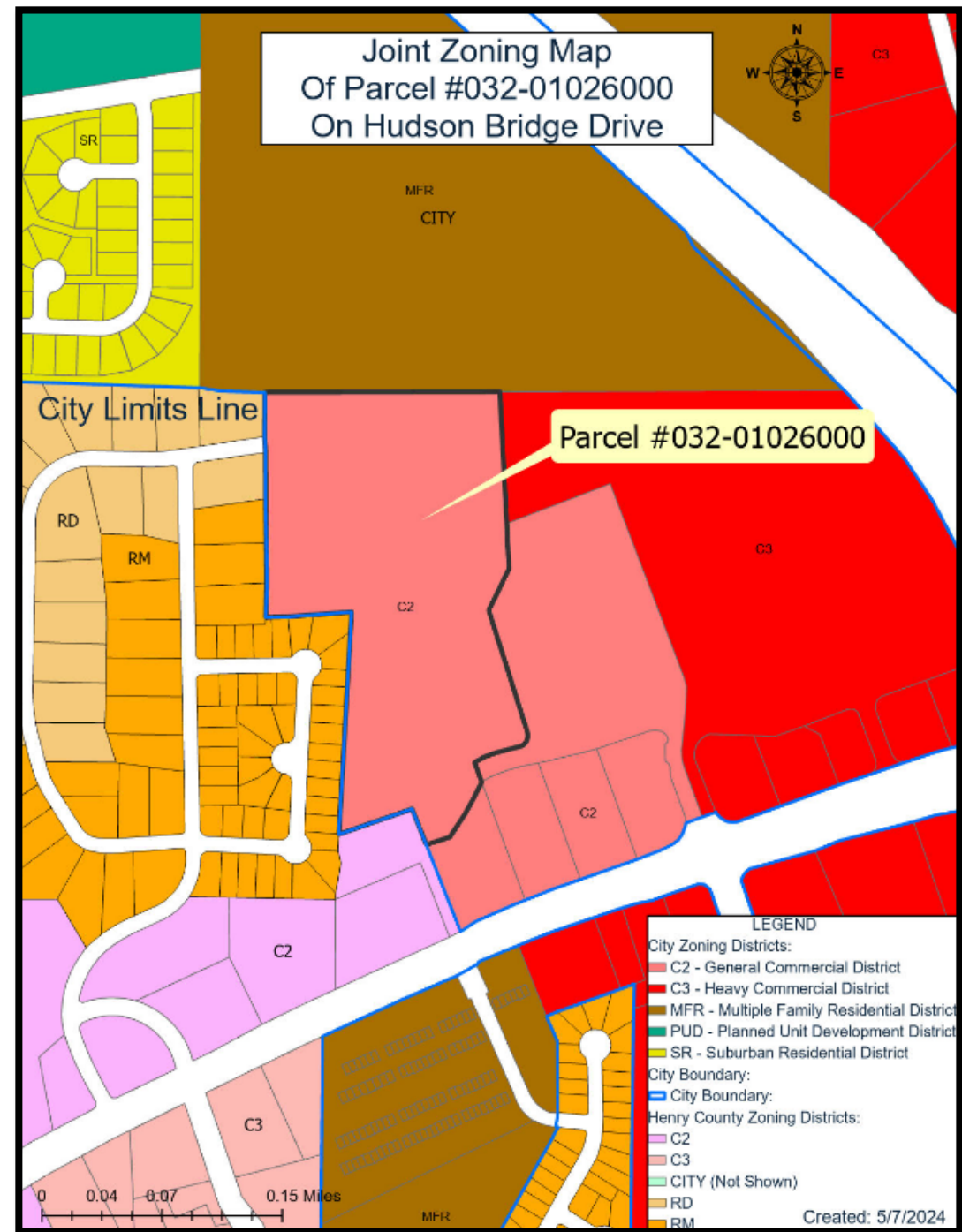
Presentation for RZ-2024-01



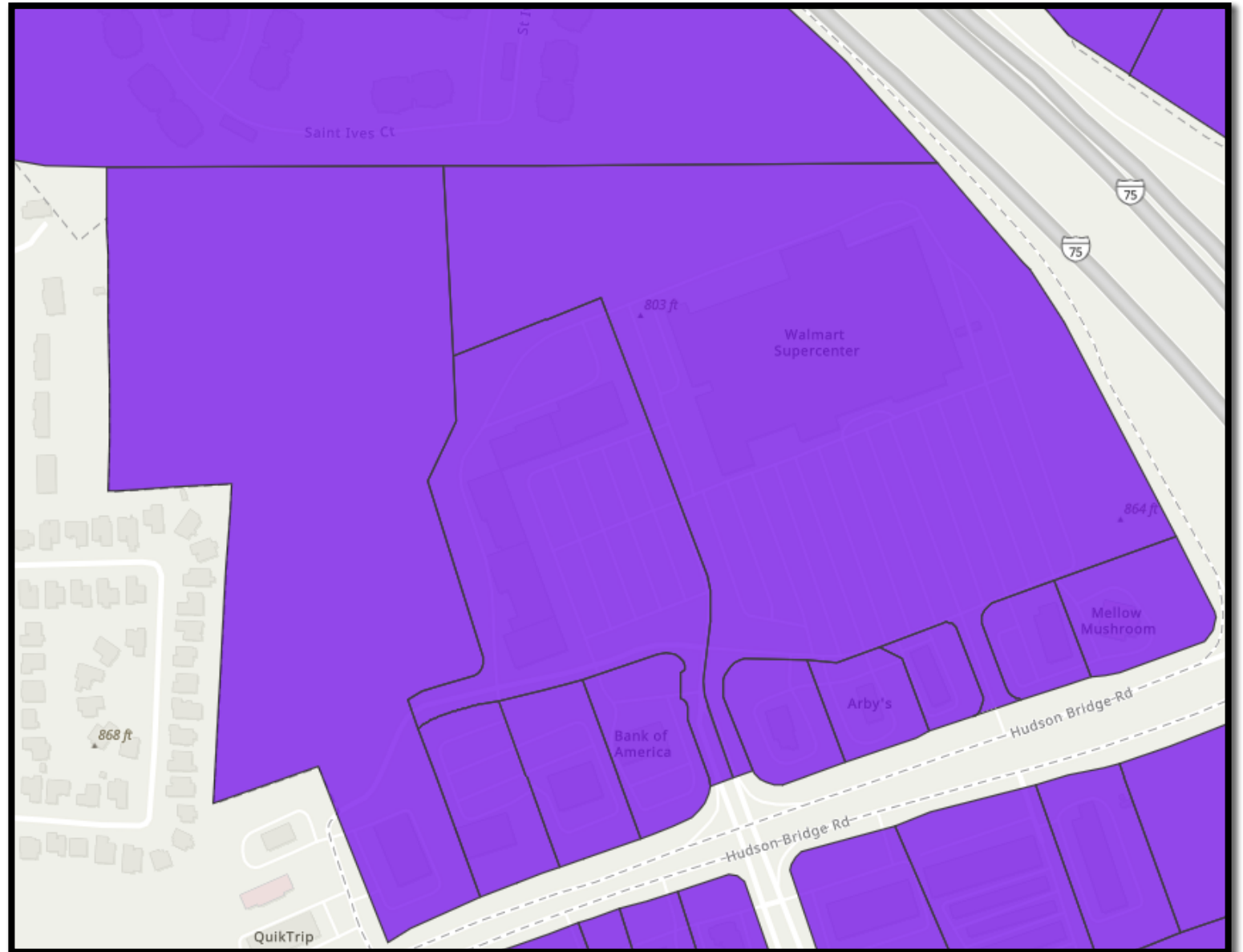
Applicant's Request

Rezone from 'C-2' (General Commercial) to 'MFR' (Multiple Family Residential) to allow for the development of a townhome community with 140 units.

2024 CITY OF STOCKBRIDGE ZONING MAP



PARKWAY MIXED-USE OVERLAY DISTRICT MAP



Staff Analysis (Section 9.2.1 C of The Unified Development Code)

1. **Consistency with the Comprehensive Plan:** The 2024-2028 Five-Year Update to the Stockbridge Comprehensive Plan calls for the development of additional housing in the City, and the proposed townhome development would help to meet that need. The companion Future Land Use Map shows a future land use designation for the subject property of “Medium-Density Mixed-Use”, to include both residential and commercial uses. But since the applicant only proposes to include residential uses, the applicant has requested a Comprehensive Plan amendment application, comprising Case #CP-2024-01, to change the property’s future land use designation to Medium-Density Residential, which allows densities of 4 to 7.99 units per acre, which includes the applicant’s proposed density of 6.87 units per acre. The consistency of the proposed development with the Comprehensive Plan is further discussed within the staff report for CP-2024-01.
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 Unified Development Code (UDC):** The rezoning of the subject property to the requested ‘MFR’ (Multiple Family Residential) district is necessary because the proposed townhome development is not permissible under the property’s existing C-2 zoning. The MFR district permits townhome development, as does the PMU (Parkway Mixed-Use Overlay District), wherein the property lies. Although the intent of the MFR district is for new developments to be located on streets having a classification of ‘collector’ or higher, and Hudson Bridge Drive is only a local street, the property is located in close proximity to Hudson Bridge Road, an arterial road with a signalized intersection near the property. Further, the subject property is part of the Walmart Master Plan area, and the property originally extended to Hudson Bridge Road but was later subdivided into two tracts, thereby removing its direct access to Hudson Bridge Road.
3. **Potential positive effects of the rezoning amendment on the character of the proposed zoning district, a particular piece of property, neighborhood, a particular area, or community:** The subject property has remained vacant even after the Walmart Master Development Plan was prepared in 2003. A restrictive covenant was imposed by the Baptist Retirement Communities of Georgia on the subject property to prohibit the development of retail uses. Yet, even after its expiration in 2008, no retail development has taken place on the site, despite its permissible C-2 zoning. This suggests that the immediate vicinity may have already reached its saturation point for retail uses. Although the C-2 district also allows other types of non-retail commercial uses, many of them are not permitted in the PMU district. Further, even if they were allowed, such uses most likely would need to have direct frontage onto Hudson Bridge Road to attract customer traffic, which the subject site does not offer. Existing commercial uses to the south and east of the site would have access to potential new customers from the proposed townhome development, thereby increasing their business revenues. In addition, the new townhome residents would have convenient access to the adjacent commercial uses within the Walmart and Centre@ Stockbridge Shopping Center.
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 eastern portion of the subject site contains steep topography, wetlands with a 25-foot state buffer, a 50-foot stream buffer, and a 75-foot impervious setback as part of a nearby stream. The developer should take appropriate steps to protect this environmentally-sensitive area, and to facilitate drainage.

Staff Analysis (Section 9.2.1 C of The Unified Development Code)

5. **The impacts of the proposed development upon adjacent property owners, should the request be granted:** To protect the residents of the existing Oakwood Manor Subdivision to the west, the secondary access that is shown at the northwest corner of the site, onto Oakwood Drive, it is recommended that the secondary access be designated for emergency access only, with a locked gate. To meet the requirements of the Buffer Area Standards in Section 4.6.3 of the UDC, a 25-foot-wide zoning buffer should be provided along the western property line, plus a fence and tall trees. The proposed development is likely to be a positive impact on the adjacent commercial businesses, whereby the new townhome residents could represent new customers at those businesses, thereby bringing additional revenues to the businesses.
6. **The potential impact of the rezoning on City infrastructure, including the water and sewage system:** The applicant obtained a letter from the Henry County Water Authority, which was dated June 21, 2024. While water service could be made available with a water line extension, the developer would need to pay for an offsite sanitary sewer line extension, including the acquisition of easements, and then convey that extension to the Authority. Further, if any zoning or site plan changes occurred within 365 days of the date of the letter, then the specifications of the letter would be void and a re-evaluation would be required. The developer would therefore need to meet the stated requirements upon any approval of the rezoning of the subject property.

Staff Analysis (Section 9.2.1 C of The Unified Development Code)

7. **The impact of the proposed amendment on adjacent thoroughfares and pedestrian and vehicular circulation and traffic volumes:** The submitted site plan shows that the proposed development would have two accesses. The main access would be via Hudson Bridge Drive at the southern end of the property, which is an internal, private street supporting the Walmart and Centre@Stockbridge Shopping Center. Several easements were previously created to facilitate the site’s access from the existing traffic signal at Hudson Bridge Road. The Development Agreement governing Tract 1 (Walmart development) stated that the City acknowledged that the use of the created easement along Hudson Bridge Drive for access into the subject site could also serve as the means for access to Hudson Bridge Road. Traffic from the site would be able to utilize two nearby traffic signals on Hudson Bridge Road. The closest one is located at Hudson Bridge Drive, adjacent to the existing QuikTrip store and Taco Bell restaurant; and the second one is located at the Walmart driveway entrance. The two traffic signals would facilitate turning movements. A paved sidewalk is present along Hudson Bridge Drive, which would facilitate pedestrian travel to the surrounding retail stores. The submitted site plan also shows the provision of a secondary access to the northwest, to connect with Oakwood Drive. However, to prevent any adverse traffic impacts on the adjacent Oakwood Manor Subdivision, this should be designated as an emergency access only, with a gate. The applicant submitted a Traffic Impact Study, which was prepared on June 20, 2024. Traffic counts were taken on May 30, 2024 at five nearby intersections, when area schools were in recess. The findings of the Study indicated that traffic conditions are acceptable at most of the intersections, and that they would only have a “slight deterioration” if the proposed townhomes were constructed on the subject property. Although the Hudson Bridge Drive/Flippen Road Intersection would operate at Level of Service E, with or without the townhomes, this could be improved if an additional westbound, left-turn lane were to be provided in the westbound approach to the intersection. Extra pavement is already available for this improvement, and it only needs to be restriped, along with modifications begin made to the signal timing at that intersection. While southbound traffic from the proposed development would incur substantial delays on Hudson Bridge Drive during the afternoon peak hour, drivers could lessen their delays by instead using the traffic signal at the Hudson Bridge Drive/Western Parallel Connector. The Study therefore did not recommend that any other traffic improvements be made.

AM Peak, Going In	AM Peak, Going Out	AM Peak, Total	PM Peak, Going In	PM Peak, Going Out	PM Peak, Total	24- Hour 2-Way Total
17	50	67	47	33	80	1,016

Staff Analysis (Section 9.2.1 C of The Unified Development Code)

8. The merits of the requested change in zoning relative to any other guidelines and policies for development, which the Planning Commission and City Council may use in furthering the objective of the comprehensive plan: The Walmart Master Plan called for a multifamily development containing at least 200 units, but the proposed development would have only 140 units. Townhomes would be an appropriate usage of the property in serving as a transition between the lower-density single-family residential subdivision to the west and the adjacent retail uses to the east. Further, the proposed MFR district would be compatible with the RM Henry County zoning which exists on about half of the acreage of the adjacent Oakwood Village Subdivision. Adequate access is available via Hudson Bridge Drive, the existing easements, and the two traffic signals off Hudson Bridge Road. Residents would benefit from being able to walk to many of the stores, and the stores could benefit from the business which the townhome residents would provide.
9. The ability of the subject land to be developed as it is presently zoned: Although the subject property could be developed for commercial uses under its existing C-2 zoning due to the presence of numerous surrounding retail businesses, this may not be realistic for the reasons that are listed below. Conversely, this Analysis has shown that the proposed townhomes would be a reasonable use. The intent of the restrictive covenant by the Baptist Retirement Communities of Georgia was for the subject property to be prohibited from retail use.
- Despite the property's location in the midst of numerous retail businesses, it has not been developed with additional retail uses, even after the expiration of the restrictive covenant.
 - Although some type of non-retail commercial uses could be built on the property, this is unlikely to happen since such uses would probably need direct access to Hudson Bridge Road for visibility, which the subject property lacks.
 - The presence of the steep topography, stream, and buffer areas in the eastern portion of the site would eliminate needed land which might be needed for required parking to serve a retail or non-retail commercial business.

Staff Recommendation

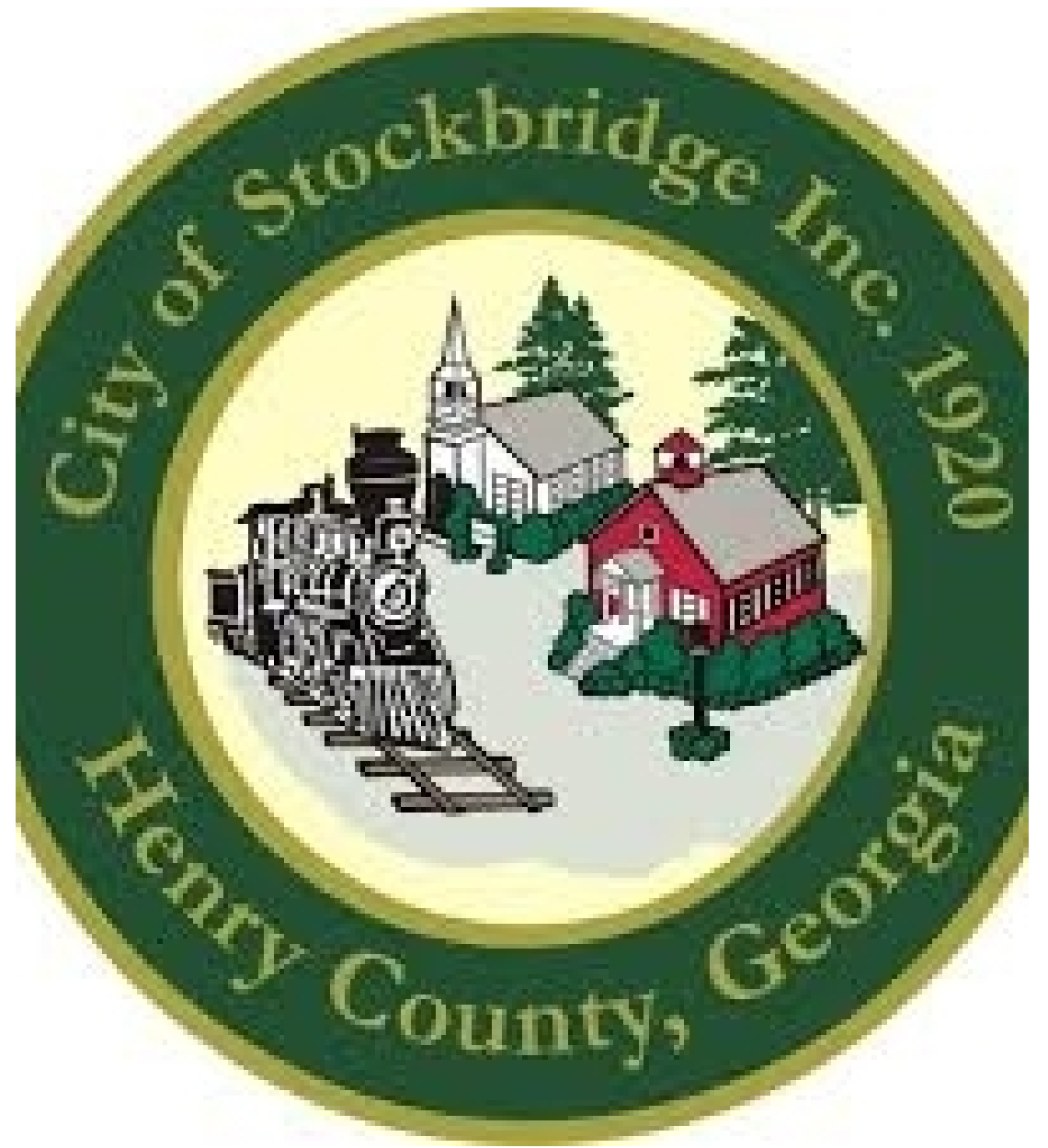
The Planning and Zoning Staff recommends that the applicant's request to rezone the subject property from 'C-2' (General Commercial) to 'MFR' (Multiple Family Residential) via RZ-2024-01 to allow for the development of a townhome community be APPROVED WITH CONDITIONS. Such approval should be contingent upon the developer meeting the following nine (9) zoning conditions:

1. **Comprehensive Plan Amendment** – This requested rezoning shall not be approved unless the applicant's requested Comprehensive Plan Amendment, via CP-2024-01, to change the subject property's land use designation from Medium-Density Mixed-Use to Medium-Density Residential, is approved before, or simultaneously with, the approval of RZ-2024-01.
2. **Site Plan:**
 - a) **Revised Site Plan** -- The subject property shall be developed according to a revised site plan which is similar to, but including the required variances, to the site plan which was prepared by Moore Bass Consulting on 02/29/24, representing Sheet #A3551.0010-SP1. Its title is "Hudson Bridge Townhomes; Stockbridge, GA." Any major deviations in the number of residential units, the density, or the overall site design shall require City Council approval.
 - b) **Site Accesses**—This shall be a gated community, with both site accesses having gates plus flock cameras for security purposes. In addition, the proposed secondary access to Oakwood Drive shall be reserved for use by emergency vehicles only. All of this information shall be noted on the site plan.
 - c) **Internal Streets** – All internal streets shall be of widths that are acceptable to the Fire Marshal
 - d) **Internal Sidewalks** – All internal streets shall have sidewalks on both sides of the streets, which are at least eight (8) feet wide.
 - e) **Amenities and Related Facilities** – The revised site plan shall include a mail kiosk, an 8-foot-wide multi-use path or walking trail, and a dog park, plus appropriate additional amenities for a community of this size, such as a grill area, a playground, a shuffleboard court, a tennis court, a pickleball court, etc.
 - f) **Central Trash Facility** -- The revised site plan shall indicate the location of one or more central trash facilities
 - g) **Bedroom Information** -- The revised site plan shall provide a breakdown of the number of units by the number of bedrooms, as well as the sizes of the bedrooms (for parking space requirements).
 - h) **Parking** – Sufficient parking shall be provided to meet the requirements of the Unified Development Code (UDC).
 - i) **Western Buffer, Fence, and Tall Trees** – The developer shall provide the required 25-foot zoning buffer along the western side of the property, adjacent to the Oakwood Manor Subdivision, along with the installation of a fence and tall trees
3. **One-Car Garage Townhome Units:**
 - a) Only 20 percent of the total townhome units shall have one-car garages.
 - b) All one-car garage units shall have full brick elevations.
4. **External Sidewalk** -The existing sidewalk along Hudson Bridge Drive shall be extended into the main project entrance.
5. **Water and Sewer Facilities** -- The developer shall comply with all requirements of the Henry County Water Authority in providing adequate water and sewer facilities to the subject site to serve the proposed townhome development.

Staff Recommendation (cont.)

6. **Environmental Site Preservation** - The developer shall preserve the sensitive environmental features of the site, including the slopes, creek, stream buffer areas, and retaining wall, along the eastern side of the site.
7. **Easements** - The developer shall comply with the specifications of all easement agreements pertaining to the portion of Hudson Bridge Drive which lies within and adjacent to the subject property.
8. **Property Maintenance** - A townhome association shall be established, or a property management company shall be secured, for the purpose of maintaining all common areas of the site.

Presentation for VR-
2024-03



Applicant's Request

The applicant has submitted a variance application to request the reduction in the front yard setbacks of the townhome lots from the MFR District's required 50 feet to 20 feet, and to reduce the side yard setbacks (between townhome buildings) from the required 20 feet to 10 feet.

Required Versus Proposed Setbacks in the Requested MFR District

<u>MFR District Setback Requirements:</u>	<u>Proposed Setbacks:</u>	<u>Meets MFR Requirements ?</u>
<u>Front Yard Setbacks – 50 feet</u>	<u>Front Yard Setbacks – 20 feet</u>	<u>No</u>
<u>Side Yard Setbacks – 20 feet</u>	<u>Side Yard Setbacks – 10 feet</u>	<u>No</u>
<u>Rear Yard Setbacks – 20 feet</u>	<u>Rear Yard Setbacks – 20 feet</u>	<u>Yes</u>

Staff Analysis (Section 10.1.3 of The Unified Development Code) for Variance Request #1

1. **Extraordinary and exceptional circumstances pertaining to the particular piece of property in question exist due its size, shape, or topography that are not found on other properties in the same zoning district:** The subject property does have an unusual shape, and the presence of a creek, wetlands, and a steep drop-off in the southeastern corner of the property make certain areas of the property unbuildable. This limits the remaining available land on which to build, resulting in fewer units being built than would otherwise be the case. However, the applicant's application has not stated why such a large reduction in the front yard setbacks is needed for each lot—from 50 feet down to 20 feet. From the "Townhouse Detail" inset drawing on the submitted site plan, it appears that there would be only about 5 feet between the proposed 20-foot driveway setback and the sidewalk. Since standard parking spaces are 20 feet long, parked vehicles could protrude into that 5-foot area, which could be undesirable for pedestrians.
2. **A literal interpretation of the provisions of this unified development code would deprive the applicant of rights commonly enjoyed by owners of other properties located in the same zoning district:** While the Stockbridge City Council has approved reductions in the front yard setbacks of the townhome lots for other properties in the MFR district, in the past five years, the City Council has not approved any variances for a front yard setback reduction down to just 20 feet. Reductions down to 25 feet have been granted only a few times. Further, an ordinance is currently pending before the Stockbridge City Council to make revisions to the MFR district regulations. Included within that ordinance is a staff recommendation that the required front yard setbacks within the MFR district be at least 30 feet. The applicant has not provided any justification for reducing the front yard setbacks to less than 30 feet.
3. **Granting the variance requested will not confer upon the property owner any special privileges that are denied to other owners of property in the same zoning district:** Since the requested front-yard variance reduction would be down to only 20 feet, this would be a greater reduction than has been granted for other properties in MFR districts in the City. The granting of Variance Request #1 would therefore cause the applicant to enjoy a special privilege, with no apparent urgent need being given to do so, in terms of the design of the proposed development.
4. **The variance will be consistent with the purposes and intent of this unified development code, will be compatible with uses on neighboring properties, and will serve the public welfare:** There is no apparent reason for granting a front-yard setback reduction down to 20 feet, thus its consistency with the purposes and intent of the UDC cannot be determined. Further, such a reduction would not be compatible with the single-family neighboring properties to the west, in the Oakwood Manor Subdivision, and any potential benefits to the public welfare are unknown.
5. **The extraordinary circumstances are not the result of actions of the applicant:** The physical characteristics of the subject property (the presence of a creek, floodplain areas, and steep topography) are not the result of any actions of the applicant. Their presence, though, does not automatically justify a front-yard setback variance reduction down to 20 feet.
6. **The variance is the minimum relief that will allow the legal use of the land, building or structure:** Without the granting of Variance Request #1, the land could still be used for building a smaller townhome development with larger but fewer townhome lots.
7. **The variance is not a request to permit a use of land, buildings or structures that is prohibited in the same zoning district:** The applicant is not requesting the granting of Variance Request #1 to allow any types of uses on the existing vacant land that are prohibited within the applicant's requested MFR zoning district.

Staff Analysis (Section 10.1.3 of The Unified Development Code) for Variance Request #2

1. **Extraordinary and exceptional circumstances pertaining to the particular piece of property in question exist due its size, shape, or topography that are not found on other properties in the same zoning district:** The subject property does have an unusual shape, and the presence of a creek, wetlands, and a steep drop-off in the southeastern corner of the property make certain areas of the property unbuildable. This limits the remaining available land on which to build, resulting in fewer units being built than would otherwise be the case. However, the applicant's application has not stated why the reduction in the side-yard setbacks would be needed. Presumably, it would just be to allow more townhome units to be built on the property.
2. **A literal interpretation of the provisions of this unified development code would deprive the applicant of rights commonly enjoyed by owners of other properties located in the same zoning district:** Within the past five years, the Stockbridge City Council has approved reductions in the side yard setbacks of townhome lots for other properties in the MFR district. However, the applicant has not demonstrated why any side-yard setback reductions are needed in designing the proposed development.
3. **Granting the variance requested will not confer upon the property owner any special privileges that are denied to other owners of property in the same zoning district:** The granting of Variance Request #2 may not be viewed as a special privilege, compared to owners of other properties within the MFR zoning district, since other property owners have been granted similar variance requests.
4. **The variance will be consistent with the purposes and intent of this unified development code, will be compatible with uses on neighboring properties, and will serve the public welfare:** There is no apparent reason for granting a side-yard setback reduction down to 10 feet from the required 15 feet, thus its consistency with the purposes and intent of the UDC cannot be determined. However, this reduction of only 5 feet would not be significant, and no potential detriments to the public welfare have been identified.
5. **The extraordinary circumstances are not the result of actions of the applicant:** The physical characteristics of the subject property (the presence of a creek, floodplain areas, and steep topography) are not the result of any actions of the applicant. Their presence, though, does not automatically justify a side-yard setback variance reduction down to 10 feet. However, no apparent harm in doing so has been identified.
6. **The variance is the minimum relief that will allow the legal use of the land, building or structure:** Without the granting of Variance Request #2, the land could still be used for building a smaller townhome development with larger but fewer townhome lots
7. **The variance is not a request to permit a use of land, buildings or structures that is prohibited in the same zoning district:** The applicant is not requesting the granting of Variance Request #2 to allow any types of uses on the existing vacant land that are prohibited within the applicant's requested MFR zoning district.

Staff Recommendation

1. Variance Request #1:

- a) The denial of the applicant's request to reduce the front yard setbacks of the townhome lots from the required 50 feet down to only 20 feet in the MFR zoning district.
- b) b. The approval of a reduction in the front yard setbacks of the townhome lots to 30 feet.

2. Variance Request #2: Approval of this request to reduce the side yard setbacks from the required 15 feet to 10 feet for the proposed townhome lots.



Battle Law

September 5, 2024

VIA EMAIL (randerson@cityofstockbridge-ga.gov)

Mr. Ryan Anderson, Director
Stockbridge Planning and Zoning Department
4640 North Henry Blvd
McDonough, GA 30281

Re: Lennar/Hudson Bridge Road Rezoning Request

Dear Ryan:

As legal counsel for Lennar Homes, I am hereby requesting that September 9, 2024 hearing before City Council for the Lennar Homes the Comprehensive Land Use Amendment and the Rezoning Application be deferred to October 14, 2024. Councilmember Alexander has requested further modifications to the site plan and proposed building facades that will require additional time for preparation. Please let me know if we will need to attend the meeting next week to request the deferral.

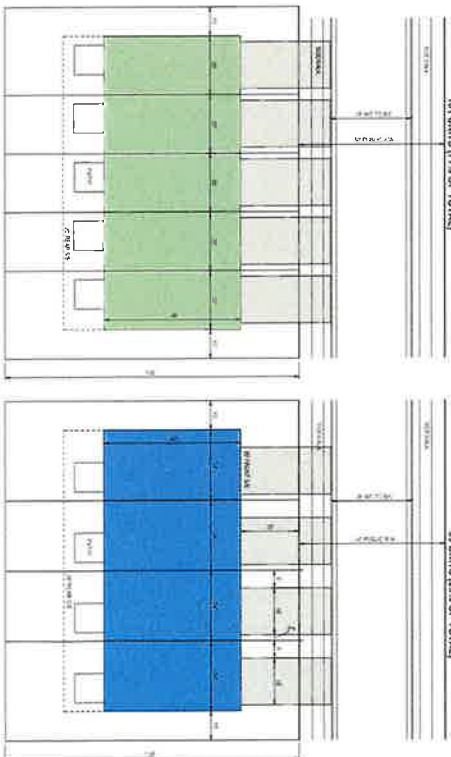
Respectfully submitted,

Michèle L. Battle, Esq.

Lennar Homes Hudson Bridge Project Renderings





[illegible]

REVISIONS

PROJECT NAME:	HUDSON BRIDGE TOWNHOMES STOCKBRIDGE, GA
CLIENT NAME:	LENNAR GEORGIA, LLC

MB
Moore Bass
Consulting, Inc.
Local Registration
• Local Inspection Consulting
• Landscape Architecture
• Environmental Permitting
www.moorebass.com
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McDonough, GA 30253
970.914.9594



NF
WALMART REAL ESTATE TRUST 3402.00
D B 9557 PG 159
TAX ID
032.01026001

TAX ID
032.01026011

NF
STANES LLC
D B 14233 PG 77
TAX ID
032.01027000

NF
BROWN ADRIAN M & NICOLAS C
D B 13805 PG 77
P B 21 PG 50
TAX ID
032D01069000

NF
HAGY WILLIAM R JR
D B 13522 PG 299
P B 12 PG 51
TAX ID
032C03020000

NF
GILBERT BERNARD
D B 8025 PG 87
P B 18 PG 200
TAX ID
032C03020000

NF
HAGY WILLIAM R
D B 9108 PG 143
P B 16 PG 281
TAX ID
032C03047000

NF
HAGY WILLIAM R JR
D B 15501 PG 95
P B 16 PG 281
TAX ID
032C03048000

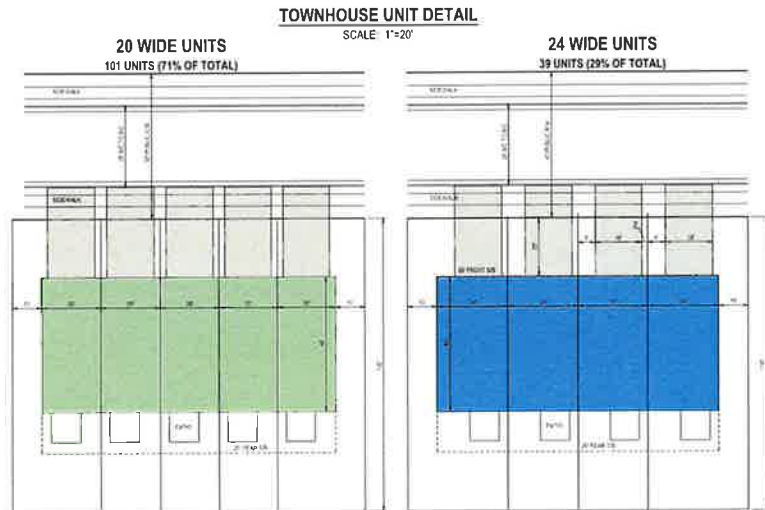
NF
HAGY WILLIAM R JR
D B 15501 PG 95
P B 16 PG 281
TAX ID
032C03049000

SITE DATA			
PROJECT NAME	HUDSON BRIDGE TOWNHOMES		
SITE AREA	20.37 AC		
TAX ID	032-01026000		
CURRENT ZONING	C-2		
PROPOSED ZONING	MFR		
PROPOSED USE	UNIT SIZE	SETBACKS	QUANTITY
FEE SIMPLE TOWNHOMES	20' WIDE	FRONT 10' SIDE 10' REAR 10'	101 UNITS
FEE SIMPLE TOWNHOMES	24' WIDE	FRONT 10' SIDE 10' REAR 10'	39 UNITS
PROPOSED DENSITY	140 UNITS / 20.37 AC	TOTAL	140 UNITS
OPEN SPACE PROVIDED	PROPOSED OVERALL OPEN SPACE: 8.37 AC		
OVERALL OPEN SPACE	PROPOSED OVERALL OPEN SPACE AS A % OF SITE: 41.1%		
OVERALL OPEN SPACE	15.5 AC (76% OF TOTAL SITE AREA)		
OFF-STREET PARKING PROVIDED	41 SPACES		

GRAPHIC SCALE



1" = 50' (SHEET)
1" = 50' (SHEET)



Moore Bass Consulting, Inc.

