

**STOCKBRIDGE
COMMUNITY ZONING
INFORMATION MEETING**

ADMINISTRATION

Ryan Anderson

Community Development Director

Vacant

Chief Planner

Linda Logan

Senior Planner, Secretary

Gordon Linton, Senior Planner

**Community Zoning
Information Meeting
Agenda
April 9, 2025 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



AGENDA COMMUNITY ZONING INFORMATION MEETING CITY OF STOCKBRIDGE

WEDNESDAY, APRIL 9, 2025 6:00 PM

- I. WELCOME**
- II. OVERVIEW OF THE ZONING PROCESS**
- III. ZONING CASE DISCUSSIONS**

COMPREHENSIVE PLAN AMENDMENT CASE #CP-2025-02. (Property is located in Council District 4.)

Consideration of a Comprehensive Plan Amendment for Parcel #029-01011001, located between North Henry Boulevard and Old Atlanta Road, south of Valley Hill Road, for the purpose of changing the property's future land use designation from "Low-Density Mixed-Use" to "High-Density Mixed-Use" to allow for the development of townhomes and office space. Applicant: Templar Development Group, LLC. Agent: Battle Law, P.C. The property is located in Land Lot 90 of District 12, and it contains 9.90 +/- acres.

REZONING CASE #RZ-2025-03. (Property is located in Council District 4.)

Consideration of a Rezoning for Parcel #029-01011001, located between North Henry Boulevard and Old Atlanta Road, south of Valley Hill Road, for the purpose of rezoning the property from 'C-3' (Heavy Commercial) and 'PMU' (Parkway Mixed-Use) Overlay District to 'PUD' (Planned Unit Development) Master Plan and 'PMU' (Parkway Mixed-Use) Overlay District to allow for the development of townhomes and office space. Applicant: Templar Development Group, LLC. Agent: Battle Law, P.C. The property is located in Land Lot 90 of District 12, and it contains 9.90 +/- acres.

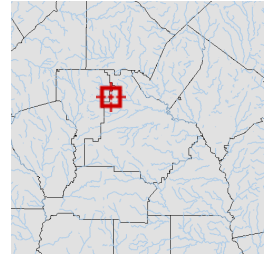
- IV. OTHER BUSINESS**
- V. UPCOMING MEETINGS**
- VI. ADJOURN**



Henry County, GA



Overview



Legend

- Parcels
- Roads

Parcel ID	029-01011001	Class	Commercial	Owner	GILMORE WILLIAM B &	Land	\$295,200
Property		Acreage	9.23	Address	MIRIAM D M	Value:	
Address					8879 FOUNTAIN PALM	Building	\$0
District	City/Stockbridge				ALY	Value:	
					WINTER GARDEN, FL	Misc	\$0
					34787	Value:	
						Total	\$295,200
						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: 3/26/2025

Last Data Uploaded: 3/26/2025 1:13:42 AM

Developed by  **SCHNEIDER**
GEOSPATIAL

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

Name of Applicant Templar Development Group, LLC. Phone: 404-601-7616 Date: 2/28/2025
Address of Applicant: 160 Whitney Street Cell # _____
City: Fayetteville State: GA Zip: 30214 E-mail: jay@templar-dev.com
Name of Agent Battle Law, P.C. Phone: 404-601-7616 Date: 2/28/2025
Address of Agent: 3562 Habersham at Northlake Bldg. J Ste. 100 Cell # _____
City: Stockbridge State: GA Zip: 30324 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: Low-Density Mixed Use
To: High-Density Mixed Use

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.

JM (Acknowledgement)

Property Address: 0 North Henry Boulevard

Nearest intersection to the property: North Henry Boulevard and Valley Hill Road

Size of Tract: 9.9 acre(s). Land Lot Number(s): _____ District(s): 4
Property Tax Parcel Number(s): 029-01011001 (Required)

Witness' Signature

Signature of Applicant

Jeremy Richardson

Arranda Knight-Statnam

Printed Name of Witness

Printed Name of Applicant

Notary

Signature of Agent

Notary Seal:

Henry County, GEORGIA

(For Office Use Only)

My Commission Expires 04/11/2025

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 0 North Henry Blvd. [address], with Parcel Number 029-010-1101-1001, which is the subject of this application.

Name of Property Owner: Miriam Deborah Mays Gilmore

Property Owner's Address: 8879 Fountain Palm Aly, Winter Garden, FL 34787

Telephone: 407.506.9923

E-mail: WBGILMORE@AOL.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: Miriam Deborah Mays Gilmore

Date: 1/23/25

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): Templar Development, LLC - Jay Knight

Company/law firm (if applicable): Joshua S. Mahoney & Michele L. Battle, Battle Law, PC

Telephone, E-Mail, & Address: Joshua Mahoney: 470.757.3622, jsn@battlelawpc.com & Michele

Battle, 404.723.6266, mlb@battlelawpc.com; 3562 Habersham at Northlake, Bldg J, Suite 100, Tucker, GA 30084

I authorize the Applicant or Applicants who are named above to act on my behalf for this application.

Miriam Deborah Mays Gilmore

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.

1-23-25

Date

Signature of Notary Public

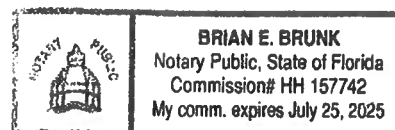
Brian Brunk

Printed Name of Notary Public

1/23/25

Date

Notary Public's Seal or Stamp:



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.

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The undersigned below is the PROPERTY OWNER, or one of the property owners, of the property at
0 North Henry Blvd _____ [address], with Parcel Number 029-010-1101-1001 _____
which is the subject of this application.

Name of Property Owner: William Brooks Gilmore
Property Owner's Address: 8879 Fountain Palm Aly, Winter Garden, FL 34727
Telephone: 407.506.9923 E-mail: wbgilmore@aol.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: William Brooks Gilmore Date: _____

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): Templar Development, LLC - Jay Knight

Company/law firm (if applicable): Joshua Mahoney & Michele Battle (Battle Law, PC)

Telephone, E-Mail, & Address: Joshua Mahoney: 470.757.3622, jsm@battlelawpc.com & Michele

Battle, 404.723.6266, mlb@battlelawpc.com; 3562 Habersham at Northlake, Bldg J, Suite 100, Tucker, GA 30084

I authorize the Applicant or Applicants who are named above to act on my behalf for this application.

William Brooks Gilmore

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.

1/23/25
Date

*Provided FENC
95 ID*

Brian Brunk

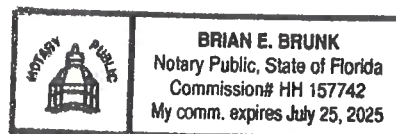
Signature of Notary Public

Brian Brunk

Printed Name of Notary Public

1/23/25
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 23 day of JANUARY, 2025

Miriam Deborah Mays Gilmore

Applicant's Name - Printed

Miriam Deborah Mays Gilmore
Signature of Applicant/Property Owner/Agent

N/A

Applicant's Attorney, if applicable - Printed

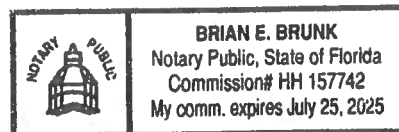
N/A

Signature of Applicant's Attorney, if applicable

Sworn to and subscribed before me this 23 day of January, 2025

[Signature]
Notary Public

Provided FLOW as ID



* 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 ~~Yes~~

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 23 day of January, 2025

William Brooks Gilmore

Applicant's Name - Printed

x William Brooks Gilmore

Signature of Applicant (Property Owner/Agent)

N/A

Applicant's Attorney, if applicable - Printed

N/A

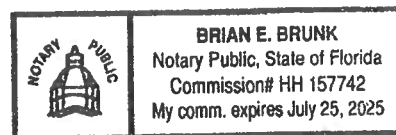
Signature of Applicant's Attorney, if applicable

