

**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
November 12, 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, NOVEMBER 12, 2025 6:00 PM

I. WELCOME

II. OVERVIEW OF THE ZONING PROCESS

PowerPoint Presentation on the Zoning Process in the City of Stockbridge

III. ZONING CASE DISCUSSIONS

SPECIAL USE PERMIT CASE #SP-2025-04. (Council District 4.)

Consideration of a request for a special use permit for a portion of the property at 4498 North Henry Boulevard to allow the development and operation of a quick-serve restaurant with drive-through windows and/or lanes. Property Owner: City of Stockbridge. Applicant: Royal TH, LLC. Agent: Battle Law, PC. Proposed Business: Tim Wharton's, a coffee store. The property is located in Land Lot 61 of District 12, and it contains 1.32 +/- acres. The applicant intends to develop only a 0.8-acre portion of the property.

ZONING MODIFICATION CASE #ZM-2025-02. (Council District 4.)

Consideration of a request for a zoning modification to Rezoning Case #RZ-2023-02 for property at 258 and 264 Valley Hill Road, plus Parcel #S08-01020000, for the purposes of 1) increasing the number of subdivision lots from 16 to 28, and 2) changing the location and types of amenities to be included within the subdivision. Zoning District: SR (Suburban Residential). Property Owners: Claudia Perez Granados (for 258 Valley Hill Road) and Alejandro Granados Encinales (for 264 Valley Hill Road and Parcel #S08-01020000). Applicants: Claudia Perez Granados and Alejandro Granados Encinales. Agent: Jacqueline Funicello. The property is located in Land Lot 92 of District 12 within the Stockbridge City Limits, and it contains 17.062 +/- total acres within three parcels, as is described below.

- 258 Valley Hill Road (Parcel #S09-06010000)--Contains 2.2492 +/- acres.
- 264 Valley Hill Road (Parcel #S08-01010000)--Contains 6.5254 +/- acres
- Unaddressed Parcel (Parcel #S08-01020000)--Contains 8.2874 +/- acres).

ANNEXATION CASE #AX-2025-02. (Property would be located in Council District 5.)

Consideration of a request for the annexation, using the 100 percent

annexation method, of the property at 2220 Jodeco Road (off Feucht Drive), plus the adjacent Parcel #052-01020001, from unincorporated Henry County into the Stockbridge City Limits. Purpose: To allow for the construction of a multifamily (apartment) development. Property Owner: Kenneth J. Butcher as representative for Glenn D. Cook, Carol J. Cook, Julia A. Cook, Bryan Cook, and Debra C. Butcher. Applicant: Emory Equity, LLC. Agent: Dennis J. Webb, Attorney with the law firm of Smith, Gambrell & Russell, LLP. The property is located in Land Lot 51 of District 6, and it contains two parcels, as are listed below, with 24.995 + / - total acres.

~ 2220 Jodeco Road -- Contains 21.494 +/- acres.

~ Parcel #052-01020001 – Contains 3.501 +/- acres.

COMPREHENSIVE PLAN AMENDMENT CASE #CP-2025-03. (Property would be located in Council District 5.)

Consideration of a request for a Comprehensive Plan Amendment for property at 2220 Jodeco Road (off Feucht Drive), plus the adjacent Parcel #052-01020001, if and after the property is annexed into the Stockbridge City Limits. The property currently has the Henry County future land use designation of “High-Density Mixed-Use”, and the applicant requests that it be assigned the City of Stockbridge’s future land use designation of “High-Density Residential.” Purpose: To allow for the construction of a multifamily (apartment) development. Property Owner: Kenneth J. Butcher as representative for Glenn D. Cook, Carol J. Cook, Julia A. Cook, Bryan Cook, and Debra C. Butcher. Applicant: Emory Equity, LLC. Agent: Dennis J. Webb, Attorney with the law firm of Smith, Gambrell & Russell, LLP. The property is located in Land Lot 51 of District 6, and it contains two parcels, as are listed below, with 24.995 + / - total acres.

~ 2220 Jodeco Road -- Contains 21.494 +/- acres.

~ Parcel #052-01020001 – Contains 3.501 +/- acres.

REZONING CASE #RZ-2025-04. (Property would be located in Council District 5.)

Consideration of a request for the rezoning of the property at 2220 Jodeco Road (off Feucht Drive), plus the adjacent Parcel #052-01020001, if and after the property is annexed into the Stockbridge City Limits. The property’s current Henry County zoning district is ‘C-3’ (Heavy Commercial), and the applicant requests that the property be assigned the City of Stockbridge’s zoning district of ‘MFR’ (“Multiple Family Residential”). Purpose: To allow for the construction of a multifamily (apartment) development. Property Owner: Kenneth J. Butcher as representative for Glenn D. Cook, Carol J. Cook, Julia A. Cook, Bryan Cook, and Debra C. Butcher. Applicant: Emory Equity, LLC. Agent: Dennis J. Webb, Attorney with the law firm of Smith, Gambrell & Russell, LLP. The property is located in Land Lot 51 of District 6, and it contains two parcels, as are listed below, with 24.995 + / - total acres.

~ 2220 Jodeco Road -- Contains 21.494 +/- acres.

~ Parcel #052-01020001 – Contains 3.501 +/- acres.

IV. OTHER BUSINESS

V. UPCOMING MEETINGS

VI. ADJOURN

OVERVIEW OF THE ZONING PROCESS

CITY OF STOCKBRIDGE

Community Development Department

OVERVIEW OF THE ZONING PROCESS—SLIDE #1

I. INITIAL ACTIONS BY THE PROPERTY OWNER OR DEVELOPER:

- A. Purchases a property or enters into a contract with the owner to purchase the property, pending zoning approval by the City of Stockbridge.
- B. Prepares a site plan for the proposed development project.
- C. Contacts the Planning & Zoning Staff to request a pre-application meeting, which is required before submitting zoning applications. The developer's proposal is discussed.
- D. Submits zoning applications to the City (after a pre-application meeting is held) to request various zoning actions to allow the proposed development.
 - ~ Applications include the application request, the survey of the property, the proposed site plan, various legal documents, a letter of intent, and a water/sewer availability letter.
 - ~ The applicant is usually the property owner or the developer.
 - ~ The applicant often hires an agent to handle the application process.
 - ~ An attorney often acts as the applicant or agent to represent the owner or developer.