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PROJECT NAME
HUDSON BRIDGE TOWNHOMES
STOCKBRIDGE, GA

CLIENT NAME
LENNAR GEORGIA, LLC

ADDRESS: 1010-1011
DATE: 03/20/2024
CONTRACT: 1010-1011
DRAWING: 1010-1011

SCALE: 1"=20'

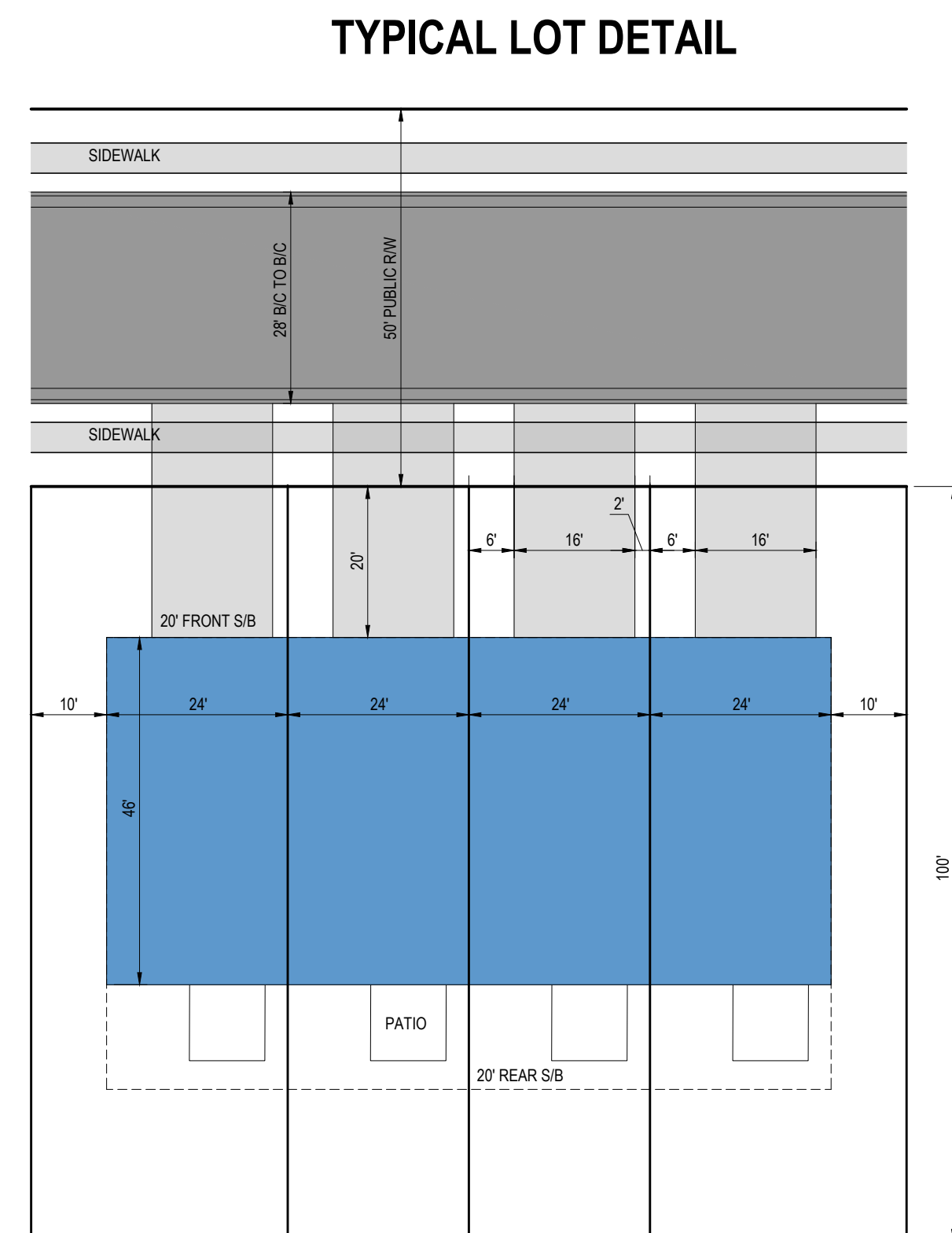
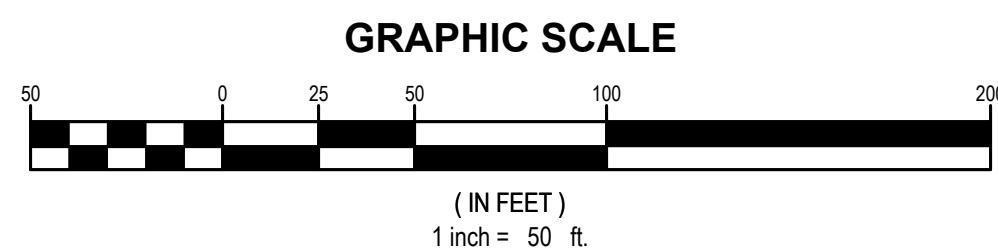
SHEET TITLE

SITE PLAN

SHEET
1.0



SITE DATA			
PROJECT NAME	HUDSON BRIDGE TOWNHOMES		
SITE AREA	20.37 AC.		
TAX ID	032-01026000		
CURRENT ZONING	C-2		
PROPOSED ZONING	MFR		
PROPOSED USE	UNIT SIZE	SETBACKS	QUANTITY
FEE SIMPLE TOWNHOMES	24' WIDE	FRONT: 20', SIDE: 10', REAR: 20'	127 UNITS
PROPOSED DENSITY	127 UNITS / 20.37 AC.	6.87 UNITS PER ACRE	
OPEN SPACE PROVIDED	PROPOSED OVERALL OPEN SPACE		8.76 AC.
	PROPOSED OVERALL OPEN SPACE AREA AS A % OF SITE		43.0%
IMPERVIOUS AREA	7.5 ac. (38 % OF TOTAL SITE AREA)		
OFF-STREET PARKING PROVIDED:	42 SPACES		





St. Ives Crossing Apartments

St Ives Ct

Rock Quarry Rd
N Park Ct

75

75

Walmart Supercenter

Chic

Mellow Mushroom Stockbridge

Hudson Bridge Dr

Firehouse Subs Hudson Bridge

J&J Liquor

McDonald's

Hudson Bridge Rd

N Main Dr

Oakwood Dr

Oakwood Manor Dr

Kroger

Hudson Bridge Veterinary

Willis Dr

Filippen Rd

Filippen Rd

Variance Application

City of Stockbridge, Georgia



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

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

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

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

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

MEETING LOCATIONS—All Planning Commission meetings are held @6:30 p.m.
All meetings are held in the Council Chamber at City Hall.

Procedures

A pre-application meeting with one of the staff planners before submission of any application is required. A scheduled appointment is required. *(No opinions or guidance can be given over the phone).* Staff will review the request and discuss all necessary code requirements that affect the request. Staff may also need to consult other City departments before accepting the application. The request will then be advertised in the *Henry Daily Herald* and a sign will be posted at least 15 days prior to the scheduled public meeting date.

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

The City of Stockbridge Planning Commission meets on the 4th Thursday of each month (except for holidays) to hear requests. Please contact the Planning and Zoning Office to obtain a copy of the schedule.

Notes

Contacts

City of Stockbridge Planning and Zoning Division
Community Development Department
4602 North Henry Boulevard
Stockbridge, GA 30281
tel. (770) 389-7900

City of Stockbridge Business Services Office
Stockbridge City Hall
4640 North Henry Boulevard
Stockbridge, GA 30281
Tel. (678) 833-3302

City of Stockbridge Public Works Department -----
Stockbridge Public Works Building
321 Taylor Drive
Stockbridge, GA 30281

Henry County Water and Sewer Authority
1695 Highway 20 West
McDonough, GA 30253
tel. (770) 957-6659

Henry County Fire Department
664 Industrial Boulevard
McDonough, GA 30253
tel. (770) 288-6600

Henry County Environmental Compliance
And Plan Review
140 Henry Parkway
McDonough, GA 30253
tel. (770) 288-6064

City of Stockbridge Building Services
Municipal Court Building
4602 North Henry Boulevard
Stockbridge, GA 30281
tel. (678) 833-3314

City of Stockbridge Code Enforcement Office
Municipal Court Building
4602 North Henry Boulevard
Stockbridge, GA 30281
tel. (678) 833-3321

Water Department tel.: (770) 474-1232
Sewer Department tel.: (678) 833-3301

Henry County Health Department
Environmental Health Section
137 Henry Parkway
McDonough, GA 30253
tel. (770) 954-2078

Henry County Police Department
100 Henry Parkway
McDonough, GA 30253
tel. (770) 288-8200

Henry County Board of Education
33 North Zach Hinton Parkway
McDonough, GA 30253
tel. (770) 957-6601

City of Stockbridge Planning and Zoning Division
Community Development Department

VARIANCE APPLICATION CHECKLIST

PLEASE COMPLETE THIS FORM WHEN ACCEPTING ALL VARIANCE APPLICATIONS.

ATTACH THE CHECKLIST TO THE APPLICATION AND SIGN.

ALL DOCUMENTS ARE REQUIRED IN ORDER TO ACCEPT APPLICATION.

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



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	



Re: Hudson Bridge Road

[Chat](#)[Files](#)[Details](#)[Scheduling Assistant](#)[Recap](#)[Attendance](#)[Meeting Whiteboard](#)[Breakout rooms](#)[Q&A](#)[Join](#)[Close](#)

Wednesday, January 24, 2024 9:57 AM - 10:52 AM

Download

7

Attended

9:57 AM - 10:52 AM

Start and end time

54m 13s

Meeting duration

49m 4s

Average attendance time

Participants

Name	First join	Last leave	In-meeting duration	Role
 Michele Battle mlb@battlelawpc.com	10:01 AM	10:52 AM	50m 21s	Organizer
 Steve Moore smoore@moorebass.com	10:00 AM	10:52 AM	51m 40s	Presenter
 Raven Eatmon reatmon@stockbridgega.org	10:02 AM	10:52 AM	50m 1s	Presenter
 Frank Potts frank.potts@lennar.com	10:02 AM	10:52 AM	50m 3s	Presenter
 Ryan Anderson randerson@stockbridgega.org	10:02 AM	10:52 AM	49m 47s	Presenter
 Elton Alexander (Guest)	10:06 AM	10:52 AM	45m 51s	Presenter
 Rosalynd Rawls rrawls@stockbridgega.org	10:06 AM	10:52 AM	45m 48s	Presenter

City of Stockbridge Planning and Zoning Division
Variance Application

Name of Applicant Lennar Georgia LLC c/o Battle Law, P.C. Phone: 770-670-2757 Date: 5/14/2024
Address Applicant: 11560 Great Oaks Way, Suite 100 Fax _____ Pager/Cell # _____
City: Alpharetta State: GA Zip: 30022 E-mail: frank.potts@lennar.com
Name of Agent Battle Law, P.C. Phone: 404-601-7616 ext. 1 Date: 5/14/2024
Address Agent: 3562 Habersham at Northlake Fax _____ Pager/Cell # _____
City: Tucker State: GA Zip: 30084 E-mail: mlb@battlelawpc.com

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

Variance(s) being requested Reduce front yard setback from 50 feet to 20 feet.

Reduce side yard setback between buildings from 15 feet to 10 feet.

Address of Property: _____

Nearest intersection to the property: Hudson Bridge Road and Hudson Bridge Drive
(Street Address)

Size of Tract: 20.367 acre(s), Land Lot Number(s): _____, District(s): _____

Property Tax Parcel Number(s): 032-01026000 (Required)

Witness' Signature

Signature of Applicant

Joseph Hall
Printed Name of Witness

Lennar Georgia LLC by: Tom Bowers
Printed Name of Applicant

Notary

Signature of Agent

NOTARY STAMP:



(For Office Use Only)

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

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

Pre-application meeting: _____ Date: _____

Planning Commission Decision: _____

City Council Decision: _____

Community Development Director's Signature: _____ Date: _____

Applicant Campaign Disclosure Form

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

Has the applicant made, within two (2) years immediately preceding the filing of this application for 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 20th day of March, 2024

Tom BOWERS
Applicant's Name - Printed

Tom Bowers
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 20th day of March, 2024

Sandy M Kidd
Notary Public



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

Applicant Campaign Disclosure Form

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

Has the applicant made, within two (2) years immediately preceding the filing of this application for 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 _____ day of _____.

Applicant's Name - Printed

Suresnder V Kumar
Signature of Applicant/Property Owner/Agent

SURENDER V Kumar

Applicant's Attorney, if applicable - Printed

Signature of Applicant's Attorney, if applicable

Sworn to and subscribed before me this 22nd day of March 2024

Levi Reece

Notary Public



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

NOTE: If the proposed development site would contain more than one property, and/or more than one property owner, please first type a list on a separate sheet of paper which identifies each property (address and/or parcel number) and its corresponding property owner(s). Then fill out a separate Property Owner's Authorization Form (provided below) for each property and each property owner.

PROPERTY OWNER'S AUTHORIZATION FORM (See NOTE above.)

The undersigned below is the PROPERTY OWNER, or one of the property owners, of the property at Hudson Bridge Road and Hudson Bridge Drive [address], with Parcel Number 032-01026000 which is the subject of this application.

Name of Property Owner: MOUNT ZION 48 LLC

Property Owner's Address: 1 WOODY TRAIL MABLETON, GA 30126

Telephone: 770-265-6934 E-mail: SVKUMAR99@hotmail.com

I swear that I am the Property Owner, or one of the Property Owners, of the property that is the subject matter of the attached application, as is shown in the tax assessors' records of Henry [County], Georgia [State].

Signature: Surender V. Kumar Date: 3-22-24

The undersigned does duly authorize the person(s) and/or company who is named below to act as APPLICANT(S) in the pursuit of this application for the subject property.

Name(s) of Applicant(s): Lennar Georgia, LLC

Company/law firm (if applicable): Battle Law PC

Telephone, E-Mail, & Address: (404) 745-0045, mlb@battlelawpc.com

3562 Habersham at Northlake Rd Tucker, GA 30084

I authorize the Applicant or Applicants who are named above to act on my behalf for this application.

Surender V. Kumar
Manager, SURENDER V. KUMAR

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

3-22-24
Date

Levi Reece

Signature of Notary Public

Levi Reece

Printed Name of Notary Public

3/22/24
Date

Notary Public's Seal or Stamp:





Battle Law

STATEMENT OF INTENT

and

Other Materials Required by
The City of Stockbridge Zoning Ordinance
For

A Variance to
Reduce the Front Yard Setback from 50 Feet to 20 Feet and Reduce the Side Yard Setback
Between Buildings from 15 Feet to 10 Feet

of

**Lennar Georgia LLC
c/o Battle Law, P.C.**

for

+/-20.367 Acres of Land
Being Near Hudson Bridge Road and Hudson Bridge Drive
City of Stockbridge, Georgia, and
Parcel No. 032-01026000

Submitted for Applicant by:

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



Battle Law

I. LETTER OF INTENT

Lennar Georgia LLC (the “Applicant”) is seeking to develop on +/- 20.367 acres of land being Tax Parcel No. 032-01026000, having frontage on Hudson Bridge Drive (the “Subject Property”) with townhomes. The Applicant is seeking a variance of the Subject Property to reduce the front yard setback from fifty (50) feet to twenty (20) feet and reduce the side yard setback between buildings from fifteen (15) feet to ten (10) feet.

This document serves as a statement of intent analysis of the criteria under the City of Stockbridge Zoning Ordinance. It contains notice of constitutional allegations as a reservation of the Applicant’s rights.

II. CITY OF STOCKBRIDGE VARIANCE CRITERIA

Under the City of Stockbridge’s Zoning Ordinance, a variance may be granted only upon a finding by the mayor and city council that all of the following conditions are met:

- A. *Extraordinary and exceptional circumstances pertaining to the particular piece of property in question exist due to its size, shape, or topography that are not found on other properties in the same zoning district;*

The Subject Property is both encumbered by a stream along the eastern side, and has an odd shape that makes development difficult. The combination of these two extraordinary circumstances combine to create a hardship on the Applicant. The variance requests will allow the Applicant to enjoy rights enjoyed by others in the same zoning district by enabling the Applicant to build outside of the stream buffer and take advantage of the available space after considering the subject property's complex shape.

- B. *A literal interpretation of the provisions of this unified development code would deprive the Applicant of rights commonly enjoyed by owners of other properties located in the same zoning district;*

A literal interpretation of the provisions of this code would deprive the Applicant of rights commonly enjoyed by owners of properties in the same zoning district. Several other townhome developers have requested the same variances the Applicant requests today and have received them. Furthermore, those other developers have sought rezonings to the zoning district the Applicant is seeking. So, those other developers enjoy rights the Applicant would not enjoy should this variance application be denied. On the other hand, should this variance application be approved, the Applicant would enjoy similar rights to other developers in the same zoning district.

- C. *Granting the variance requested will not confer upon the property owner any special privileges that are denied to other owners of property in the same zoning district;*



Battle Law

The variance request will not confer upon the property owner any special privileges that are denied to other property owners in the same zoning district. As discussed above, other developers in the same zoning district have sought the same variances the Applicant is seeking today. Those other developers enjoy the benefits of the variances. Therefore, granting this variance request will grant the Applicant rights enjoyed by other developers rather than conferring a special right not enjoyed by others.

D. *The variance will be consistent with the purpose and intent of this unified development code, will be compatible with uses on neighboring properties, and will serve the public welfare;*

The variance will be consistent with the purpose and intent of this unified development code and will be compatible with uses on neighboring properties.

E. *The extraordinary circumstances are not the result of actions of the Applicant;*

The shape of the Subject Property and the existence of the stream buffer are not the results of the Applicant's actions.

F. *The variance is the minimum relief that will allow the legal use of the land, building or structure; and*

The variance is the minimum relief that will allow the legal use of the land.

G. *The variance is not a request to permit a use of land, buildings or structures that is prohibited in the same zoning district.*

The variance request is not one that would permit a use of land, buildings, or structures that is prohibited in the zoning district. This variance request accompanies a comprehensive land use amendment and a Rezoning application that will allow for the proposed townhomes. The variance request does not seek to allow the use.

III. CONCLUSION

For the foregoing reasons, the Applicant hereby requests that the application for a variance to reduce the front yard setback from fifty (50) feet to twenty (20) feet and reduce the side yard setback between buildings from fifteen (15) feet to ten (10) feet be approved. The Applicant welcomes any questions and feedback from the planning staff.

IV. NOTICE OF CONSTITUTIONAL ALLEGATIONS AND PRESERVATION OF CONSTITUTIONAL RIGHTS



Battle Law

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

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

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

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

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

A refusal to allow the land use amendment and/or variance in question would be invalid inasmuch as it would be denied pursuant to an ordinance which is not in compliance with the Zoning



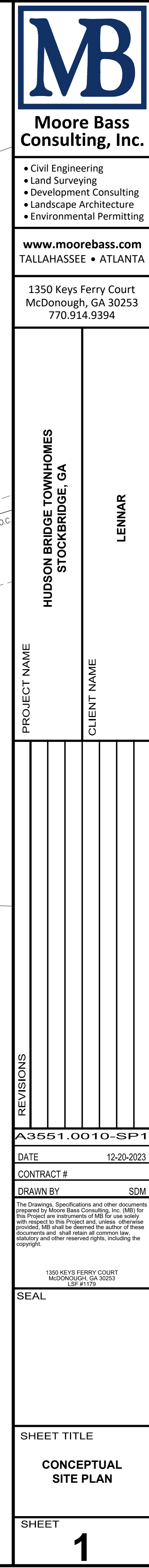
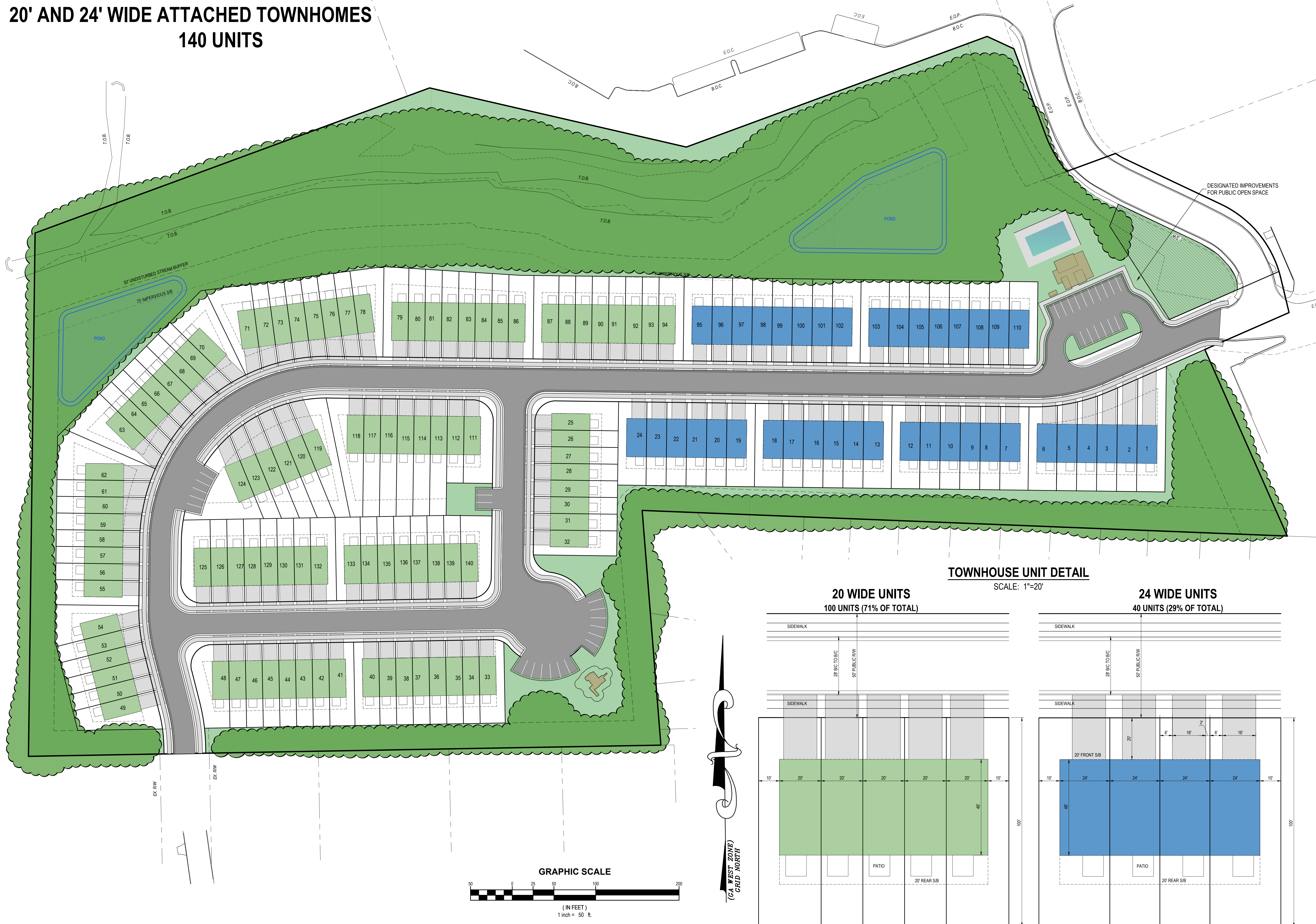
Battle Law

Procedures Law, O.C.G.A Section 36-66/1 et seq., due to the manner in which the Ordinance as a whole and its map(s) have been adopted.

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

Michele L. Battle, Esq.
Attorney for the Applicant

20' AND 24' WIDE ATTACHED TOWNHOMES 140 UNITS



Q:\AS484.0001\Survey\Boundary\AS484.0001_BND.dwg, DCF1, desopod, Mar 31, 2022, 1:48:12pm

THIS BOX IS RESERVED FOR THE CLERK OF SUPERIOR COURT
RECORDING INFORMATION.

REFERENCES

1. FINAL SUBDIVISION PLAT EASEMENTS RECORDED IN PLAT BOOK 52, PAGE 176-179 PER HENRY COUNTY RECORDS.
2. LIMITED WARRANTY DEED RECORDED IN DEED BOOK 11917, PAGE 266-269 PER HENRY COUNTY RECORDS.
3. PERMANENT RETAINING WALL & GRADING EASEMENT RECORDED IN DEED BOOK 7038, PAGE 219 PER HENRY COUNTY RECORDS.
4. DRAINAGE EASEMENT RECORDED IN DEED BOOK 7038, PAGE 221-222 PER HENRY COUNTY RECORDS.
5. ACCESS EASEMENT RECORDED IN DEED BOOK 7038, PAGE 224 PER HENRY COUNTY RECORDS.
6. PERMANENT RETAINING WALL AND GRADING EASEMENT RECORDED IN DEED BOOK 7038, PAGE 220 PER HENRY COUNTY RECORDS.
7. INGRESS / EGRESS ACCESS EASEMENT RECORDED IN DEED BOOK 7038, PAGE 205 & 219 PER HENRY COUNTY RECORDS.
8. PERMANENT SLOPE EASEMENT RECORDED IN DEED BOOK 7038, PAGE 205 PER HENRY COUNTY RECORDS.
9. ACCESS EASEMENT RECORDED IN DEED BOOK 7038, PAGE 204 PER HENRY COUNTY RECORDS.

FLOOD NOTE

AS SHOWN ON FLOOD INSURANCE RATE MAPS OF HENRY COUNTY, GEORGIA COMMUNITY PANEL NUMBER: 13151C00860 EFFECTIVE DATE OCTOBER 6TH, 2016, THIS PROPERTY IS NOT LOCATED IN A FEMA FLOOD HAZARD ZONE.

SURVEY NOTES

NO N.G.S. MONUMENT FOUND WITHIN 500 FEET OF ANY POINT ON THE SUBJECT PROPERTY.

ALL PROPERTY CORNERS REFERENCED AS I.P.S. INDICATES A 1/2" REBAR PLACED W/ICAP LSF 001179 UNLESS OTHERWISE NOTED.

MOORE BASS CONSULTING AND/OR TIMOTHY M. WORLEY DO NOT GUARANTEE THAT ALL EASEMENTS AND SUB-SURFACE CONDITIONS WHICH MAY AFFECT THIS PROPERTY ARE SHOWN.

THIS DRAWING HAS BEEN GENERATED ELECTRONICALLY. THIS MEDIA SHOULD NOT CONSIDERED A CERTIFIED VALID DOCUMENT UNLESS IT HAS BEEN PROPERLY SEALED, SIGNED, AND DATED BY TIMOTHY M. WORLEY IN CONTRASTING COLOR OF INK PER O.C.G.A. 43-15-22.

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT WHICH COULD REVEAL ENCUMBRANCES NOT SHOWN. ALL MATTERS TO TITLE ARE EXCEPTED.

THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PARTY OR ENTITY NAMED HEREON AND THE CERTIFICATION DOES NOT EXTEND TO ANY OTHERS.

THIS PLAT MAY NOT CONFORM TO THE BEARINGS AND DISTANCES RECORDED ON THE DEED AND/OR PLAT OF RECORD DUE TO SEVERAL FACTORS INCLUDING, BUT NOT LIMITED TO, THE NATURE OF THE ADVANCES IN SURVEYING TECHNOLOGY SUCH AS ELECTRONIC DISTANCE MEASURING DEVICES AND THE ADVENT OF SURVEY GRADE G.P.S. MEASUREMENT EQUIPMENT.

THIS SURVEY IS REFERENCED TO THE NORTH AMERICAN DATUM (N.A.D.) OF 1983/1984 ADJUSTMENT FOR HORIZONTAL DATUM AND THE NORTH AMERICAN VERTICAL DATUM (N.A.V.D.) 1989 FOR THE VERTICAL DATUM. THE USE OF G.P.S. SURVEY MEASURING TECHNIQUES WERE USED FOR THESE DATUMS AND BASED ON THE POSITIONAL VALUES FOR THE VIRTUAL REFERENCE STATION NETWORK DEVELOPED BY EGPS SOLUTIONS. THE ORTHOMETRIC HEIGHTS WERE DERIVED USING THE GEOID A12.

ALL DISTANCES SHOWN HEREON ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED.

UTILITIES SHOWN ARE BASED ON ABOVE GROUND EVIDENCE. ADDITIONAL UTILITIES MAY EXIST ABOVE OR BELOW GROUND. NO CERTIFICATION OR GUARANTEE IS MADE AS TO THE ACCURACY OR THOROUGHNESS OF THE UTILITIES OR STRUCTURES SHOWN HEREON. PER GEORGIA LAW THE UNDERGROUND UTILITIES PROTECTION SERVICE MUST BE CALLED PRIOR TO THE COMMENCEMENT OF ANY AND ALL EARTH DISTURBING ACTIVITIES.

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 49,634 FEET, AND AN ANGULAR ERROR OF 01" PER ANGLE. IT WAS A CLOSED LOOP TRAVERSE AND WAS ADJUSTED USING THE LEAST SQUARES METHOD.

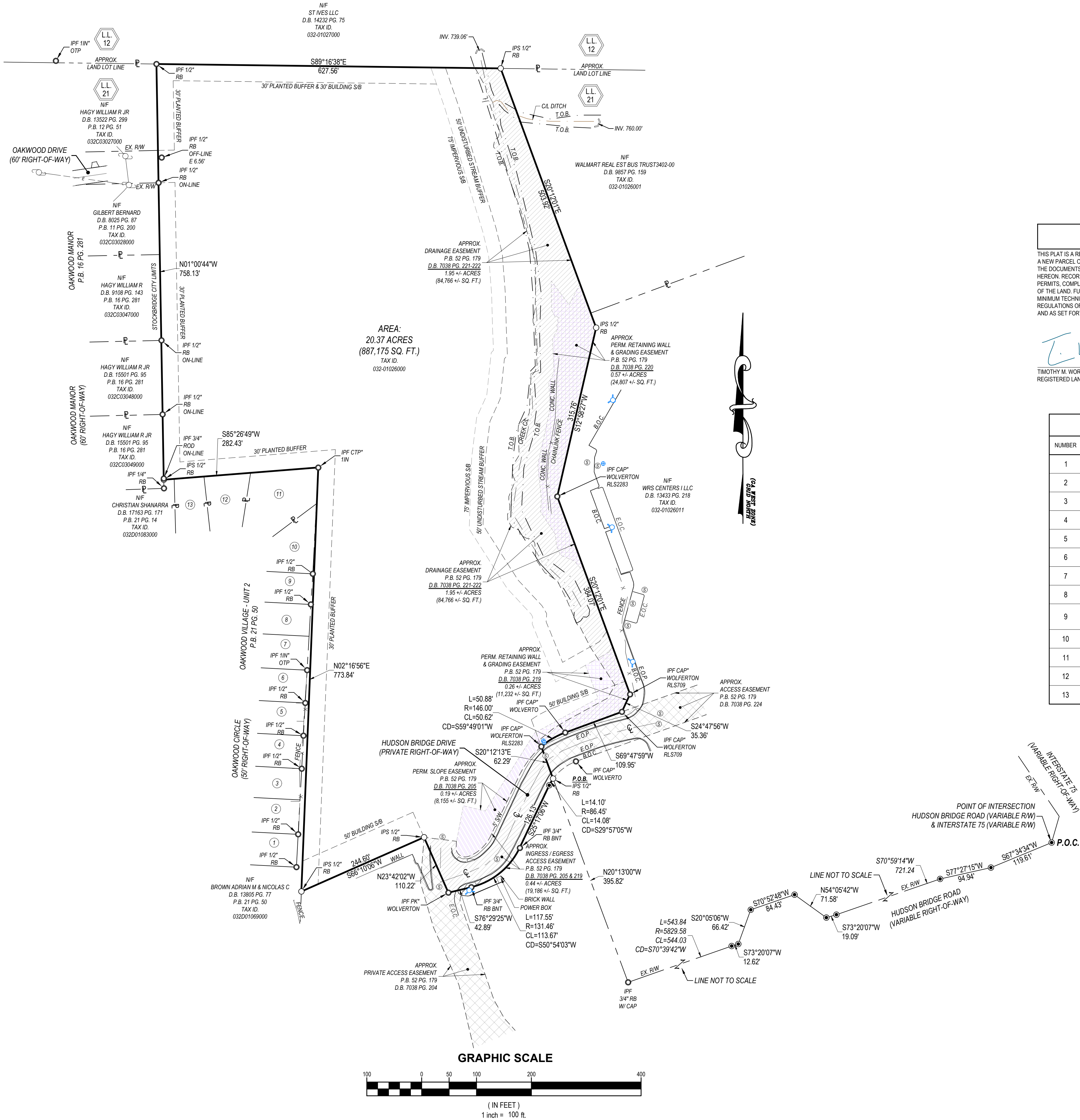
THE CLOSURE PRECISION OF THE DATA SHOWN ON THE MAP OR PLAT, "THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 1,240,132 FEET" THE CLOSURE PRECISION PLACED ON THE SURVEY SHALL BE BASED ON AN ACTUAL MAP CLOSURE THAT HAS BEEN INDEPENDENTLY CALCULATED BY THE SURVEYOR BY USING THE BEARINGS AND DISTANCES FROM THE FACE OF THE PLAT, AND SHALL NOT BE A GENERALIZATION.

ALL LOTS OR PARCELS SHOWN ON LINEAR AND ANGULAR MEASUREMENTS WERE OBTAINED USING A TRIMBLE S6 ROBOTIC TOTAL STATION & CHAMPION TKO ROVER GPS UNIT. THE FIELDWORK WAS COMPLETED MARCH 21ST, 2022 ON THIS PROJECT.

LEGEND

D.B.	DEED BOOK	E.O.P.	EDGE OF PAVEMENT
P.B.	PLAT BOOK	FH	FIRE HYDRANT
P.G.	PAGE	L	LINE LABEL
LL	LAND LOT	NF	NOW OR FORMERLY
OTP	OPEN TOP PIPE	PKS	PK NAIL SET
RB	REBAR	S.S.E.	SANITARY SEWER EASEMENT
IPF	IRON PIN FOUND	UE	UTILITY EASEMENT
IPS	1/2" REBAR W/IC LSF 001179	REF.	REFERENCE
CTP	CRIMP TOP PIPE	C/O	SEWER CLEAN OUT
C&G	CURB & GUTTER	SQ	SQUARE FOOT
R/W	RIGHT OF WAY	FT	FEET
NF	NOW OR FORMERLY	○	IRON PIN FOUND
E	OVERHEAD POWER LINE	○	IRON PIN SET
CMP	CORRUGATED METAL PIPE	●	CALCULATED POINT
SMWF	STORMWATER MANAGEMENT FACILITY	●	POWER POLE (PP)
TM	TEMPORARY BENCHMARK	●	FIRE HYDRANT (FH)
P.O.B.	POINT OF BEGINNING	●	WATER VALVE (WV)
P.O.C.	POINT OF COMMENCEMENT	●	WATER METER (WM)
RCP	REINFORCED CONCRETE PIPE	●	JUNCTION BOX (JB)
PIP	DUCTILE IRON PIPE	●	SANITARY SEWER MANHOLE (SSMH)
PVC	POLYVINYL CHLORIDE PIPE	●	DROP INLET (DI)
HDPE	HIGH DENSITY POLYETHYLENE PIPE	●	CONCRETE R/W MONUMENT FOUND (CMF)
P	PROPERTY LINE	●	SINGLE WING CATCH BASIN (SWCB)
C	CENTERLINE	●	DOUBLE WING CATCH BASIN (DWCB)
ID	IDENTIFICATION	●	CURB INLET (CI)
B.S.L.	BUILDING SETBACK LINE	●	HEADWALL (HW)
B.O.C.	BACK OF CURB	●	FLARED END SECTION
C	CURVE LABEL	●	LIGHT POST (LP)
CI	CURB INLET	●	YARD INLET (YI)
D.E.	DRAINAGE EASEMENT	●	SEWER CLEAN OUT (CO)
		■	AREA INLET (AI)
		—	LINE NOT TO SCALE

BOUNDARY SURVEY FOR: MT. ZION 48, LLC LAND LOT 21 ~ 6TH DISTRICT HENRY COUNTY, GEORGIA



GEORGIA SURVEY CERTIFICATE

THIS PLAT IS A RETRACEMMENT 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.