Sworn to and subscribed before me this 23 day of January, 2025

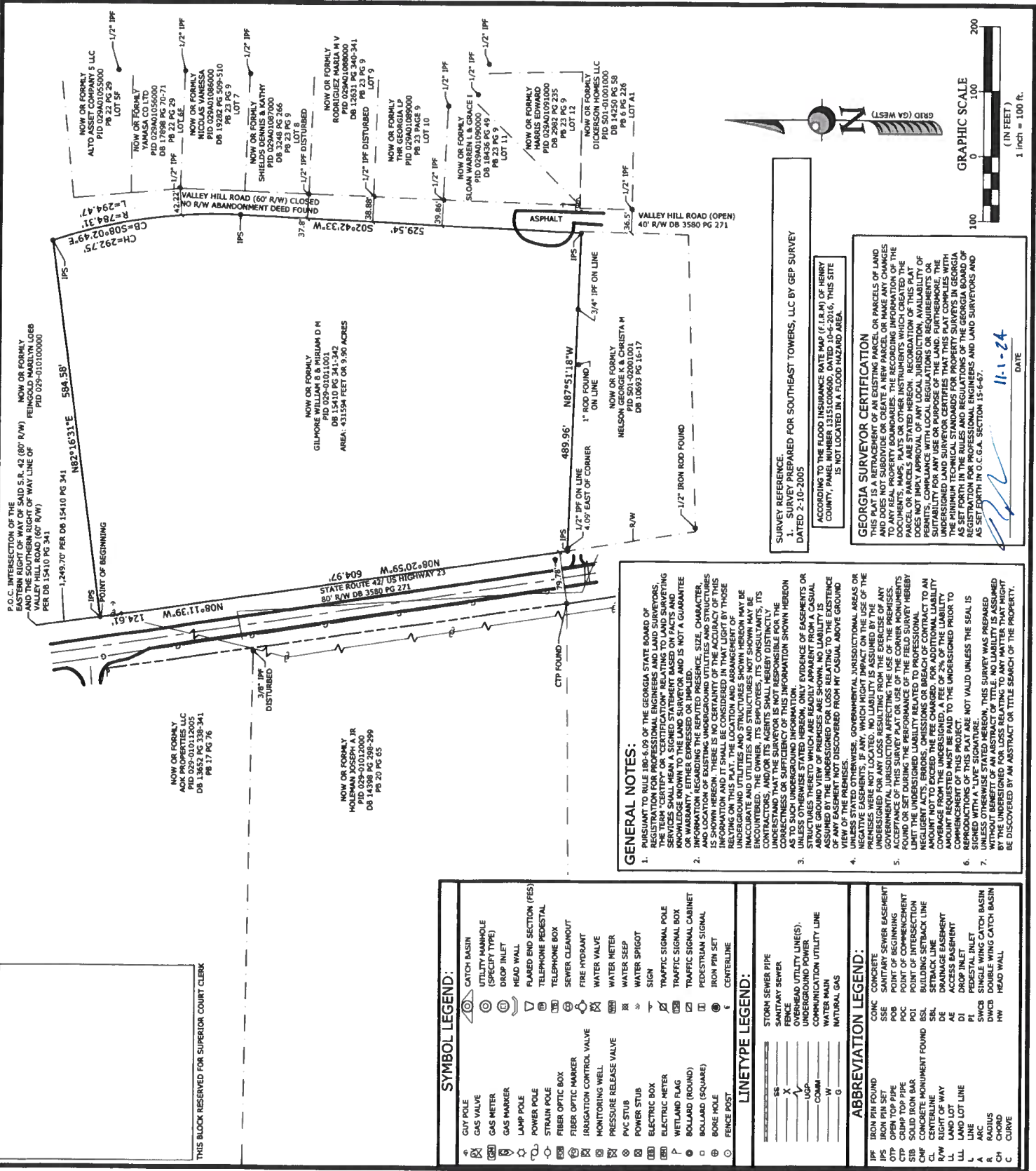
[Signature]

Notary Public

Provided FC DC as to



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





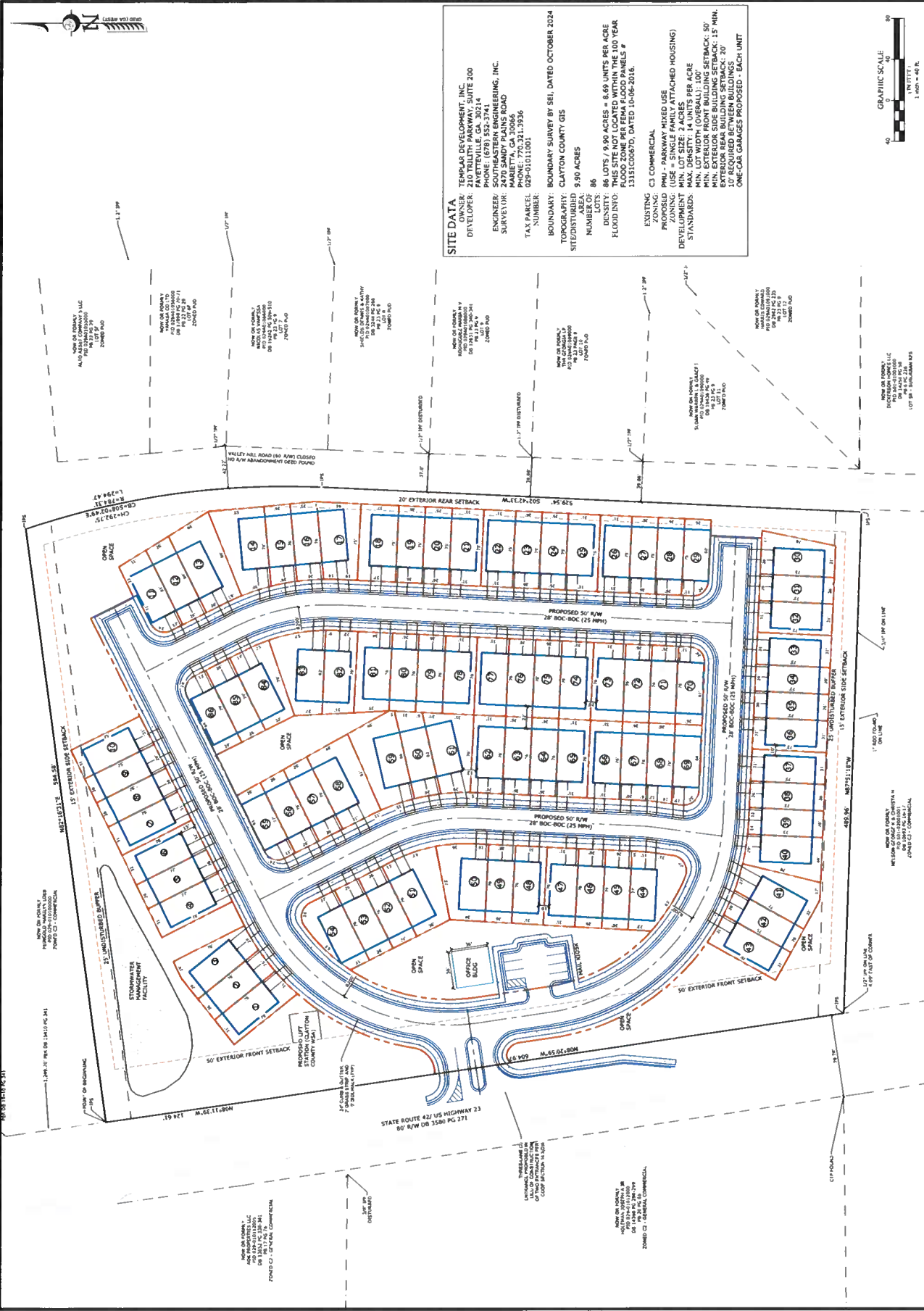
No.	ISSUED DESCRIPTION	DATE
1		
2		
3		
4		

210 BULLITT PARKWAY
FAVETTEVILLE, GA 30214
PHONE: (678) 552-3741
FAX: (678) 552-3741
PROJECT: REZONING DEVELOPMENT
24 HOUR CONTACT INFORMATION