OVERVIEW OF THE ZONING PROCESS—SLIDE #2

TYPES OF ZONING APPLICATIONS / CASES:

ANNEXATION – Allows a property in unincorporated Henry County to be brought into the Stockbridge City Limits.

COMPREHENSIVE PLAN AMENDMENT – Changes the “future land use designation” of the property from what the Future Land Use Map shows within the City’s Comprehensive Plan, to another future land use designation which 1) allows for the proposed types of use; 2) allows the requested zoning; and 3) allows the proposed residential density.

REZONING – Changes the base zoning of the property to allow for the proposed types of uses, and to disallow the uses under the existing zoning. Any overlay zoning district would not change.

VARIANCE – Allows the applicant to deviate from a required site design standard, such as a building setback requirement, or to be exempt from meeting a certain requirement.

SPECIAL USE PERMIT – Is required for special types of uses that are identified as being possibly allowed in a zoning district. Examples: churches, liquor stores, personal care homes, and gas stations.

ZONING MODIFICATION – Is required when a developer wants to deviate from what City Council approved for a rezoning case. Examples: building according to a completely different site plan (major modification) or seeking relief from a required zoning condition (minor zoning modification).

OVERVIEW OF THE ZONING PROCESS—SLIDE #3

II. ACTIONS BY THE CITY OF STOCKBRIDGE'S COMMUNITY DEVELOPMENT DEPARTMENT:

A. Conducts a pre-application meeting with the owner/applicant.

- ~ Includes the Planning & Zoning Staff, City Engineer, City Fire Marshall, and the City Building Official.
- ~ Purpose of meeting is to assess the merits of the proposed development and its compliance with applicable zoning and other regulations.

B. Processes incoming zoning applications by assessing their completeness and assigning case numbers.

C. Takes various actions to meet the legal advertising requirements.

- ~ Sends legal ads to the newspaper.
- ~ Lists zoning cases on agendas for upcoming public meetings.
- ~ Prepares a draft letter for applicants to mail to owners of neighboring properties within 500 feet.
- ~ For annexation cases, sends copies of all of the applications to Henry County officials for review.
- ~ Posts zoning signs on the property.

OVERVIEW OF THE ZONING PROCESS—SLIDE #4

D. Prepares a Staff Report:

- ~ Assesses the merits of each zoning case.
- ~ Assesses the compliance with the Comprehensive Development Plan and Unified Development Code (UDC).
- ~ Makes recommendations, including zoning conditions of approval.

E. Prepares a PowerPoint presentation for use in presenting each zoning case at public meetings.

F. Prepares a Decision Letter to document the City Council's action, and sends it to the applicant.

G. Sends the Final Ordinances, which have been prepared by the City Clerk, to the applicant.

OVERVIEW OF THE ZONING PROCESS—SLIDE #5

III. PUBLIC MEETINGS (All held in the Council Chamber at City Hall):

A. C.Z.I.M. Meeting (Community Zoning and Information Meeting)—This is an informal meeting to allow the public a chance to hear an overview of proposed zoning cases and to ask questions of the applicant/developer. No actions are taken at this meeting.

B. Planning Commission Meeting:

- ~ This is a public hearing that is conducted by the Stockbridge Planning Commission Board members.
- ~ Board members hear the staff's presentation of cases, allow the applicant to speak, hold a public hearing for citizens to speak, ask questions of the staff and developer, have a discussion, and vote to approve, approve with conditions, deny, or defer each case to another meeting.
- ~ Board members' votes become recommendations to City Council.

C. City Council Meeting:

- ~ Follows a similar format as Planning Commission meetings.
- ~ Council members' votes become final, and they become law.