Timothy M. Worley
TIMOTHY M. WORLEY
REGISTERED LAND SURVEYOR #3360 (tworley@moorebass.com)

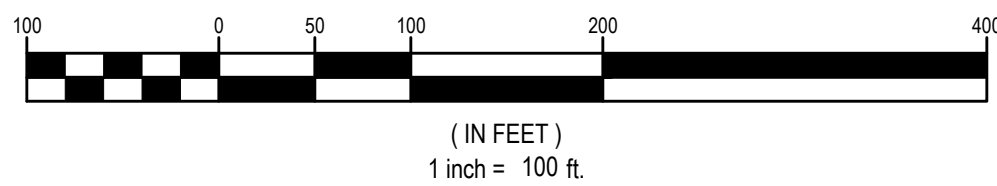
3/29/22

DATE:

ADJOINERS CHART

NUMBER	OWNER	D.B. & PG.	P.B. & PG.	TAX ID.
1	CALLAHAN TIMOTHY J & TONDA L	15369-196	21-50	032D01070000
2	LEVY MILLICENT	14038-104	21-50	032D01071000
3	WHISNANT DANNY R	13821-321	21-50	032D01072000
4	BAXTER GALEN C & COLLEEN N	14104-293	21-14	032D01073000
5	EASLEY SHARON P & ROBIN L	8215-268	21-50	032D01074000
6	TURNER VIRGINIA N	7838-292	21-14	032D01075000
7	AUGUSTINE MARIE E	12287-255	21-50	032D01076000
8	BERNLY FRANCISCO	60160-96	21-50	032D01077000
9	THE IRA CLUB FBO CHRISTOPHER ALLEN & KIMBERLY	15610-300	21-14	032D01078000
10	CENTRIC LLC	13289-206	21-50	032D01079000
11	MOTON MELBA & NATHANIEL JR	17525-293	21-14	032D01080000
12	TRICON SFR 2020-2 BORROWER LLC	17632-96	21-14	032D01081000
13	TAH 2017-1 BORROWER LLC	15420-17	21-14	032D01082000

GRAPHIC SCALE





Henry County Water Authority
Engineering Division

December 2, 2022

Re: Water and Sewer Services - Availability

Proposed Development: **Apartment Complex**

Property Information: **Hudson Bridge Road Parcel No. 032-01026000**

LL 21; District 6; 20.37+/- acres

Proposed Zoning: **MFR**

Sewer Basin: **Walnut Creek**

Watershed Basin: **Big Cotton Indian**

TO WHOM IT MAY CONCERN:

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

Water service can be made available to the property described above by way of a line extension, as illustrated on the Conceptual Site Plan at the developer's expense. A fire flow test calculated in the area revealed the following data:

Static:	110	psi
Residual:	95	psi
Flow	1130	gpm
Calculated Flow @ 20 psi:	2973	gpm

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

Sewage **treatment** and sewer line **capacity** are available for the property. ***However, installation of a private lift-station (proposed to be located on the developer's site), associated force main and gravity sewer main extension will be necessary at the developer's expense.***

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

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

This letter was prepared with information submitted to HCWA on a Conceptual Site Plan dated 08/24/2022 prepared by Moore Bass Consulting, Inc.

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







TO: City of Stockbridge Mayor and City Council
City of Stockbridge Planning Commission

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

CC: Ryan Anderson, Community Development Director
Keedra Jackson, Chief Planner

DATE: August 15, 2024

**SUBJECT: Staff Report for Variance Case #VR-2024-03--Parcel #032-01026000
on Hudson Bridge Drive, in Council District 5**

I. PURPOSE

To consider a variance application (Variance Case #VR-2024-03) by Lennar Georgia, LLC, c/o Battle Law, P.C, to request the granting of two variances for Parcel #032-01026000 on Hudson Bridge Drive to allow for the development of a townhome community with 140 units. Mount Zion 48, LLC is the current owner of the property, and it contains approximately 20.367 acres. In Variance Request #1, the applicant requests that the front yard setbacks of the townhome lots be reduced from the required 50 feet in the MFR district to 20 feet. In Variance Request #2, the applicant requests that the side yard setbacks of the townhome lots (between townhome buildings) be reduced from the required 15 feet to 10 feet.

The applicant has also submitted two other applications for the subject property. For Comprehensive Plan Amendment Case #CP-2024-01, the applicant requests that the property's future land use designation be changed from Medium-Density Mixed-Use to Medium-Density Residential. For Rezoning Case #RZ-2024-01, the applicant requests that the property be rezoned from 'C-2' (General Commercial) to 'MFR' (Multiple-Family Residential).

An aerial photo of the subject property is shown after the Case Facts (Table 1) below.

II. CASE FACTS (Table 1)

DESCRIPTIVE FACTOR	FINDINGS
Proposed Development:	Townhome community with 140 fee simple units.
Parcel Identification:	032-01026000 (no address).
Parcel Acreage:	+/- 20.367 acres.
Land District and Land Lot:	District 6, Land Lot 21.
Applicant:	Lennar Georgia, c/o Battle Law, P.C.
Owner:	Mount Zion 48, LLC.
Current City Zoning:	C-2 and Parkway Mixed-Use Overlay District.
Surrounding Zoning:	• <u>North</u>—MFR (Multiple Family Residential). • <u>Northwest</u>—SR (Suburban Residential). • <u>East</u>—C-2 & C-3 (General Commercial & Heavy Commercial). • <u>South</u>—C-2 (General Commercial). • <u>Southeast</u>—C-2 & C-3 (General Commercial & Heavy Commercial). • <u>West</u>—Outside of the City. Zoned 'RD' & 'RM' (Residential-Duplex & Residential-Multifamily) by Henry County. • <u>Southwest</u>—Outside of the City. Zoned 'C-2' (General Commercial) by Henry County.
City Land Use Designation:	Medium-Density Mixed-Use.
Current Use:	Vacant.
Surrounding Land Uses:	• <u>North</u>—St. Ives Apartments. • <u>Northwest</u>—St. Margrit Subdivision. • <u>East</u>—Walmart and adjacent Centre @ Stockbridge Shopping Center. • <u>South</u>—Commercial uses fronting onto Hudson Bridge Road, including J & J Liquor and Western Union. • <u>Southeast</u>—Retail uses (Taco Bell and QuikTrip) outside the City, with access from Hudson Bridge Dr. • <u>West</u>—Oakwood Village Subdivision, outside City).
Property Location:	To the rear of 1590 Hudson Bridge Road. Property has no access to any public street. Access exists from Hudson Bridge Drive, an internal street for the adjacent Centre @ Stockbridge shopping center, which includes Walmart. A portion of this street actually is part of the subject property.
Property Conditions:	Vacant land; mostly wooded. The eastern portion of site contains steep topography, wetlands with a 25-foot state buffer, a 50-foot stream buffer, and a 75-foot impervious setback as part of a nearby stream. Site includes a portion of Hudson Bridge Drive, which was granted an easement.

AERIAL PHOTO OF SUBJECT PROPERTY



III. PROPERTY AND ZONING HISTORY

A. Restrictive Covenant. The subject property was previously owned by Baptist Retirement Communities of Georgia, who sold it in 2005. Before doing so, a restrictive covenant, dated April 26, 2004, was prepared and filed with the Henry County Superior Court (in Book 7028, Page 237). It prohibited the use of the subject property for retail uses. This restriction expired, however, on March 31, 2008.

B. Walmart Master Development Plan and DRI. The subject property was originally a part of a Master Development Plan (Centre @ Stockbridge) with a Wal-Mart Supercenter as a mixed-used development for a total of 70.16 acres. The entire property was annexed by the City of Stockbridge in 2002. The subject site as a part of the Master Plan was described as "Tract 2." Tracts 1 and 2 were annexed as C-2 (Commercial – Medium Density) and C-3 (Heavy Commercial). Tracts 1 and 2 were further subdivided on

February 4, 2004, creating a "new" Tract 2 as a part of the Walmart Development. The original Tract 2 would become a "stand-alone" parcel for future development. The Master

Development Plan initially allowed the subject site to have access from Hudson Bridge Road, but outparcels were later created, and this removed the site's access to Hudson Bridge Road. A Development of Regional Impact Analysis (DRI #481) was completed on the Master Development Plan, including the subject site, on November 21, 2003, and a Development Agreement was also prepared. Per the DRI for the entire Plan area, "The site shall be mixed-use and contain a minimum of 200 residential units and a maximum of 343,500 square feet of commercial/office/retail space." However, DRI officials have stated that DRI conditions have no effect after ten years.

C. Previous Parcel Split and Easement Creation. Wolverton & Associates of Duluth, Georgia created a series of drawings on February 26, 2013 as part of a Final Subdivision Plat for Broad Street Stockbridge II, LLC. It showed that the subject property was split into two Tracts, with Tract 1 representing the current boundaries of the site and Tract 2 being cut off from the site. This resulted the Tract 1 (the current site) losing its access from Hudson Bridge Drive. However, ten easements were created along and adjacent to

WALMART MASTER DEVELOPMENT PLAN AREA



Hudson Bridge Drive, including an easement to allow a portion of Hudson Bridge Drive, which is a private street, and which is actually contained within the boundaries of the subject site, to be used by the public for access to the surrounding commercial properties. The fact that this portion of Hudson Bridge Drive is located within the site boundaries is confirmed today by the aerial photo of the site from the Henry County Tax Assessors' records.

D. Recent Zoning Activity: RZ-2019-04 and RZ-2020-01 by TPA Residential. A rezoning of the subject property from C-2 (General Commercial) to MUND (Mixed-Use Neighborhood Development) was sought by TPA Residential (c/o Falcon Design Consultants, LLC) in 2019 via RZ-2019-04 to allow for a mixed-use development to contain 118 townhomes plus small commercial uses. The Planning and Zoning Staff, as well as the Planning Commission (at their September 14, 2019 meeting) both recommended the approval of this case, with conditions. However, at the subsequent City Council meeting on October 14, 2019, the applicant announced that he wanted to withdraw his application. TPA Residential returned to the City with a revised rezoning application via RZ-2020-01. This time, the applicant wanted to build a purely residential development, containing 147 townhomes only. GRTA determined that an updated DRI review was not required since the proposed density would be less than what the Walmart Master Development Plan called for. The Staff recommended approval with conditions, as did the Planning Commission at its June 25, 2020 meeting; but the City Council denied the case at its meeting on July 13, 2020.

PREVIOUS PARCEL SPLIT AND EASEMENT CREATION

GENERAL NOTES		SURVEYORS CERTIFICATE		VICINITY MAP - N.T.S.																							
1. THE FIELD DATA UPON WHICH THIS SURVEY IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 10,000 FEET AND AN ANGULAR ERROR OF 1 SECOND PER ANGLE AND WAS ADJUSTED USING LEAST SQUARES. A TRIMBLE 550 WAS USED TO OBTAIN LINEAR AND ANGULAR MEASUREMENTS. WORK WAS COMPLETED ON 01-21-2013. THIS PLAN HAS BEEN CALCULATED FOR CLOSURE AND HAS BEEN FOUND TO BE ACCURATE WITHIN ONE FOOT IN 10,000 FEET. 2. THIS SURVEY IS RELATIVE TO THE GEORGIA STATE PLANE COORDINATE SYSTEM, WEST ZONE 40 REFERENCED TO NAD83 (2011) HORIZONTAL AND ANGULAR (GEOID10) VERTICAL. COORDINATES WERE DERIVED FROM NETWORK GPS MEASUREMENTS USING A LEICA V50 GPS ONE RECEIVER. 3. NO PORTION OF THIS PROPERTY IS LOCATED WITHIN A FLOOD HAZARD AREA AS PER FLOOD INSURANCE RATE MAPS OF HENRY COUNTY, GEORGIA, AS SHOWN ON MAP NUMBER 1315102000C, HAVING AN EFFECTIVE DATE OF MAY 16, 2009 AND HENRY COUNTY PRESENT AND FUTURE CONDITIONS MAPS PANEL 89 OF 300 DATED MAY 2010. 4. CORNER NOTES HEREON AS IRON PIN SET (IPS) ARE 3/4" IRON REBARS WITH A PLASTIC CAP TAMPED "EXCLUSION LOT 700P AND PINS IS 7/8" IRON SET. 5. LAND SURVEYORS, AS LICENSED PROFESSIONALS BY THE STATE OF GEORGIA, ARE NOT EXPERTS IN THE IDENTIFICATION OF WETLANDS, CONTIGUOUS OR BUILT, ORIGINALLY, TERMS OF HISTORICAL OR CULTURAL SIGNIFICANCE, THEREFORE EXCEPTION IS TAKEN TO ANY SUCH MATTERS WHICH MAY EXIST ON THIS PROPERTY. 6. THE PROPERTY MAY BE SUBJECT TO EASEMENTS, RESERVATIONS, RIGHTS OF WAY, OR RESTRICTIONS WHICH ARE NOT RECORDED OR OTHERWISE UNKNOWN TO THE SURVEYOR. THEREFORE EXCEPTION IS TAKEN TO ANY SUCH ITEMS. 7. ALL SUBJECT PROPERTY CORNERS HAVE BEEN SET OR FOUND AS LABELED. 8. C-2 ZONING CONDITIONS: 8.1 FRONT SETBACK: 30' FRONT SETBACK 8.2 SIDE SETBACK: 10' SIDE SETBACK 8.3 REAR SETBACK: 25' REAR SETBACK 8.4 MINIMUM LOT WIDTH: 100' MINIMUM LOT WIDTH 8.5 MINIMUM SQUARE FOOT MINIMUM LOT AREA: 10,000 SQUARE FOOT MINIMUM LOT AREA 8.6 MAXIMUM BUILDING HEIGHT: NONE OF THE PARCELS DELINEATED ON THIS PLAN ARE CORNER LOTS, THEREFORE NO SIDE YARD SETBACK LINES ARE REQUIRED BY THE CODE OF ORDINANCES OF THE CITY OF STOCKBRIDGE. 9. ACCESS FOR TRACT 1 IS PROVIDED BY THE CURRENT PRIVATE ACCESS(1) AND CROSS ACCESS(2) EASEMENTS SHOWN HEREON.		THIS SURVEY IS AN ACCURATE REPRESENTATION OF THE PROPERTY SURVEYED UNDER MY SUPERVISION. THIS SURVEY WAS PERFORMED WITHOUT A TITLE COMMITMENT AND MAY BE SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD NOT REFLECTED UPON THIS SURVEY. Michael G. High G.S. 113 DATE: 6/18/13 GA. REG. # 2008		THE CITY OF STOCKBRIDGE ASSUMES NO RESPONSIBILITY FOR THE OVERFLOW OR EROSION OF NATURAL OR ARTIFICIAL DRAINS BEYOND THE EXTENT OF THE STREET RIGHT-OF-WAY, NOR FOR THE EXTENSION OF COLLECTORS BEYOND THE POINTS SHOWN ON THIS PLAN AND AS REQUIRED BY THE CITY OF STOCKBRIDGE SUBDIVISION ORDINANCE. 1. 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. WETLANDS 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. LIVE STREAMS DO EXIST ONSITE.																							
TRACT CHART TRACT 1 - NO ADDRESS ASSIGNED PARCEL # - 032-01026000 TRACT 2 - 1590 HUDSON BRIDGE RD PARCEL # - 032-01026002		SHEET INDEX SHEET 3 SHEET 2 TRACT 1 TRACT 2 HUDSON BRIDGE ROAD (R/W MARKS)		OWNER/SUBOWNER BROAD STREET STOCKBRIDGE II, L.L.C. BY: SR INVESTMENTS, INC., ITS MANAGER 300 WEST COLUMBIA BLVD., STE 106 MOUNT PLEASANT, SC 29464 JASON SMALLWOOD 803-474-0930																							
AREA CHART <table border="1"> <thead> <tr> <th>TRACT</th> <th>ACRES</th> <th>SQ. FT.</th> <th>ZONED</th> </tr> </thead> <tbody> <tr> <td>TRACT 1</td> <td>20.367</td> <td>887,136</td> <td>C-2</td> </tr> <tr> <td>TRACT 2</td> <td>1.709</td> <td>74,457</td> <td>C-2</td> </tr> <tr> <td>TOTAL:</td> <td>22.076</td> <td>961,593</td> <td></td> </tr> </tbody> </table>		TRACT	ACRES	SQ. FT.	ZONED	TRACT 1	20.367	887,136	C-2	TRACT 2	1.709	74,457	C-2	TOTAL:	22.076	961,593		OWNERS STATEMENT CITY OF STOCKBRIDGE COUNTY OF HENRY The owner of the land shown on this plot and whose name is subscribed thereto, and in person or through a duly authorized agent, acknowledges that this plot was made from an actual survey, and dedicates by this Declaration to the use of the public forever, all streets, sewer collectors, lot divisions, drains, and other public facilities and appurtenances thereon shown, and transfers ownership of all public use areas in fee simple by deed, for the purposes therein expressed. Broad Street Stockbridge II, L.L.C. BY: SR Investments, Inc., its manager BY: Stephen Rainey NAME: Stephen Rainey ITS: President DATE: June 18, 2013		REVISIONS <table border="1"> <thead> <tr> <th>REVISIONS</th> <th>BY</th> </tr> </thead> <tbody> <tr> <td>ADDRESS COUNTY COMMENTS - 04/24/2013</td> <td>KWB</td> </tr> <tr> <td>ADDRESS COUNTY COMMENTS - 05/15/2013</td> <td>KWB</td> </tr> </tbody> </table> DRAWN BY KWB CHECKED BY MGH DATE: 02/26/2013 SCALE: 1"=100' JOB NO. 13-602 SHEET NUMBER 1 OF 4 SHEETS		REVISIONS	BY	ADDRESS COUNTY COMMENTS - 04/24/2013	KWB	ADDRESS COUNTY COMMENTS - 05/15/2013	KWB
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EASEMENT CHART - PRIVATE ACCESS EASEMENT (DB 7038, PG 185). - PRIVATE PERMANENT RETAINING WALL & GRADING EASEMENT (DB 7038, PG 209). - PRIVATE BAPTIST COMMUNITY HOUSING/EGRESS EASEMENT (DB 7038, PG 209). - PERMANENT SLOPE EASEMENT (DB 7038, PG 185). - PRIVATE DRAINAGE EASEMENT (DB 7038, PG 209). - PRIVATE PERMANENT RETAINING WALL AND GRADING EASEMENT AND LANDSCAPING EASEMENT AREA (DB 7038, PG 209). - PRIVATE CROSS ACCESS EASEMENT (DB 7038, PG 209). - PUBLIC 20' SANITARY SEWER EASEMENT (D.B. 9710, PG 241). - PUBLIC WATERLINE EASEMENT (D.B. 9710, PG 230). - PRIVATE PERMANENT SLOPE EASEMENT (DB 7038, PG 209).		THIS PLAT IS HEREBY APPROVED FOR RECORDING: BY: <i>Steph Rainey</i> DIRECTOR, HENRY COUNTY DEPARTMENT OF ENVIRONMENTAL COMPLIANCE & PLAN REVIEW DATE: 6/18/13 THIS PLAT IS HEREBY APPROVED FOR RECORDING: <i>Mark A. Wilson</i> 6-18-13 MAYOR, CITY OF STOCKBRIDGE GEORGIA REGISTERED PROFESSIONAL SURVEYOR MICHAEL G. HIGH No. 2008 HENRY COUNTY MAP 32 ALL BLOCK 1																									

E. Recent Zoning Activity: RZ-2022-08 by Carter Acquisitions. In 2022, a new developer, Carter Acquisitions, LLC, c/o Battle Law, PC, sought to rezone the subject property via RZ-2022-08 from C-2 to MFR (Multiple Family Residential) to allow for the development of a townhome community containing 330 units. The proposed density was 16.2 units per acre, which exceeded the allowable density of 16.0 units per acre for the proposed High-Density Residential future land use designation. The applicant needed to reduce the number of units by eliminating four units to meet the maximum allowable density. But the applicant never returned with a new site plan having a reduced density. After an extended period of time, the applicant withdrew their application, along with Comprehensive Plan Amendment application #CP-2022-07.

STREET VIEW OF SOUTHWEST CORNER OF SITE

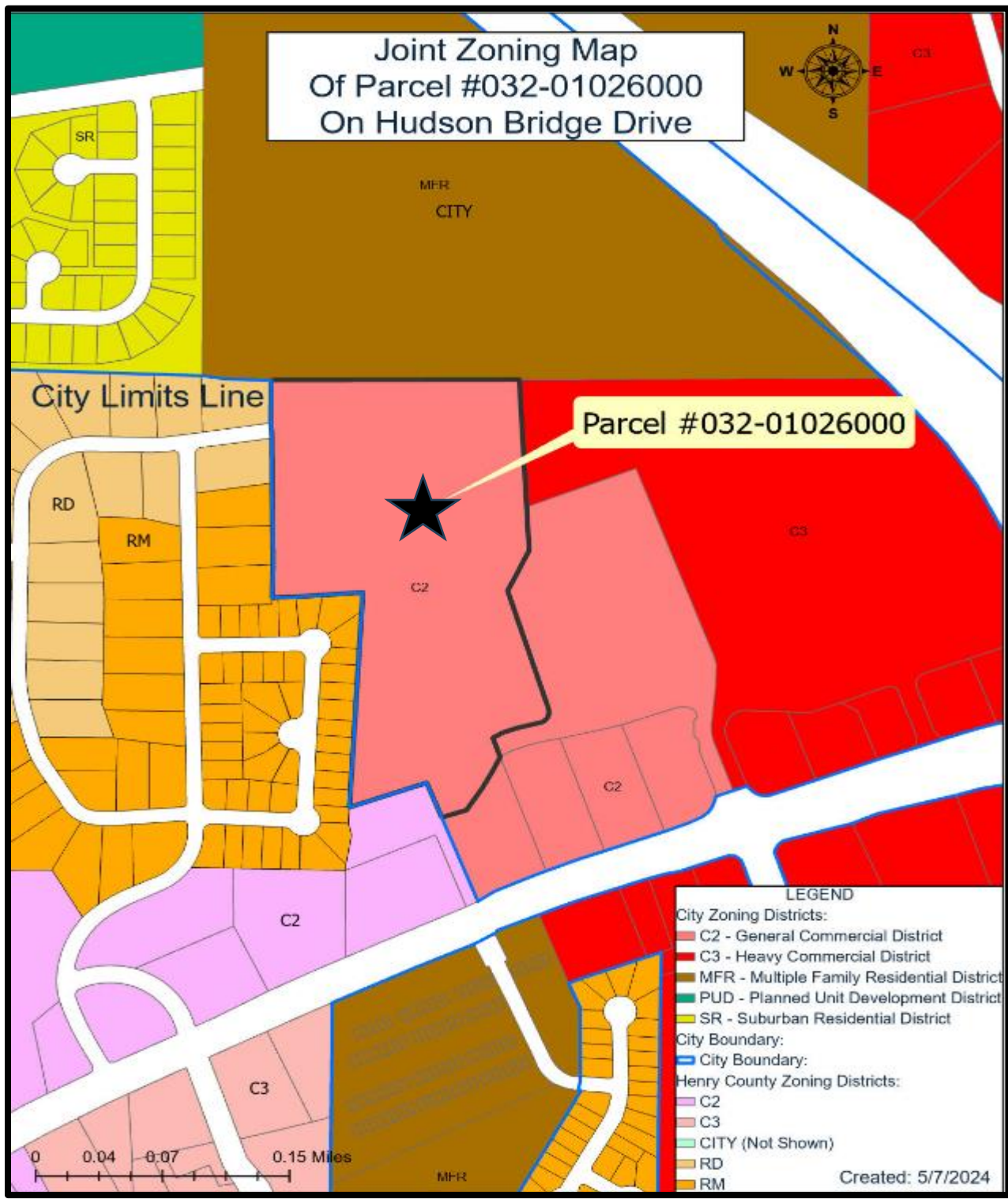


STREET VIEW OF SITE TOWARD SOUTHEAST CORNER

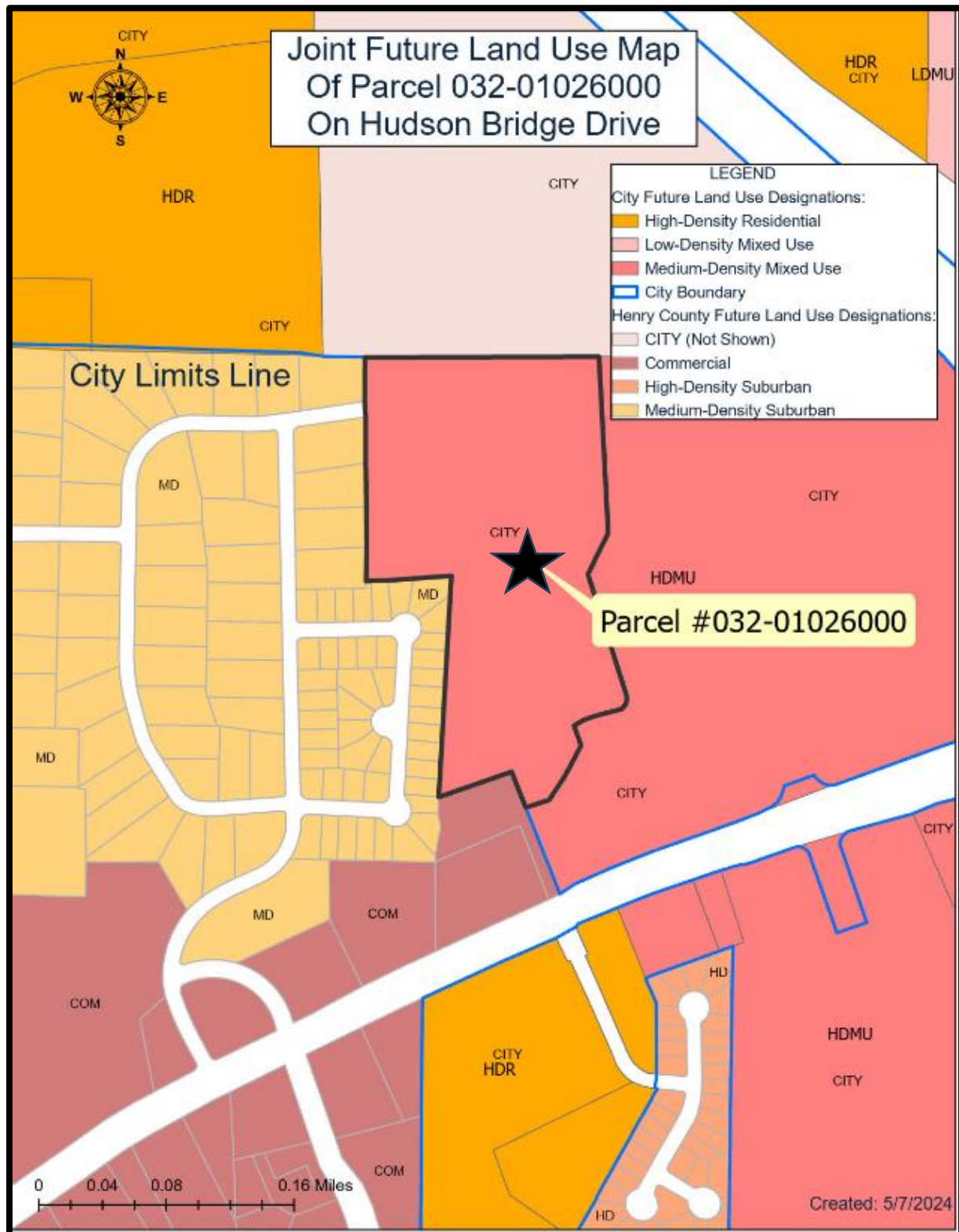


Shown below are the Zoning Map, the Future Land Use Map, and the Boundary Survey for the subject property.

2024 CITY OF STOCKBRIDGE ZONING MAP

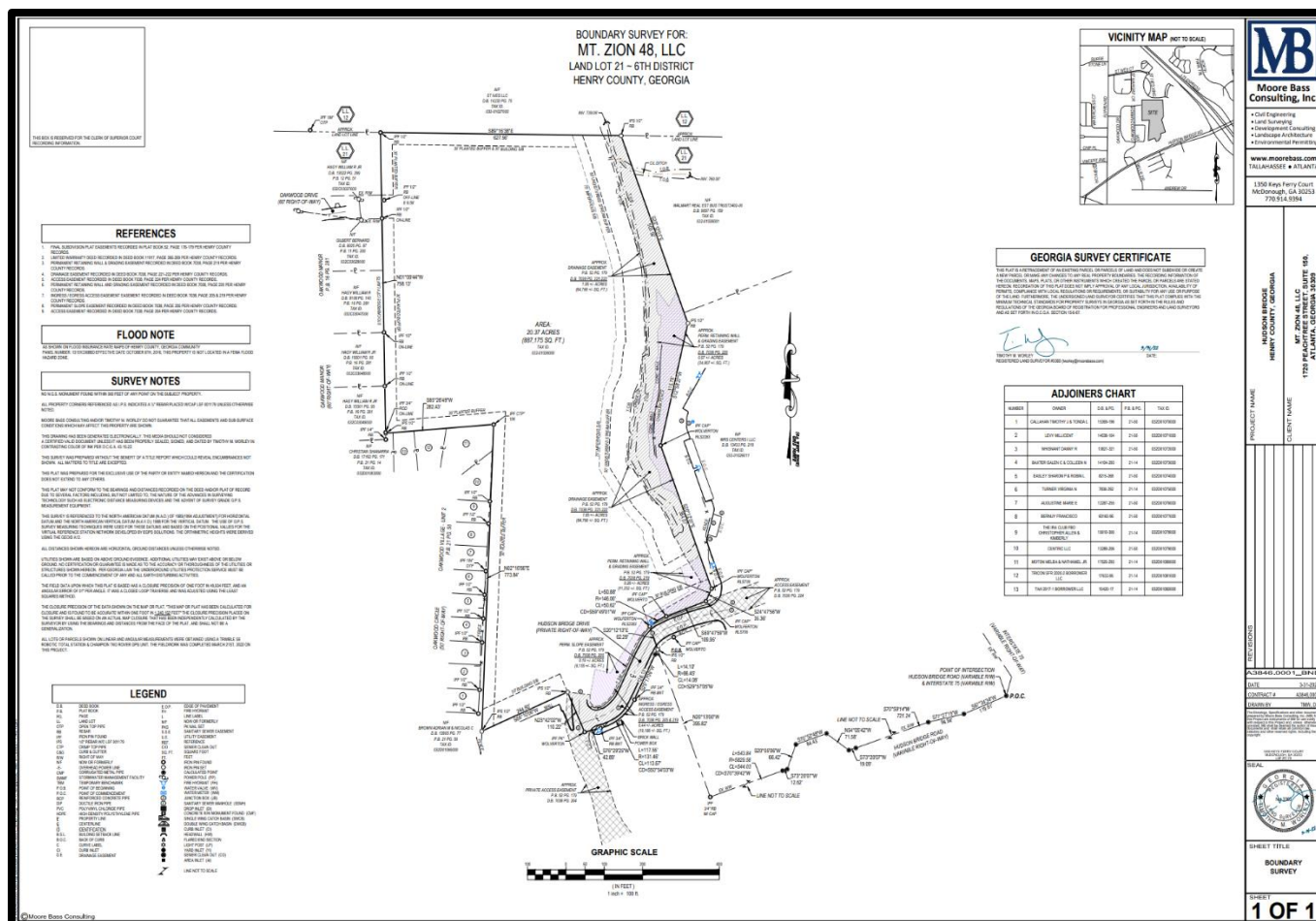


2024 CITY OF STOCKBRIDGE FUTURE LAND USE MAP



BOUNDARY SURVEY

Hudson Bridge Drive is located at the southern end of the property.



PROPOSED DEVELOPMENT

A. Project Size. The applicant has submitted a site plan which was prepared by Moore Bass Consulting on 02/29/24, representing Sheet #A3551.0010-SP1. Its title is "Hudson Bridge Townhomes; Stockbridge, GA." According to an inset box, entitled "Site Data", on the site plan, the applicant proposes to build 140 fee simple townhomes, including 101 smaller units and 39 larger units, at a density of 6.87 units per acre. The applicant would be required to designate at least 15 percent of the total site area as open space, and the applicant would substantially exceed that amount by designating about 41 percent of the site area as open space (8.37 acres of the total site area of 20.367 acres). The impervious area would be 10.0 acres, comprising 49 percent of the total site area. Forty-one (41) off-street parking spaces would be provided, which would meet the requirements. However, the required front and side yard setbacks would not be met for the requested MFR district, as is shown in the table below. The applicant has submitted a variance application to

request the reduction in the front yard setbacks of the townhome lots from the MFR District's required 50 feet to 20 feet, and to reduce the side yard setbacks (between townhome buildings) from the required 20 feet to 10 feet. The analysis of the merits of these variance requests are presented in the Staff Report for Variance Case #VR-2024-03.

Table 2--Required Versus Proposed Setbacks in the Requested MFR District

<u>MFR District Setback Requirements:</u>	<u>Proposed Setbacks:</u>	<u>Meets MFR Requirements?</u>
<u>Front Yard Setbacks – 50 feet</u>	<u>Front Yard Setbacks – 20 feet</u>	<u>No</u>
<u>Side Yard Setbacks – 20 feet</u>	<u>Side Yard Setbacks – 10 feet</u>	<u>No</u>
<u>Rear Yard Setbacks – 20 feet</u>	<u>Rear Yard Setbacks – 20 feet</u>	<u>Yes</u>

B. Site Plan Design. The submitted site plan shows that the development site would have two accesses, including the main entrance off Hudson Bridge Drive and a secondary access at Oakwood Drive to the northwest. A swimming pool, clubhouse, and guest parking would be provided near the main entrance, and a detention pond would be situated near the pool. No mail kiosk has been shown. The project entrance street would make a loop toward the rear of the property, where three other guest parking lots and an unspecified small amenity would be provided. A second detention pond would be located at the northeast rear of the property. Landscaped buffering would surround the property, although there is no indication of buffer widths. The Buffer Area Standards within Section 4.6.3A of the Stockbridge UDC requires the provision of a 25-foot zoning buffer between multifamily developments and single-family-zoned districts. Thus, this buffer should be provided along the western boundary of the property. A 50-foot undisturbed stream buffer would be designated along the eastern side of the property. No walking trails or dog parks have been indicated on the site plan.

C. Utilities Facilities. The applicant received a letter from the Henry County Water Authority, which was dated June 21, 2024, in response to the applicant's submitted application for a water and sewer availability letter. The findings and requirements of the Authority's letter are listed below, which the developer would need to comply with if RZ-2024-01 is approved.

1. Water service could be made available to the property via a water line extension.
2. Sewage treatment and sewer line capacity are available for the property, but the developer would be required to pay for an offsite sanitary sewer line extension, including the acquisition of easements, to meet the Authority's standards, and then to convey that extension to the Authority.
3. The specifications above would be effective for 365 days from the date of the letter (June 21, 2024), and any deviation in zoning that would increase the project density or usage would void the letter and require a re-evaluation.