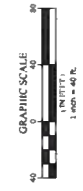
REZONING SITE PLAN
PROJECT LOCATION:
CITY OF STOCKBRIDGE
HENRY COUNTY, GA
NORTH HENRY BOULEVARD TRACT
L. 90 12TH DISTRICT



Project No: 1400-24-100
Drawing No: 100-1
Name: Matt Seay
Date: 12-20-24



SITE DATA
OWNER: TEMPLAR DEVELOPMENT, INC.
DEVELOPER: TEMPLAR DEVELOPMENT, INC.
FAVETTEVILLE, GA 30214
ENGINEER: SOUTHEASTERN ENGINEERING, INC.
SURVEYOR: MARIETTA, GA 30066
TAX PARCEL NUMBER: 029-01011001
BOUNDARY: BOUNDARY SURVEY BY SEI, DATED OCTOBER 2024
TOPOGRAPHY: CLAYTON COUNTY GDS
SITING AREA: 9.90 ACRES
NUMBER OF LOTS: 86
DENSITY: 86 LOTS / 9.90 ACRES = 8.69 UNITS PER ACRE
FLOOD INFO: THIS SITE NOT LOCATED WITHIN THE 100 YEAR FLOOD ZONE PER FEMA FLOOD PANELS # 1331100670, DATED 10-06-2016.
EXISTING ZONING: C3 COMMERCIAL
PROPOSED ZONING: (USE = SINGLE FAMILY ATTACHED HOUSING) DEVELOPMENT MIN. LOT SIZE: 2 ACRES PER ACRE STANDARDS MIN. LOT WIDTH (OVERALL): 100' MIN. EXTERIOR FRONT BUILDING SETBACK: 50' MIN. EXTERIOR REAR BUILDING SETBACK: 20' MIN. EXTERIOR SIDE BUILDING SETBACK: 15' MIN. 10' REQUIRED BETWEEN BUILDINGS
ONE-CAR GARAGES PROPOSED - EACH UNIT









Providing Quality Water and Quality Services to Our Community

January 27, 2025

Jay Knight
Templar Development

Re: Parcel ID 029-01011001
0 North Henry Blvd (Hwy 42)
Stockbridge/Henry County, GA

Mr. Knight,

Clayton County Water Authority owns and maintains a 6-inch water main running along the east side of North Henry Blvd/Hwy 42. The Authority has a treatment capacity of 42 MGD and is currently producing an average of 26.73 MGD.

The Authority also owns and maintains an 8-inch sanitary sewer main at the cul-de-sac of Old Atlanta Rd. Wastewater generated from your development would receive treatment at the Northeast Clayton WRF. This facility has a design capacity of 10 MGD and is presently treating 4.692 MGD.

The Authority does not guarantee capacity of plant or infrastructure until capacity is purchased through the payment of connection fees.

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

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

Sincerely,

A handwritten signature in blue ink, appearing to read "C. Samay", is written over a horizontal line.

Catherine Samay
Plan Review Coordinator



Battle Law

STATEMENT OF INTENT

and

Other Material Required by
City of Stockbridge Zoning Ordinance
For

A Rezoning from C-3 to PUD and a Future Land Use Amendment from Low Density Mixed Use
to High Density Mixed-Use to Allow
A Mixed-Use Development Including Townhomes and Office Space

of

Templar Development Group, LLC
c/o Battle Law, P.C.

for

+/-9.9 Acres of Land
Fronting on North Henry Boulevard
City of Stockbridge, Georgia and
Parcel Nos. 029-01011001

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

Templar Development Group, LLC (the “Applicant”) is seeking to develop on +/- 9.9 acres of land being Tax Parcel No(s). 029-01011001 having frontage on North Henry Boulevard (the “Subject Property”) with a mixed-use development containing townhomes and office space.

This document serves as a statement of intent, analysis of the criteria under the City of Stockbridge Code of Ordinances and contains notice of constitutional allegations as a reservation of the Applicant’s rights.

II. CITY OF STOCKBRIDGE REZONING CRITERIA

In ruling upon any application for a zoning map amendment, or any other zoning decision, the mayor and council shall act in the best interest of the health, safety, morals, and general welfare of the city, in doing so, they will consider one or more of the following standards of review which are relevant to the application:

- 1. Whether the proposal is consistent and/or compatible with the city’s plans, goals, and objectives reflected in the city’s comprehensive plan;*

The zoning proposal includes both a rezoning and future land use amendment. Combined, the zoning proposal is consistent with the city’s plans, goals, and objectives reflected in the comprehensive plan.

- 2. How the proposal impacts the purposes of the overall zoning scheme, and whether the proposed change furthers the purposes of these zoning regulations. Applications for zoning amendments that do not contain specific site plans carry a rebuttable presumption that the proposed change shall adversely affect the zoning scheme;*

The zoning proposal fits in well with the overall zoning scheme. The property to the east of the Subject Property is zoned PUD and allow for residential uses. The zoning proposal also seeks PUD and will allow for residential uses but will add an office use fronting North Henry Boulevard. This is a much more desirable configuration than having commercial immediately against residential, which is what would be permitted under the zoning scheme as it is today.

- 3. How the proposal impacts the character of the zoning district, the particular piece of property, neighborhoods, or the community;*

The zoning proposal would be an improvement over the current zoning scheme in the area. Today, the zoning scheme allows for commercial uses to exist immediately adjacent to residential uses. The zoning proposal would improve upon this by putting residential next to residential but also incorporating office uses. The impact on the area would be minimal because the zoning proposal would continue the pattern of residential development while acting as a



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transition from the lower density residential to the east, to higher intensity uses along North Henry Boulevard.

4. Whether the proposal creates an isolated district unrelated to adjacent properties and nearby districts;

The proposal does not create an isolated district. The property to the east is zoned PUD. So, the zoning proposal will not introduce a new zoning district to the area.

5. How the proposal impacts the aesthetic character of existing and future uses of the property and the surrounding area;

The zoning proposal will have minimal impact on the aesthetic character of existing and future uses of the property and surrounding area.

6. Whether the proposal is consistent with adjacent development densities and the density patterns reflected in the comprehensive plan;

The zoning proposal includes density that is higher than nearby property, but the Subject Property is fronting directly on North Henry Boulevard where other properties nearby do not. This difference calls for higher density development.

7. How the proposal impacts the public health, safety, and general welfare;

The proposal will have minimal impact on public health, safety, and general welfare.

8. How the proposal impacts water, sewerage, other public facilities, or public services, and how the proposed amendment impacts expenditures of public funds;

The zoning proposal will have minimal impact on water, sewerage, and other public facilities and services.

9. How the proposal impacts traffic safety and congestion;

The zoning proposal will have minimal impact on traffic safety and congestion.

10. How the proposal impacts environmental conditions, including, but not limited to, drainage, soil erosion and sedimentation, flooding, air quality, water quality and quantity;

There are no environmental assets on the Subject Property. Therefore, the zoning proposal will not adversely affect environmental conditions. The zoning proposal will include a stormwater management facility which will improve stormwater runoff.

11. How the proposal impacts the provision of adequate light and air;



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The proposal will have minimal impact on the provision of adequate light and air. The proposed townhomes will not be so tall as to block light or airflow.

12. How the proposal impacts the value of adjacent property;

The zoning proposal will not adversely impact the values of adjacent property. Changing the zoning of the Subject Property from commercial to residential may improve values for adjacent properties.

13. Whether there are substantial reasons why the property cannot be used in accordance with existing regulations;

The Applicant is not aware of any substantial reasons why the property can or cannot be use in accordance with existing regulations. However, no commercial developer or operator has taken the opportunity to use the Subject Property in accordance with the C-3 zoning.

14. Preservation of integrity of residential neighborhoods shall carry greater weight than other factors. Where property fronts on a major thoroughfare and also adjoins an established residential neighborhood, the factor of preservation of the residential area shall carry greater weight.

The integrity of the nearby residential neighborhoods shall be preserved.

III. CONCLUSION

For the foregoing reasons, the Applicant hereby requests that the application for a rezoning and future land use amendment to allow a mixed-use development 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.



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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 I of the Constitution of the State of Georgia.