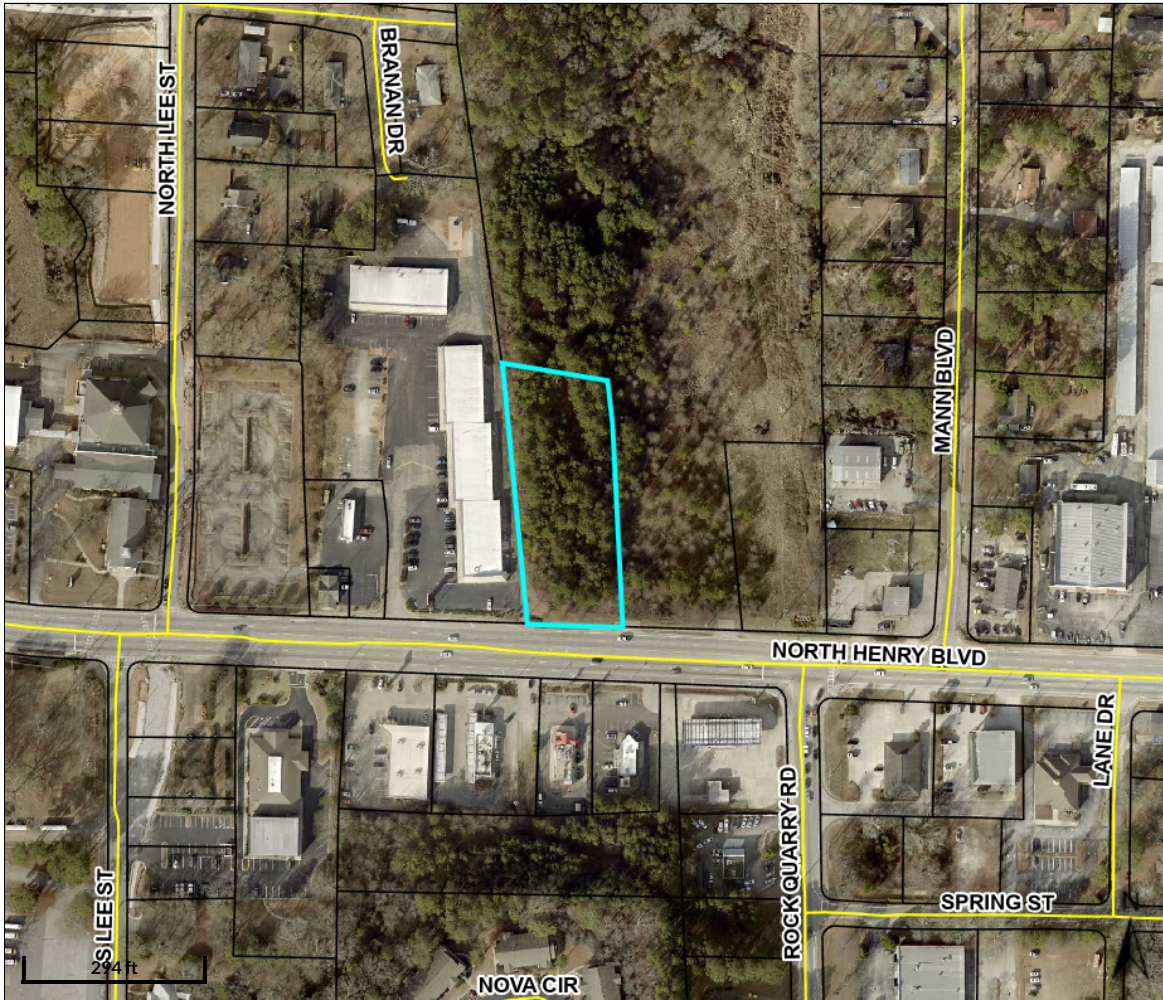
OVERVIEW OF THE ZONING PROCESS—SLIDE #6

IV. PERMITTING REVIEWS:

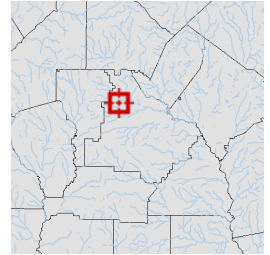
- A. Developer submits land disturbance and building permit applications to the Permitting Staff.
- B. Permit applications are reviewed by the Planning & Zoning Staff (and others) to ensure that all zoning requirements and all zoning conditions (if any) from approved zoning cases are met.
- C. When all requirements are met, permits are issued:
 - ~ Land Disturbance Permit—Allows the developer to clear the land, install streets and sidewalks, install utilities, and build amenities.
 - ~ Building Permit—Allows the developer to build each residential unit and each other type of building on the property.



Henry County, GA



Overview



Legend

- Parcels
- Roads

Parcel ID	S26-01015000	Class	Exempt	Owner	THE CITY OF	Land	\$245,800				
Property	4498 NORTH	Acreage	1.32	Address	STOCKBRIDGE	Value:					
Address	HENRY BLVD				4640 NORTH	Building	\$0	Last 2 Sales			
District	City/Stockbridge				HENRY BLVD	Value:		Date	Price	Reason	Qual
	TAD				STOCKBRIDGE, GA	Misc	\$0	12/17/2015	\$1,870,000	VH	U
					30281	Value:		12/30/2013	\$0	VH	U
						Total	\$245,800				
						Value:					

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

Date created: 10/29/2025

Last Data Uploaded: 10/29/2025 1:11:41 AM

Developed by  **SCHNEIDER**
GEOSPATIAL



Battle Law

STATEMENT OF INTENT

and

Other Material Required by
City of Stockbridge Zoning Ordinance
For
A Special Land Use Permit for
A Restaurant with a Drive Through

of

**Royal TH, LLC
c/o Battle Law, P.C.**

for

+/-1.32 Acres of Land
Being 4498 North Henry Boulevard
City of Stockbridge, Georgia and
Parcel Nos. S26-01015000

Submitted for Applicant by:

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Joshua S. Mahoney, Esq.
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Tucker, Georgia 300384
(404) 601-7616 Phone
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Battle Law

I. LETTER OF INTENT

Royal TH, LLC (the “Applicant”) is seeking to develop on +/- 1.32 acres of land being tax parcel number. S26-01015000 having frontage on 4498 North Henry Boulevard (the “Subject Property”) with a restaurant with a drive through. The Applicant is seeking a special land use permit of the Subject Property. The Subject Property is zoned C2 in the Downtown Village Overlay District.

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 SPECIAL LAND USE PERMIT CRITERIA

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 Subject Property has a future land use designation of Downtown District, is zoned C2 and is within the Downtown Village Overlay District. The Subject Property is surrounded by other properties with restaurants with drive throughs including Mrs. Winner’s, Sonic Drive-In, and Pizza Hut. The proposed use is compatible with the City’s plans, goals and objectives.

2. How the proposal impacts the purposes of the overall zoning scheme, and whether the proposed change furthers the purposes of these zoning regulations.

The Subject Property fronts a commercialized stretch of North Henry Boulevard. The properties on the north side of North Henry Boulevard are zoned PUD, C2, SR, C1, and C3. On the south side of North Henry Boulevard there are several C3, C2, SR, and C1 properties. This zoning application does not seek to change the zoning designation. Rather, it seeks a special use permit to allow for a drive through. So, the zoning application would allow another iteration of a well-established use in the area and not disrupt the zoning scheme in the area.

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

The zoning proposal would allow another restaurant with a drive through in an area that has several. So, the proposed use not disrupt the area’s character.

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

The zoning proposal would not create an isolated district unrelated to adjacent properties.

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



Battle Law

The zoning proposal would not have a negative impact on the aesthetic character of existing and future uses of property and the surrounding area. The proposal will allow a new restaurant with a drive through.

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

The Subject Property is surrounded by other commercial uses including three restaurants with drive throughs. The proposed building would not be much larger than the nearby restaurants. So, the proposal is consistent with adjacent development densities.

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

The Subject Property is vacant and wooded. The Subject Property, as is, does not contribute to the public health, safety, or general welfare. The zoning proposal would not detract from the public health, safety, or general welfare and would provide a new place for citizens to visit.

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

There is water and sewer capacity to support the proposed use. The proposed restaurant would not overburden public facilities or services nor would it impact expenditures of public funds.

9. How the proposal impacts traffic safety and congestion.

The proposed use would capture traffic already traveling along North Henry Boulevard. While there may be a moderate increase in traffic, the Applicant does not anticipate a great change.

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

The zoning proposal includes stormwater management to address drainage. The Applicant will work with a civil engineer to meet all of the City of Stockbridge's standards for soil erosion and sedimentation, flooding, air quality, water quality and quantity.

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

The proposal will not have a negative impact on the provision of adequate light and air.

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

The Applicant does not anticipate a negative impact on the value of adjacent property.



Battle Law

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

There is no economically viable use as currently zoned.

14. Preservation of the 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 zoning proposal will not will not adversely impact the integrity of a residential neighborhood. The Subject Property is not immediately adjacent to a developed residential subdivision. The property east of the Subject Property is zoned PUD, but is not developed residentially or otherwise. So, the zoning proposal would not impact the character of that subdivision should it be developed at all.