D. Traffic Impact Study. The applicant submitted a Traffic Impact Study to the Planning & Zoning Office on June 21, 2024. It was prepared for Moore Bass Consulting, Inc. by

SEI Engineering, Inc., in collaboration with Acampora Traffic, LLC. Findings of the Study are presented in the Staff Report for RZ-2024-01. The conclusion of the Study was that the proposed development would only slightly increase traffic volumes within the vicinity of the subject property, and that no additional traffic improvements would be needed.

E. Townhome Lots, Buildings, and Designs. An inset on the applicant's site plan shows that the proposed townhome lots would have a depth of 100 feet. The smaller townhome lots would be 20 feet wide and would be located toward the rear of the property, while the larger townhome lots would be 24 feet wide and would be located at the front of the property. The requested MFR zoning district requires front yard setbacks of 50 feet, but the townhome lots drawings show distances of only 20 feet from the fronts of the buildings to the right-of-way lines. For this reason, the applicant has requested a variance to reduce the front yard setbacks to only 20 feet. The MFR district also requires a minimum spacing of 20 feet between townhome buildings, but the applicant has requested a variance to reduce the side yard setbacks of the townhome lots to 10 feet. The proposed townhome renderings from the applicant, which are shown below, indicate that the smaller townhome buildings would have one-car garages and the larger townhome buildings would have two-car garages.

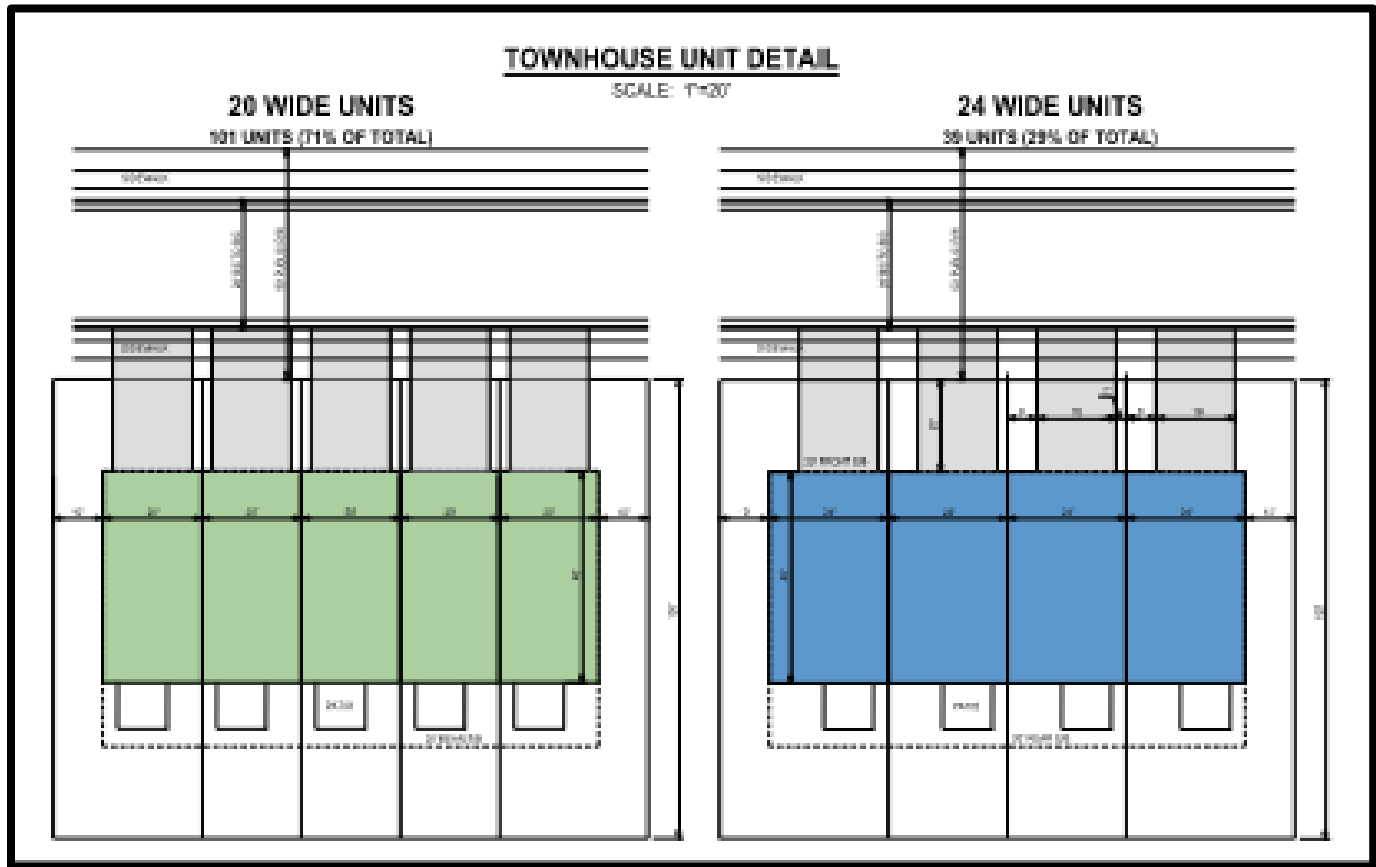
PROPOSED SITE PLAN -- FULL SHEET (View from the South)



AERIAL PHOTO OF THE VICINITY, OVERLAIN BY THE SITE PLAN



PROPOSED SITE PLAN – TOWNHOME LOT DETAILS



NOTES: All 140 townhome lots would be 100 feet deep. There would be 101 larger lots (71% of the total) and 39 smaller lots (29% of the total). The larger townhome units would be 24 feet wide and have two-car garages, while the smaller townhome units would be 20 feet wide and have one-car garages.

RENDERINGS OF PROPOSED TOWNHOME BUILDINGS

Smaller Townhome Buildings (20 Feet Wide) with One-Car Garages:



Larger Townhome Buildings (24 Feet Wide) with Two-Car Garages:



IV. ANALYSES OF VARIANCE REQUESTS

Section 10.1.3 of the Stockbridge Unified Development Code (UDE) lists the criteria which are to be considered for deciding variances. A variance may be granted only upon a finding by the Mayor and City Council that all of eight identified conditions would be met. These eight conditions will be discussed in the analysis below for each of the applicant's two requested variances.

1. Analysis of Variance Request #1. For Variance Request #1, the applicant requests that the front yard setbacks of the townhome lots be reduced from the required 50 feet in the MFR district to 20 feet.

Criterion "A"-- *Extraordinary and exceptional circumstances pertaining to the particular piece of property in question exist due its size, shape, or topography that are not found on other properties in the same zoning district.*

The subject property does have an unusual shape, and the presence of a creek, wetlands, and a steep drop-off in the southeastern corner of the property make certain areas of the property unbuildable. This limits the remaining available land on which to build, resulting in fewer units being built than would otherwise be the case. However, the applicant's application has not stated why such a large reduction in the front yard setbacks is needed for each lot—from 50 feet down to 20 feet. From the "Townhouse Detail" inset drawing on the submitted site plan, it appears that there would be only about 5 feet between the proposed 20-foot driveway setback and the sidewalk. Since standard parking spaces are 20 feet long, parked vehicles could protrude into that 5-foot area, which could be undesirable for pedestrians.

Criterion "B"— *A literal interpretation of the provisions of this unified development code would deprive the applicant of rights commonly enjoyed by owners of other properties located in the same zoning district.*

While the Stockbridge City Council has approved reductions in the front yard setbacks of the townhome lots for other properties in the MFR district, in the past five years, the City Council has not approved any variances for a front yard setback reduction down to just 20 feet. Reductions down to 25 feet have been granted only a few times. Further, an ordinance is currently pending before the Stockbridge City Council to make revisions to the MFR district regulations. Included within that ordinance is a staff recommendation that the required front yard setbacks within the MFR district be at least 30 feet. The applicant has not provided any justification for reducing the front yard setbacks to less than 30 feet.

Criterion "C"— *Granting the variance requested will not confer upon the property owner any special privileges that are denied to other owners of property in the same zoning district.*

Since the requested front-yard variance reduction would be down to only 20 feet, this would be a greater reduction than has been granted for other properties in MFR districts

in the City. The granting of Variance Request #1 would therefore cause the applicant to enjoy a special privilege, with no apparent urgent need being given to do so, in terms of the design of the proposed development.

Criterion “D”—*The variance will be consistent with the purposes and intent of this unified development code, will be compatible with uses on neighboring properties, and will serve the public welfare.*

There is no apparent reason for granting a front-yard setback reduction down to 20 feet, thus its consistency with the purposes and intent of the UDC cannot be determined. Further, such a reduction would not be compatible with the single-family neighboring properties to the west, in the Oakwood Manor Subdivision, and any potential benefits to the public welfare are unknown.

Criterion “E”—*The extraordinary circumstances are not the result of actions of the applicant.*

The physical characteristics of the subject property (the presence of a creek, floodplain areas, and steep topography) are not the result of any actions of the applicant. Their presence, though, does not automatically justify a front-yard setback variance reduction down to 20 feet.

Criterion “F”—*The variance is the minimum relief that will allow the legal use of the land, building or structure.*

Without the granting of Variance Request #1, the land could still be used for building a smaller townhome development with larger but fewer townhome lots.

Criterion “G”—*The variance is not a request to permit a use of land, buildings or structures that is prohibited in the same zoning district.*

The applicant is not requesting the granting of Variance Request #1 to allow any types of uses on the existing vacant land that are prohibited within the applicant’s requested MFR zoning district.

2. Analysis of Variance Request #2. For Variance Request #2, the applicant requests that the side yard setbacks of the townhome lots be reduced from the required 15 feet to 10 feet.

Criterion “A”—*Extraordinary and exceptional circumstances pertaining to the particular piece of property in question exist due its size, shape, or topography that are not found on other properties in the same zoning district.*

The subject property does have an unusual shape, and the presence of a creek, wetlands, and a steep drop-off in the southeastern corner of the property make certain areas of the

property unbuildable. This limits the remaining available land on which to build, resulting in fewer units being built than would otherwise be the case. However, the applicant's application has not stated why the reduction in the side-yard setbacks would be needed. Presumably, it would just be to allow more townhome units to be built on the property.

Criterion "B"— *A literal interpretation of the provisions of this unified development code would deprive the applicant of rights commonly enjoyed by owners of other properties located in the same zoning district.*

Within the past five years, the Stockbridge City Council has approved reductions in the side yard setbacks of townhome lots for other properties in the MFR district. However, the applicant has not demonstrated why any side-yard setback reductions are needed in designing the proposed development.

Criterion "C"— *Granting the variance requested will not confer upon the property owner any special privileges that are denied to other owners of property in the same zoning district.*

The granting of Variance Request #2 may not be viewed as a special privilege, compared to owners of other properties within the MFR zoning district, since other property owners have been granted similar variance requests.

Criterion "D"— *The variance will be consistent with the purposes and intent of this unified development code, will be compatible with uses on neighboring properties, and will serve the public welfare.*

There is no apparent reason for granting a side-yard setback reduction down to 10 feet from the required 15 feet, thus its consistency with the purposes and intent of the UDC cannot be determined. However, this reduction of only 5 feet would not be significant, and no potential detriments to the public welfare have been identified.

Criterion "E"— *The extraordinary circumstances are not the result of actions of the applicant.*

The physical characteristics of the subject property (the presence of a creek, floodplain areas, and steep topography) are not the result of any actions of the applicant. Their presence, though, does not automatically justify a side-yard setback variance reduction down to 10 feet. However, no apparent harm in doing so has been identified.

Criterion "F"— *The variance is the minimum relief that will allow the legal use of the land, building or structure.*

Without the granting of Variance Request #2, the land could still be used for building a smaller townhome development with larger but fewer townhome lots.

Criterion “G”-- *The variance is not a request to permit a use of land, buildings or structures that is prohibited in the same zoning district.*

The applicant is not requesting the granting of Variance Request #2 to allow any types of uses on the existing vacant land that are prohibited within the applicant’s requested MFR zoning district.

V. CONCLUSIONS

The applicant has cited a general need for setback reductions on the subject property due to the unusual shape of the property, as well as the presence of a creek, floodplains, and steep topography. The granting of the two requested variances would presumably allow a greater number of townhomes to be built on the property. But the specific justifications for the requested variances, in terms of designing the site plan, have not been given. For Variance Request #1, the applicant is requesting a greater front-yard setback reduction (down to only 20 feet) than has been granted to any other MFR district applicants within the past five years. For Variance Request #2, the requested side-yard setback reduction would not be significant, and although no specific justification has been given by the applicant for doing so, no evident harm in granting this request has been identified, either.

VI. RECOMMENDATIONS

1. **For Variance Request #1,** the Planning & Zoning Staff makes two recommendations, as follows:
 - a. The **denial** of the applicant’s request to reduce the front yard setbacks of the townhome lots from the required 50 feet down to only 20 feet in the MFR zoning district.
 - b. The **approval** of a reduction in the front yard setbacks of the townhome lots to 30 feet.
2. **For Variance Request #2,** the Planning & Zoning Staff recommends the **approval** of this request to reduce the side yard setbacks from the required 15 feet to 10 feet for the proposed townhome lots.



City of Stockbridge

AGENDA ITEM

MEETING DATE

OCTOBER 14, 2024

FUNDING SOURCE

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

- ☐ GENERAL FUND
- ☐ FUND BALANCE
- ☐ SPLOST or TSPLOST
- ☐ ARPA
- ☐ GRANT
- ☐ HOTEL/MOTEL TOURISM
- ☐ COUNCIL INITIATIVE
- ☐ PARTNER/SPONSOR
- ☐ DEPARTMENT FUND BALANCE
- ☐ BONDING

ACCOUNT TRANSFER FROM:

ACCOUNT TRANSFER TO:

PRESENTER:

Community Development Staff

DEPARTMENT:

Community Development

ITEM/PROJECT/EVENT:

VARIANCE CASE #VR-2024-03: Variance Request #2. To consider a request to reduce the required side yard setbacks of proposed townhome lots from the required 15 feet to 10 feet as part of a townhome development containing 140 units on 20.37 +/- acres. The applicant is Lennar Georgia, LLC.

BACKGROUND INFORMATION:

The applicant has also applied for Comp. Plan Amend. Case #CP-2024-01, Rezoning Case #RZ-2024-01, & Variance Case #VR-2024-03: Variance Request #1 (reduction in the front yard setbacks). Board Actions: Staff Recommendation--Approval. Planning Commission Recommendation on 05/16/24--N/A; application not yet submitted. City Council Action on 06/10/24--N/A; application not yet submitted. Planning Commission Recommendation on 08/15/24--Automatic denial since CP-2024-01 was denied. City Council Action on 09/09/24--Deferral, per the applicant's request.

APPROVALS: CITY MANAGER _____

CITY TREASURER _____

CITY ATTORNEY _____

GRANTS ADMIN. _____

☐ FINANCIAL IMPACT ☐ N/A

AMOUNT \$

ATTACHMENTS:

☐

ITEM/PROJECT/EVENT:

VARIANCE CASE #VR-2024-03: Variance Request #1.

BACKGROUND INFORMATION:

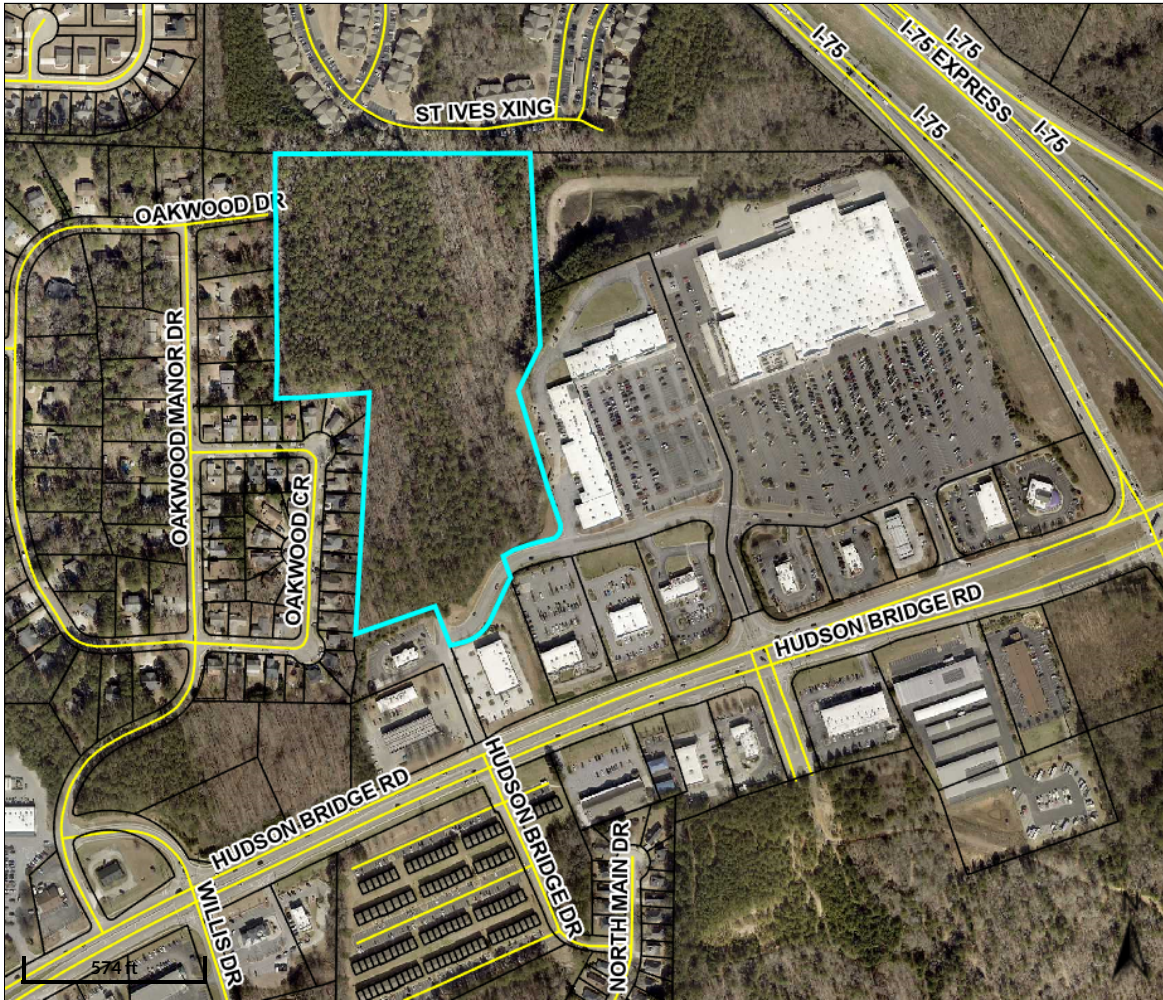
STAFF RECOMMENDATION:

DENIAL OF FRONT YARD SETBACK REDUCTION TO 20 FEET, BUT APPROVAL FOR 30 FEET.

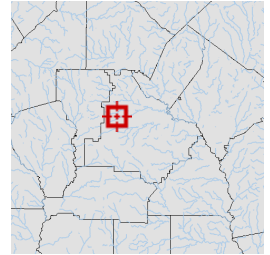
Staff Signature_____



Henry County, GA



Overview



Legend

- Parcels
- Roads

Parcel ID	032-01026000	Class	C	Owner	MOUNT ZION	Land	\$1.12019e+006				
Property		Acreage	20.367	Address	48 LLC	Value:					
Address					1 WOODY	Building	\$0	Last 2 Sales			
District	City/Stockbridge				TRAIL	Value:		Date	Price	Reason	Qual
					MABLETON	Misc	\$0	4/29/2022	\$556,000	OTHER	U
					GA 30126	Value:		11/1/2010	\$0	CORPORATE	U
						Total	\$1120185				
						Value:					

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

Date created: 4/23/2024

Last Data Uploaded: 4/22/2024 9:15:03 PM

Developed by Schneider
GEOSPATIAL

Presentations for CP- 2024-01, RZ-2024- 01, VR-2024-03

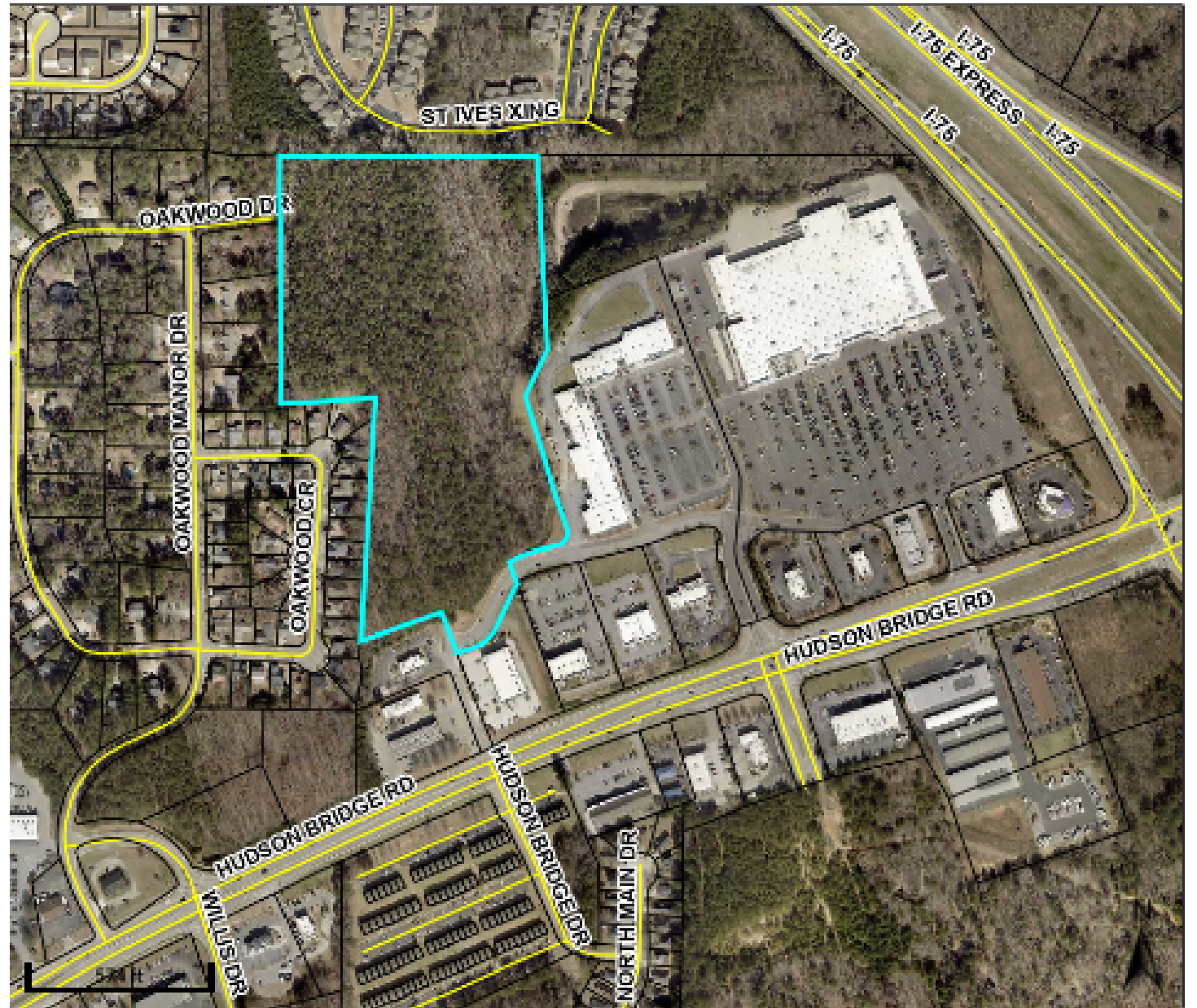
Mayor and Council: September 9, 2024



Case Facts

- Applicant: Lennar Georgia, c/o Battle Law, P.C.
- Owner: Mount Zion 48, LLC.
- Number of Proposed Units Per Acre: 6.87 units per acre
- Address of Property: Hudson Bridge Drive
- Number of Acres: 20.367 acres
- Project Characteristics: Vacant land; mostly wooded. The eastern portion of site contains steep topography, wetlands with a 25-foot state buffer, a 50-foot stream buffer, and a 75-foot impervious setback as part of a nearby stream. Site includes a portion of Hudson Bridge Drive, which was granted an easement.
- Current Future Land Use Designation: Medium-Density Mixed-Use.
- Current Zoning of Property: C-2 (General Commercial)
- Sign Posting: July 16, 2024

AERIAL PHOTO OF SUBJECT PROPERTY





Aerial Photo with Site Plan

STREET
VIEW OF
SOUTHWEST
CORNER OF
SITE



STREET VIEW
OF SITE
TOWARD
SOUTHEAST
CORNER

SITE

TO WALMART



PROPERTY AND ZONING HISTORY



Walmart Master Development Plan and DRI

The subject property was originally a part of a Master Development Plan (Centre @ Stockbridge) with a Wal-Mart Supercenter as a mixed-used development for a total of 70.16 acres. The entire property was annexed by the City of Stockbridge in 2002. The subject site as a part of the Master Plan was described as "Tract 2." Tracts 1 and 2 were annexed as C-2 (Commercial – Medium Density) and C-3 (Heavy Commercial). Tracts 1 and 2 were further subdivided on February 4, 2004, creating a "new" Tract 2 as a part of the Walmart Development. The original Tract 2 would become a "stand-alone" parcel for future development. The Master Development Plan initially allowed the subject site to have access from Hudson Bridge Road, but outparcels were later created, and this removed the site's access to Hudson Bridge Road. A Development of Regional Impact Analysis (DRI #481) was completed on the Master Development Plan, including the subject site, on November 21, 2003, and a Development Agreement was also prepared. Per the DRI for the entire Plan area, "The site shall be mixed-use and contain a minimum of 200 residential units and a maximum of 343,500 square feet of commercial/office/retail space." However, DRI officials have stated that DRI conditions have no effect after ten years.

Wolverton & Associates of Duluth, Georgia created a series of drawings on February 26, 2013 as part of a Final Subdivision Plat for Broad Street Stockbridge II, LLC. It showed that the subject property was split into two Tracts, with Tract 1 representing the current boundaries of the site and Tract 2 being cut off from the site. This resulted the Tract 1 (the current site) losing its access from Hudson Bridge Drive. However, ten easements were created along and adjacent to Hudson Bridge Drive, including an easement to allow a portion of Hudson Bridge Drive which is a private street, and which is actually contained within the boundaries of the subject site, to be used by the public for access to the surrounding commercial properties. The fact that this portion of Hudson Bridge Drive is located within the site boundaries is confirmed today by the aerial photo of the site from the Henry County Tax Assessors' records.



Wolverton & Associates
 Consulting Engineers • Land Surveyors
 6160 Peachtree Industrial Blvd., Suite 200
 Atlanta, Georgia 30328
 Phone: (770) 771-0000 • Fax: (770) 771-0001
www.wolverton-associates.com

FINAL SUBDIVISION PLAT FOR:

BROAD STREET STOCKBRIDGE II

LAND LOT 21 OF THE 6TH DISTRICT

CITY OF STOCKBRIDGE

HENRY COUNTY, GEORGIA

REVISIONS	BY
ADDRESS: COUNTY COMMENTS : 04/24/2012	KBW
ADDRESS: COUNTY COMMENTS : 05/15/2012	KBW
DRAWN BY: KBW	
CHECKED BY: MGH	
DATE: 02/26/2013	
SCALE: 1"= 100'	
JOB NO.: 13-602	
SHEET NUMBER	

1

PROPOSED DEVELOPMENT INFORMATION



Development Information

- **Project Size:** The applicant has submitted a site plan which was prepared by Moore Bass Consulting on 02/29/24, representing Sheet #A3551.0010-SP1. Its title is “Hudson Bridge Townhomes; Stockbridge, GA.” According to an inset box, entitled “Site Data”, on the site plan, the applicant proposes to build 140 fee simple townhomes, including 101 smaller units and 39 larger units, at a density of 6.87 units per acre. The applicant would be required to designate at least 15 percent of the total site area as open space, and the applicant would substantially exceed that amount by designating about 41 percent of the site area as open space (8.37 acres of the total site area of 20.367 acres). The impervious area would be 10.0 acres, comprising 49 percent of the total site area. Forty-one (41) off-street parking spaces would be provided, which would meet the requirements. However, the required front and side yard setbacks would not be met for the requested MFR district, as is shown in the table below. The applicant has submitted a variance application to request the reduction in the front yard setbacks of the townhome lots from the MFR District’s required 50 feet to 20 feet, and to reduce the side yard setbacks (between townhome buildings) from the required 20 feet to 10 feet. The analysis of the merits of these variance requests are presented in the Staff Report for Variance Case #VR-2024-03.
- **Site Plan Design:** The submitted site plan shows that the development site would have two accesses, including the main entrance off Hudson Bridge Drive and a secondary access at Oakwood Drive to the northwest. A swimming pool, clubhouse, and guest parking would be provided near the main entrance, and a detention pond would be situated near the pool. No mail kiosk has been shown. The project entrance street would make a loop toward the rear of the property, where three other guest parking lots and an unspecified small amenity would be provided. A second detention pond would be located at the northeast rear of the property. Landscaped buffering would surround the property, although there is no indication of buffer widths. The Buffer Area Standards within Section 4.6.3A of the Stockbridge UDC requires the provision of a 25-foot zoning buffer between multifamily developments and single-family-zoned districts. Thus, this buffer should be provided along the western boundary of the property. A 50-foot undisturbed stream buffer would be designated along the eastern side of the property. No walking trails or dog parks have been indicated on the site plan.
- **Utilities Facilities:** The applicant received a letter from the Henry County Water Authority, which was dated June 21, 2024, in response to the applicant’s submitted application for a water and sewer availability letter. The findings and requirements of the Authority’s letter are listed below, which the developer would need to comply with if RZ-2024-01 is approved.
 1. Water service could be made available to the property via a water line extension.
 2. Sewage treatment and sewer line capacity are available for the property, but the developer would be required to pay for an offsite sanitary sewer line extension, including the acquisition of easements, to meet the Authority’s standards, and then to convey that extension to the Authority.
 3. The specifications above would be effective for 365 days from the date of the letter (June 21, 2024), and any deviation in zoning that would increase the project density or usage would void the letter and require a re-evaluation.

Development Information (cont.)

- **Traffic Impact Study:** The applicant submitted a Traffic Impact Study to the Planning & Zoning Office on June 21, 2024. It was prepared for Moore Bass Consulting, Inc. by SEI Engineering, Inc., in collaboration with Acampora Traffic, LLC. The study evaluated existing traffic conditions within the vicinity of the subject property, used a standard growth factor to make projections on future traffic conditions in the vicinity if the proposed development does not occur (the “no-build” scenario). After that, the study made traffic projections based on anticipated future traffic conditions plus the expected addition of new traffic from the proposed townhome development, and also considering the effects of the completion of various planned road improvements to be made by Georgia DOT in the vicinity. Traffic counts were collected at five intersections near the subject property on May 30, 2024, when area schools were in recess. The counts were taken during the morning (7-9 AM) and afternoon (4-6 PM) peak hours. The study stated that acceptable traffic conditions were found at all of the traffic count locations. In the no-build scenario, most of the intersections that were studied appeared to operate in a satisfactory manner, except for the afternoon peak hour for the intersection of Hudson Bridge Drive at Hudson Bridge Road, as well as Hudson Bridge Road at Flippen Road, which would both operate at Level of Service E. This situation could be improved by adding a second westbound turn lane toward Flippen Road. Additional roadway pavement is already available for such purpose, so it only needs to be restriped (in conjunction with alterations to the timing of the traffic signal at the intersection of Hudson Bridge Road and Flippen Road). The study recommended that this improvement take place whether or not the proposed townhomes are built. The Traffic Impact Study projected that the proposed 140 townhomes on the subject property would generate 1,016 trips per weekday, including 67 trips during the morning peak hour and 80 trips during the afternoon peak hour. These data are presented in the table below, with a further breakdown of the numbers of AM and PM trips being generated going in and out of the proposed development. Future traffic operations in the vicinity, with the addition of trips from the proposed townhome development, would have “a slight deterioration in operations at each study intersection.” As with the no-build scenario, the intersections of Hudson Bridge Drive with Flippen Road and with Hudson Bridge Drive would operate at Level of Service E during the PM peak hour if the townhomes are built. But since the Hudson Bridge Road/Hudson Bridge Drive Intersection features a side street which would operate poorly only for the southbound direction during the PM peak hour, the Study did not recommend that any traffic improvements be made, especially since drivers at that intersection would have the option of travelling to the traffic signal at the Hudson Bridge Road / Western Parallel Connector Intersection to make turns. The addition of a westbound left-turn lane from Hudson Bridge Road to Flippen Road was recommended, whether or not the townhomes are developed.

Development Information (cont.)

- **Townhome Lots, Buildings, and Designs:** An inset on the applicant's site plan shows that the proposed townhome lots would have a depth of 100 feet. The smaller townhome lots would be 20 feet wide and would be located toward the rear of the property, while the larger townhome lots would be 24 feet wide and would be located at the front of the property. The requested MFR zoning district requires front yard setbacks of 50 feet, but the townhome lots drawings show distances of only 20 feet from the fronts of the buildings to the right-of-way lines. For this reason, the applicant has requested a variance to reduce the front yard setbacks to only 20 feet. The MFR district also requires a minimum spacing of 20 feet between townhome buildings, but the applicant has requested a variance to reduce the side yard setbacks of the townhome lots to 10 feet. The proposed townhome renderings from the applicant, which are shown below, indicate that the smaller townhome buildings would have one-car garages and the larger townhome buildings would have two-car garages.