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

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

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



Battle Law

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



Battle Law

I. LETTER OF INTENT

Templar Development Group, LLC (the “Applicant”) is seeking to develop on +/- 9.9 acres of land being Tax Parcel No(s). 029-01011001 having frontage on North Henry Boulevard (the “Subject Property”) with a mixed-use development containing townhomes and office space.

This document serves as a statement of intent, analysis of the criteria under the City of Stockbridge Code of Ordinances and contains notice of constitutional allegations as a reservation of the Applicant’s rights.

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1. *Whether the proposal is consistent and/or compatible with the city’s plans, goals, and objectives reflected in the city’s comprehensive plan;*

The zoning proposal includes both a rezoning and future land use amendment. Combined, the zoning proposal is consistent with the city’s plans, goals, and objectives reflected in the comprehensive plan.

2. *How the proposal impacts the purposes of the overall zoning scheme, and whether the proposed change furthers the purposes of these zoning regulations. Applications for zoning amendments that do not contain specific site plans carry a rebuttable presumption that the proposed change shall adversely affect the zoning scheme;*

The zoning proposal fits in well with the overall zoning scheme. The property to the east of the Subject Property is zoned PUD and allow for residential uses. The zoning proposal also seeks PUD and will allow for residential uses but will add an office use fronting North Henry Boulevard. This is a much more desirable configuration than having commercial immediately against residential, which is what would be permitted under the zoning scheme as it is today.

3. *How the proposal impacts the character of the zoning district, the particular piece of property, neighborhoods, or the community;*

The zoning proposal would be an improvement over the current zoning scheme in the area. Today, the zoning scheme allows for commercial uses to exist immediately adjacent to residential uses. The zoning proposal would improve upon this by putting residential next to residential but also incorporating office uses. The impact on the area would be minimal because the zoning proposal would continue the pattern of residential development while acting as a



Battle Law

transition from the lower density residential to the east, to higher intensity uses along North Henry Boulevard.

4. *Whether the proposal creates an isolated district unrelated to adjacent properties and nearby districts;*

The proposal does not create an isolated district. The property to the east is zoned PUD. So, the zoning proposal will not introduce a new zoning district to the area.

5. *How the proposal impacts the aesthetic character of existing and future uses of the property and the surrounding area;*

The zoning proposal will have minimal impact on the aesthetic character of existing and future uses of the property and surrounding area.

6. *Whether the proposal is consistent with adjacent development densities and the density patterns reflected in the comprehensive plan;*

The zoning proposal includes density that is higher than nearby property, but the Subject Property is fronting directly on North Henry Boulevard where other properties nearby do not. This difference calls for higher density development.

7. *How the proposal impacts the public health, safety, and general welfare;*

The proposal will have minimal impact on public health, safety, and general welfare.

8. *How the proposal impacts water, sewerage, other public facilities, or public services, and how the proposed amendment impacts expenditures of public funds;*

The zoning proposal will have minimal impact on water, sewerage, and other public facilities and services.

9. *How the proposal impacts traffic safety and congestion;*

The zoning proposal will have minimal impact on traffic safety and congestion.

10. *How the proposal impacts environmental conditions, including, but not limited to, drainage, soil erosion and sedimentation, flooding, air quality, water quality and quantity;*

There are no environmental assets on the Subject Property. Therefore, the zoning proposal will not adversely affect environmental conditions. The zoning proposal will include a stormwater management facility which will improve stormwater runoff.

11. *How the proposal impacts the provision of adequate light and air;*



Battle Law

The proposal will have minimal impact on the provision of adequate light and air. The proposed townhomes will not be so tall as to block light or airflow.

12. How the proposal impacts the value of adjacent property;

The zoning proposal will not adversely impact the values of adjacent property. Changing the zoning of the Subject Property from commercial to residential may improve values for adjacent properties.

13. Whether there are substantial reasons why the property cannot be used in accordance with existing regulations;

The Applicant is not aware of any substantial reasons why the property can or cannot be use in accordance with existing regulations. However, no commercial developer or operator has taken the opportunity to use the Subject Property in accordance with the C-3 zoning.

14. Preservation of integrity of residential neighborhoods shall carry greater weight than other factors. Where property fronts on a major thoroughfare and also adjoins an established residential neighborhood, the factor of preservation of the residential area shall carry greater weight.

The integrity of the nearby residential neighborhoods shall be preserved.

III. CONCLUSION

For the foregoing reasons, the Applicant hereby requests that the application for a rezoning and future land use amendment to allow a mixed-use development 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.



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

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

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



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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





SEI

ENGINEERING, INC.

1125 N. W. 10th Ave., Suite 1000
Fort Lauderdale, FL 33304
Tel: (954) 571-1111
Fax: (954) 571-1112
www.sei-engineering.com

No.	ISSUED DESCRIPTION	DATE
1		
2		
3		

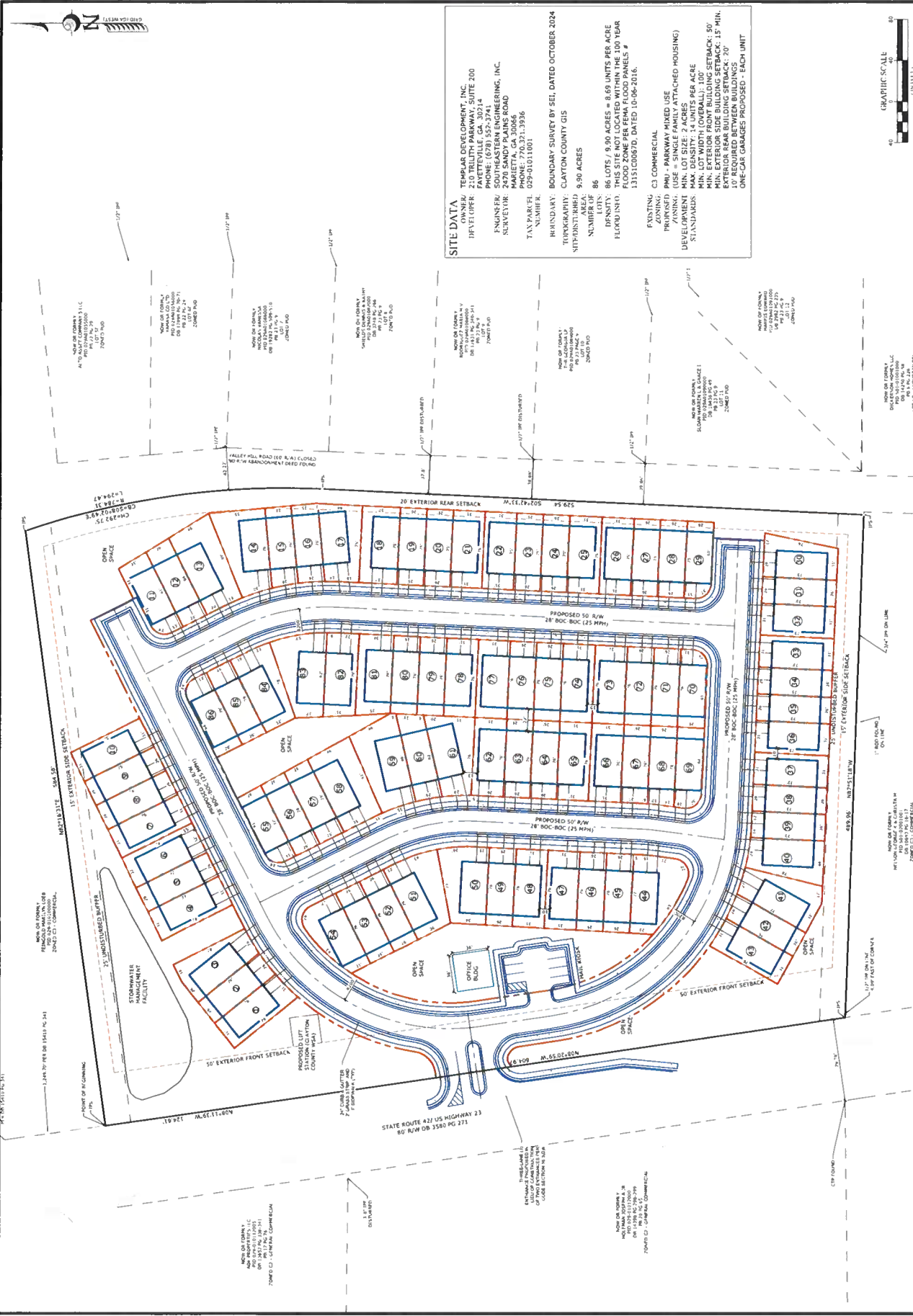
210 TRILLIUM PARKWAY
SUITE 200
FAYETTEVILLE, GA 30214
PHONE: (678) 552-3741
FAX: (678) 552-3742