III. CONCLUSION

For the foregoing reasons, the Applicant hereby requests that the application for a special land use permit for a restaurant with a drive through 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.



Battle Law

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 Special Land Use Permit 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 special land use permit 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 special land use permit 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



TEDROW DESIGN
GROUP

2866 ADAMS BROOK WAY
SNELLVILLE, GA 30078
PH. 678.777.9548
E-MAIL: tom.tedrow@tedrowdesign.com

Tim Hortons

PROJECT:

ADDRESS
4498 NORTH HENRY BLVD.
STOCKBRIDGE, GA 30281

STORE #:

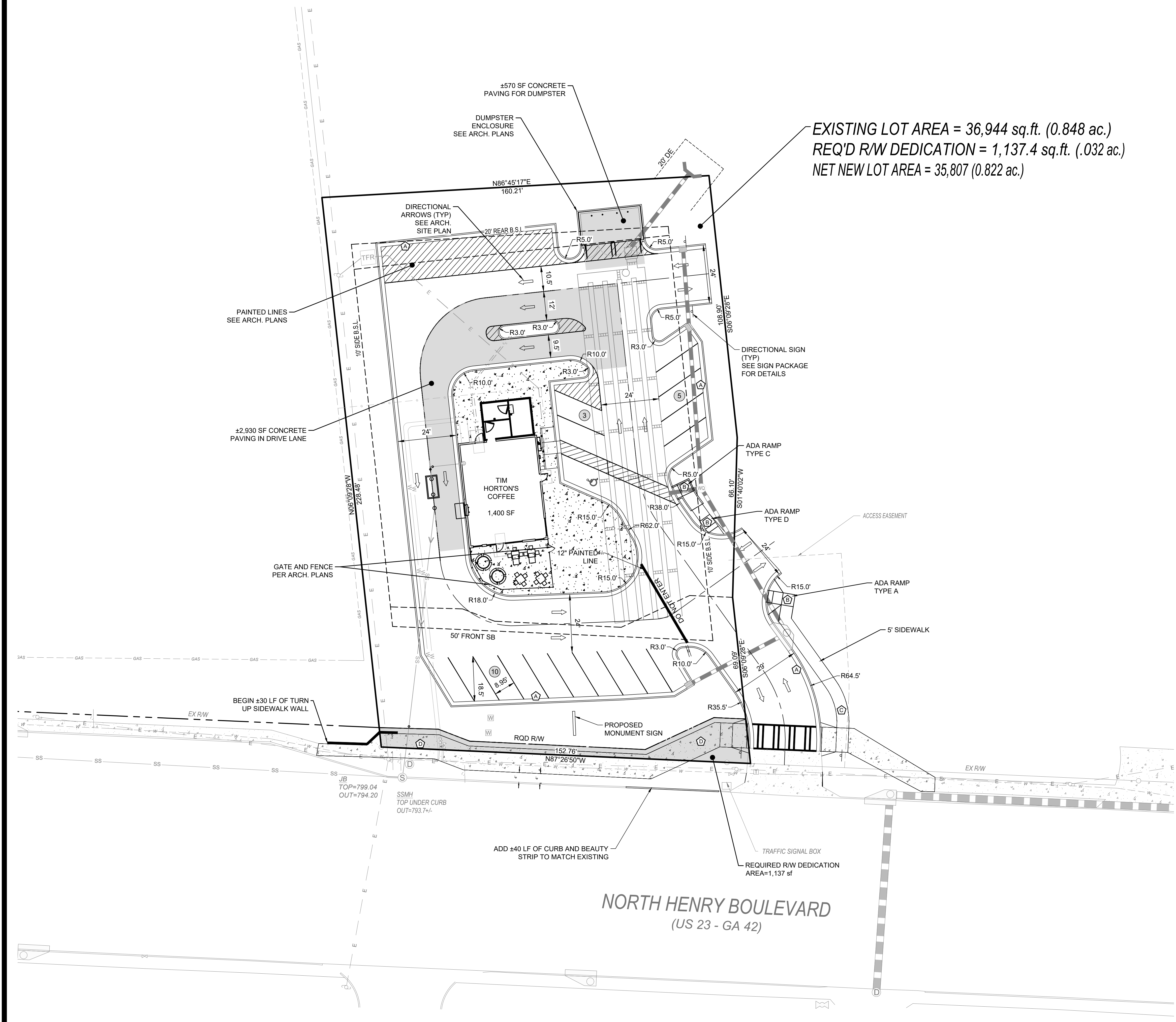
STORE TYPE:

US WELCOME MODEL 2023: 1400-24



EXTERIOR FINISH SCHEDULE

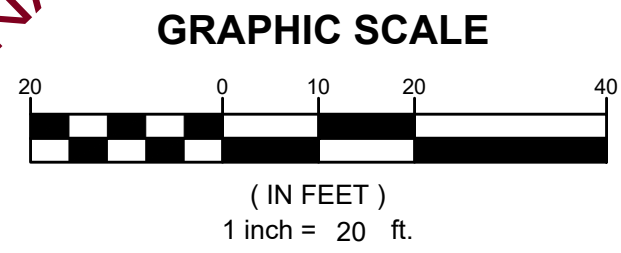
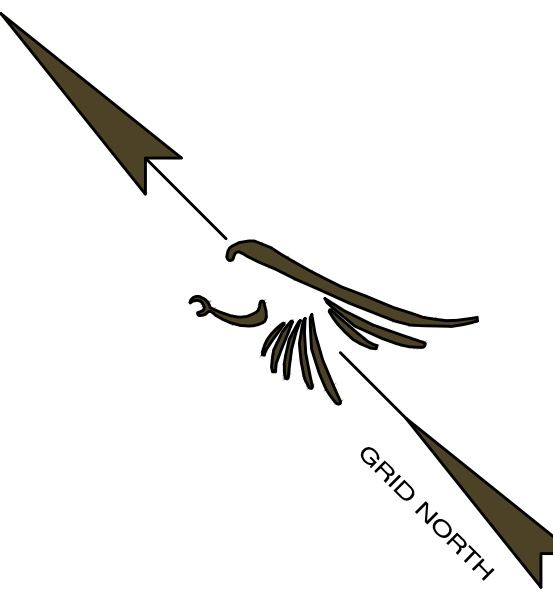
TAG	PRODUCT	MANUF.	PATTERN & COLOUR	SUPPLIER/ CONTACT
FC-2	EXTRUDED ALUMINUM SIDING	LUMABUILT	SIZE: 6" NOMINAL SPACING WITH 1/4" REVEAL JOINTS, COLOUR: LIGHT SUPER WIDE GRAIN (G.C TO TOUCH UP IN FIELD), PATTERN: STACKED AT VERTICAL BUMP OUTS AND STAGGERED AT HORIZONTAL BUMP OUTS. NOTE: SIDING TO BE INSTALLED WITH ALUMABOARD ALUMINUM TRIM PIECES, STARTER CLIPS & JOINTS (COLOUR MATCH: 'LIGHT SUPER WIDE GRAIN')	LUMABUILT CONTACT: LINDA SAVOIE TEL: 310-968-4551 EMAIL: LSAVOIE@LUMABUILT.COM APPROVED ALT: KNOTWOOD WHITE ASH
FC-7	EIFS	STO CORP (OR APPROVED EQUAL)	130D STO STOLIT DARK + GLOSSY 37104 (MID GREY) NOTE: EIFS NOT TO BE INSTALLED IN DIRECT SUNLIGHT. CRITICAL NOTE: REVIEW AND FOLLOW MANUFACTURES INSTALL GUIDELINES CRITICAL	CONTACT: RAY REDMOND TEL: (616)437-2230 RREDMOND@STOCORP.COR
FC-8	EIFS	STO CORP (OR APPROVED EQUAL)	131 STOLIT 1.5 37108 (LIGHT GREY) CRITICAL NOTE: REVIEW AND FOLLOW MANUFACTURES INSTALL GUIDELINES CRITICAL	
P-01	PAINT	SHERWIN WILLIAMS	COLOR: #SW7004 'SNOWBOUND' PRIMARY WALL PAINT FINISH: EGGSHELL. THE LIGHT COLOR EIFS GOES BEYOND THE PAINT STRIPES. NOTE: FOR EIFS MUST USE DRYVIT DEMANDIT PMR ACRYLIC PAINT AS THE BASE WITH STRATATONE (FOR DARK COLORS) ADDITIVE. COLOR TO MATCH SHERWIN WILLIAMS.	SHERWIN WILLIAMS (NORTH AMERICA) CONTACT: DEAN GIVELAS TEL:416-431-6975 EMAIL:DEAN.GIVELAS@SHERWIN.COM
P-02	PAINT	SHERWIN WILLIAMS	COLOUR: 'BLACK RED' CUSTOM 3007 NOTE: FOR EIFS MUST USE DRYVIT DEMANDIT PMR ACRYLIC PAINT AS THE BASE WITH STRATATONE (FOR DARK COLORS) ADDITIVE. COLOR TO MATCH SHERWIN WILLIAMS.	
P-08	EXTERIOR METAL PAINTS & METAL RAILING	SHERWIN WILLIAMS	PAINT FOR FASCIAS AND/OR EXTERIOR METALS (SOFFITS, TRIM, ETC.) TO MATCH SURROUNDING COLOURS WHERE NECESSARY SHERWIN WILLIAMS "IRON ORE SW7069" MIN. 2 COATS SPRAY APPLICATION NOTE:FOR EIFS MUST USE DRYVIT DEMANDIT PMR ACRYLIC PAINT AS THE BASE WITH STRATATONE (FOR DARK COLORS) ADDITIVE. COLOR TO MATCH SHERWIN WILLIAMS.	
P-11	PAINT	SHERWIN WILLIAMS	PPG ADS230103N CORAFLOX ADS INTERMIX. COLOUR: BLACK, STAIN SHEEN, SPRAY APPLICATION PAINT FOR EXTERIOR METAL (WINDOW FRAMES AND DOORS)	
P-17	BOLLARD	SHERWIN WILLIAMS	COLOR: #SW6868 'REAL RED' MIN. 2 COATS SPRAY APPLICATION	
P-26	EXTERIOR METAL PAINTS	SHERWIN WILLIAMS	"GRAY SCREEN SW7071" TO MATCH FC-8. MIN. 2 COATS SPRAY APPLICATION	
MT-1	PREFINISHED METAL FLASHING	FIRESTONE BUILDING PRODUCTS	COLOR: MATTE BLACK *SEALANT: TITEBOND WEATHER MASTER SEALANT COLOUR: 61121 BLACK	
WL4	WALL SCONCES	VISO INC.	LED EXTERIOR WALL MOUNT UP/DOWN LIGHT, FINISH: RED	EMAIL:FILIPE2@VISOINC.COM
	ANODIZED ALUMINUM (EXTERIOR STOREFRONT)	KAWNEER (OR APPROVED ALTERNATE PER SP4)	KAWNEER TRIFAB VERSAGLAZE 451T, THERMALLY BROKEN 2"x4 1/2" WITH 1" INSULATED CLASS LOW E GLASS UNIT (BLACK ANODIZED) SWING DOORS KAWNEER 190 SERIES, SINGLE ACTING, NARROW STILE DOORS WITH 1" TEMPERED, INSULATED GLASS AND 10" BOTTOM RAIL (BLACK ANODIZED)	KAWNEER CONTACT: CHERYL WILKERSON TEL: (770)449-5555 CHERYL.WILKERSON@ARCONIC.COM
	ANODIZED ALUMINUM (DRIVE-THRU WINDOW)	QUICKSERV	BI-PARTING WINDOW WITH 2 CENTERED MOVING PANELS AND 2 SIDELITES "PW-54E", COLOUR: BRONZE ANODIZED.	CONTACT: INSIDE SALES CONTACT TEL: (713)849-5882
	C-CHANNEL PERIMETER INTEGRATED LIGHTING	LEKTRON BRANDING SOLUTIONS	CUSTOM LENGTH; COLOUR: BLACK.	SUPPLIED BY FZ THROUGH TIM HORTONS SCHED A
	DRIVE-THRU CANOPY	SIGN VENDOR	ALPOLIC ACM TOB BLACK	



EXISTING LOT AREA = 36,944 sq.ft. (0.848 ac.)
REQ'D R/W DEDICATION = 1,137.4 sq.ft. (.032 ac.)
NET NEW LOT AREA = 35,807 (0.822 ac.)