VACUITY MAP (see 11 sheet)

PROJECT INFORMATION

PROJECT NO. 100-100-100-100
 100-100-100-100
 100-100-100-100

PROJECT LOCATION

100-100-100-100
 100-100-100-100
 100-100-100-100

PROJECT SCALE

100-100-100-100
 100-100-100-100
 100-100-100-100

PROJECT DATE

100-100-100-100
 100-100-100-100
 100-100-100-100

PROJECT OWNER

100-100-100-100
 100-100-100-100
 100-100-100-100

PROJECT ARCHITECT

100-100-100-100
 100-100-100-100
 100-100-100-100

PROJECT ENGINEER

100-100-100-100
 100-100-100-100
 100-100-100-100

PROJECT LANDSCAPE ARCHITECT

100-100-100-100
 100-100-100-100
 100-100-100-100

PROJECT CIVIL ENGINEER

100-100-100-100
 100-100-100-100
 100-100-100-100

PROJECT ELECTRICAL ENGINEER

100-100-100-100
 100-100-100-100
 100-100-100-100

PROJECT MECHANICAL ENGINEER

100-100-100-100
 100-100-100-100
 100-100-100-100

PROJECT STRUCTURAL ENGINEER

100-100-100-100
 100-100-100-100
 100-100-100-100

PROJECT ENVIRONMENTAL ENGINEER

100-100-100-100
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PROJECT INTERIOR ARCHITECT

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PROJECT FURNITURE DESIGNER

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PROJECT FURNITURE INSTALLATION

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PROJECT ELECTRICAL

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Smaller
Townhome
Buildings (20
Feet Wide)
with One-Car
Garages:

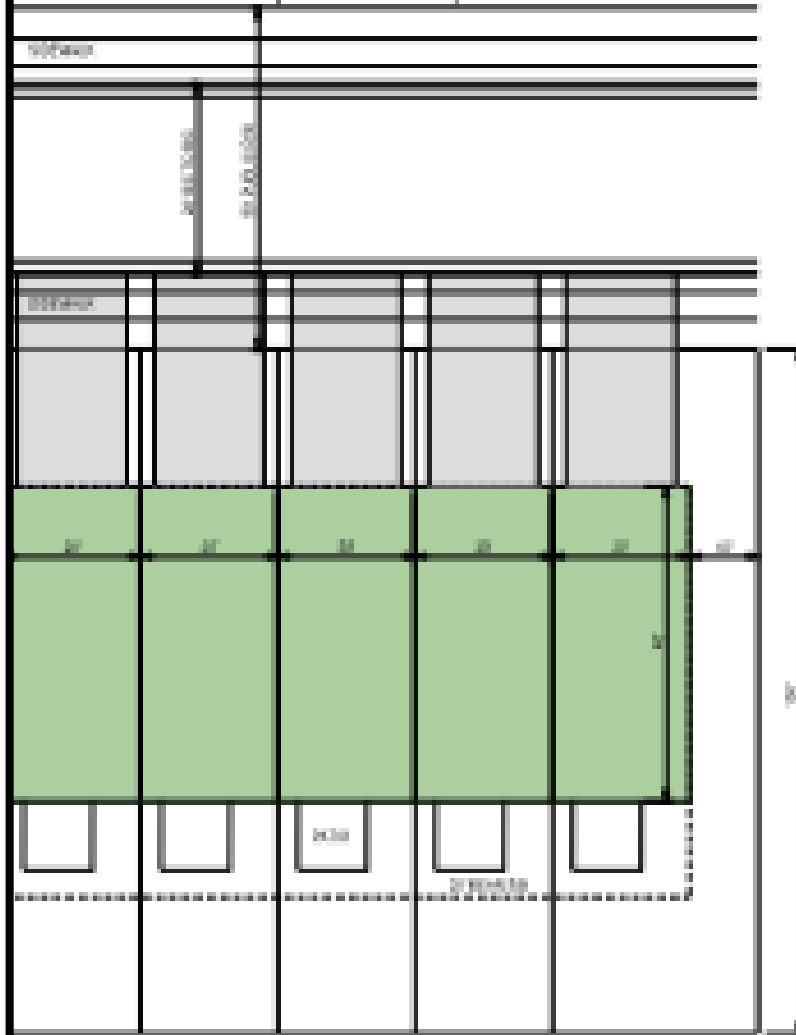


Larger
Townhome
Buildings (24
Feet Wide)
with Two-Car
Garages:

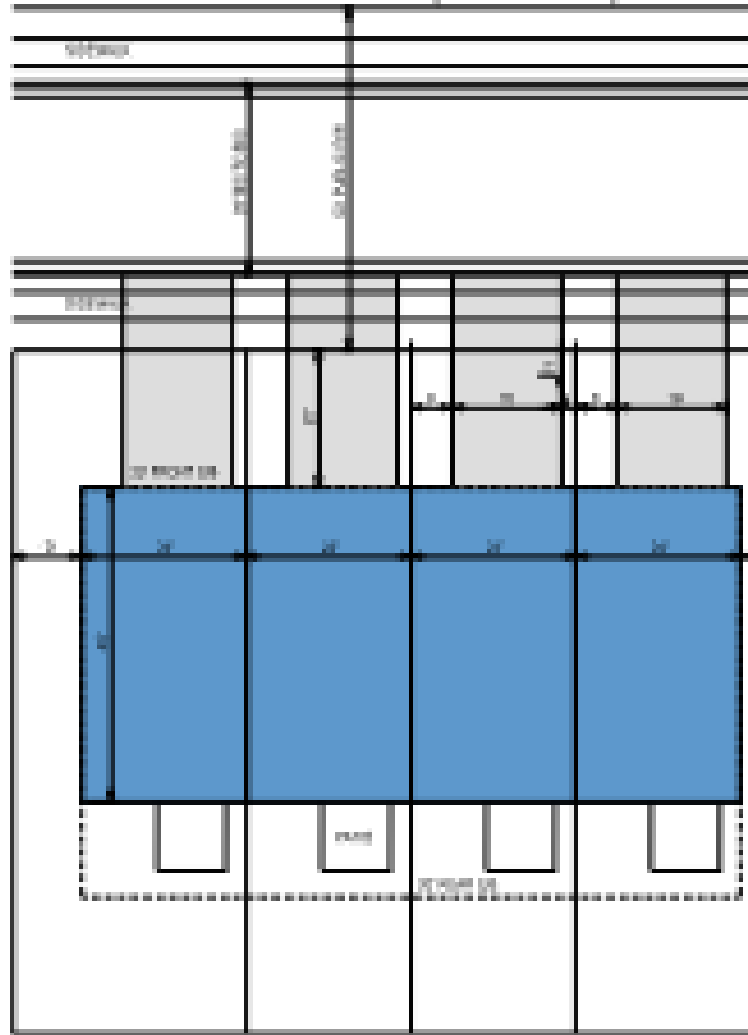


SCALE 1-50

701 UNITS (71% OF TOTAL)



30 UNITS (20% OF TOTAL)



- All 140 townhome lots would be 100 feet deep. There would be 101 larger lots (71% of the total) and 39 smaller lots (29% of the total). The larger townhome units would be 24 feet wide and have two-car garages, while the smaller townhome units would be 20 feet wide and have one-car garages.

Presentation for CP-2024- 01



MEDIUM-DENSITY RESIDENTIAL (4-7.99 UNITS/ACRE)

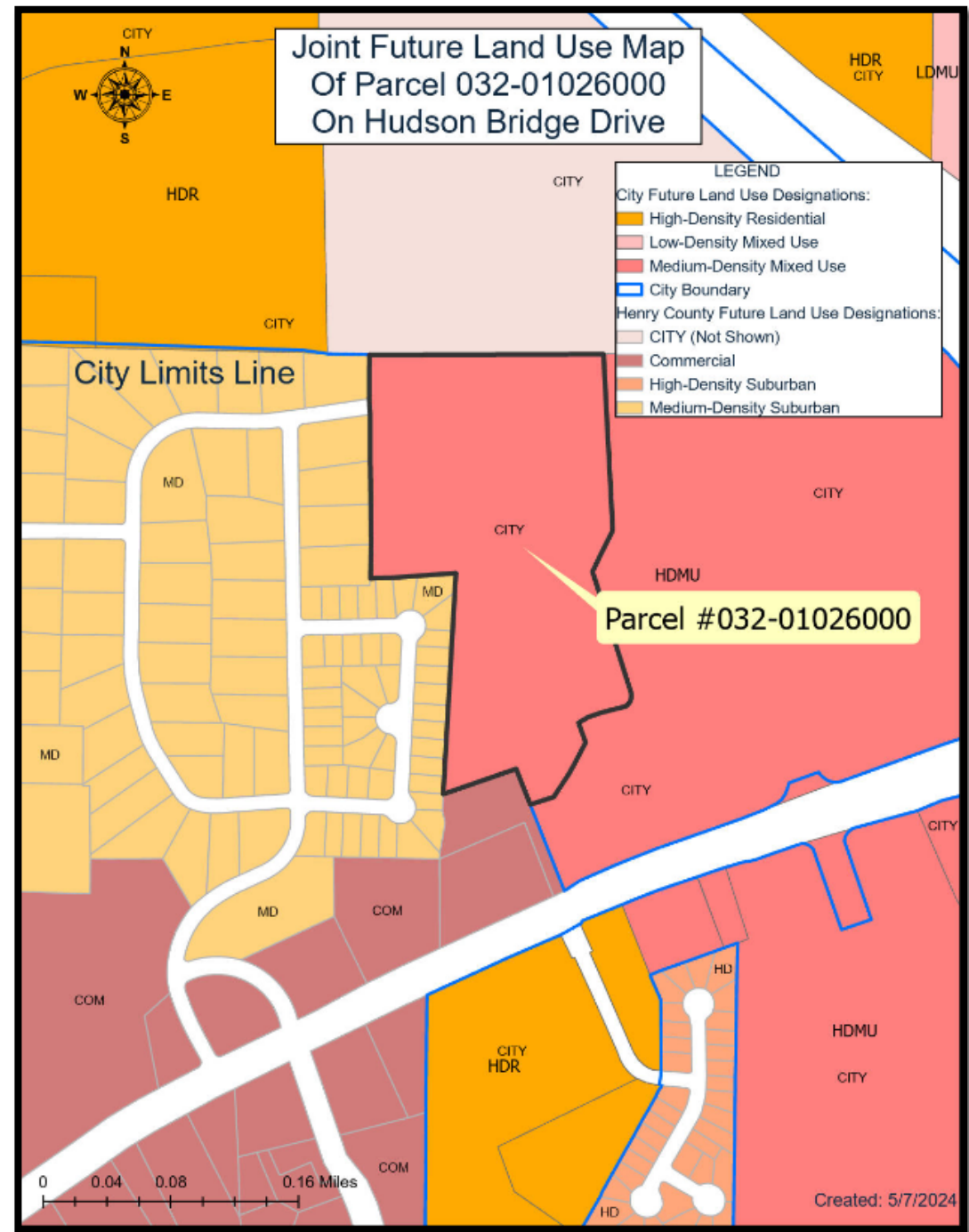
This designation is intended for residential developments which include single-family, detached homes on lots ranging from 10,000 – 30,000 square feet, including parcels zoned for single family attached and detached homes, as well as duplex residential developments and mobile home/manufactured home developments.

Applicant's Request

The applicant requests a Comprehensive Plan Amendment to change the subject property's future land use designation from Medium-Density Mixed-Use to Medium-Density Residential to allow for the construction of a 140-unit townhome development. The current land use designation of Medium-Density Mixed-Use is incompatible with the applicant's requested rezoning of the property to MFR (Multiple-Family Residential).

The current land use designation of Medium-Density Mixed-Use is incompatible with the applicant's requested rezoning of the property to MFR (Multiple-Family Residential).

2024 CITY OF STOCKBRIDGE FUTURE LAND USE MAP



SURROUNDING LAND USE DESIGNATION

Location	Existing Land Use	Existing Future Land Use Designation
Property to the North	St. Ives Apartments St. Margrit Subdivision	High Density Residential
Property to the South	Commercial uses fronting onto Hudson Bridge Road, including J & J Liquor and Western Union. Hudson Bridge Townhomes	Medium Density Mixed Use; High Density Residential
Property to the East	Adjacent shopping center	Medium Density Mixed Use
Property to the West	Oakwood Village Subdivision Oakwood Manor Subdivision	Medium-Density Residential (Henry County Future Land Use Map) Medium-Density Residential (Henry County Future Land Use Map)

SURROUNDING LAND USE DENSITIES

Name of Subdivision	Units	Estimate Density Per Acres
St. Ives Apartments	19	1 unit per acre
St. Margrit Subdivision	54	3 units per acre
Hudson Bridge Townhomes	13	1 unit per acre
Oakwood Village Subdivision	45	4.5 units per acre
Oakwood Manor	41	1 unit per acre
Lennar Georgia, LLC.	140	6.87 units per acre

Staff Analysis (Section 9.2.7 of The Unified Development Code)

1. **Consistency with the Comprehensive Plan:** The 2024-2028 Five-Year Update to the Stockbridge Comprehensive Plan calls for the development of additional housing in the City, and the proposed townhome development would help to meet that need. The companion Future Land Use Map shows a future land use designation for the subject property of “Medium-Density Mixed-Use”, which is intended for commercial areas or mixed-use developments containing mostly commercial uses. But since the applicant only proposes to include residential uses, the current land use designation of Medium-Density Mixed-Use would not be consistent with the Comprehensive Plan. The applicant has therefore requested a Comprehensive Plan amendment, via Case #CP-2024-01, to change the property’s future land use designation to Medium-Density Residential for an exclusive residential development, which allows densities of 4 to 7.99 units per acre. This would include the applicant’s proposed density of 6.87 units per acre.
2. **Relation to the Zoning of the Property:** Although the applicant’s requested MFR zoning would be consistent with the property’s current Medium-Density Mixed-Use future land use designation, a change to Medium-Density Residential would be more appropriate since the proposed development would only contain a residential use and no commercial uses. Further, the Medium-Density Residential specifies a density range of 4 to 7.99 units per acre, which would be appropriate for the proposed development’s density of 6.87 units per acre.
3. **Suitability of the Site’s Location:** The proposed ‘Medium-Density Residential’ future land use designation would be compatible with the adjacent Medium-Density Residential designation of the Oakwood Manor Subdivision to the west. Furthermore, the requested MFR rezoning of the property, which calls for multifamily uses, would be compatible with the Oakwood Manor Subdivision’s Henry County zoning of ‘RM’ (Residential Multifamily).
4. **Maintaining the Current Land Use Designation:** Due to the location of the subject property adjacent to major commercial uses along a major commercial corridor, as well as the large size of the property, it is unlikely that the types of uses that are intended for areas having the Medium-Density Mixed-Use designation would be developed on this property. Those uses include “two to three story buildings, combining street-level commercial/retail/office uses with second and third stories accommodating office or lofts/apartments/condominiums.”

Staff Recommendation

This Staff Report has demonstrated that the requested Comprehensive Plan Amendment for Parcel #032-01026000 on the north side of Hudson Bridge Drive, via CP-2024-01, would be necessary and desirable for the subject property, in conjunction with the requested rezoning of the property to MFR via RZ-2024-01, to allow for the proposed townhome development. Therefore, the Planning and Zoning staff recommends the APPROVAL of CP-2024-01.

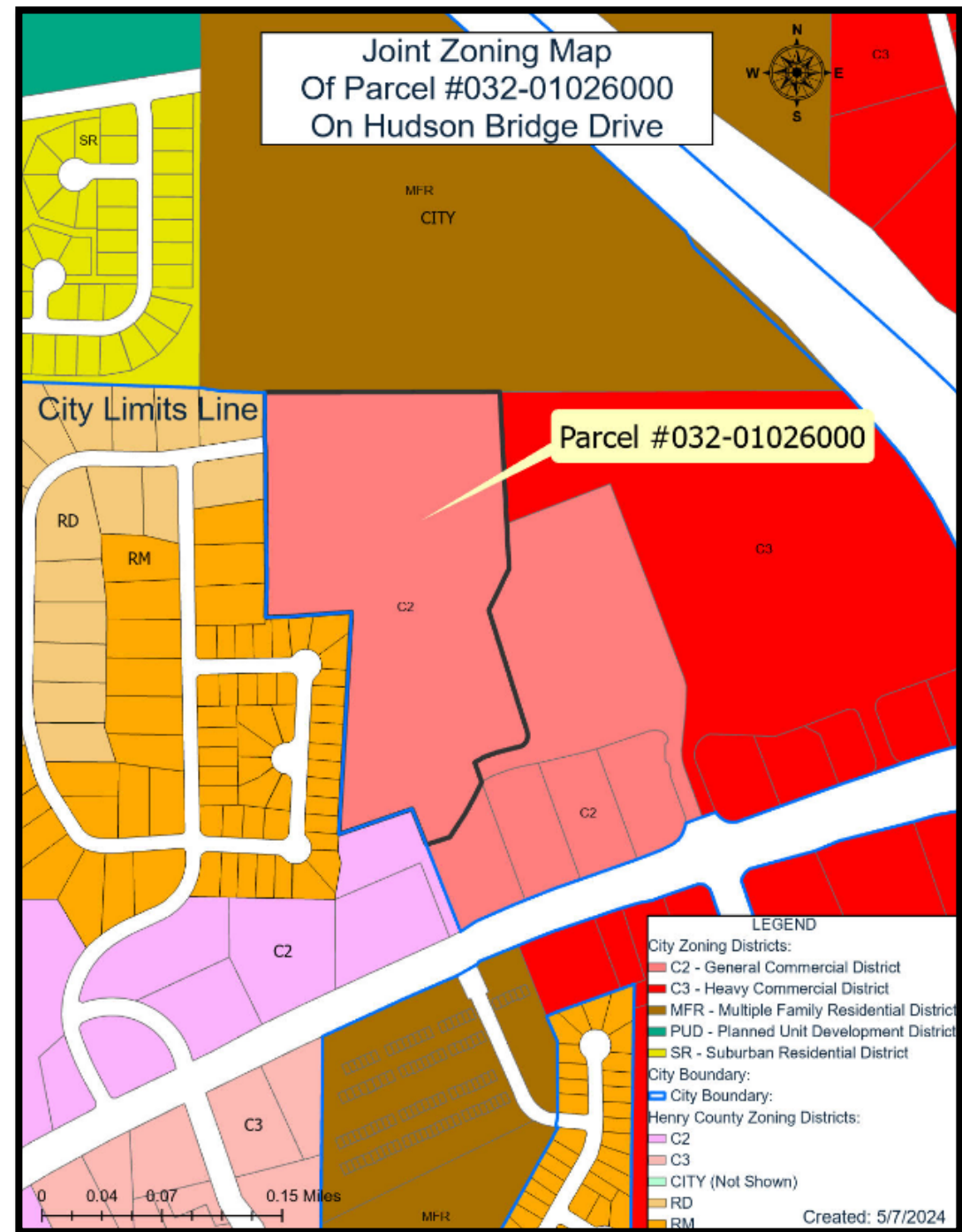
Presentation for RZ-2024-01



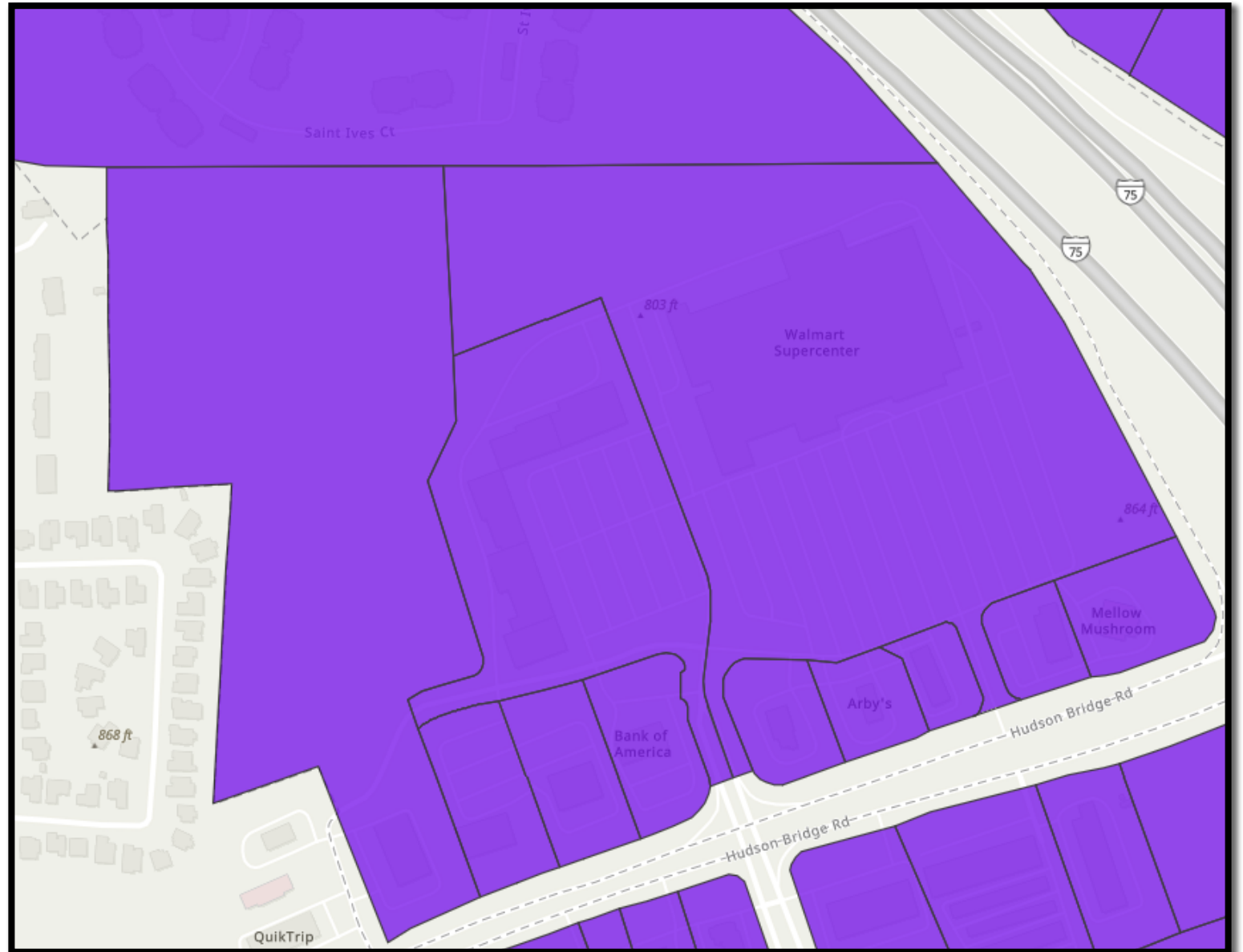
Applicant's Request

Rezone from 'C-2' (General Commercial) to 'MFR' (Multiple Family Residential) to allow for the development of a townhome community with 140 units.

2024 CITY OF STOCKBRIDGE ZONING MAP



PARKWAY MIXED-USE OVERLAY DISTRICT MAP



Staff Analysis (Section 9.2.1 C of The Unified Development Code)

1. **Consistency with the Comprehensive Plan:** The 2024-2028 Five-Year Update to the Stockbridge Comprehensive Plan calls for the development of additional housing in the City, and the proposed townhome development would help to meet that need. The companion Future Land Use Map shows a future land use designation for the subject property of “Medium-Density Mixed-Use”, to include both residential and commercial uses. But since the applicant only proposes to include residential uses, the applicant has requested a Comprehensive Plan amendment application, comprising Case #CP-2024-01, to change the property’s future land use designation to Medium-Density Residential, which allows densities of 4 to 7.99 units per acre, which includes the applicant’s proposed density of 6.87 units per acre. The consistency of the proposed development with the Comprehensive Plan is further discussed within the staff report for CP-2024-01.
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 Unified Development Code (UDC):** The rezoning of the subject property to the requested ‘MFR’ (Multiple Family Residential) district is necessary because the proposed townhome development is not permissible under the property’s existing C-2 zoning. The MFR district permits townhome development, as does the PMU (Parkway Mixed-Use Overlay District), wherein the property lies. Although the intent of the MFR district is for new developments to be located on streets having a classification of ‘collector’ or higher, and Hudson Bridge Drive is only a local street, the property is located in close proximity to Hudson Bridge Road, an arterial road with a signalized intersection near the property. Further, the subject property is part of the Walmart Master Plan area, and the property originally extended to Hudson Bridge Road but was later subdivided into two tracts, thereby removing its direct access to Hudson Bridge Road.
3. **Potential positive effects of the rezoning amendment on the character of the proposed zoning district, a particular piece of property, neighborhood, a particular area, or community:** The subject property has remained vacant even after the Walmart Master Development Plan was prepared in 2003. A restrictive covenant was imposed by the Baptist Retirement Communities of Georgia on the subject property to prohibit the development of retail uses. Yet, even after its expiration in 2008, no retail development has taken place on the site, despite its permissible C-2 zoning. This suggests that the immediate vicinity may have already reached its saturation point for retail uses. Although the C-2 district also allows other types of non-retail commercial uses, many of them are not permitted in the PMU district. Further, even if they were allowed, such uses most likely would need to have direct frontage onto Hudson Bridge Road to attract customer traffic, which the subject site does not offer. Existing commercial uses to the south and east of the site would have access to potential new customers from the proposed townhome development, thereby increasing their business revenues. In addition, the new townhome residents would have convenient access to the adjacent commercial uses within the Walmart and Centre@ Stockbridge Shopping Center.
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 eastern portion of the subject site contains steep topography, wetlands with a 25-foot state buffer, a 50-foot stream buffer, and a 75-foot impervious setback as part of a nearby stream. The developer should take appropriate steps to protect this environmentally-sensitive area, and to facilitate drainage.

Staff Analysis (Section 9.2.1 C of The Unified Development Code)

5. **The impacts of the proposed development upon adjacent property owners, should the request be granted:** To protect the residents of the existing Oakwood Manor Subdivision to the west, the secondary access that is shown at the northwest corner of the site, onto Oakwood Drive, it is recommended that the secondary access be designated for emergency access only, with a locked gate. To meet the requirements of the Buffer Area Standards in Section 4.6.3 of the UDC, a 25-foot-wide zoning buffer should be provided along the western property line, plus a fence and tall trees. The proposed development is likely to be a positive impact on the adjacent commercial businesses, whereby the new townhome residents could represent new customers at those businesses, thereby bringing additional revenues to the businesses.
6. **The potential impact of the rezoning on City infrastructure, including the water and sewage system:** The applicant obtained a letter from the Henry County Water Authority, which was dated June 21, 2024. While water service could be made available with a water line extension, the developer would need to pay for an offsite sanitary sewer line extension, including the acquisition of easements, and then convey that extension to the Authority. Further, if any zoning or site plan changes occurred within 365 days of the date of the letter, then the specifications of the letter would be void and a re-evaluation would be required. The developer would therefore need to meet the stated requirements upon any approval of the rezoning of the subject property.

Staff Analysis (Section 9.2.1 C of The Unified Development Code)

7. **The impact of the proposed amendment on adjacent thoroughfares and pedestrian and vehicular circulation and traffic volumes:** The submitted site plan shows that the proposed development would have two accesses. The main access would be via Hudson Bridge Drive at the southern end of the property, which is an internal, private street supporting the Walmart and Centre@Stockbridge Shopping Center. Several easements were previously created to facilitate the site’s access from the existing traffic signal at Hudson Bridge Road. The Development Agreement governing Tract 1 (Walmart development) stated that the City acknowledged that the use of the created easement along Hudson Bridge Drive for access into the subject site could also serve as the means for access to Hudson Bridge Road. Traffic from the site would be able to utilize two nearby traffic signals on Hudson Bridge Road. The closest one is located at Hudson Bridge Drive, adjacent to the existing QuikTrip store and Taco Bell restaurant; and the second one is located at the Walmart driveway entrance. The two traffic signals would facilitate turning movements. A paved sidewalk is present along Hudson Bridge Drive, which would facilitate pedestrian travel to the surrounding retail stores. The submitted site plan also shows the provision of a secondary access to the northwest, to connect with Oakwood Drive. However, to prevent any adverse traffic impacts on the adjacent Oakwood Manor Subdivision, this should be designated as an emergency access only, with a gate. The applicant submitted a Traffic Impact Study, which was prepared on June 20, 2024. Traffic counts were taken on May 30, 2024 at five nearby intersections, when area schools were in recess. The findings of the Study indicated that traffic conditions are acceptable at most of the intersections, and that they would only have a “slight deterioration” if the proposed townhomes were constructed on the subject property. Although the Hudson Bridge Drive/Flippen Road Intersection would operate at Level of Service E, with or without the townhomes, this could be improved if an additional westbound, left-turn lane were to be provided in the westbound approach to the intersection. Extra pavement is already available for this improvement, and it only needs to be restriped, along with modifications begin made to the signal timing at that intersection. While southbound traffic from the proposed development would incur substantial delays on Hudson Bridge Drive during the afternoon peak hour, drivers could lessen their delays by instead using the traffic signal at the Hudson Bridge Drive/Western Parallel Connector. The Study therefore did not recommend that any other traffic improvements be made.

AM Peak, Going In	AM Peak, Going Out	AM Peak, Total	PM Peak, Going In	PM Peak, Going Out	PM Peak, Total	24- Hour 2-Way Total
17	50	67	47	33	80	1,016

Staff Analysis (Section 9.2.1 C of The Unified Development Code)

8. The merits of the requested change in zoning relative to any other guidelines and policies for development, which the Planning Commission and City Council may use in furthering the objective of the comprehensive plan: The Walmart Master Plan called for a multifamily development containing at least 200 units, but the proposed development would have only 140 units. Townhomes would be an appropriate usage of the property in serving as a transition between the lower-density single-family residential subdivision to the west and the adjacent retail uses to the east. Further, the proposed MFR district would be compatible with the RM Henry County zoning which exists on about half of the acreage of the adjacent Oakwood Village Subdivision. Adequate access is available via Hudson Bridge Drive, the existing easements, and the two traffic signals off Hudson Bridge Road. Residents would benefit from being able to walk to many of the stores, and the stores could benefit from the business which the townhome residents would provide.
9. The ability of the subject land to be developed as it is presently zoned: Although the subject property could be developed for commercial uses under its existing C-2 zoning due to the presence of numerous surrounding retail businesses, this may not be realistic for the reasons that are listed below. Conversely, this Analysis has shown that the proposed townhomes would be a reasonable use. The intent of the restrictive covenant by the Baptist Retirement Communities of Georgia was for the subject property to be prohibited from retail use.
- Despite the property's location in the midst of numerous retail businesses, it has not been developed with additional retail uses, even after the expiration of the restrictive covenant.
 - Although some type of non-retail commercial uses could be built on the property, this is unlikely to happen since such uses would probably need direct access to Hudson Bridge Road for visibility, which the subject property lacks.
 - The presence of the steep topography, stream, and buffer areas in the eastern portion of the site would eliminate needed land which might be needed for required parking to serve a retail or non-retail commercial business.

Staff Recommendation

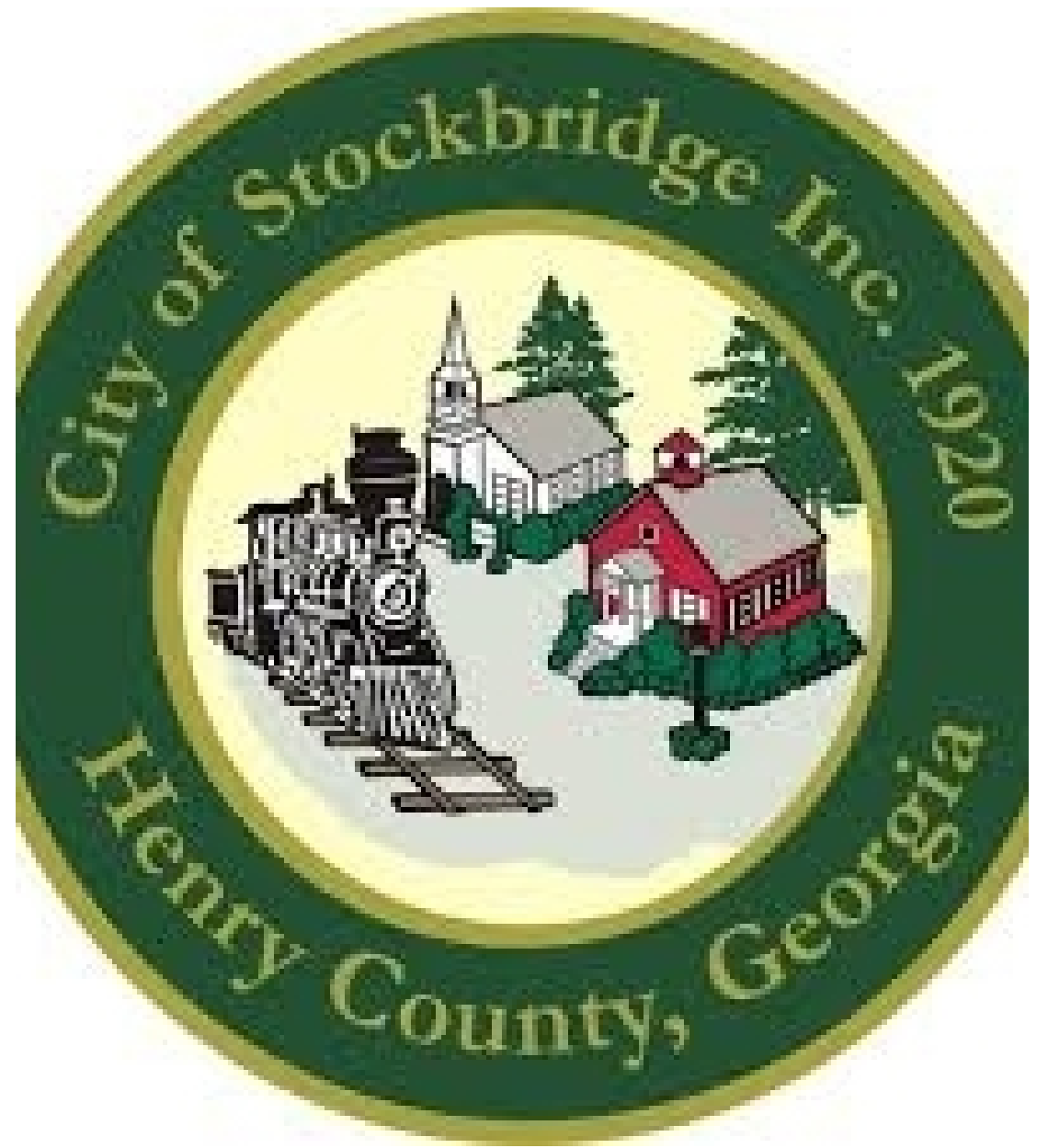
The Planning and Zoning Staff recommends that the applicant's request to rezone the subject property from 'C-2' (General Commercial) to 'MFR' (Multiple Family Residential) via RZ-2024-01 to allow for the development of a townhome community be APPROVED WITH CONDITIONS. Such approval should be contingent upon the developer meeting the following nine (9) zoning conditions:

1. **Comprehensive Plan Amendment** – This requested rezoning shall not be approved unless the applicant's requested Comprehensive Plan Amendment, via CP-2024-01, to change the subject property's land use designation from Medium-Density Mixed-Use to Medium-Density Residential, is approved before, or simultaneously with, the approval of RZ-2024-01.
2. **Site Plan:**
 - a) **Revised Site Plan** -- The subject property shall be developed according to a revised site plan which is similar to, but including the required variances, to the site plan which was prepared by Moore Bass Consulting on 02/29/24, representing Sheet #A3551.0010-SP1. Its title is "Hudson Bridge Townhomes; Stockbridge, GA." Any major deviations in the number of residential units, the density, or the overall site design shall require City Council approval.
 - b) **Site Accesses**—This shall be a gated community, with both site accesses having gates plus flock cameras for security purposes. In addition, the proposed secondary access to Oakwood Drive shall be reserved for use by emergency vehicles only. All of this information shall be noted on the site plan.
 - c) **Internal Streets** – All internal streets shall be of widths that are acceptable to the Fire Marshal
 - d) **Internal Sidewalks** – All internal streets shall have sidewalks on both sides of the streets, which are at least eight (8) feet wide.
 - e) **Amenities and Related Facilities** – The revised site plan shall include a mail kiosk, an 8-foot-wide multi-use path or walking trail, and a dog park, plus appropriate additional amenities for a community of this size, such as a grill area, a playground, a shuffleboard court, a tennis court, a pickleball court, etc.
 - f) **Central Trash Facility** -- The revised site plan shall indicate the location of one or more central trash facilities
 - g) **Bedroom Information** -- The revised site plan shall provide a breakdown of the number of units by the number of bedrooms, as well as the sizes of the bedrooms (for parking space requirements).
 - h) **Parking** – Sufficient parking shall be provided to meet the requirements of the Unified Development Code (UDC).
 - i) **Western Buffer, Fence, and Tall Trees** – The developer shall provide the required 25-foot zoning buffer along the western side of the property, adjacent to the Oakwood Manor Subdivision, along with the installation of a fence and tall trees
3. **One-Car Garage Townhome Units:**
 - a) Only 20 percent of the total townhome units shall have one-car garages.
 - b) All one-car garage units shall have full brick elevations.
4. **External Sidewalk** -The existing sidewalk along Hudson Bridge Drive shall be extended into the main project entrance.
5. **Water and Sewer Facilities** -- The developer shall comply with all requirements of the Henry County Water Authority in providing adequate water and sewer facilities to the subject site to serve the proposed townhome development.