TEMPLE DEVELOPMENT, INC.
10000 TRILLIUM PARKWAY
SUITE 200
FAYETTEVILLE, GA 30214
PHONE: (678) 552-3741
FAX: (678) 552-3742

REZONING SITE PLAN
NORTH HENRY BOULEVARD TRACT
CITY OF FAYETTEVILLE, GA
PROJECT NO. 11-0000000-01
HENSLEY CONSULTING, PA
11-0000000-01

REVIEW
APPROVED
11-0000000-01

Project No. 11-0000000-01
Prepared By: [Signature]
Issue Date: 11-00-01



SITE DATA

OWNER: TEMPLE DEVELOPMENT, INC.
10000 TRILLIUM PARKWAY
SUITE 200
FAYETTEVILLE, GA 30214
PHONE: (678) 552-3741
FAX: (678) 552-3742

ENGINEER: SOUTHEASTERN ENGINEERING, INC.
10000 TRILLIUM PARKWAY
SUITE 200
FAYETTEVILLE, GA 30214
PHONE: (678) 552-3741
FAX: (678) 552-3742

TAX MAP ID: 029-00101001

BOUNDARY SURVEY BY SET DATED OCTOBER 2024

TITLE: NORTH HENRY BOULEVARD TRACT

PROPERTY: CLAYTON COUNTY GIS

NUMBER OF LOTS: 66

AREA: 9.90 ACRES

DENSITY: 86 LOTS / 9.90 ACRES = 8.69 UNITS PER ACRE

FLOOD ZONE: PER FEMA FLOOD PANELS # 131510007D, DATED 10-06-2016.

PLANNING: C3 COMMERCIAL

USE: PARKWAY MIXED USE

MIN. LOT SIZE: 2 ACRES

MAX. DENSITY: 14 UNITS PER ACRE

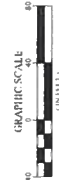
MIN. EXTERIOR FRONT SETBACK: 50'

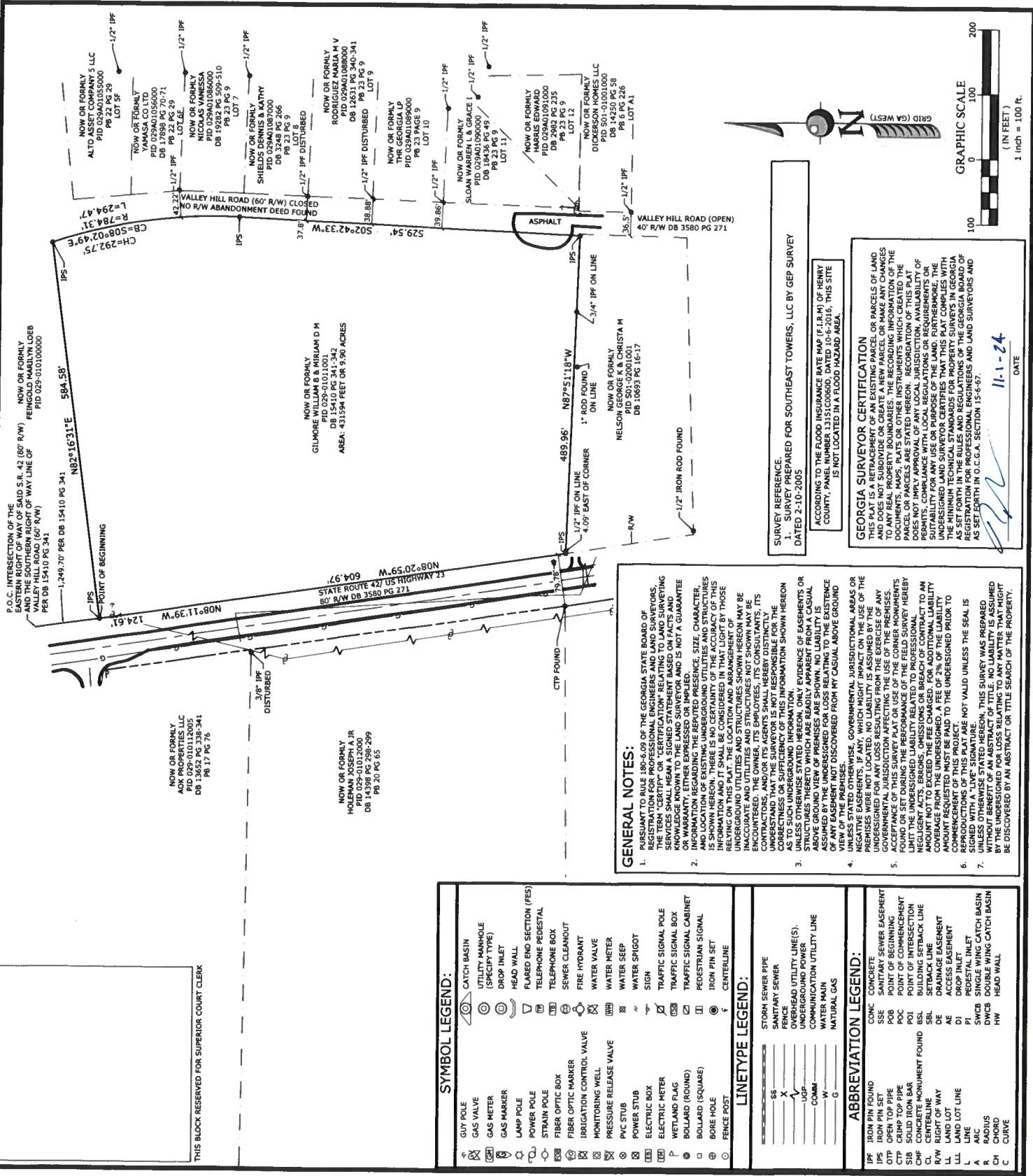
MIN. EXTERIOR SIDE SETBACK: 15'

MIN. EXTERIOR REAR SETBACK: 20'

1.0' REQUIRED BETWEEN BUILDINGS

ONE-CAR GARAGES PROPOSED - EACH UNIT







Providing Quality Water and Quality Services to Our Community

January 27, 2025

Jay Knight
Templar Development

Re: Parcel ID 029-01011001
0 North Henry Blvd (Hwy 42)
Stockbridge/Henry County, GA

Mr. Knight,

Clayton County Water Authority owns and maintains a 6-inch water main running along the east side of North Henry Blvd/Hwy 42. The Authority has a treatment capacity of 42 MGD and is currently producing an average of 26.73 MGD.

The Authority also owns and maintains an 8-inch sanitary sewer main at the cul-de-sac of Old Atlanta Rd. Wastewater generated from your development would receive treatment at the Northeast Clayton WRF. This facility has a design capacity of 10 MGD and is presently treating 4.692 MGD.

The Authority does not guarantee capacity of plant or infrastructure until capacity is purchased through the payment of connection fees.

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

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

Sincerely,

A handwritten signature in black ink, appearing to read "C. Samay", is written over a horizontal line.