LEGEND		
	PROPOSED	EXISTING
RIGHT-OF-WAY	R/W	R/W
BOUNDARY LINE		
PROPERTY LINE		
CURB & GUTTER		
EASEMENT		
BUILDING		
SIDEWALK		
CONCRETE PAVING		
FENCE		
FIRE HYDRANT		
WATER VALVE		
WATER METER		
WEIR INLET		
JUNCTION BOX		
SANITARY SEWER MANHOLE		
SINGLE WING CATCH BASIN		
DOUBLE WING CATCH BASIN		
STORM PIPE		
SEWER PIPE	SS	SS
WATER MAIN	W	W
CONTOUR (MAJOR)	000	000
CONTOUR (MINOR)	000	000
DRAINAGE BASIN LINE		

- KEY NOTES:**
- (A) CONCRETE CURB AND GUTTER - (SEE DETAILS ON SHEET 15.3)
 - (B) ACCESSIBLE RAMP - (SEE DETAILS ON SHEET 15.1)
 - (C) 5' SIDEWALK
 - (D) 10' SIDEWALK
- DEVELOPMENT NOTES:**
- ALL ROADWAY DIMENSIONS SHOWN ARE TO THE FACE OF CURB TO FACE OF CURB AND ALL RADII ARE BACK OF CURB UNLESS OTHERWISE NOTED.
 - CONTRACTOR SHALL REFER TO ARCHITECTURAL PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF EXISTING PORCHES, RAMPS, PRECISE BUILDING DIMENSIONS AND EXACT BUILDING UTILITY ENTRANCE LOCATIONS. SEE TIM HORTONS SIGN PACKAGE FOR DETAILED SIGN REQUIREMENTS.
 - ALL GRADIENTS ON SIDEWALKS ALONG THE ADA ROUTE SHALL HAVE A MAXIMUM LONGITUDINAL SLOPE OF 5% (1:20), EXCEPT AT CURB RAMPS (1:12), AND A MAXIMUM CROSS SLOPE OF 2.00% (1:50). THE MAXIMUM SLOPE IN ANY DIRECTION ON AN ADA PARKING STALL OR ACCESS ISLE SHALL BE 2.00% (1:50). THE CONTRACTOR SHALL REVIEW AND VERIFY THE GRADIENT IN THE FIELD ALONG THE ADA ROUTES PRIOR TO PLACING CONCRETE OR BITUMINOUS. THE CONTRACTOR SHALL NOTIFY THE ENGINEER IMMEDIATELY IF THERE IS A DISCREPANCY BETWEEN THE GRADIENT IN THE FIELD VERSUS THE DESIGN GRADIENT.
 - DRAINAGE AND UTILITY EASEMENTS SHALL BE DEDICATED TO THE CITY OF STOCKBRIDGE.



PRELIMINARY (NOT FOR CONSTRUCTION)

CIVIL
ENGINEERING
COA NO. PFE 00798
CONSTRUCTION
MANAGEMENT

LAND
SURVEYING
COA NO. LSP 00095
LANDSCAPE
ARCHITECT

**FALCON DESIGN
CONSULTANTS**

STOCKBRIDGE OFFICE
225 COMPTON DR., STE. 200
STOCKBRIDGE, GEORGIA 30281
PH: (770) 339-8666 • FAX: (770) 339-8606

CUMMING OFFICE
500 PIRKLE FERRY RD., STE. C
CUMMING, GEORGIA 30041
PH: (678) 807-7100

www.fdc-llc.com

SITE PLAN
FOR
TIM HORTONS
4498 NORTH HENRY BLVD
LOCATED IN:
LAND LOT 61, 12TH DISTRICT
CITY OF STOCKBRIDGE, GEORGIA

REVISIONS	
DATE	DESCRIPTION
1	
2	
3	
4	
5	
6	
7	
8	

Know what's below dig
Call
UTILITIES PROTECTION CENTER
1 (800) 282-7411 THROUGHOUT GEORGIA
OR DIAL 811

DATE:	6/30/25
SCALE:	1" = 20'
PROJ NUMBER:	257.006
DRAWN BY:	CAM
REVIEWED BY:	-
REVISED BY:	-

GSWCC# 0000058941
THIS DOCUMENT IS NOT VALID UNLESS IT BEARS THE
ORIGINAL SIGNATURE OF THE REGISTRANT
ACROSS THE REGISTRANT'S SEAL.

SHEET NUMBER
7.0



Special Use Permit Application Form

Name of Applicant Royal TH, LLC c/o Battle Law PC Phone: 678-938-5173 Date: 10/08/2025
Address Applicant: 110 Vaughan Rd Fax _____ Cell # 678-938-5173
City: Suwanee State: GA Zip: 30024 E-mail: jsm@battlelawpc.com
Name of Agent Battle Law, P.C. Phone: 404-601-7616 Date: 10/08/2025
Address Agent: 3562 Habersham At Northlake, Bldg J, Suite 100 Fax _____ Cell # 404-601-7616
City: Tucker State: GA Zip: 30084 E-mail: jsm@battlelawpc.com; cag@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 SPECIAL USE PERMIT.

Special Use Permit(s) being requested:
Restaurant with a drive through.

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 thirty days prior to the City Council meeting(s). The applicant or property owner shall not remove or alter the sign for any reason.

Address of Property or Parcel Number: 4498 North Henry Blvd, Stockbridge, GA 30281

Nearest intersection to the property: North Henry Blvd

Size of Tract: 1.32 acres, Land Lot Number(s): 61, District(s): 2

Property Tax Parcel Number(s): S26-01015000

(Required)

Melville Glen
Witness' Signature

Tushar N. Patel
Signature of Applicant

By: Tushar N. Patel, Owner

Gabrielle Caleno
Printed Name of Witness

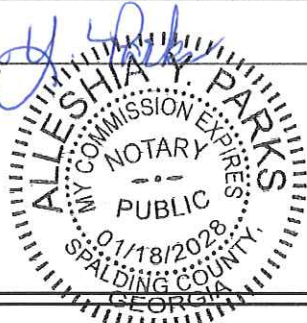
Royal TH LLC c/o Battle Law PC
Printed Name of Applicant

10/08/2025

Notary

Signature of Agent

NOTARY STAMP:



Total Amount Paid g _____ Cash _____ Check # _____ Received by: IFEE SARFC NON-REFUNDABLE

Application checked by: _____ Date: _____ Map Number(s): _____

Pre-application meetil4g: _____ 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 conditional use permit, 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 ✓

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 29th day of August, 2025

Royal TH, LLC

Applicant's Name - Printed

By: Tushar N. Patel, Owner

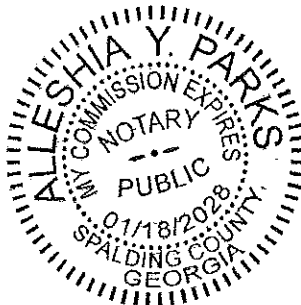
[Signature]
Signature of Applicant/Property Owner/Agent

Michele L. Battle, ESQ.