Staff Recommendation (cont.)

6. **Environmental Site Preservation** - The developer shall preserve the sensitive environmental features of the site, including the slopes, creek, stream buffer areas, and retaining wall, along the eastern side of the site.
7. **Easements** - The developer shall comply with the specifications of all easement agreements pertaining to the portion of Hudson Bridge Drive which lies within and adjacent to the subject property.
8. **Property Maintenance** - A townhome association shall be established, or a property management company shall be secured, for the purpose of maintaining all common areas of the site.

Presentation for VR-
2024-03



Applicant's Request

The applicant has submitted a variance application to request the reduction in the front yard setbacks of the townhome lots from the MFR District's required 50 feet to 20 feet, and to reduce the side yard setbacks (between townhome buildings) from the required 20 feet to 10 feet.

Required Versus
Proposed
Setbacks in the
Requested MFR
District

<u>MFR District Setback Requirements:</u>	<u>Proposed Setbacks:</u>	<u>Meets MFR Requirements ?</u>
<u>Front Yard Setbacks – 50 feet</u>	<u>Front Yard Setbacks – 20 feet</u>	<u>No</u>
<u>Side Yard Setbacks – 20 feet</u>	<u>Side Yard Setbacks – 10 feet</u>	<u>No</u>
<u>Rear Yard Setbacks – 20 feet</u>	<u>Rear Yard Setbacks – 20 feet</u>	<u>Yes</u>

Staff Analysis (Section 10.1.3 of The Unified Development Code) for Variance Request #1

1. **Extraordinary and exceptional circumstances pertaining to the particular piece of property in question exist due its size, shape, or topography that are not found on other properties in the same zoning district:** The subject property does have an unusual shape, and the presence of a creek, wetlands, and a steep drop-off in the southeastern corner of the property make certain areas of the property unbuildable. This limits the remaining available land on which to build, resulting in fewer units being built than would otherwise be the case. However, the applicant's application has not stated why such a large reduction in the front yard setbacks is needed for each lot—from 50 feet down to 20 feet. From the "Townhouse Detail" inset drawing on the submitted site plan, it appears that there would be only about 5 feet between the proposed 20-foot driveway setback and the sidewalk. Since standard parking spaces are 20 feet long, parked vehicles could protrude into that 5-foot area, which could be undesirable for pedestrians.
2. **A literal interpretation of the provisions of this unified development code would deprive the applicant of rights commonly enjoyed by owners of other properties located in the same zoning district:** While the Stockbridge City Council has approved reductions in the front yard setbacks of the townhome lots for other properties in the MFR district, in the past five years, the City Council has not approved any variances for a front yard setback reduction down to just 20 feet. Reductions down to 25 feet have been granted only a few times. Further, an ordinance is currently pending before the Stockbridge City Council to make revisions to the MFR district regulations. Included within that ordinance is a staff recommendation that the required front yard setbacks within the MFR district be at least 30 feet. The applicant has not provided any justification for reducing the front yard setbacks to less than 30 feet.
3. **Granting the variance requested will not confer upon the property owner any special privileges that are denied to other owners of property in the same zoning district:** Since the requested front-yard variance reduction would be down to only 20 feet, this would be a greater reduction than has been granted for other properties in MFR districts in the City. The granting of Variance Request #1 would therefore cause the applicant to enjoy a special privilege, with no apparent urgent need being given to do so, in terms of the design of the proposed development.
4. **The variance will be consistent with the purposes and intent of this unified development code, will be compatible with uses on neighboring properties, and will serve the public welfare:** There is no apparent reason for granting a front-yard setback reduction down to 20 feet, thus its consistency with the purposes and intent of the UDC cannot be determined. Further, such a reduction would not be compatible with the single-family neighboring properties to the west, in the Oakwood Manor Subdivision, and any potential benefits to the public welfare are unknown.
5. **The extraordinary circumstances are not the result of actions of the applicant:** The physical characteristics of the subject property (the presence of a creek, floodplain areas, and steep topography) are not the result of any actions of the applicant. Their presence, though, does not automatically justify a front-yard setback variance reduction down to 20 feet.
6. **The variance is the minimum relief that will allow the legal use of the land, building or structure:** Without the granting of Variance Request #1, the land could still be used for building a smaller townhome development with larger but fewer townhome lots.
7. **The variance is not a request to permit a use of land, buildings or structures that is prohibited in the same zoning district:** The applicant is not requesting the granting of Variance Request #1 to allow any types of uses on the existing vacant land that are prohibited within the applicant's requested MFR zoning district.

Staff Analysis (Section 10.1.3 of The Unified Development Code) for Variance Request #2

1. **Extraordinary and exceptional circumstances pertaining to the particular piece of property in question exist due its size, shape, or topography that are not found on other properties in the same zoning district:** The subject property does have an unusual shape, and the presence of a creek, wetlands, and a steep drop-off in the southeastern corner of the property make certain areas of the property unbuildable. This limits the remaining available land on which to build, resulting in fewer units being built than would otherwise be the case. However, the applicant's application has not stated why the reduction in the side-yard setbacks would be needed. Presumably, it would just be to allow more townhome units to be built on the property.
2. **A literal interpretation of the provisions of this unified development code would deprive the applicant of rights commonly enjoyed by owners of other properties located in the same zoning district:** Within the past five years, the Stockbridge City Council has approved reductions in the side yard setbacks of townhome lots for other properties in the MFR district. However, the applicant has not demonstrated why any side-yard setback reductions are needed in designing the proposed development.
3. **Granting the variance requested will not confer upon the property owner any special privileges that are denied to other owners of property in the same zoning district:** The granting of Variance Request #2 may not be viewed as a special privilege, compared to owners of other properties within the MFR zoning district, since other property owners have been granted similar variance requests.
4. **The variance will be consistent with the purposes and intent of this unified development code, will be compatible with uses on neighboring properties, and will serve the public welfare:** There is no apparent reason for granting a side-yard setback reduction down to 10 feet from the required 15 feet, thus its consistency with the purposes and intent of the UDC cannot be determined. However, this reduction of only 5 feet would not be significant, and no potential detriments to the public welfare have been identified.
5. **The extraordinary circumstances are not the result of actions of the applicant:** The physical characteristics of the subject property (the presence of a creek, floodplain areas, and steep topography) are not the result of any actions of the applicant. Their presence, though, does not automatically justify a side-yard setback variance reduction down to 10 feet. However, no apparent harm in doing so has been identified.
6. **The variance is the minimum relief that will allow the legal use of the land, building or structure:** Without the granting of Variance Request #2, the land could still be used for building a smaller townhome development with larger but fewer townhome lots
7. **The variance is not a request to permit a use of land, buildings or structures that is prohibited in the same zoning district:** The applicant is not requesting the granting of Variance Request #2 to allow any types of uses on the existing vacant land that are prohibited within the applicant's requested MFR zoning district.

Staff Recommendation

1. Variance Request #1:

- a) The denial of the applicant's request to reduce the front yard setbacks of the townhome lots from the required 50 feet down to only 20 feet in the MFR zoning district.
- b) b. The approval of a reduction in the front yard setbacks of the townhome lots to 30 feet.

2. Variance Request #2: Approval of this request to reduce the side yard setbacks from the required 15 feet to 10 feet for the proposed townhome lots.



Battle Law

September 5, 2024

VIA EMAIL (randerson@cityofstockbridge-ga.gov)

Mr. Ryan Anderson, Director
Stockbridge Planning and Zoning Department
4640 North Henry Blvd
McDonough, GA 30281

Re: Lennar/Hudson Bridge Road Rezoning Request

Dear Ryan:

As legal counsel for Lennar Homes, I am hereby requesting that September 9, 2024 hearing before City Council for the Lennar Homes the Comprehensive Land Use Amendment and the Rezoning Application be deferred to October 14, 2024. Councilmember Alexander has requested further modifications to the site plan and proposed building facades that will require additional time for preparation. Please let me know if we will need to attend the meeting next week to request the deferral.

Respectfully submitted,

Michèle L. Battle, Esq.

Lennar Homes Hudson Bridge Project Renderings





[illegible]

 Morgan Bass Consulting, Inc. • Civil Engineering • Surveying • Transportation Consulting • Environmental Science • Construction Management www.morganbass.com 1350 New Ferry Court McDonough, GA 30253 770-518-5955 • Atlanta	PROJECT NAME: HUDSON BRIDGE TOWNHOMES STOCKBRIDGE, GA									
	CLIENT NAME: LENNAR GEORGIA, LLC									
REVISIONS <table><tr><th>NO.</th><th>DATE</th><th>DESCRIPTION</th></tr><tr><td>1</td><td>07/24/13</td><td>ISSUED FOR PERMIT</td></tr><tr><td>2</td><td>07/24/13</td><td>REVISED TO ADD NOTES</td></tr></table>		NO.	DATE	DESCRIPTION	1	07/24/13	ISSUED FOR PERMIT	2	07/24/13	REVISED TO ADD NOTES
NO.	DATE	DESCRIPTION								
1	07/24/13	ISSUED FOR PERMIT								
2	07/24/13	REVISED TO ADD NOTES								
TITLE SHEET SITE PLAN SCALE: 1"=10'										



NF
WALMART REAL EST BUS TRUST3402.00
D B 9557 PG 159
TAX ID
032.01026001

TAX ID
032.01026011

NF
STANES LLC
D B 14233 PG 77
TAX ID
032-01027000

NF
BROWN ADRIAN M & NICOLAS C
D B 13805 PG 77
P B 21 PG 50
TAX ID
032D01069000

NF
HAGY WILLIAM R JR
D B 13522 PG 299
P B 12 PG 51
TAX ID
032C03020000

NF
GILBERT BERNARD
D B 8025 PG 87
P B 18 PG 200
TAX ID
032C03020000

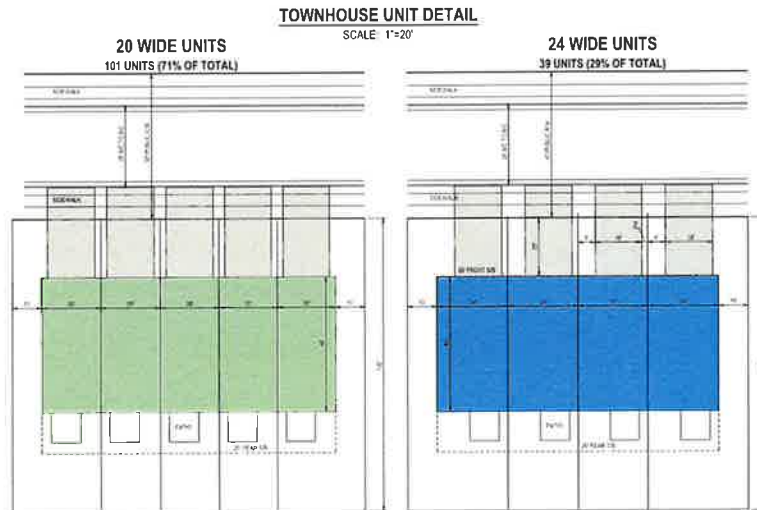
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HAGY WILLIAM R
D B 9108 PG 143
P B 16 PG 281
TAX ID
032C03047000

NF
HAGY WILLIAM R JR
D B 15501 PG 95
P B 16 PG 281
TAX ID
032C03048000

NF
HAGY WILLIAM R JR
D B 15501 PG 95
P B 16 PG 281
TAX ID
032C03049000

SITE DATA			
PROJECT NAME	HUDSON BRIDGE TOWNHOMES		
SITE AREA	20.37 AC		
TAX ID	032-01026000		
CURRENT ZONING	C-2		
PROPOSED ZONING	MFR		
PROPOSED USE	UNIT SIZE	SETBACKS	QUANTITY
FEE SIMPLE TOWNHOMES	20' WIDE	FRONT 10' SIDE 10' REAR 10'	101 UNITS
FEE SIMPLE TOWNHOMES	24' WIDE	FRONT 10' SIDE 10' REAR 10'	39 UNITS
PROPOSED DENSITY	140 UNITS / 20.37 AC	TOTAL	140 UNITS
OPEN SPACE PROVIDED	PROPOSED OVERALL OPEN SPACE: 8.37 AC		
OVERALL OPEN SPACE	PROPOSED OVERALL OPEN SPACE AS A % OF SITE: 41.1%		
OVERALL OPEN SPACE	15.5 AC (76% OF TOTAL SITE AREA)		
OFF-STREET PARKING PROVIDED	41 SPACES		

GRAPHIC SCALE



Moore Bass Consulting, Inc.

• Civil Engineering
• Land Surveying
• Development Consulting
• Landscape Architecture
• Environmental Remediation

www.moorebass.com
TALLAHASSEE • ATLANTA

1350 Keys Ferry Court
McDonough, GA 30253
770.914.9394

PROJECT NAME
HUDSON BRIDGE TOWNHOMES
STOCKBRIDGE, GA

CLIENT NAME
LENNAR GEORGIA, LLC

REVISIONS

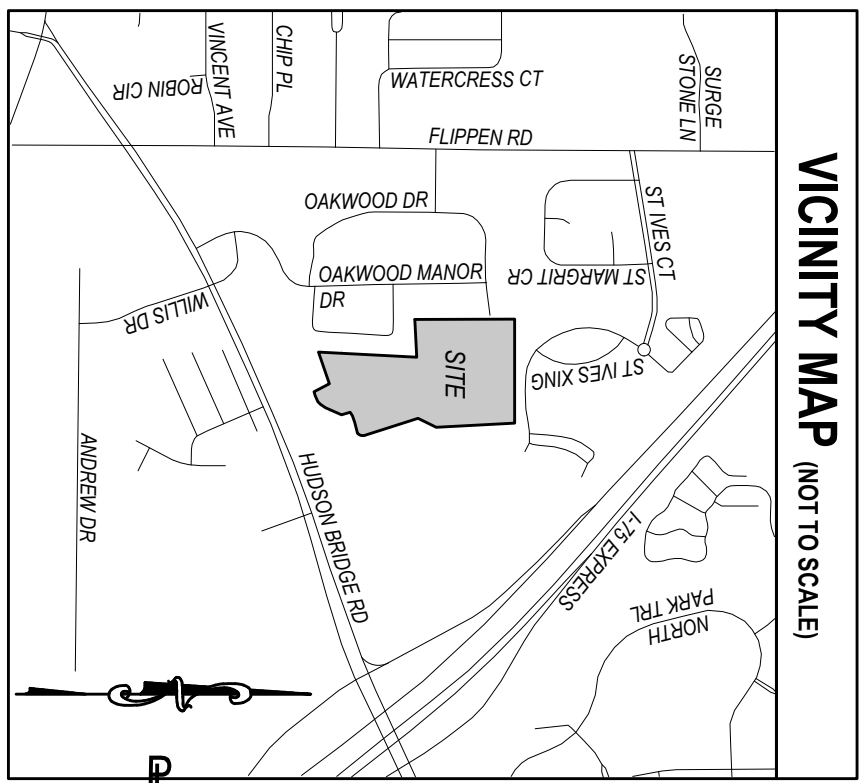
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1	03/20/20	ISSUED FOR PERMIT
2	03/20/20	CONTRACT
3	03/20/20	ISSUED FOR PERMIT

SCALE

SHEET TITLE

SITE PLAN

SHEET
1.0



NF
WALMART REAL ESTATE TRUST
D.B. 9857 PG. 159
TAX ID
032-01028001

NF
ST VES LLC
D.B. 1422 PG. 75
TAX ID
032-01027000

NF
HAGY WILLIAM R JR
D.B. 1352 PG. 299
P.B. 12 PG. 51
TAX ID
032C03027000

NF
GILBERT GERNARD
D.B. 8025 PG. 87
P.B. 11 PG. 200
TAX ID
032C03028000

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HAGY WILLIAM R JR
D.B. 9108 PG. 143
P.B. 13 PG. 281
TAX ID
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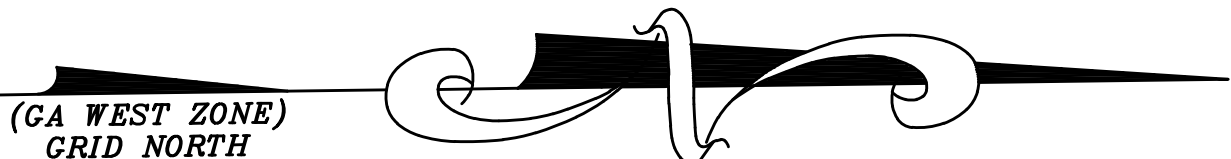
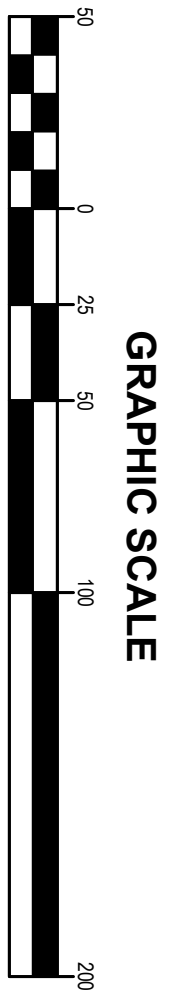
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HAGY WILLIAM R JR
D.B. 15501 PG. 95
P.B. 16 PG. 281
TAX ID
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HAGY WILLIAM R JR
D.B. 15501 PG. 95
P.B. 16 PG. 281
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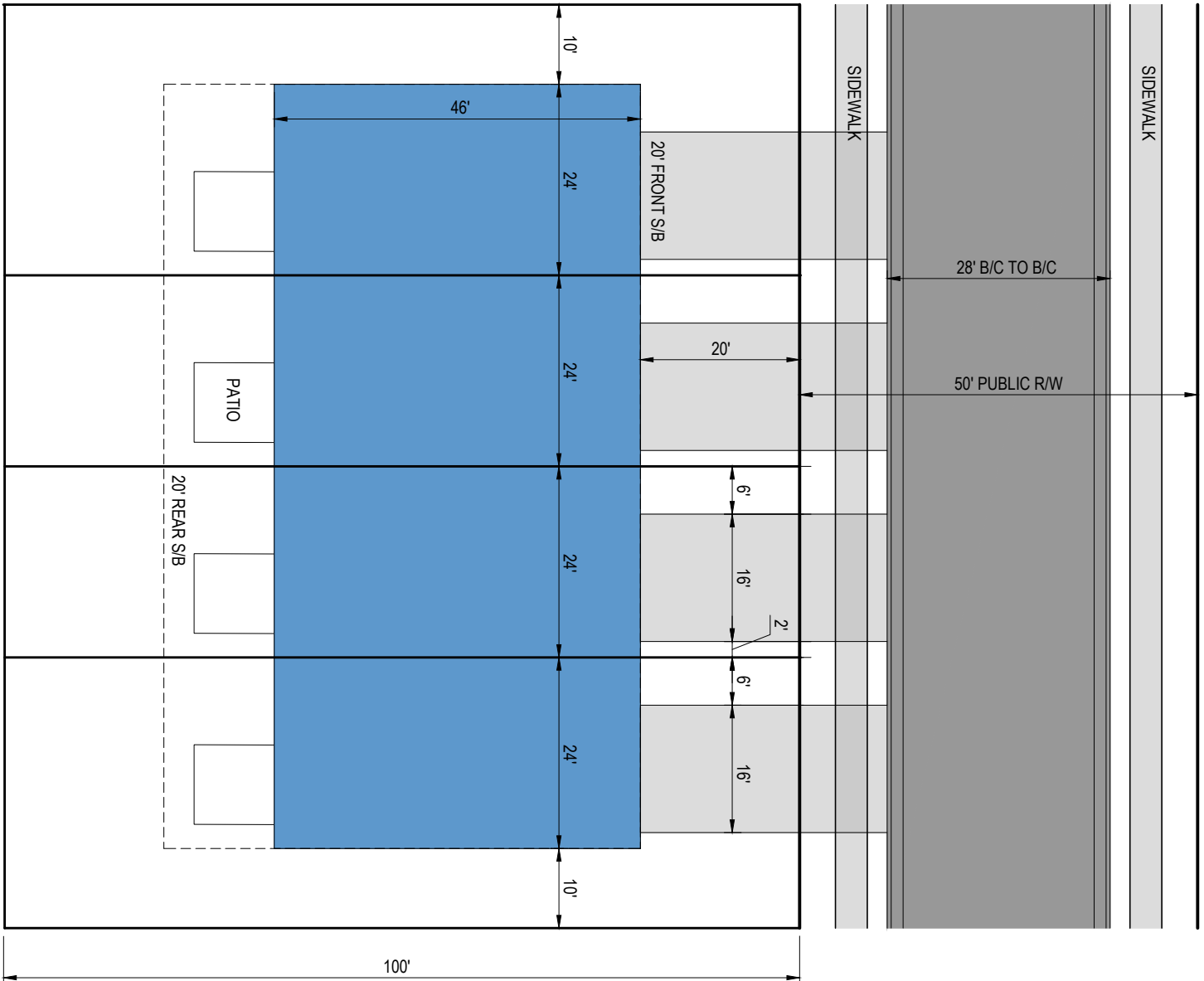
NF
CHRISTIAN SHAWARA
D.B. 77163 PG. 177
P.B. 21 PG. 14
TAX ID
032D01083000

NF
BROWN ADRIAN M & NICOLA SC
D.B. 13805 PG. 77
P.B. 21 PG. 50
TAX ID
032D01088000

SITE DATA			
PROJECT NAME	HUDSON BRIDGE TOWNHOMES		
SITE AREA	20.37 AC.		
TAX ID	032-01028000		
CURRENT ZONING	C-2		
PROPOSED ZONING	MFR		
PROPOSED USE	UNIT SIZE	SETBACKS	QUANTITY
FEE SIMPLE TOWNHOMES	24 WIDE	FRONT: 20' SIDE: 10', REAR: 20'	127 UNITS
PROPOSED DENSITY	127 UNITS / 20.37 AC.	6.87 UNITS PER ACRE	
OPEN SPACE PROVIDED	PROPOSED OVERALL OPEN SPACE		8.76 AC.
	PROPOSED OVERALL OPEN SPACE AREA AS A % OF SITE		43.0%
IMPERVIOUS AREA	7.5 AC. (36 % OF TOTAL SITE AREA)		
OFF-STREET PARKING PROVIDED:	42 SPACES		



TYPICAL LOT DETAIL



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- Environmental Remediation

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McDonough, GA 30253
770.914.3994

PROJECT NAME
HUDSON BRIDGE TOWNHOMES
STOCKBRIDGE, GA

CLIENT NAME
LENNAR GEORGIA, LLC

REVISIONS	
1.	REVISED LAYOUT TO SHOW ALL 24' WIDE UNITS - 09-26-2024 - SDM

DATE
02/29/2024

CONTRACT #

DRAWN BY
SDM

This drawing, Specification and other documents are the property of Moore Bass Consulting, Inc. and are to be used only for the project and site identified herein. No part of this drawing may be reproduced or transmitted in any form or by any means electronic or mechanical, including photocopying, recording, or by any information storage and retrieval system, without the prior written permission of Moore Bass Consulting, Inc.

1350 KEYS FERRY COURT
MC DONOUGH, GA 30253

SEAL

SHEET TITLE

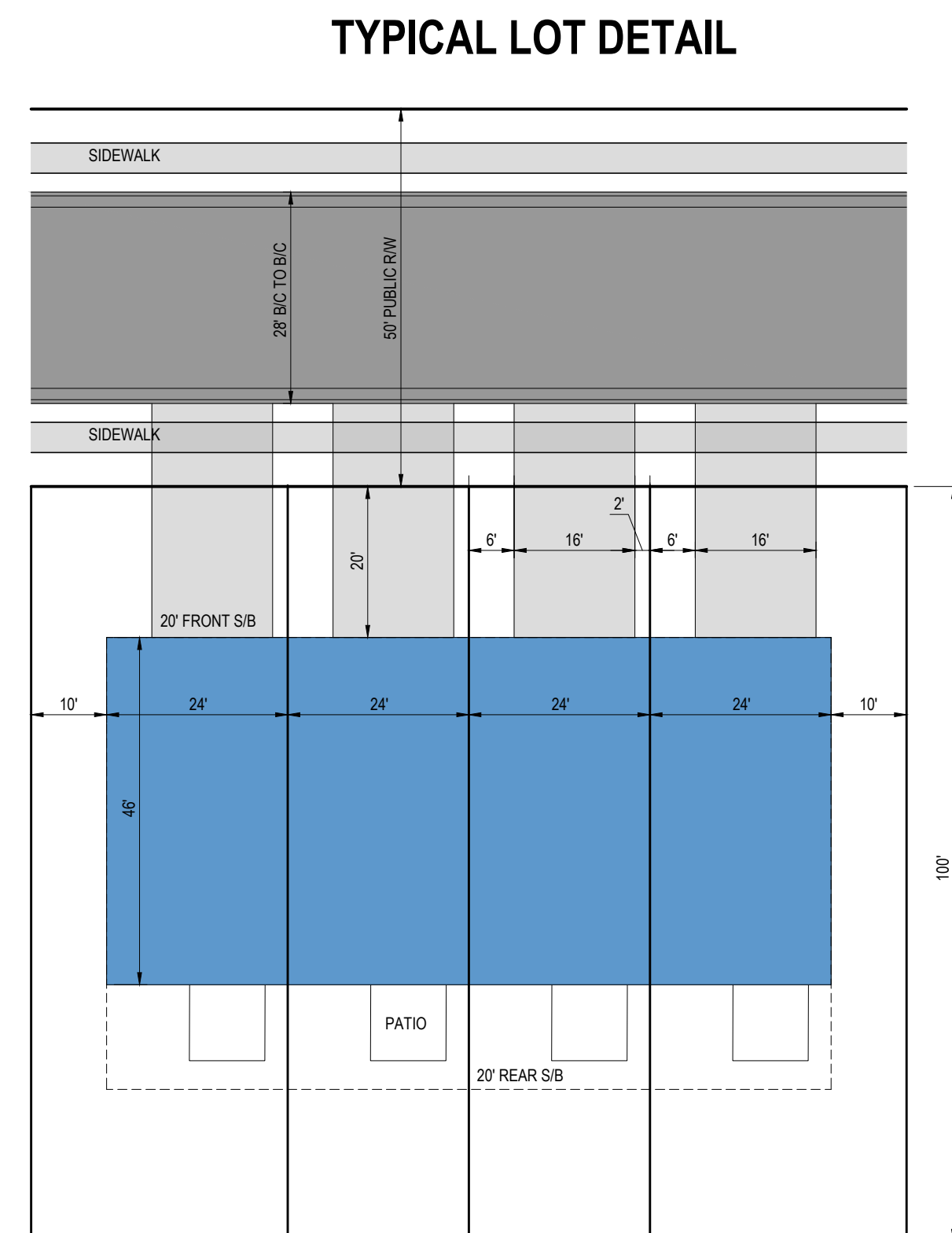
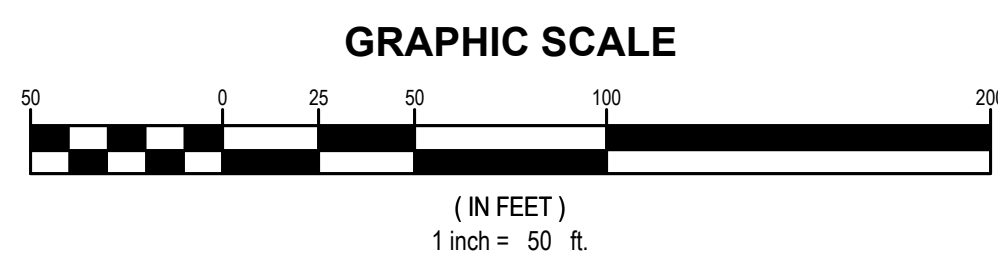
SITE PLAN

SHEET

1.0



SITE DATA			
PROJECT NAME	HUDSON BRIDGE TOWNHOMES		
SITE AREA	20.37 AC.		
TAX ID	032-01026000		
CURRENT ZONING	C-2		
PROPOSED ZONING	MFR		
PROPOSED USE	UNIT SIZE	SETBACKS	QUANTITY
FEE SIMPLE TOWNHOMES	24' WIDE	FRONT: 20', SIDE: 10', REAR: 20'	127 UNITS
PROPOSED DENSITY	127 UNITS / 20.37 AC.	6.87 UNITS PER ACRE	
OPEN SPACE PROVIDED	PROPOSED OVERALL OPEN SPACE		8.76 AC.
	PROPOSED OVERALL OPEN SPACE AREA AS A % OF SITE		43.0%
IMPERVIOUS AREA	7.5 ac. (38 % OF TOTAL SITE AREA)		
OFF-STREET PARKING PROVIDED:	42 SPACES		





St. Ives Crossing Apartments

St Ives Ct

Rock Quarry Rd
N Park Ct

75

75

Walmart Supercenter

Chic

Mellow Mushroom Stockbridge

Hudson Bridge Dr

Firehouse Subs Hudson Bridge

J&J Liquor

McDonald's

Hudson Bridge Rd

N Main Dr

Oakwood Dr

Oakwood Manor Dr

Kroger

Hudson Bridge Veterinary

Willis Dr

Phillips Rd

Phillips Rd

Variance Application

City of Stockbridge, Georgia



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

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

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

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

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

MEETING LOCATIONS—All Planning Commission meetings are held @6:30 p.m.
All meetings are held in the Council Chamber at City Hall.

Procedures

A pre-application meeting with one of the staff planners before submission of any application is required. A scheduled appointment is required. *(No opinions or guidance can be given over the phone).* Staff will review the request and discuss all necessary code requirements that affect the request. Staff may also need to consult other City departments before accepting the application. The request will then be advertised in the *Henry Daily Herald* and a sign will be posted at least 15 days prior to the scheduled public meeting date.

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

The City of Stockbridge Planning Commission meets on the 4th Thursday of each month (except for holidays) to hear requests. Please contact the Planning and Zoning Office to obtain a copy of the schedule.

Notes

Contacts

City of Stockbridge Planning and Zoning Division
Community Development Department
4602 North Henry Boulevard
Stockbridge, GA 30281
tel. (770) 389-7900

City of Stockbridge Business Services Office
Stockbridge City Hall
4640 North Henry Boulevard
Stockbridge, GA 30281
Tel. (678) 833-3302

City of Stockbridge Public Works Department -----
Stockbridge Public Works Building
321 Taylor Drive
Stockbridge, GA 30281

Henry County Water and Sewer Authority
1695 Highway 20 West
McDonough, GA 30253
tel. (770) 957-6659

Henry County Fire Department
664 Industrial Boulevard
McDonough, GA 30253
tel. (770) 288-6600

Henry County Environmental Compliance
And Plan Review
140 Henry Parkway
McDonough, GA 30253
tel. (770) 288-6064

City of Stockbridge Building Services
Municipal Court Building
4602 North Henry Boulevard
Stockbridge, GA 30281
tel. (678) 833-3314

City of Stockbridge Code Enforcement Office
Municipal Court Building
4602 North Henry Boulevard
Stockbridge, GA 30281
tel. (678) 833-3321

Water Department tel.: (770) 474-1232
Sewer Department tel.: (678) 833-3301

Henry County Health Department
Environmental Health Section
137 Henry Parkway
McDonough, GA 30253
tel. (770) 954-2078

Henry County Police Department
100 Henry Parkway
McDonough, GA 30253
tel. (770) 288-8200

Henry County Board of Education
33 North Zach Hinton Parkway
McDonough, GA 30253
tel. (770) 957-6601

City of Stockbridge Planning and Zoning Division
Community Development Department

VARIANCE APPLICATION CHECKLIST

PLEASE COMPLETE THIS FORM WHEN ACCEPTING ALL VARIANCE APPLICATIONS.

ATTACH THE CHECKLIST TO THE APPLICATION AND SIGN.

ALL DOCUMENTS ARE REQUIRED IN ORDER TO ACCEPT APPLICATION.

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



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	



Re: Hudson Bridge Road

[Chat](#)[Files](#)[Details](#)[Scheduling Assistant](#)[Recap](#)[Attendance](#)[Meeting Whiteboard](#)[Breakout rooms](#)[Q&A](#)[Join](#)[Close](#)

Wednesday, January 24, 2024 9:57 AM - 10:52 AM

Download

7

Attended

9:57 AM - 10:52 AM

Start and end time

54m 13s

Meeting duration

49m 4s

Average attendance time

Participants

Name	First join	Last leave	In-meeting duration	Role
 Michele Battle mlb@battlelawpc.com	10:01 AM	10:52 AM	50m 21s	Organizer
 Steve Moore smoore@moorebass.com	10:00 AM	10:52 AM	51m 40s	Presenter
 Raven Eatmon reatmon@stockbridgega.org	10:02 AM	10:52 AM	50m 1s	Presenter
 Frank Potts frank.potts@lennar.com	10:02 AM	10:52 AM	50m 3s	Presenter
 Ryan Anderson randerson@stockbridgega.org	10:02 AM	10:52 AM	49m 47s	Presenter
 Elton Alexander (Guest)	10:06 AM	10:52 AM	45m 51s	Presenter
 Rosalynd Rawls rrawls@stockbridgega.org	10:06 AM	10:52 AM	45m 48s	Presenter

City of Stockbridge Planning and Zoning Division
Variance Application

Name of Applicant Lennar Georgia LLC c/o Battle Law, P.C. Phone: 770-670-2757 Date: 5/14/2024
Address Applicant: 11560 Great Oaks Way, Suite 100 Fax _____ Pager/Cell # _____
City: Alpharetta State: GA Zip: 30022 E-mail: frank.potts@lennar.com
Name of Agent Battle Law, P.C. Phone: 404-601-7616 ext. 1 Date: 5/14/2024
Address Agent: 3562 Habersham at Northlake Fax _____ Pager/Cell # _____
City: Tucker State: GA Zip: 30084 E-mail: mlb@battlelawpc.com

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

Variance(s) being requested Reduce front yard setback from 50 feet to 20 feet.

Reduce side yard setback between buildings from 15 feet to 10 feet.

Address of Property: _____

Nearest intersection to the property: Hudson Bridge Road and Hudson Bridge Drive
(Street Address)

Size of Tract: 20.367 acre(s), Land Lot Number(s): _____, District(s): _____

Property Tax Parcel Number(s): 032-01026000 (Required)

Witness' Signature

Signature of Applicant

Joseph Hall
Printed Name of Witness

Lennar Georgia LLC by: Tom Bowers
Printed Name of Applicant

Notary

Signature of Agent

NOTARY STAMP:



(For Office Use Only)

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

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

Pre-application meeting: _____ Date: _____

Planning Commission Decision: _____

City Council Decision: _____

Community Development Director's Signature: _____ Date: _____

Applicant Campaign Disclosure Form

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

Has the applicant made, within two (2) years immediately preceding the filing of this application for 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 20th day of March, 2024

Tom BOWERS
Applicant's Name - Printed

Tom Bowers
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 20th day of March, 2024

Sandy M Kidd
Notary Public



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

Applicant Campaign Disclosure Form

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

Has the applicant made, within two (2) years immediately preceding the filing of this application for 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 _____ day of _____.