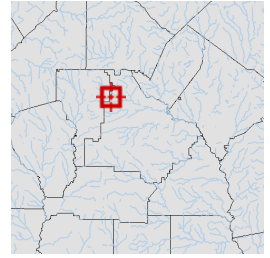
Catherine Samay
Plan Review Coordinator



Henry County, GA



Overview



Legend

- Parcels
- Roads

Parcel ID	029-01011001	Class	Commercial	Owner	GILMORE WILLIAM B &	Land	\$295,200
Property		Acreage	9.23	Address	MIRIAM D M	Value:	
Address					8879 FOUNTAIN PALM	Building	\$0
District	City/Stockbridge				ALY	Value:	Last 2 Sales
					WINTER GARDEN, FL	Misc	Date Price Reason Qual
					34787	Value:	8/16/2017 \$0 VM U
						Total	12/8/1999 \$0 U U
						Value:	\$295,200

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: 3/26/2025

Last Data Uploaded: 3/26/2025 1:13:42 AM

Developed by  **SCHNEIDER**
GEOSPATIAL



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I. LETTER OF INTENT

Templar Development Group, LLC (the “Applicant”) is seeking to develop on +/- 9.9 acres of land being Tax Parcel No(s). 029-01011001 having frontage on North Henry Boulevard (the “Subject Property”) with a mixed-use development containing townhomes and office space.

This document serves as a statement of intent, analysis of the criteria under the City of Stockbridge Code of Ordinances and contains notice of constitutional allegations as a reservation of the Applicant’s rights.

II. CITY OF STOCKBRIDGE REZONING CRITERIA

In ruling upon any application for a zoning map amendment, or any other zoning decision, the mayor and council shall act in the best interest of the health, safety, morals, and general welfare of the city, in doing so, they will consider one or more of the following standards of review which are relevant to the application:

1. *Whether the proposal is consistent and/or compatible with the city’s plans, goals, and objectives reflected in the city’s comprehensive plan;*

The zoning proposal includes both a rezoning and future land use amendment. Combined, the zoning proposal is consistent with the city’s plans, goals, and objectives reflected in the comprehensive plan.

2. *How the proposal impacts the purposes of the overall zoning scheme, and whether the proposed change furthers the purposes of these zoning regulations. Applications for zoning amendments that do not contain specific site plans carry a rebuttable presumption that the proposed change shall adversely affect the zoning scheme;*

The zoning proposal fits in well with the overall zoning scheme. The property to the east of the Subject Property is zoned PUD and allow for residential uses. The zoning proposal also seeks PUD and will allow for residential uses but will add an office use fronting North Henry Boulevard. This is a much more desirable configuration than having commercial immediately against residential, which is what would be permitted under the zoning scheme as it is today.

3. *How the proposal impacts the character of the zoning district, the particular piece of property, neighborhoods, or the community;*

The zoning proposal would be an improvement over the current zoning scheme in the area. Today, the zoning scheme allows for commercial uses to exist immediately adjacent to residential uses. The zoning proposal would improve upon this by putting residential next to residential but also incorporating office uses. The impact on the area would be minimal because the zoning proposal would continue the pattern of residential development while acting as a



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transition from the lower density residential to the east, to higher intensity uses along North Henry Boulevard.

4. *Whether the proposal creates an isolated district unrelated to adjacent properties and nearby districts;*

The proposal does not create an isolated district. The property to the east is zoned PUD. So, the zoning proposal will not introduce a new zoning district to the area.

5. *How the proposal impacts the aesthetic character of existing and future uses of the property and the surrounding area;*

The zoning proposal will have minimal impact on the aesthetic character of existing and future uses of the property and surrounding area.

6. *Whether the proposal is consistent with adjacent development densities and the density patterns reflected in the comprehensive plan;*

The zoning proposal includes density that is higher than nearby property, but the Subject Property is fronting directly on North Henry Boulevard where other properties nearby do not. This difference calls for higher density development.

7. *How the proposal impacts the public health, safety, and general welfare;*

The proposal will have minimal impact on public health, safety, and general welfare.

8. *How the proposal impacts water, sewerage, other public facilities, or public services, and how the proposed amendment impacts expenditures of public funds;*

The zoning proposal will have minimal impact on water, sewerage, and other public facilities and services.

9. *How the proposal impacts traffic safety and congestion;*

The zoning proposal will have minimal impact on traffic safety and congestion.

10. *How the proposal impacts environmental conditions, including, but not limited to, drainage, soil erosion and sedimentation, flooding, air quality, water quality and quantity;*

There are no environmental assets on the Subject Property. Therefore, the zoning proposal will not adversely affect environmental conditions. The zoning proposal will include a stormwater management facility which will improve stormwater runoff.

11. *How the proposal impacts the provision of adequate light and air;*



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The proposal will have minimal impact on the provision of adequate light and air. The proposed townhomes will not be so tall as to block light or airflow.

12. How the proposal impacts the value of adjacent property;

The zoning proposal will not adversely impact the values of adjacent property. Changing the zoning of the Subject Property from commercial to residential may improve values for adjacent properties.

13. Whether there are substantial reasons why the property cannot be used in accordance with existing regulations;

The Applicant is not aware of any substantial reasons why the property can or cannot be use in accordance with existing regulations. However, no commercial developer or operator has taken the opportunity to use the Subject Property in accordance with the C-3 zoning.

14. Preservation of integrity of residential neighborhoods shall carry greater weight than other factors. Where property fronts on a major thoroughfare and also adjoins an established residential neighborhood, the factor of preservation of the residential area shall carry greater weight.

The integrity of the nearby residential neighborhoods shall be preserved.

III. CONCLUSION

For the foregoing reasons, the Applicant hereby requests that the application for a rezoning and future land use amendment to allow a mixed-use development 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.



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

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

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



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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





Rezoning Application

City of Stockbridge, Georgia



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

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

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

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

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

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

[Form revised on 1/19/22.]

City of Stockbridge Planning and Zoning Division
Rezoning Application

Name of Applicant: Templar Development, LLC Phone: 770.527.0323 Date: 01/16/2025
Address Applicant: 160 Whitney Street Fax: _____ Cell # 770.527.0323

City: Fayetteville State: GA Zip: 30214 E-mail: jay@templar-dev.com
Name of Agent: Michele Battle & Joshua Mahoney Phone: 404.601.7616 / 470.7 Date: 01/16/2025
Address Agent: 3562 Habersham at Northlake, Bldg. J Fax: _____ Cell # 404.723.6266
City: Tucker State: GA Zip: 30084 E-mail: mlb@battlelawpc.com & jsm@bat

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 PUD

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: 0 North Henry Blvd.

Nearest intersection to the property: S.R. 42 and Valley Hill Road
(Street Address)

Size of Tract: 9.23 acre(s). Land Lot Number(s): 90 District(s): 12

Property Tax Parcel Number(s): 029-01011001

(Required)

Witness Signature:

Jeremy Richardson
Printed Name of Witness

Witness Signature:

Amanda Knight Stetman
Printed Name of Applicant

Notary

NOTARY STAMP:

Sandra Winfree

NOTARY PUBLIC

Henry County, GEORGIA

My Commission Expires 04/11/2025

(Rear 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: _____

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 0 North Henry Blvd. [address], with Parcel Number 029-010-1101-1001 which is the subject of this application.

Name of Property Owner: Miriam Deborah Mays Gilmore

Property Owner's Address: 8879 Fountain Palm Aly, Winter Garden, FL 34787

Telephone: 407.506.9923

E-mail: WBGILMORE@AOL.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: Miriam Deborah Mays Gilmore

Date: 1/23/25

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): Templar Development, LLC - Jay Knight

Company/law firm (if applicable): Joshua S. Mahoney & Michele L. Battle, Battle Law, PC

Telephone, E-Mail, & Address: Joshua Mahoney: 470.757.3622, jsm@battlelawpc.com & Michele

Battle, 404.723.6266, mlb@battlelawpc.com; 3562 Habersham at Northlake, Bldg J, Suite 100, Tucker, GA 30084

I authorize the Applicant or Applicants who are named above to act on my behalf for this application.

Miriam Deborah Mays Gilmore

Signature of Notary Public

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.

Brian Brunk

Printed Name of Notary Public

1-23-25

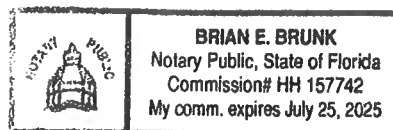
Date

1/23/25

Date

*Provided FLAL
as ID*

Notary Public's Seal or Stamp:



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
0 North Henry Blvd _____ [address], with Parcel Number 029-010-1101-1001 _____,
which is the subject of this application.