Applicant's Attorney, if applicable - Printed

Signature of Applicant's Attorney, if applicable

Sworn to and subscribed before me this 29th day of August, 2025



Aleshia Y. Parks
Notary Public

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

THIS BLOCK RESERVED FOR THE
CLERK OF THE SUPERIOR COURT

THE PURPOSE OF THIS PLAT
IS TO RECONFIGURE
PARCEL #S26-01014000
PARCEL #S26-01015000

LEGEND

DB DEED BOOK

PB PLAT BOOK

PG PAGE

LL LAND LOT

OTL OPEN TOP PIPE

RB REBAR

IPF IRON PIN FOUND

IPS 1/2" REBAR W/ CAP

CTP CRIMP TOP PIPE

C&G CURB & GUTTER

R/W RIGHT OF WAY

NF NOW OR FORMERLY

-E- OVERHEAD POWER LINE

sq ft SQUARE FOOT

REF REFERENCE

TBM TEMPORARY BENCHMARK

POB POINT OF BEGINNING

POC POINT OF COMMENCEMENT

RCP REINFORCED CONCRETE PIPE

DIP DUCTILE IRON PIPE

PVC POLYVINYL CHLORIDE PIPE

HDPE HIGH DENSITY POLYETHYLENE PIPE

CMP CORRUGATED METAL PIPE

PROPERTY LINE

CENTERLINE

IDENTIFICATION

B.S.L. BUILDING SETBACK LINE

BOC BACK OF CURB

C CURVE LABEL

CI CURB INLET

DE DRAINAGE EASEMENT

EOP EDGE OF PAVEMENT

FH FIRE HYDRANT

L LINE LABEL

PKS PK NAIL SET

SSE SANITARY SEWER EASEMENT

UE UTILITY EASEMENT

SWMF STORMWATER MANAGEMENT FACILITY

CO SEWER CLEAN OUT

IRON PIN FOUND

IRON PIN SET

CALCULATED POINT

POWER POLE

FIRE HYDRANT

WATER VALVE

WATER METER

JUNCTION BOX

SANITARY SEWER MANHOLE

DROP INLET

R/W MONUMENT

SINGLE WING CATCH BASIN

DOUBLE WING CATCH BASIN

CURB INLET

HEADWALL

FLARED END SECTION

GAS METER

GAS VALVE

ELECTRIC TRANSFORMER

TELEPHONE PEDESTAL

LIGHT POST

SITE NOTES

OWNER: THE CITY OF STOCKBRIDGE
4640 NORTH HENRY BLVD
STOCKBRIDGE, GEORGIA 30281

NUMBER OF LOTS: 2

TOTAL ACRES - 16.80

ZONING: C2 - GENERAL COMMERCIAL DISTRICT

MINIMUM LOT AREA: 10,000 SQUARE FEET

MINIMUM LOT WIDTH: 100 FEET

MINIMUM LOT FRONTAGE: 100% OF THE LOT WIDTH

MAXIMUM LOT COVERAGE: 70%

SETBACKS:

FRONT - 50 FEET

SIDE - 10 FEET

REAR - 20 FEET

ZONING: PUD - PLANNED UNIT DEVELOPMENT DISTRICT

MINIMUM LOT AREA: 3 ACRES

ALL OTHER CONDITIONS DETERMINED BY APPROVED CONCEPT PLAN

The main survey plat depicts two tracts of land. Tract 1, located in the upper right, is a 15.95-acre parcel owned by The City of Stockbridge, bounded by North Henry Blvd to the north, Oakland Blvd to the east, and a portion of Ceresea Dr to the west. Tract 2, located in the lower left, is a 0.85-acre parcel also owned by The City of Stockbridge, bounded by North Henry Blvd to the north, Rock Quarry Road to the east, and a portion of Ceresea Dr to the west. The plat shows various easements, including a sewer easement and an access easement for both tracts. Numerous adjacent property owners are listed with their addresses and tax IDs, such as Christy Hafley, Linda McConley, Brucquesha Perpall, and Jacques Hall. The plat includes bearings and distances for all boundaries and easements, as well as a graphic scale and north arrow.

THIS BLOCK RESERVED FOR THE
CLERK OF THE SUPERIOR COURT

THE PURPOSE OF THIS PLAT
IS TO RECONFIGURE
PARCEL #S26-01014000
PARCEL #S26-01015000

LEGEND

DB DEED BOOK

PB PLAT BOOK

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TBM TEMPORARY BENCHMARK

POB POINT OF BEGINNING

POC POINT OF COMMENCEMENT

RCP REINFORCED CONCRETE PIPE

DIP DUCTILE IRON PIPE

PVC POLYVINYL CHLORIDE PIPE

HDPE HIGH DENSITY POLYETHYLENE PIPE

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UE UTILITY EASEMENT

SWMF STORMWATER MANAGEMENT FACILITY

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FIRE HYDRANT

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WATER METER

JUNCTION BOX

SANITARY SEWER MANHOLE

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DOUBLE WING CATCH BASIN

CURB INLET

HEADWALL

FLARED END SECTION

GAS METER

GAS VALVE

ELECTRIC TRANSFORMER

TELEPHONE PEDESTAL

LIGHT POST

CITY NOTES

1. THIS PROPERTY IS ON THE COUNTY WATER SYSTEM.

2. THIS PROPERTY IS ON A PAVED COUNTY RIGHT OF WAY.

3. THIS PROPERTY IS NOT PART OF A PLATTED SUBDIVISION.

4. THIS PROPERTY DOES NOT HAVE A BODY OF WATER ON THE PROPERTY.

5. THIS PROPERTY IS NOT LOCATED IN A FLOOD PLAIN.

6. THERE ARE NO WETLANDS ON THE PROPERTY.

7. THIS PROPERTY IS NOT LOCATED IN A WATERSHED PROTECTION DISTRICT.

8. PROOF OF CITY OF STOCKBRIDGE OR HENRY COUNTY APPROVAL FOR WATER CONNECTION, SEWER CONNECTION OR SEPTIC SYSTEM SHALL BE PROVIDED PRIOR TO ISSUANCE OF A BUILDING PERMIT.