Applicant's Name - Printed

Suresnder V Kumar
Signature of Applicant/Property Owner/Agent

SURENDER V Kumar

Applicant's Attorney, if applicable - Printed

Signature of Applicant's Attorney, if applicable

Sworn to and subscribed before me this 22nd day of March 2024

Levi Reece
Notary Public



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

NOTE: If the proposed development site would contain more than one property, and/or more than one property owner, please first type a list on a separate sheet of paper which identifies each property (address and/or parcel number) and its corresponding property owner(s). Then fill out a separate Property Owner's Authorization Form (provided below) for each property and each property owner.

PROPERTY OWNER'S AUTHORIZATION FORM (See NOTE above.)

The undersigned below is the PROPERTY OWNER, or one of the property owners, of the property at Hudson Bridge Road and Hudson Bridge Drive [address], with Parcel Number 032-01026000 which is the subject of this application.

Name of Property Owner: MOUNT ZION 48 LLC

Property Owner's Address: 1 WOODY TRAIL MABLETON, GA 30126

Telephone: 770-265-6934 E-mail: SVKUMAR99@hotmail.com

I swear that I am the Property Owner, or one of the Property Owners, of the property that is the subject matter of the attached application, as is shown in the tax assessors' records of Henry [County], Georgia [State].

Signature: Surender V. Kumar Date: 3-22-24

The undersigned does duly authorize the person(s) and/or company who is named below to act as APPLICANT(S) in the pursuit of this application for the subject property.

Name(s) of Applicant(s): Lennar Georgia, LLC

Company/law firm (if applicable): Battle Law PC

Telephone, E-Mail, & Address: (404) 745-0045, mlb@battlelawpc.com

3562 Habersham at Northlake Rd Tucker, GA 30084

I authorize the Applicant or Applicants who are named above to act on my behalf for this application.

Surender V. Kumar
Manager, SURENDER V. KUMAR

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

3-22-24
Date

Levi Reece

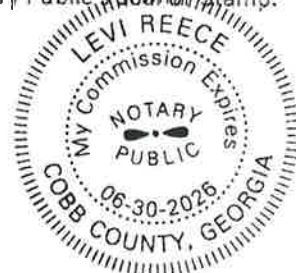
Signature of Notary Public

Levi Reece

Printed Name of Notary Public

3/22/24
Date

Notary Public's Seal or Stamp:





Battle Law

STATEMENT OF INTENT

and

Other Materials Required by
The City of Stockbridge Zoning Ordinance
For

A Variance to
Reduce the Front Yard Setback from 50 Feet to 20 Feet and Reduce the Side Yard Setback
Between Buildings from 15 Feet to 10 Feet

of

**Lennar Georgia LLC
c/o Battle Law, P.C.**

for

+/-20.367 Acres of Land
Being Near Hudson Bridge Road and Hudson Bridge Drive
City of Stockbridge, Georgia, and
Parcel No. 032-01026000

Submitted for Applicant by:

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



Battle Law

I. LETTER OF INTENT

Lennar Georgia LLC (the “Applicant”) is seeking to develop on +/- 20.367 acres of land being Tax Parcel No. 032-01026000, having frontage on Hudson Bridge Drive (the “Subject Property”) with townhomes. The Applicant is seeking a variance of the Subject Property to reduce the front yard setback from fifty (50) feet to twenty (20) feet and reduce the side yard setback between buildings from fifteen (15) feet to ten (10) feet.

This document serves as a statement of intent analysis of the criteria under the City of Stockbridge Zoning Ordinance. It contains notice of constitutional allegations as a reservation of the Applicant’s rights.

II. CITY OF STOCKBRIDGE VARIANCE CRITERIA

Under the City of Stockbridge’s Zoning Ordinance, a variance may be granted only upon a finding by the mayor and city council that all of the following conditions are met:

- A. *Extraordinary and exceptional circumstances pertaining to the particular piece of property in question exist due to its size, shape, or topography that are not found on other properties in the same zoning district;*

The Subject Property is both encumbered by a stream along the eastern side, and has an odd shape that makes development difficult. The combination of these two extraordinary circumstances combine to create a hardship on the Applicant. The variance requests will allow the Applicant to enjoy rights enjoyed by others in the same zoning district by enabling the Applicant to build outside of the stream buffer and take advantage of the available space after considering the subject property's complex shape.

- B. *A literal interpretation of the provisions of this unified development code would deprive the Applicant of rights commonly enjoyed by owners of other properties located in the same zoning district;*

A literal interpretation of the provisions of this code would deprive the Applicant of rights commonly enjoyed by owners of properties in the same zoning district. Several other townhome developers have requested the same variances the Applicant requests today and have received them. Furthermore, those other developers have sought rezonings to the zoning district the Applicant is seeking. So, those other developers enjoy rights the Applicant would not enjoy should this variance application be denied. On the other hand, should this variance application be approved, the Applicant would enjoy similar rights to other developers in the same zoning district.

- C. *Granting the variance requested will not confer upon the property owner any special privileges that are denied to other owners of property in the same zoning district;*



Battle Law

The variance request will not confer upon the property owner any special privileges that are denied to other property owners in the same zoning district. As discussed above, other developers in the same zoning district have sought the same variances the Applicant is seeking today. Those other developers enjoy the benefits of the variances. Therefore, granting this variance request will grant the Applicant rights enjoyed by other developers rather than conferring a special right not enjoyed by others.

D. *The variance will be consistent with the purpose and intent of this unified development code, will be compatible with uses on neighboring properties, and will serve the public welfare;*

The variance will be consistent with the purpose and intent of this unified development code and will be compatible with uses on neighboring properties.

E. *The extraordinary circumstances are not the result of actions of the Applicant;*

The shape of the Subject Property and the existence of the stream buffer are not the results of the Applicant's actions.

F. *The variance is the minimum relief that will allow the legal use of the land, building or structure; and*

The variance is the minimum relief that will allow the legal use of the land.

G. *The variance is not a request to permit a use of land, buildings or structures that is prohibited in the same zoning district.*

The variance request is not one that would permit a use of land, buildings, or structures that is prohibited in the zoning district. This variance request accompanies a comprehensive land use amendment and a Rezoning application that will allow for the proposed townhomes. The variance request does not seek to allow the use.

III. CONCLUSION

For the foregoing reasons, the Applicant hereby requests that the application for a variance to reduce the front yard setback from fifty (50) feet to twenty (20) feet and reduce the side yard setback between buildings from fifteen (15) feet to ten (10) feet be approved. The Applicant welcomes any questions and feedback from the planning staff.

IV. NOTICE OF CONSTITUTIONAL ALLEGATIONS AND PRESERVATION OF CONSTITUTIONAL RIGHTS



Battle Law

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

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

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

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

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

A refusal to allow the land use amendment and/or variance in question would be invalid inasmuch as it would be denied pursuant to an ordinance which is not in compliance with the Zoning



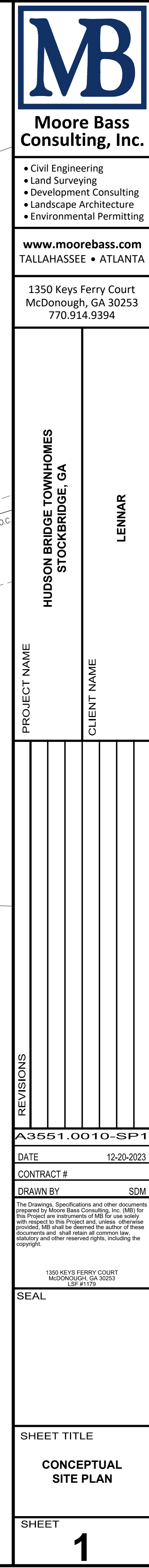
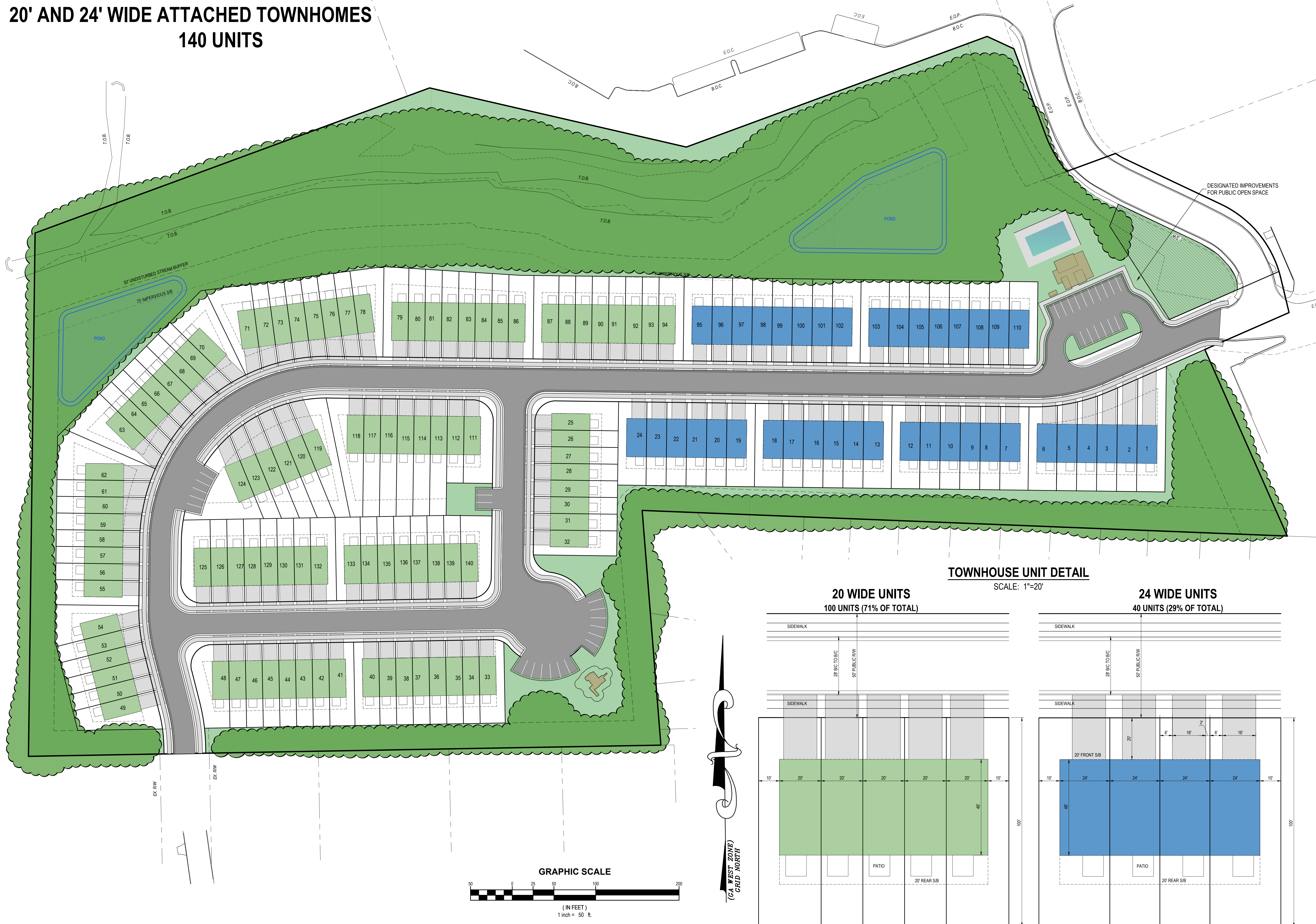
Battle Law

Procedures Law, O.C.G.A Section 36-66/1 et seq., due to the manner in which the Ordinance as a whole and its map(s) have been adopted.

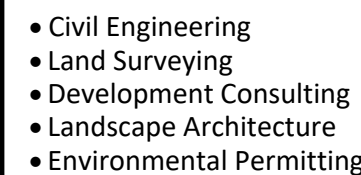
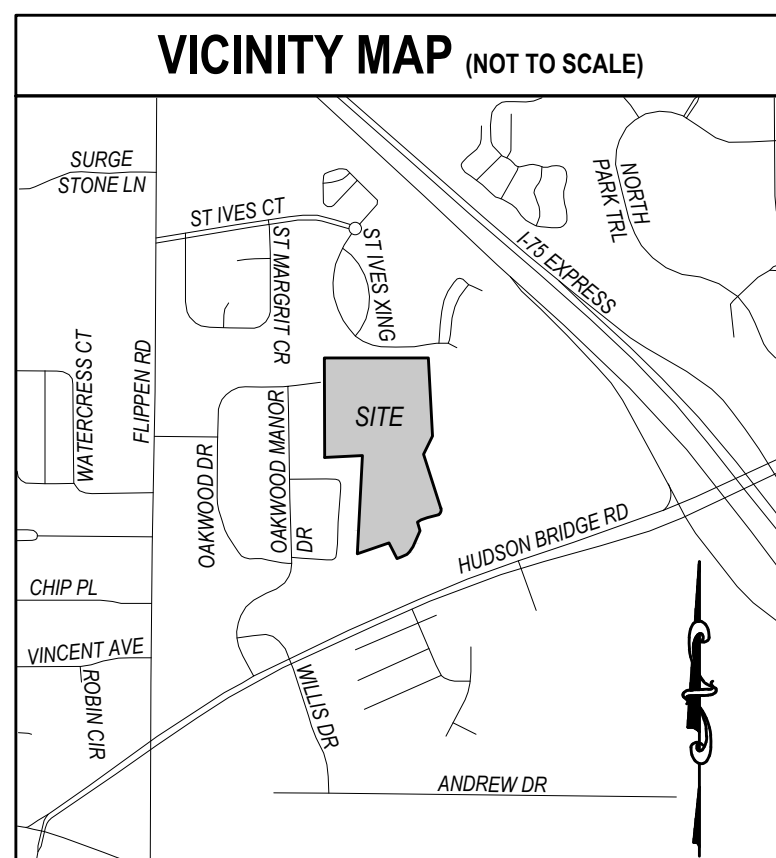
The existing land use designation and/or zoning classification on the Subject Property is unconstitutional as it applies to the Subject Property. This notice is being given to comply with the provisions of O.C.G.A. Section 36-11-1 to afford the County an opportunity to revise the Property to a constitutional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

Michele L. Battle, Esq.
Attorney for the Applicant

20' AND 24' WIDE ATTACHED TOWNHOMES



THIS BOX IS RESERVED FOR THE CLERK OF SUPERIOR COURT
RECORDING INFORMATION.



1350 Keys Ferry Court
McDonough, GA 30253
770.914.9394

1. FINAL SUBDIVISION PLAT EASEMENTS RECORDED IN PLAT BOOK 52, PAGE 176-179 PER HENRY COUNTY RECORDS.
2. LIMITED WARRANTY DEED RECORDED IN DEED BOOK 11917, PAGE 266-269 PER HENRY COUNTY RECORDS.
3. PERMANENT RETAINING WALL & GRADING EASEMENT RECORDED IN DEED BOOK 7038, PAGE 219 PER HENRY COUNTY RECORDS.
4. DRAINAGE EASEMENT RECORDED IN DEED BOOK 7038, PAGE 211-222 PER HENRY COUNTY RECORDS.
5. ACCESS EASEMENT RECORDED IN DEED BOOK 7038, PAGE 224 PER HENRY COUNTY RECORDS.
6. PERMANENT RETAINING WALL AND GRADING EASEMENT RECORDED IN DEED BOOK 7038, PAGE 220 PER HENRY COUNTY RECORDS.
7. INGRESS / EGRESS ACCESS EASEMENT EASEMENT RECORDED IN DEED BOOK 7038, PAGE 205 & 219 PER HENRY COUNTY RECORDS.
8. PERMANENT RETAINING WALL EASEMENT RECORDED IN DEED BOOK 7038, PAGE 205 PER HENRY COUNTY RECORDS.
9. ACCESS EASEMENT RECORDED IN DEED BOOK 7038, PAGE 204 PER HENRY COUNTY RECORDS.

AS SHOWN ON FLOOD INSURANCE RATE MAPS OF HENRY COUNTY, GEORGIA COMMUNITY
PANEL NUMBER: 13151C0088D EFFECTIVE DATE OCTOBER 6TH, 2016, THIS PROPERTY IS NOT LOCATED IN A FEMA FLOOD
HAZARD ZONE.

NO N.G.S. MONUMENT FOUND WITHIN 500 FEET OF ANY POINT ON THE SUBJECT PROPERTY.

ALL PROPERTY CORNERS REFERENCED AS I.P.S. INDICATES A 1/2" REBAR PLACED W/CAP LSF 001179 UNLESS OTHERWISE NOTED.

MOORE BASS CONSULTING AND/OR TIMOTHY M. WORLEY DO NOT GUARANTEE THAT ALL EASEMENTS AND SUB-SURFACE CONDITIONS WHICH MAY AFFECT THIS PROPERTY ARE SHOWN.

THIS DRAWING HAS BEEN GENERATED ELECTRONICALLY. THIS MEDIA SHOULD NOT BE CONSIDERED A CERTIFIED VALID DOCUMENT UNLESS IT HAS BEEN PROPERLY SEALED, SIGNED, AND DATED BY TIMOTHY M. WORLEY IN CONTRASTING COLOR OF INK PER O.C.G.A. 43-15-22.

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT WHICH COULD REVEAL ENCUMBRANCES NOT SHOWN. ALL MATTERS TO TITLE ARE EXCEPTED.

THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PARTY OR ENTITY NAMED HEREON AND THE CERTIFICATION DOES NOT EXTEND TO ANY OTHERS.

THIS PLAT MAY NOT CONFORM TO THE BEARINGS AND DISTANCES RECORDED ON THE DEED AND/OR PLAT OF RECORD DUE TO SEVERAL FACTORS INCLUDING, BUT NOT LIMITED TO, THE NATURE OF THE ADVANCES IN SURVEYING TECHNOLOGY SUCH AS ELECTRONIC DISTANCE MEASURING DEVICES AND THE ADVENT OF SURVEY GRADE G.P.S. MEASUREMENT EQUIPMENT.

THIS SURVEY IS REFERENCED TO THE NORTH AMERICAN DATUM (N.A.D.) OF 1983/1994 ADJUSTMENT) FOR HORIZONTAL DATUM AND THE NORTH AMERICAN VERTICAL DATUM (N.A.V.D.) 1988 FOR THE VERTICAL DATUM. THE USE OF G.P.S. SURVEY MEASURING TECHNIQUES WERE USED FOR THESE DATUMS AND BASED ON THE POSITIONAL VALUES FOR THE VIRTUAL REFERENCE STATION NETWORK DEVELOPED BY EGPS SOLUTIONS. THE ORTHOMETRIC HEIGHTS WERE DERIVED USING THE GEOID A12.

ALL DISTANCES SHOWN HEREON ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED.

UTILITIES SHOWN ARE BASED ON ABOVE GROUND EVIDENCE. ADDITIONAL UTILITIES MAY EXIST ABOVE OR BELOW GROUND. NO CERTIFICATION OR GUARANTEE IS MADE AS TO THE ACCURACY OR THOROUGHNESS OF THE UTILITIES OR STRUCTURES SHOWN HEREON. PER GEORGIA LAW THE UNDERGROUND UTILITIES PROTECTION SERVICE MUST BE CALLED PRIOR TO THE COMMENCEMENT OF ANY AND ALL EARTH DISTURBING ACTIVITIES.

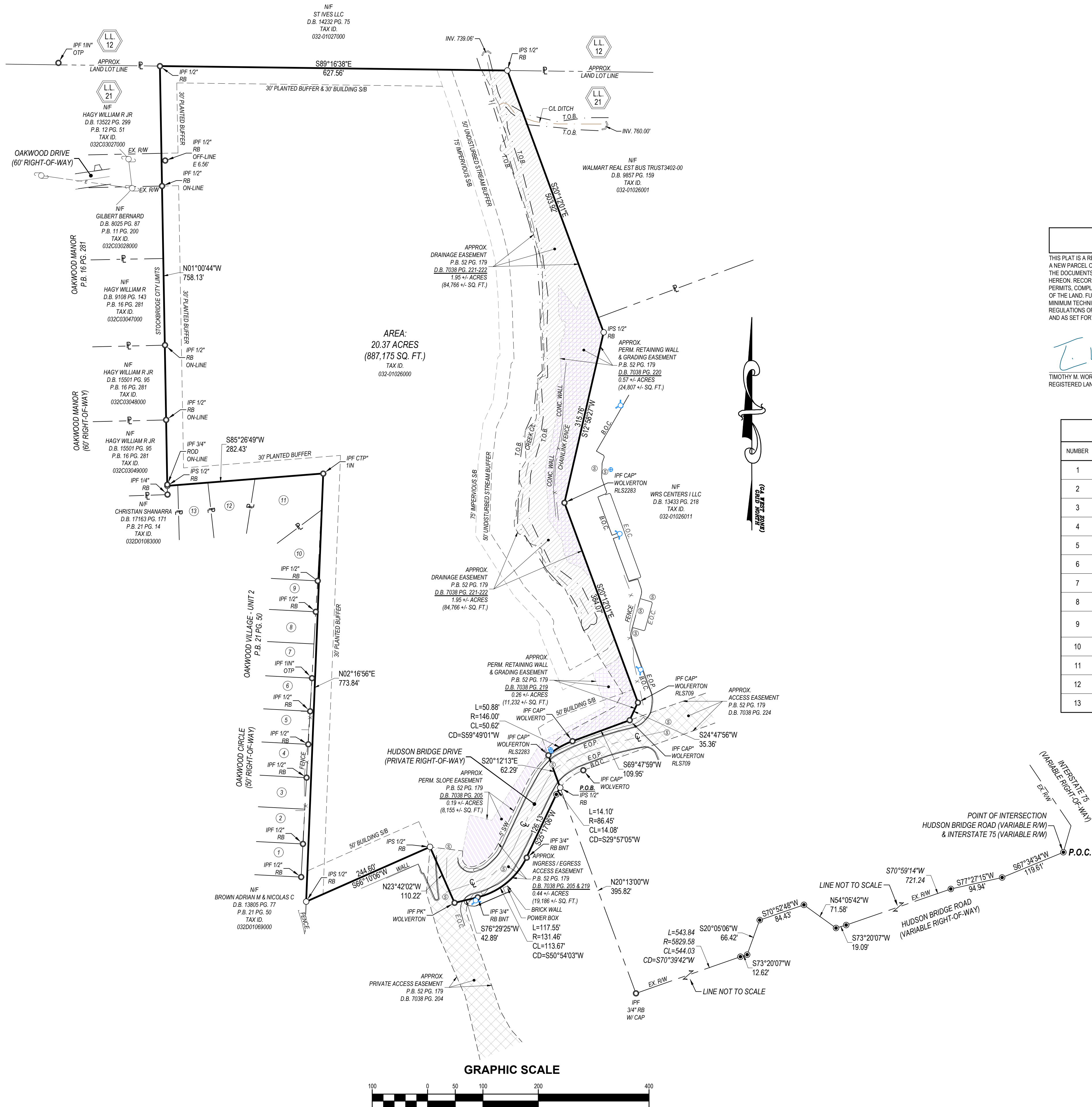
THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 49,634 FEET, AND AN ANGULAR ERROR OF 01" PER ANGLE. IT WAS A CLOSED LOOP TRAVERSE AND WAS ADJUSTED USING THE LEAST SQUARES METHOD.

THE CLOSURE PRECISION OF THE DATA SHOWN ON THE MAP OR PLAT. THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 1,240.152 FEET. THE CLOSURE PRECISION PLACED ON THE SURVEY SHALL BE BASED ON AN ACTUAL MAP CLOSURE THAT HAS BEEN INDEPENDENTLY CALCULATED BY THE SURVEYOR BY USING THE BEARINGS AND DISTANCES FROM THE FACE OF THE PLAT, AND SHALL NOT BE A GENERALIZATION.

ALL LOTS OR PARCELS SHOWN ON LINEAR AND ANGULAR MEASUREMENTS WERE OBTAINED USING A TRIMBLE S6 ROBOTIC TOTAL STATION & CHAMPION TKO ROVER GPS UNIT. THE FIELDWORK WAS COMPLETED MARCH 21ST, 2022 ON THIS PROJECT.

GRAPHIC SCALE

(IN FEET)
1 inch = 100 ft.



THIS PLAN IS A RETRACTION 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 PLAN DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SATTISFACTION FOR ANY USE OR PURPOSE. THIS PLAN IS NOT A GUARANTEE OF ANY INFORMATION AND DOES NOT CONSTITUTE A WARRANTY OF ANY KIND. THE MINIMUM TITLE CURATIVE 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.


TIMOTHY M. WORLEY
REGISTERED LAND SURVEYOR #3360 (tworley@moorebass.com)

3/31/2

NUMBER	OWNER	D.B. & P.G.	P.B. & P.G.	TAX ID.
1	CALLAHAN TIMOTHY J & TONDA L	15369-196	21-50	032D01070000
2	LEVY MILICENT	14038-104	21-50	032D01071000
3	WHISNANT DANNY R	13821-321	21-50	032D01072000
4	BAKTER GALEN C & COLLEEN L	14104-293	21-14	032D01073000
5	EASLEY SHARON P & ROBIN L	8215-268	21-50	032D01074000
6	TURNER VERGINIA N	7838-292	21-14	032D01075000
7	AUGUSTINE MARIE E	12287-255	21-50	032D01076000
8	BERNLY FRANCISCO	60160-96	21-50	032D01077000
9	THE IRA CLUB FBO CHRISTOPHER ALLEN & KIMBERLY	15610-300	21-14	032D01078000
10	CENTRIC LLC	13289-206	21-50	032D01079000
11	MOTON MELBA & NATHANIEL JR	17525-293	21-14	032D01080000
12	TRICON SFR 2020-2 BORROWER LLC	17632-95	21-14	032D01081000
13	TAH 2017-1 BORROWER LLC	15420-17	21-14	032D01082000

PROJECT NAME	HUDSON BRIDGE HENRY COUNTY, GEORGIA
CLIENT NAME	MT. ZION 48, LLC 1720 PEACHTREE STREET, SUITE 160, ATLANTA, GEORGIA 30309

REVISIONS

A3846.0001 BND

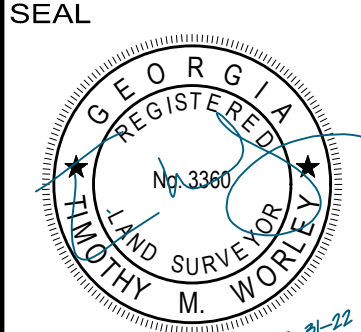
DATE 3-31-2023

CONTRACT #	A3846.000
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DRAWN BY TMW, DC

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

1350 KEYS FERRY COURT
McDONOUGH, GA 30253
1 SE #1179



SHEET TITLE

BOUNDARY SURVEY

SHEET

1 OF 1



Henry County Water Authority
Engineering Division

December 2, 2022

Re: Water and Sewer Services - Availability

Proposed Development: **Apartment Complex**

Property Information: **Hudson Bridge Road Parcel No. 032-01026000**

LL 21; District 6; 20.37+/- acres

Proposed Zoning: **MFR**

Sewer Basin: **Walnut Creek**

Watershed Basin: **Big Cotton Indian**

TO WHOM IT MAY CONCERN:

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

Water service can be made available to the property described above by way of a line extension, as illustrated on the Conceptual Site Plan at the developer's expense. A fire flow test calculated in the area revealed the following data:

Static:	110	psi
Residual:	95	psi
Flow	1130	gpm
Calculated Flow @ 20 psi:	2973	gpm

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

Sewage **treatment** and sewer line **capacity** are available for the property. ***However, installation of a private lift-station (proposed to be located on the developer's site), associated force main and gravity sewer main extension will be necessary at the developer's expense.***

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

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

This letter was prepared with information submitted to HCWA on a Conceptual Site Plan dated 08/24/2022 prepared by Moore Bass Consulting, Inc.

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







TO: City of Stockbridge Mayor and City Council
City of Stockbridge Planning Commission

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

CC: Ryan Anderson, Community Development Director
Keedra Jackson, Chief Planner

DATE: August 15, 2024

SUBJECT: Staff Report for Variance Case #VR-2024-03--Parcel #032-01026000
on Hudson Bridge Drive, in Council District 5

I. PURPOSE

To consider a variance application (Variance Case #VR-2024-03) by Lennar Georgia, LLC, c/o Battle Law, P.C, to request the granting of two variances for Parcel #032-01026000 on Hudson Bridge Drive to allow for the development of a townhome community with 140 units. Mount Zion 48, LLC is the current owner of the property, and it contains approximately 20.367 acres. In Variance Request #1, the applicant requests that the front yard setbacks of the townhome lots be reduced from the required 50 feet in the MFR district to 20 feet. In Variance Request #2, the applicant requests that the side yard setbacks of the townhome lots (between townhome buildings) be reduced from the required 15 feet to 10 feet.

The applicant has also submitted two other applications for the subject property. For Comprehensive Plan Amendment Case #CP-2024-01, the applicant requests that the property's future land use designation be changed from Medium-Density Mixed-Use to Medium-Density Residential. For Rezoning Case #RZ-2024-01, the applicant requests that the property be rezoned from 'C-2' (General Commercial) to 'MFR' (Multiple-Family Residential).

An aerial photo of the subject property is shown after the Case Facts (Table 1) below.

II. CASE FACTS (Table 1)

DESCRIPTIVE FACTOR	FINDINGS
Proposed Development:	Townhome community with 140 fee simple units.
Parcel Identification:	032-01026000 (no address).
Parcel Acreage:	+/- 20.367 acres.
Land District and Land Lot:	District 6, Land Lot 21.
Applicant:	Lennar Georgia, c/o Battle Law, P.C.
Owner:	Mount Zion 48, LLC.
Current City Zoning:	C-2 and Parkway Mixed-Use Overlay District.
Surrounding Zoning:	• <u>North</u>—MFR (Multiple Family Residential). • <u>Northwest</u>—SR (Suburban Residential). • <u>East</u>—C-2 & C-3 (General Commercial & Heavy Commercial). • <u>South</u>—C-2 (General Commercial). • <u>Southeast</u>—C-2 & C-3 (General Commercial & Heavy Commercial). • <u>West</u>—Outside of the City. Zoned 'RD' & 'RM' (Residential-Duplex & Residential-Multifamily) by Henry County. • <u>Southwest</u>—Outside of the City. Zoned 'C-2' (General Commercial) by Henry County.
City Land Use Designation:	Medium-Density Mixed-Use.
Current Use:	Vacant.
Surrounding Land Uses:	• <u>North</u>—St. Ives Apartments. • <u>Northwest</u>—St. Margrit Subdivision. • <u>East</u>—Walmart and adjacent Centre @ Stockbridge Shopping Center. • <u>South</u>—Commercial uses fronting onto Hudson Bridge Road, including J & J Liquor and Western Union. • <u>Southeast</u>—Retail uses (Taco Bell and QuikTrip) outside the City, with access from Hudson Bridge Dr. • <u>West</u>—Oakwood Village Subdivision, outside City).
Property Location:	To the rear of 1590 Hudson Bridge Road. Property has no access to any public street. Access exists from Hudson Bridge Drive, an internal street for the adjacent Centre @ Stockbridge shopping center, which includes Walmart. A portion of this street actually is part of the subject property.
Property Conditions:	Vacant land; mostly wooded. The eastern portion of site contains steep topography, wetlands with a 25-foot state buffer, a 50-foot stream buffer, and a 75-foot impervious setback as part of a nearby stream. Site includes a portion of Hudson Bridge Drive, which was granted an easement.

AERIAL PHOTO OF SUBJECT PROPERTY



III. PROPERTY AND ZONING HISTORY

A. Restrictive Covenant. The subject property was previously owned by Baptist Retirement Communities of Georgia, who sold it in 2005. Before doing so, a restrictive covenant, dated April 26, 2004, was prepared and filed with the Henry County Superior Court (in Book 7028, Page 237). It prohibited the use of the subject property for retail uses. This restriction expired, however, on March 31, 2008.

B. Walmart Master Development Plan and DRI. The subject property was originally a part of a Master Development Plan (Centre @ Stockbridge) with a Wal-Mart Supercenter as a mixed-used development for a total of 70.16 acres. The entire property was annexed by the City of Stockbridge in 2002. The subject site as a part of the Master Plan was described as "Tract 2." Tracts 1 and 2 were annexed as C-2 (Commercial – Medium Density) and C-3 (Heavy Commercial). Tracts 1 and 2 were further subdivided on

February 4, 2004, creating a "new" Tract 2 as a part of the Walmart Development. The original Tract 2 would become a "stand-alone" parcel for future development. The Master

Development Plan initially allowed the subject site to have access from Hudson Bridge Road, but outparcels were later created, and this removed the site's access to Hudson Bridge Road. A Development of Regional Impact Analysis (DRI #481) was completed on the Master Development Plan, including the subject site, on November 21, 2003, and a Development Agreement was also prepared. Per the DRI for the entire Plan area, "The site shall be mixed-use and contain a minimum of 200 residential units and a maximum of 343,500 square feet of commercial/office/retail space." However, DRI officials have stated that DRI conditions have no effect after ten years.

C. Previous Parcel Split and Easement Creation. Wolverton & Associates of Duluth, Georgia created a series of drawings on February 26, 2013 as part of a Final Subdivision Plat for Broad Street Stockbridge II, LLC. It showed that the subject property was split into two Tracts, with Tract 1 representing the current boundaries of the site and Tract 2 being cut off from the site. This resulted the Tract 1 (the current site) losing its access from Hudson Bridge Drive. However, ten easements were created along and adjacent to

WALMART MASTER DEVELOPMENT PLAN AREA



Hudson Bridge Drive, including an easement to allow a portion of Hudson Bridge Drive, which is a private street, and which is actually contained within the boundaries of the subject site, to be used by the public for access to the surrounding commercial properties. The fact that this portion of Hudson Bridge Drive is located within the site boundaries is confirmed today by the aerial photo of the site from the Henry County Tax Assessors' records.

D. Recent Zoning Activity: RZ-2019-04 and RZ-2020-01 by TPA Residential. A rezoning of the subject property from C-2 (General Commercial) to MUND (Mixed-Use Neighborhood Development) was sought by TPA Residential (c/o Falcon Design Consultants, LLC) in 2019 via RZ-2019-04 to allow for a mixed-use development to contain 118 townhomes plus small commercial uses. The Planning and Zoning Staff, as well as the Planning Commission (at their September 14, 2019 meeting) both recommended the approval of this case, with conditions. However, at the subsequent City Council meeting on October 14, 2019, the applicant announced that he wanted to withdraw his application. TPA Residential returned to the City with a revised rezoning application via RZ-2020-01. This time, the applicant wanted to build a purely residential development, containing 147 townhomes only. GRTA determined that an updated DRI review was not required since the proposed density would be less than what the Walmart Master Development Plan called for. The Staff recommended approval with conditions, as did the Planning Commission at its June 25, 2020 meeting; but the City Council denied the case at its meeting on July 13, 2020.