Name of Property Owner: William Brooks Gilmore
Property Owner's Address: 8879 Fountain Palm Aly, Winter Garden, FL 34727
Telephone: 407.506.9923 E-mail: wbgilmore@aol.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: William Brooks Gilmore Date: _____

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): Templar Development, LLC - Jay Knight

Company/law firm (if applicable): Joshua Mahoney & Michele Battle (Battle Law, PC)

Telephone, E-Mail, & Address: Joshua Mahoney: 470.757.3622, jsm@battlelawpc.com & Michele

Battle, 404.723.6266, mlb@battlelawpc.com; 3562 Habersham at Northlake, Bldg J, Suite 100, Tucker, GA 30084

I authorize the Applicant or Applicants who are named above to act on my behalf for this application.

William Brooks Gilmore

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.

1/23/25
Date

*Provided FCLC
95 ID*

Brian Brunk

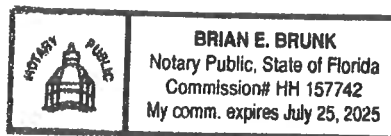
Signature of Notary Public

Brian Brunk

Printed Name of Notary Public

1/23/25
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 23 day of January, 2025

William Brooks Gilmore

Applicant's Name - Printed

x William Brooks Gilmore

Signature of Applicant/Property Owner/Agent

N/A

Applicant's Attorney, if applicable - Printed

N/A

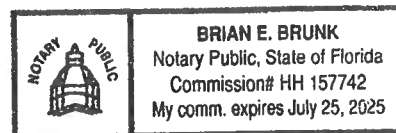
Signature of Applicant's Attorney, if applicable

Sworn to and subscribed before me this 23 day of January, 2025

Brian E. Brunk

Notary Public

Provided FC DC as ID



* 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 23 day of JANUARY, 2025

Miriam Deborah Mays Gilmore

Applicant's Name - Printed

Miriam Deborah Mays Gilmore
Signature of Applicant/Property Owner/Agent

N/A

Applicant's Attorney, if applicable - Printed

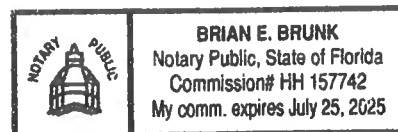
N/A

Signature of Applicant's Attorney, if applicable

Sworn to and subscribed before me this 23 day of January, 2025

[Signature]
Notary Public

Provided FLOL as ID



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

ALL TRACT OR PARCEL OF LAND LYING AND BEING IN Land Lot 90, 12th. District, Henry County, Georgia, containing 9.90 acres or 431,594 square feet in accordance with a plat of boundary survey for Templar Development by SEI Engineering, Wayne A. Powers Georgia Registered Land Surveyor #2891, dated November 1, 2024, and being more particularly described as follows:

TO FIND THE POINT OF BEGINNING, commence at a point on the eastern right-of-way of State Route 42 and US Highway 23 (80-foot right-of-way width) and the southerly right-of-way of Valley Hill Road (60-foot right-of-way width)

THENCE, following the easterly right-of-way of S.R. 42 in the southerly direction for a distance of 1,279.70 feet to a one-half (1/2) inch rebar set and the POINT OF BEGINNING.

THENCE, NORTH 82 degrees 16 minutes 31 seconds EAST along the southerly boundary line of property owned by Marilyn Feingold for a distance of 584.58 feet to a one-half (1/2) inch rebar;

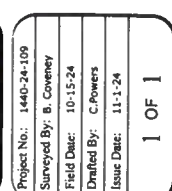
THENCE, alongside the westerly right-of-way of Valley Hill Road (60-foot right-of-way width) along a curve to the right for a distance of 294.47 feet, said curve being subtended by a chord of SOUTH 08 degrees 02 minutes 49 seconds EAST for a chord distance of 292.75 feet with a radius of 784.31 feet to a one-half (1/2) inch rebar set;

THENCE, SOUTH 02 degrees 42 minutes 33 seconds WEST alongside the westerly right-of-way of Valley Hill Road for a distance of 529.54 feet to a one-half (1/2) inch rebar set;

THENCE, NORTH 87 degrees 51 minutes 18 seconds WEST along the northerly boundary line of property owned by Nelson G . and Christa M. Nelson (said property being described in Deed Book 10693 Page 16-17 in the Office of the Clerk of the Superior Court of Henry County, Georgia) for a distance 489.96 feet to a one-half (1/2) inch rebar set;

THENCE, NORTH 08 degrees 20 minutes 59 seconds WEST along easterly right-of-way of the State Route 42 and US Highway 23 for a distance of 604.97 feet to a point;

THENCE, NORTH 08 degrees 11 minutes 39 seconds WEST along easterly right-of-way of the State Route 42 and US Highway 23 for a distance of 124.61 feet to the POINT OF BEGINNING.









Providing Quality Water and Quality Services to Our Community

January 27, 2025

Jay Knight
Templar Development

Re: Parcel ID 029-01011001
0 North Henry Blvd (Hwy 42)
Stockbridge/Henry County, GA

Mr. Knight,

Clayton County Water Authority owns and maintains a 6-inch water main running along the east side of North Henry Blvd/Hwy 42. The Authority has a treatment capacity of 42 MGD and is currently producing an average of 26.73 MGD.

The Authority also owns and maintains an 8-inch sanitary sewer main at the cul-de-sac of Old Atlanta Rd. Wastewater generated from your development would receive treatment at the Northeast Clayton WRF. This facility has a design capacity of 10 MGD and is presently treating 4.692 MGD.

The Authority does not guarantee capacity of plant or infrastructure until capacity is purchased through the payment of connection fees.

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

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

Sincerely,

A handwritten signature in black ink, appearing to read "C. Samay", is written over a horizontal line.

Catherine Samay
Plan Review Coordinator



Battle Law

STATEMENT OF INTENT

and

Other Material Required by
City of Stockbridge Zoning Ordinance

For

A Rezoning from C-3 to PUD and a Future Land Use Amendment from Low Density Mixed Use
to High Density Mixed-Use to Allow
A Mixed-Use Development Including Townhomes and Office Space

of

Templar Development Group, LLC
c/o Battle Law, P.C.

for

+/-9.9 Acres of Land
Fronting on North Henry Boulevard
City of Stockbridge, Georgia and
Parcel Nos. 029-01011001

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

Templar Development Group, LLC (the “Applicant”) is seeking to develop on +/- 9.9 acres of land being Tax Parcel No(s). 029-01011001 having frontage on North Henry Boulevard (the “Subject Property”) with a mixed-use development containing townhomes and office space.

This document serves as a statement of intent, analysis of the criteria under the City of Stockbridge Code of Ordinances and contains notice of constitutional allegations as a reservation of the Applicant’s rights.

II. CITY OF STOCKBRIDGE REZONING CRITERIA

In ruling upon any application for a zoning map amendment, or any other zoning decision, the mayor and council shall act in the best interest of the health, safety, morals, and general welfare of the city, in doing so, they will consider one or more of the following standards of review which are relevant to the application:

1. *Whether the proposal is consistent and/or compatible with the city’s plans, goals, and objectives reflected in the city’s comprehensive plan;*

The zoning proposal includes both a rezoning and future land use amendment. Combined, the zoning proposal is consistent with the city’s plans, goals, and objectives reflected in the comprehensive plan.

2. *How the proposal impacts the purposes of the overall zoning scheme, and whether the proposed change furthers the purposes of these zoning regulations. Applications for zoning amendments that do not contain specific site plans carry a rebuttable presumption that the proposed change shall adversely affect the zoning scheme;*

The zoning proposal fits in well with the overall zoning scheme. The property to the east of the Subject Property is zoned PUD and allow for residential uses. The zoning proposal also seeks PUD and will allow for residential uses but will add an office use fronting North Henry Boulevard. This is a much more desirable configuration than having commercial immediately against residential, which is what would be permitted under the zoning scheme as it is today.

3. *How the proposal impacts the character of the zoning district, the particular piece of property, neighborhoods, or the community;*

The zoning proposal would be an improvement over the current zoning scheme in the area. Today, the zoning scheme allows for commercial uses to exist immediately adjacent to residential uses. The zoning proposal would improve upon this by putting residential next to residential but also incorporating office uses. The impact on the area would be minimal because the zoning proposal would continue the pattern of residential development while acting as a



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transition from the lower density residential to the east, to higher intensity uses along North Henry Boulevard.

4. *Whether the proposal creates an isolated district unrelated to adjacent properties and nearby districts;*

The proposal does not create an isolated district. The property to the east is zoned PUD. So, the zoning proposal will not introduce a new zoning district to the area.

5. *How the proposal impacts the aesthetic character of existing and future uses of the property and the surrounding area;*

The zoning proposal will have minimal impact on the aesthetic character of existing and future uses of the property and surrounding area.

6. *Whether the proposal is consistent with adjacent development densities and the density patterns reflected in the comprehensive plan;*

The zoning proposal includes density that is higher than nearby property, but the Subject Property is fronting directly on North Henry Boulevard where other properties nearby do not. This difference calls for higher density development.

7. *How the proposal impacts the public health, safety, and general welfare;*

The proposal will have minimal impact on public health, safety, and general welfare.

8. *How the proposal impacts water, sewerage, other public facilities, or public services, and how the proposed amendment impacts expenditures of public funds;*

The zoning proposal will have minimal impact on water, sewerage, and other public facilities and services.

9. *How the proposal impacts traffic safety and congestion;*

The zoning proposal will have minimal impact on traffic safety and congestion.

10. *How the proposal impacts environmental conditions, including, but not limited to, drainage, soil erosion and sedimentation, flooding, air quality, water quality and quantity;*

There are no environmental assets on the Subject Property. Therefore, the zoning proposal will not adversely affect environmental conditions. The zoning proposal will include a stormwater management facility which will improve stormwater runoff.

11. *How the proposal impacts the provision of adequate light and air;*



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The proposal will have minimal impact on the provision of adequate light and air. The proposed townhomes will not be so tall as to block light or airflow.

12. How the proposal impacts the value of adjacent property;

The zoning proposal will not adversely impact the values of adjacent property. Changing the zoning of the Subject Property from commercial to residential may improve values for adjacent properties.

13. Whether there are substantial reasons why the property cannot be used in accordance with existing regulations;

The Applicant is not aware of any substantial reasons why the property can or cannot be use in accordance with existing regulations. However, no commercial developer or operator has taken the opportunity to use the Subject Property in accordance with the C-3 zoning.

14. Preservation of integrity of residential neighborhoods shall carry greater weight than other factors. Where property fronts on a major thoroughfare and also adjoins an established residential neighborhood, the factor of preservation of the residential area shall carry greater weight.

The integrity of the nearby residential neighborhoods shall be preserved.

III. CONCLUSION

For the foregoing reasons, the Applicant hereby requests that the application for a rezoning and future land use amendment to allow a mixed-use development 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.



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

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

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



Battle Law

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

SEI

ENGINEERING, INC.

1125 N. W. 10th Ave., Suite 1000
Fort Lauderdale, FL 33304
Tel: (954) 571-1111
Fax: (954) 571-1112
www.sei-engineering.com

No.	ISSUED DESCRIPTION	DATE
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2		
3		

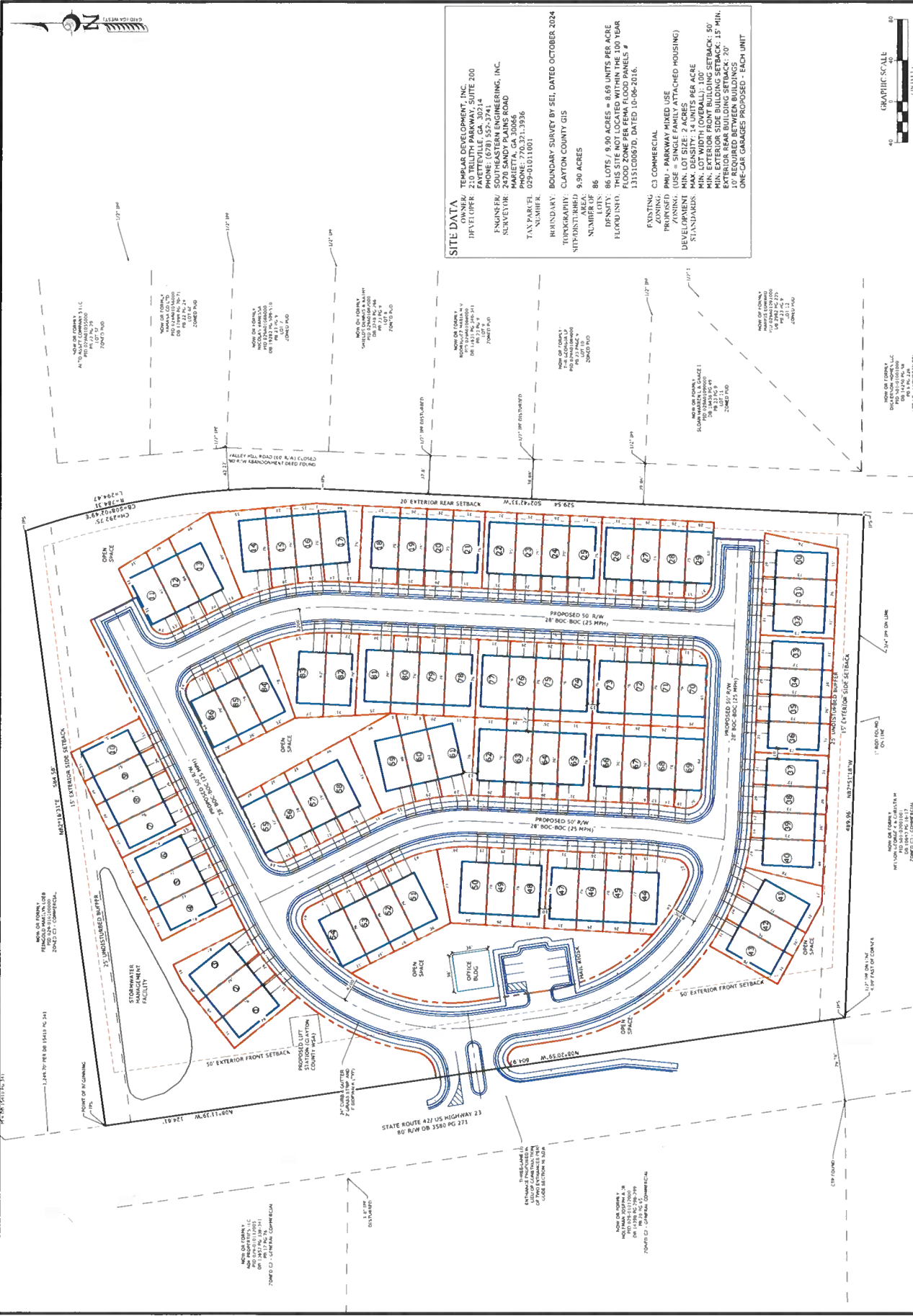
210 TRILLIUM PARKWAY
SUITE 200
FAIRVIEW, GA 30046
PHONE: (678) 552-3741
FAX: (678) 552-3742

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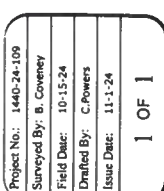
REZONING SITE PLAN
NORTH HENRY BOULEVARD TRACT
CITY OF STOCKBRIDGE
HENRY COUNTY, GA

PROJECT NO. 14402-24-108
Prepared By: [Signature]
Issue Date: 12-20-24

REVIEW
[Signature]
[Signature]



THE PLAN IS A PRELIMINARY DESIGN AND IS NOT TO BE USED FOR CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR VERIFYING THE ACCURACY OF THE INFORMATION PROVIDED HEREON. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR VERIFYING THE ACCURACY OF THE INFORMATION PROVIDED HEREON.





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January 27, 2025

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Catherine Samay
Plan Review Coordinator