PREVIOUS PARCEL SPLIT AND EASEMENT CREATION

GENERAL NOTES		SURVEYORS CERTIFICATE		VICINITY MAP - N.T.S.																							
1. THE FIELD DATA UPON WHICH THIS SURVEY IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 10,000 FEET AND AN ANGULAR ERROR OF 1 SECOND PER ANGLE AND WAS ADJUSTED USING LEAST SQUARES. A TRIMBLE 550 WAS USED TO OBTAIN LINEAR AND ANGULAR MEASUREMENTS. WORK WAS COMPLETED ON 01-21-2013. THIS PLAN HAS BEEN CALCULATED FOR CLOSURE AND HAS BEEN FOUND TO BE ACCURATE WITHIN ONE FOOT IN 10,000 FEET. 2. THIS SURVEY IS RELATIVE TO THE GEORGIA STATE PLANE COORDINATE SYSTEM, WEST ZONE 40 REFERENCED TO NAD83 (2011) HORIZONTAL AND ANGULAR (GEOID10) VERTICAL. COORDINATES WERE DERIVED FROM NETWORK GPS MEASUREMENTS USING A LEICA V50 GPS ONE RECEIVER. 3. NO PORTION OF THIS PROPERTY IS LOCATED WITHIN A FLOOD HAZARD AREA AS PER FIRM FLOOD INSURANCE RATE MAPS OF HENRY COUNTY, GEORGIA, AS SHOWN ON MAP NUMBER 1315102000C, DATED MAY 16, 2009 AND HENRY COUNTY PRESENT AND FUTURE CONDITIONS MAPS, PANEL 89 OF 300 DATED MAY 2010. 4. CORNER NOTES HEREON AS IRON PIN SET (IPS) ARE 3/4" IRON REBARS WITH A PLASTIC CAP TAMPED "EXCLUSION LOT 700P AND PINS IS 7/8" IRON SET. 5. LAND SURVEYORS, AS LICENSED PROFESSIONALS BY THE STATE OF GEORGIA, ARE NOT EXPERTS IN THE IDENTIFICATION OF WETLANDS, CONTIGUOUS OR BUILT, ORIGINALLY, TERMS OF HISTORICAL OR CULTURAL SIGNIFICANCE, THEREFORE EXCEPTION IS TAKEN TO ANY SUCH MATTERS WHICH MAY EXIST ON THIS PROPERTY. 6. THE PROPERTY MAY BE SUBJECT TO EASEMENTS, RESERVATIONS, RIGHTS OF WAY, OR RESTRICTIONS WHICH ARE NOT RECORDED OR OTHERWISE UNKNOWN TO THE SURVEYOR. THEREFORE EXCEPTION IS TAKEN TO ANY SUCH ITEMS. 7. ALL SUBJECT PROPERTY CORNERS HAVE BEEN SET OR FOUND AS LABELED. 8. C-2 ZONING CONDITIONS: 8.1 FRONT SETBACK: 30' FRONT SETBACK 8.2 SIDE SETBACK: 10' SIDE SETBACK 8.3 REAR SETBACK: 25' REAR SETBACK 8.4 MINIMUM LOT WIDTH: 100' MINIMUM LOT WIDTH 8.5 MINIMUM SQUARE FOOT MINIMUM LOT AREA: 10,000 SQUARE FOOT MINIMUM LOT AREA 8.6 MAXIMUM BUILDING HEIGHT: NONE OF THE PARCELS DELINEATED ON THIS PLAN ARE CORNER LOTS, THEREFORE NO SIDE YARD SETBACK LINES ARE REQUIRED BY THE CODE OF ORDINANCES OF THE CITY OF STOCKBRIDGE. 9. ACCESS FOR TRACT 1 IS PROVIDED BY THE CURRENT PRIVATE ACCESS(1) AND CROSS ACCESS(2) EASEMENTS SHOWN HEREON.		THIS SURVEY IS AN ACCURATE REPRESENTATION OF THE PROPERTY SURVEYED UNDER MY SUPERVISION. THIS SURVEY WAS PERFORMED WITHOUT A TITLE COMMITMENT AND MAY BE SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD NOT REFLECTED UPON THIS SURVEY. Michael G. High G.S. 113 DATE: 6/18/13 G.S. 113 G.S. 113		THE CITY OF STOCKBRIDGE ASSUMES NO RESPONSIBILITY FOR THE OVERFLOW OR EROSION OF NATURAL OR ARTIFICIAL DRAINS BEYOND THE EXTENT OF THE STREET RIGHT-OF-WAY, NOR FOR THE EXTENSION OF COLLECTORS BEYOND THE POINTS SHOWN ON THIS PLAN AND AS REQUIRED BY THE CITY OF STOCKBRIDGE SUBDIVISION ORDINANCE. 1. 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. WETLANDS 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. LIVE STREAMS DO EXIST ONSITE.																							
TRACT CHART TRACT 1 - NO ADDRESS ASSIGNED PARCEL # - 032-01026000 TRACT 2 - 1590 HUDSON BRIDGE RD PARCEL # - 032-01026002		SHEET INDEX SHEET 3 SHEET 2 TRACT 1 TRACT 2 HUDSON BRIDGE ROAD (R/W MARKS)		OWNER/SUBOWNER BROAD STREET STOCKBRIDGE II, L.L.C. BY: SR INVESTMENTS, INC., ITS MANAGER 300 WEST COLUMBIA BLVD., STE 106 MOUNT PLEASANT, SC 29464 JASON SMALLWOOD 803-474-0930																							
AREA CHART <table border="1"> <thead> <tr> <th>TRACT</th> <th>ACRES</th> <th>SQ. FT.</th> <th>ZONED</th> </tr> </thead> <tbody> <tr> <td>TRACT 1</td> <td>20.367</td> <td>887,136</td> <td>C-2</td> </tr> <tr> <td>TRACT 2</td> <td>1.709</td> <td>74,457</td> <td>C-2</td> </tr> <tr> <td>TOTAL:</td> <td>22.076</td> <td>961,593</td> <td></td> </tr> </tbody> </table>		TRACT	ACRES	SQ. FT.	ZONED	TRACT 1	20.367	887,136	C-2	TRACT 2	1.709	74,457	C-2	TOTAL:	22.076	961,593		OWNERS STATEMENT CITY OF STOCKBRIDGE COUNTY OF HENRY The owner of the land shown on this plot and whose name is subscribed thereto, and in person or through a duly authorized agent, acknowledges that this plot was made from an actual survey, and dedicates by this Declaration to the use of the public forever, all streets, sewer collectors, lot divisions, drains, and other public facilities and appurtenances thereon shown, and transfers ownership of all public use areas in fee simple by deed, for the purposes therein expressed. Broad Street Stockbridge II, L.L.C. BY: SR Investments, Inc., its manager NAME: Stephen Rainey ITS: President DATE: June 18, 2013		REVISIONS <table border="1"> <thead> <tr> <th>REVISIONS</th> <th>BY</th> </tr> </thead> <tbody> <tr> <td>ADDRESS COUNTY COMMENTS - 04/24/2013</td> <td>KWB</td> </tr> <tr> <td>ADDRESS COUNTY COMMENTS - 05/15/2013</td> <td>KWB</td> </tr> </tbody> </table> DRAWN BY KWB CHECKED BY MGH DATE: 02/26/2013 SCALE: 1"=100' JOB NO. 13-802 SHEET NUMBER 1 OF 4 SHEETS		REVISIONS	BY	ADDRESS COUNTY COMMENTS - 04/24/2013	KWB	ADDRESS COUNTY COMMENTS - 05/15/2013	KWB
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E. Recent Zoning Activity: RZ-2022-08 by Carter Acquisitions. In 2022, a new developer, Carter Acquisitions, LLC, c/o Battle Law, PC, sought to rezone the subject property via RZ-2022-08 from C-2 to MFR (Multiple Family Residential) to allow for the development of a townhome community containing 330 units. The proposed density was 16.2 units per acre, which exceeded the allowable density of 16.0 units per acre for the proposed High-Density Residential future land use designation. The applicant needed to reduce the number of units by eliminating four units to meet the maximum allowable density. But the applicant never returned with a new site plan having a reduced density. After an extended period of time, the applicant withdrew their application, along with Comprehensive Plan Amendment application #CP-2022-07.

STREET VIEW OF SOUTHWEST CORNER OF SITE

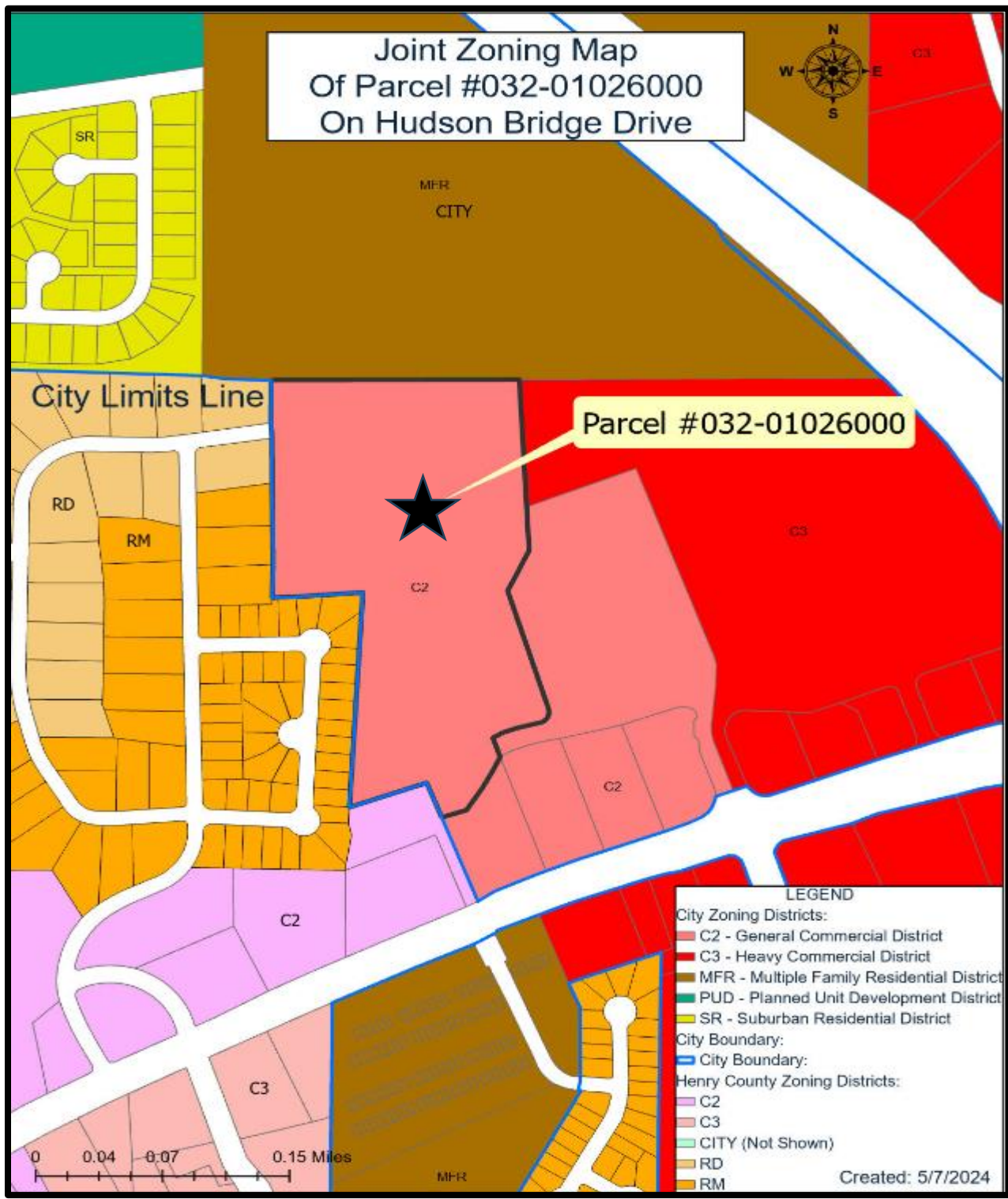


STREET VIEW OF SITE TOWARD SOUTHEAST CORNER

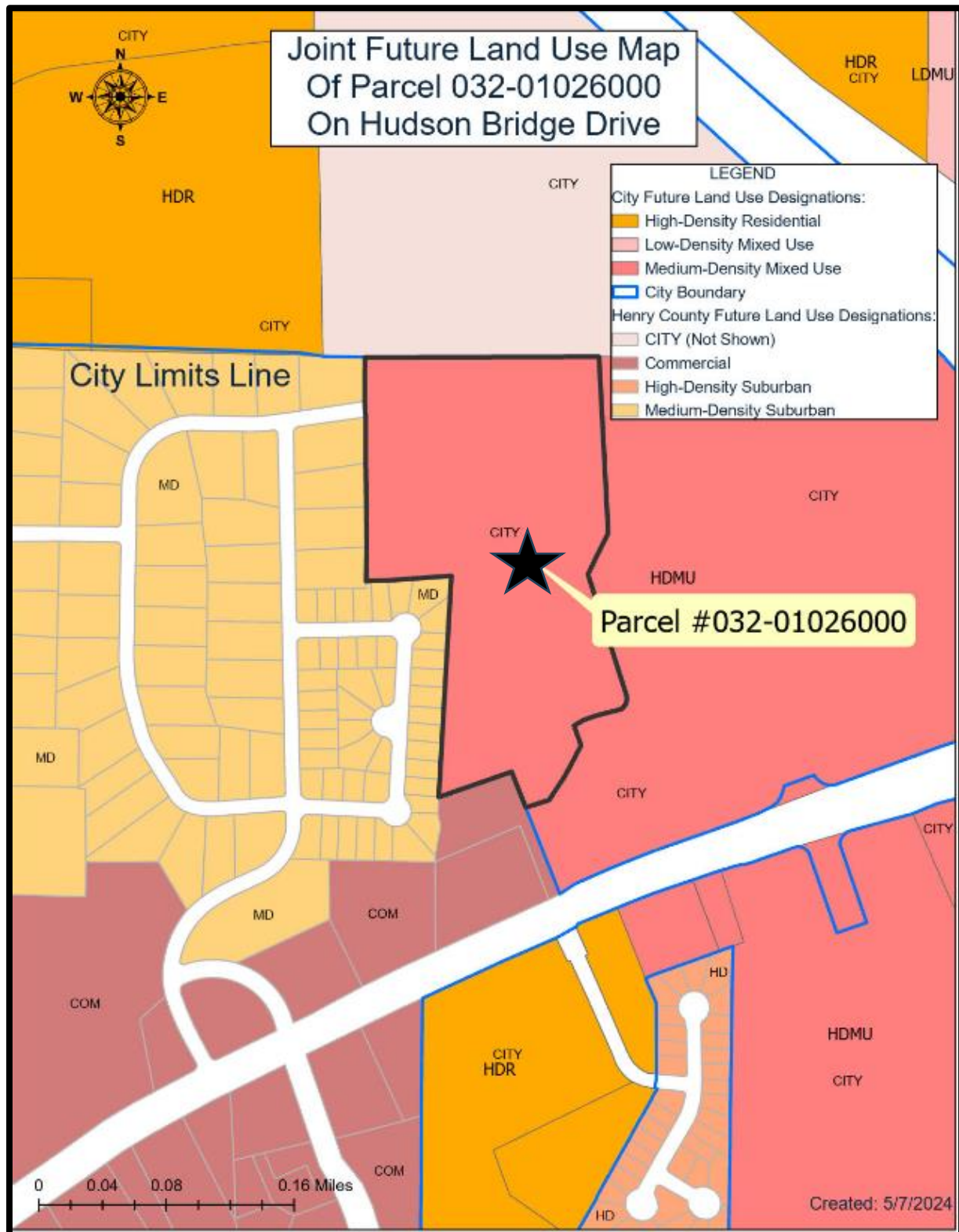


Shown below are the Zoning Map, the Future Land Use Map, and the Boundary Survey for the subject property.

2024 CITY OF STOCKBRIDGE ZONING MAP

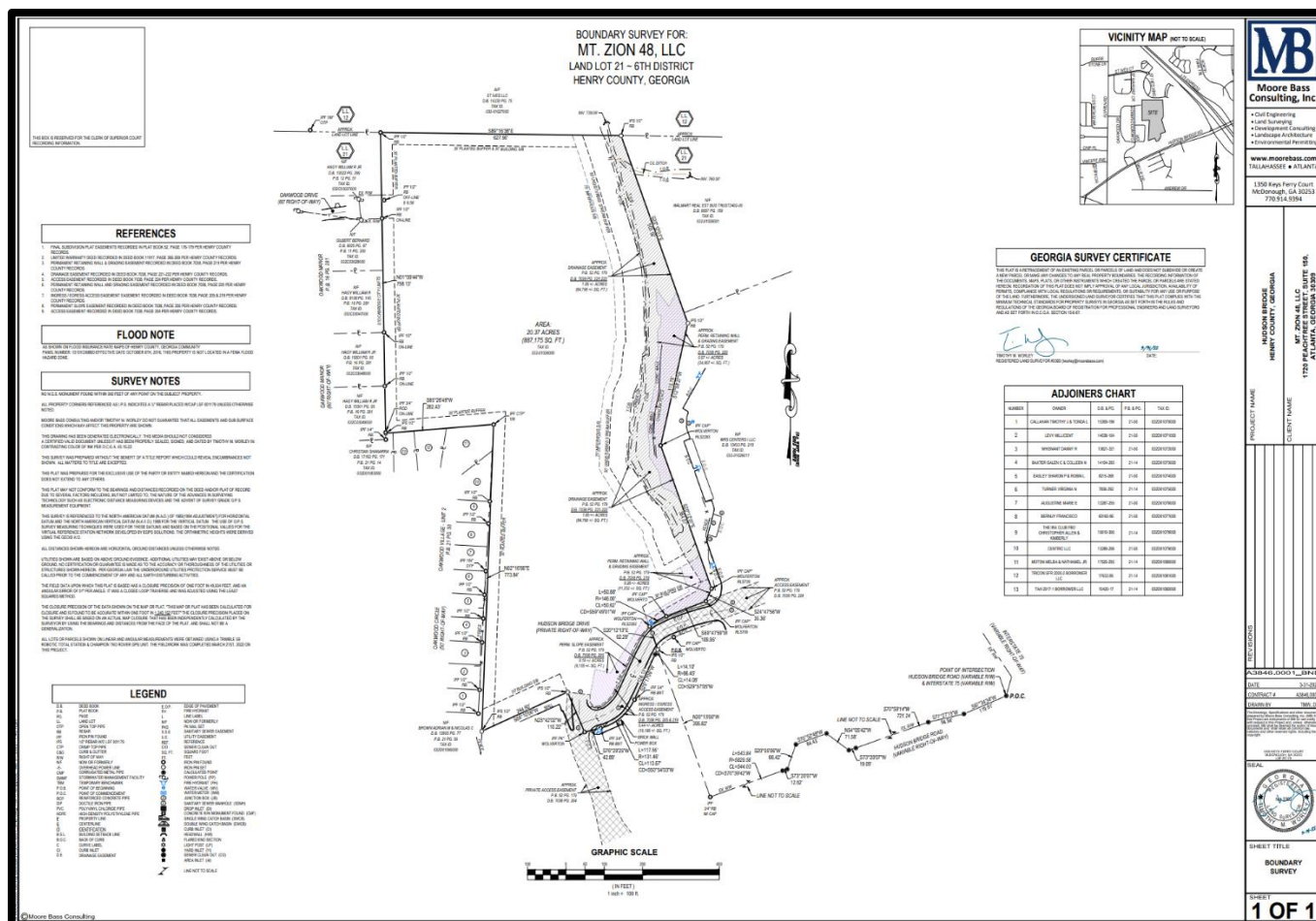


2024 CITY OF STOCKBRIDGE FUTURE LAND USE MAP



BOUNDARY SURVEY

Hudson Bridge Drive is located at the southern end of the property.



PROPOSED DEVELOPMENT

A. Project Size. The applicant has submitted a site plan which was prepared by Moore Bass Consulting on 02/29/24, representing Sheet #A3551.0010-SP1. Its title is "Hudson Bridge Townhomes; Stockbridge, GA." According to an inset box, entitled "Site Data", on the site plan, the applicant proposes to build 140 fee simple townhomes, including 101 smaller units and 39 larger units, at a density of 6.87 units per acre. The applicant would be required to designate at least 15 percent of the total site area as open space, and the applicant would substantially exceed that amount by designating about 41 percent of the site area as open space (8.37 acres of the total site area of 20.367 acres). The impervious area would be 10.0 acres, comprising 49 percent of the total site area. Forty-one (41) off-street parking spaces would be provided, which would meet the requirements. However, the required front and side yard setbacks would not be met for the requested MFR district, as is shown in the table below. The applicant has submitted a variance application to

request the reduction in the front yard setbacks of the townhome lots from the MFR District's required 50 feet to 20 feet, and to reduce the side yard setbacks (between townhome buildings) from the required 20 feet to 10 feet. The analysis of the merits of these variance requests are presented in the Staff Report for Variance Case #VR-2024-03.

Table 2--Required Versus Proposed Setbacks in the Requested MFR District

<u>MFR District Setback Requirements:</u>	<u>Proposed Setbacks:</u>	<u>Meets MFR Requirements?</u>
<u>Front Yard Setbacks – 50 feet</u>	<u>Front Yard Setbacks – 20 feet</u>	<u>No</u>
<u>Side Yard Setbacks – 20 feet</u>	<u>Side Yard Setbacks – 10 feet</u>	<u>No</u>
<u>Rear Yard Setbacks – 20 feet</u>	<u>Rear Yard Setbacks – 20 feet</u>	<u>Yes</u>

B. Site Plan Design. The submitted site plan shows that the development site would have two accesses, including the main entrance off Hudson Bridge Drive and a secondary access at Oakwood Drive to the northwest. A swimming pool, clubhouse, and guest parking would be provided near the main entrance, and a detention pond would be situated near the pool. No mail kiosk has been shown. The project entrance street would make a loop toward the rear of the property, where three other guest parking lots and an unspecified small amenity would be provided. A second detention pond would be located at the northeast rear of the property. Landscaped buffering would surround the property, although there is no indication of buffer widths. The Buffer Area Standards within Section 4.6.3A of the Stockbridge UDC requires the provision of a 25-foot zoning buffer between multifamily developments and single-family-zoned districts. Thus, this buffer should be provided along the western boundary of the property. A 50-foot undisturbed stream buffer would be designated along the eastern side of the property. No walking trails or dog parks have been indicated on the site plan.

C. Utilities Facilities. The applicant received a letter from the Henry County Water Authority, which was dated June 21, 2024, in response to the applicant's submitted application for a water and sewer availability letter. The findings and requirements of the Authority's letter are listed below, which the developer would need to comply with if RZ-2024-01 is approved.

1. Water service could be made available to the property via a water line extension.
2. Sewage treatment and sewer line capacity are available for the property, but the developer would be required to pay for an offsite sanitary sewer line extension, including the acquisition of easements, to meet the Authority's standards, and then to convey that extension to the Authority.
3. The specifications above would be effective for 365 days from the date of the letter (June 21, 2024), and any deviation in zoning that would increase the project density or usage would void the letter and require a re-evaluation.

D. Traffic Impact Study. The applicant submitted a Traffic Impact Study to the Planning & Zoning Office on June 21, 2024. It was prepared for Moore Bass Consulting, Inc. by

SEI Engineering, Inc., in collaboration with Acampora Traffic, LLC. Findings of the Study are presented in the Staff Report for RZ-2024-01. The conclusion of the Study was that the proposed development would only slightly increase traffic volumes within the vicinity of the subject property, and that no additional traffic improvements would be needed.

E. Townhome Lots, Buildings, and Designs. An inset on the applicant's site plan shows that the proposed townhome lots would have a depth of 100 feet. The smaller townhome lots would be 20 feet wide and would be located toward the rear of the property, while the larger townhome lots would be 24 feet wide and would be located at the front of the property. The requested MFR zoning district requires front yard setbacks of 50 feet, but the townhome lots drawings show distances of only 20 feet from the fronts of the buildings to the right-of-way lines. For this reason, the applicant has requested a variance to reduce the front yard setbacks to only 20 feet. The MFR district also requires a minimum spacing of 20 feet between townhome buildings, but the applicant has requested a variance to reduce the side yard setbacks of the townhome lots to 10 feet. The proposed townhome renderings from the applicant, which are shown below, indicate that the smaller townhome buildings would have one-car garages and the larger townhome buildings would have two-car garages.

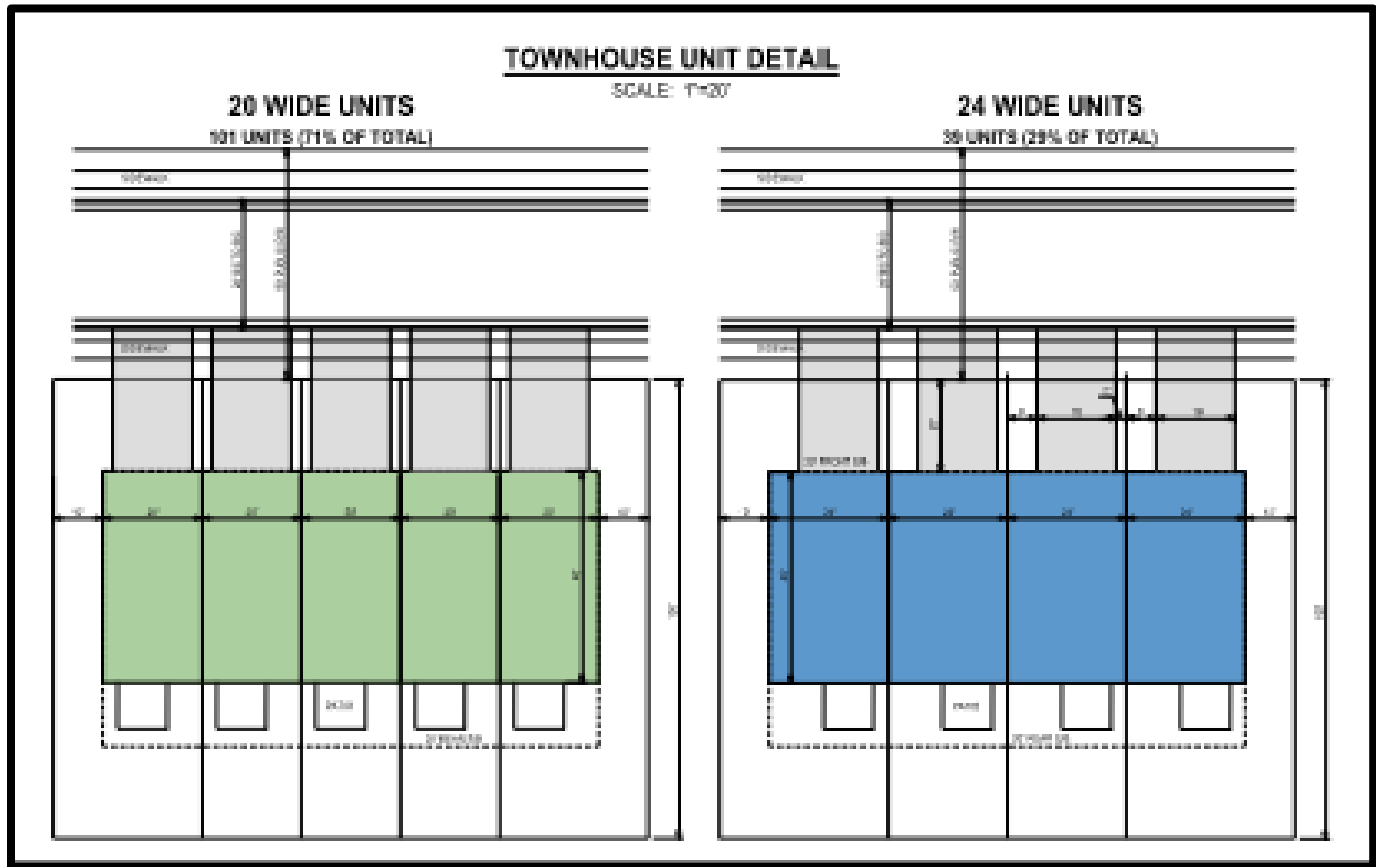
PROPOSED SITE PLAN -- FULL SHEET (View from the South)



AERIAL PHOTO OF THE VICINITY, OVERLAIN BY THE SITE PLAN



PROPOSED SITE PLAN – TOWNHOME LOT DETAILS



NOTES: All 140 townhome lots would be 100 feet deep. There would be 101 larger lots (71% of the total) and 39 smaller lots (29% of the total). The larger townhome units would be 24 feet wide and have two-car garages, while the smaller townhome units would be 20 feet wide and have one-car garages.

RENDERINGS OF PROPOSED TOWNHOME BUILDINGS

Smaller Townhome Buildings (20 Feet Wide) with One-Car Garages:



Larger Townhome Buildings (24 Feet Wide) with Two-Car Garages:



IV. ANALYSES OF VARIANCE REQUESTS

Section 10.1.3 of the Stockbridge Unified Development Code (UDE) lists the criteria which are to be considered for deciding variances. A variance may be granted only upon a finding by the Mayor and City Council that all of eight identified conditions would be met. These eight conditions will be discussed in the analysis below for each of the applicant's two requested variances.

1. Analysis of Variance Request #1. For Variance Request #1, the applicant requests that the front yard setbacks of the townhome lots be reduced from the required 50 feet in the MFR district to 20 feet.

Criterion "A"-- *Extraordinary and exceptional circumstances pertaining to the particular piece of property in question exist due its size, shape, or topography that are not found on other properties in the same zoning district.*

The subject property does have an unusual shape, and the presence of a creek, wetlands, and a steep drop-off in the southeastern corner of the property make certain areas of the property unbuildable. This limits the remaining available land on which to build, resulting in fewer units being built than would otherwise be the case. However, the applicant's application has not stated why such a large reduction in the front yard setbacks is needed for each lot—from 50 feet down to 20 feet. From the "Townhouse Detail" inset drawing on the submitted site plan, it appears that there would be only about 5 feet between the proposed 20-foot driveway setback and the sidewalk. Since standard parking spaces are 20 feet long, parked vehicles could protrude into that 5-foot area, which could be undesirable for pedestrians.

Criterion "B"— *A literal interpretation of the provisions of this unified development code would deprive the applicant of rights commonly enjoyed by owners of other properties located in the same zoning district.*

While the Stockbridge City Council has approved reductions in the front yard setbacks of the townhome lots for other properties in the MFR district, in the past five years, the City Council has not approved any variances for a front yard setback reduction down to just 20 feet. Reductions down to 25 feet have been granted only a few times. Further, an ordinance is currently pending before the Stockbridge City Council to make revisions to the MFR district regulations. Included within that ordinance is a staff recommendation that the required front yard setbacks within the MFR district be at least 30 feet. The applicant has not provided any justification for reducing the front yard setbacks to less than 30 feet.

Criterion "C"— *Granting the variance requested will not confer upon the property owner any special privileges that are denied to other owners of property in the same zoning district.*

Since the requested front-yard variance reduction would be down to only 20 feet, this would be a greater reduction than has been granted for other properties in MFR districts

in the City. The granting of Variance Request #1 would therefore cause the applicant to enjoy a special privilege, with no apparent urgent need being given to do so, in terms of the design of the proposed development.

Criterion “D”—*The variance will be consistent with the purposes and intent of this unified development code, will be compatible with uses on neighboring properties, and will serve the public welfare.*

There is no apparent reason for granting a front-yard setback reduction down to 20 feet, thus its consistency with the purposes and intent of the UDC cannot be determined. Further, such a reduction would not be compatible with the single-family neighboring properties to the west, in the Oakwood Manor Subdivision, and any potential benefits to the public welfare are unknown.

Criterion “E”—*The extraordinary circumstances are not the result of actions of the applicant.*

The physical characteristics of the subject property (the presence of a creek, floodplain areas, and steep topography) are not the result of any actions of the applicant. Their presence, though, does not automatically justify a front-yard setback variance reduction down to 20 feet.

Criterion “F”—*The variance is the minimum relief that will allow the legal use of the land, building or structure.*

Without the granting of Variance Request #1, the land could still be used for building a smaller townhome development with larger but fewer townhome lots.

Criterion “G”—*The variance is not a request to permit a use of land, buildings or structures that is prohibited in the same zoning district.*

The applicant is not requesting the granting of Variance Request #1 to allow any types of uses on the existing vacant land that are prohibited within the applicant’s requested MFR zoning district.

2. Analysis of Variance Request #2. For Variance Request #2, the applicant requests that the side yard setbacks of the townhome lots be reduced from the required 15 feet to 10 feet.

Criterion “A”—*Extraordinary and exceptional circumstances pertaining to the particular piece of property in question exist due its size, shape, or topography that are not found on other properties in the same zoning district.*

The subject property does have an unusual shape, and the presence of a creek, wetlands, and a steep drop-off in the southeastern corner of the property make certain areas of the

property unbuildable. This limits the remaining available land on which to build, resulting in fewer units being built than would otherwise be the case. However, the applicant's application has not stated why the reduction in the side-yard setbacks would be needed. Presumably, it would just be to allow more townhome units to be built on the property.

Criterion "B"— *A literal interpretation of the provisions of this unified development code would deprive the applicant of rights commonly enjoyed by owners of other properties located in the same zoning district.*

Within the past five years, the Stockbridge City Council has approved reductions in the side yard setbacks of townhome lots for other properties in the MFR district. However, the applicant has not demonstrated why any side-yard setback reductions are needed in designing the proposed development.

Criterion "C"— *Granting the variance requested will not confer upon the property owner any special privileges that are denied to other owners of property in the same zoning district.*

The granting of Variance Request #2 may not be viewed as a special privilege, compared to owners of other properties within the MFR zoning district, since other property owners have been granted similar variance requests.

Criterion "D"— *The variance will be consistent with the purposes and intent of this unified development code, will be compatible with uses on neighboring properties, and will serve the public welfare.*

There is no apparent reason for granting a side-yard setback reduction down to 10 feet from the required 15 feet, thus its consistency with the purposes and intent of the UDC cannot be determined. However, this reduction of only 5 feet would not be significant, and no potential detriments to the public welfare have been identified.

Criterion "E"— *The extraordinary circumstances are not the result of actions of the applicant.*

The physical characteristics of the subject property (the presence of a creek, floodplain areas, and steep topography) are not the result of any actions of the applicant. Their presence, though, does not automatically justify a side-yard setback variance reduction down to 10 feet. However, no apparent harm in doing so has been identified.

Criterion "F"— *The variance is the minimum relief that will allow the legal use of the land, building or structure.*

Without the granting of Variance Request #2, the land could still be used for building a smaller townhome development with larger but fewer townhome lots.

Criterion “G”-- *The variance is not a request to permit a use of land, buildings or structures that is prohibited in the same zoning district.*

The applicant is not requesting the granting of Variance Request #2 to allow any types of uses on the existing vacant land that are prohibited within the applicant’s requested MFR zoning district.

V. CONCLUSIONS

The applicant has cited a general need for setback reductions on the subject property due to the unusual shape of the property, as well as the presence of a creek, floodplains, and steep topography. The granting of the two requested variances would presumably allow a greater number of townhomes to be built on the property. But the specific justifications for the requested variances, in terms of designing the site plan, have not been given. For Variance Request #1, the applicant is requesting a greater front-yard setback reduction (down to only 20 feet) than has been granted to any other MFR district applicants within the past five years. For Variance Request #2, the requested side-yard setback reduction would not be significant, and although no specific justification has been given by the applicant for doing so, no evident harm in granting this request has been identified, either.

VI. RECOMMENDATIONS

1. **For Variance Request #1**, the Planning & Zoning Staff makes two recommendations, as follows:
 - a. The **denial** of the applicant’s request to reduce the front yard setbacks of the townhome lots from the required 50 feet down to only 20 feet in the MFR zoning district.
 - b. The **approval** of a reduction in the front yard setbacks of the townhome lots to 30 feet.
2. **For Variance Request #2**, the Planning & Zoning Staff recommends the **approval** of this request to reduce the side yard setbacks from the required 15 feet to 10 feet for the proposed townhome lots.