STATEMENT OF OWNER

The undersigned is the owner of record of the property, and the entire parcel is contained within the subject plat.

Owner _____ Date _____

This statement must be notarized.

MINOR (DIVISION/COMBINATION) PLAT

Signature will be completed upon approval.

CITY OF Stockbridge, GA CERTIFICATE OF ZONING DIRECTOR

Community Director _____ Date _____

Pursuant to section 11.2 of the Unified Development Code, this plat has been approved for recording by the Zoning Director of the City of Stockbridge in accordance with existing rules and regulations.

CERTIFICATE OF SURVEYOR

It is hereby certified that this plat is true and correct and was prepared from an actual survey of the property made by me or under my supervision; that all monuments show hereon actually exist or are marked as Future, and their locations, size, type and material are correctly shown; and that all engineering requirements of the City of Stockbridge and all requirements of the Unified Development Code of the City of Stockbridge, Georgia have been fully complied with.


KEVIN M. BROWN
Registered Georgia Land Surveyor No.: 2960
Address: 235 CORPORATE CENTER DRIVE, STOCKBRIDGE, GA 30281
Phone #: 770-389-8666

SURVEYOR'S CERTIFICATION

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

FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67.


KEVIN M. BROWN
REGISTERED LAND SURVEYOR #2960

8/13/2025
DATE

VICINITY MAP
NOT TO SCALE

BRYANT ST

NORTH LEE ST

S LEE ST

ROCK QUARRY ROAD

NORTH HENRY BLVD

MILLER RD

OAKLAND BLVD

MANN BLVD

SITE

CIVIL ENGINEERING
CONSTRUCTION MANAGEMENT
LANDSCAPE ARCHITECT
LAND PLANNING


FALCON DESIGN CONSULTANTS

STOCKBRIDGE OFFICE
4640 NORTH HENRY BLVD, STE. A
STOCKBRIDGE, GEORGIA 30281
PH: 770-389-8666 - Fax: 770-389-8666
www.fdc-llc.com

CUMMING OFFICE
580 PINEAPPLE RD, STE. 1
CUMMING, GEORGIA 30040
PH: 678-857-0180

LOT RECONFIGURATION

4482-4498 NORTH HENRY BLVD

CITY OF STOCKBRIDGE

LAND LOT 61, 12TH DISTRICT

HENRY COUNTY, GEORGIA

REVISIONS

1.	2.	3.	4.

THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON PERSONS, HEREON. SAID CERTIFICATE DOES NOT EXTEND TO ANY UNNAMED PERSON OR PERSONS, AND THE SURVEYOR MAKING SAID PERSON.

DATE: 8-13-2025

SCALE: 1" = 100'

FILE NUMBER: 257.006

DRAWN BY: J. ROBERTS

REVIEWED BY: K. BROWN

GEORGIA
REGISTERED
PROFESSIONAL
LAND SURVEYOR
KEVIN M. BROWN
8/13/25

COA# LSF 000995

THIS DOCUMENT IS NOT VALID UNLESS IT BEARS THE ORIGINAL SIGNATURE OF THE REGISTRANT ACROSS THE REGISTRANT'S SEAL.

SHEET NUMBER

1 of 1

P:\Projects\257.006 North Henry Blvd Tim Horton\SURVEY\dwg\4482-4498 North Henry Blvd-LOT-DIV-00.dwg, S 24X36, KBrown, Aug 13, 2025 - 4:11:56pm

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN THE CITY OF STOCKBRIDGE, LAND LOT 61, 12TH DISTRICT, HENRY COUNTY, GEORGIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2 INCH REBAR AND CAP SET ON THE NORTHERLY RIGHT-OF-WAY LINE OF NORTH HENRY BOULEVARD (RIGHT-OF-WAY WIDTH VARIES), NORTH 87 DEGREES 26 MINUTES 50 SECONDS WEST, 294.90 FEET FROM A CONCRETE MONUMENT AT THE INTERSECTION OF THE EASTERLY LINE OF LAND LOT 61 AND THE NORTHERLY RIGHT-OF-WAY LINE OF NORTH HENRY BOULEVARD;

THENCE, ALONG SAID RIGHT-OF-WAY LINE, NORTH 87 DEGREES 26 MINUTES 50 SECONDS WEST, 152.76 FEET TO A 1/2 INCH REBAR AND CAP;

THENCE, LEAVING SAID RIGHT-OF-WAY LINE, NORTH 06 DEGREES 09 MINUTES 28 SECONDS WEST, 228.48 FEET TO A 1/2 INCH REBAR AND CAP SET;

THENCE, NORTH 86 DEGREES 45 MINUTES 17 SECONDS EAST, 160.21 FEET TO A 1/2 INCH REBAR AND CAP SET;

THENCE, SOUTH 06 DEGREES 09 MINUTES 28 SECONDS EAST, 108.90 FEET TO A 1/2 INCH REBAR AND CAP SET;

THENCE, SOUTH 01 DEGREES 40 MINUTES 02 SECONDS WEST, 66.10 FEET TO A 1/2 INCH REBAR AND CAP SET;

THENCE, SOUTH 06 DEGREES 09 MINUTES 28 SECONDS EAST, 69.09 FEET TO THE **POINT OF BEGINNING.**

SAID TRACT OR PARCEL CONTAINING **0.85 ACRES (36,944 SQUARE FEET).**



Battle Law

STATEMENT OF INTENT

and

Other Material Required by
City of Stockbridge Zoning Ordinance
For
A Special Land Use Permit for
A Restaurant with a Drive Through

of

**Royal TH, LLC
c/o Battle Law, P.C.**

for

+/-1.32 Acres of Land
Being 4498 North Henry Boulevard
City of Stockbridge, Georgia and
Parcel Nos. S26-01015000

Submitted for Applicant by:

Michèle L. Battle, Esq.
Joshua S. Mahoney, 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
jsm@battlelawpc.com



Battle Law

I. LETTER OF INTENT

Royal TH, LLC (the “Applicant”) is seeking to develop on +/- 1.32 acres of land being tax parcel number. S26-01015000 having frontage on 4498 North Henry Boulevard (the “Subject Property”) with a restaurant with a drive through. The Applicant is seeking a special land use permit of the Subject Property. The Subject Property is zoned C2 in the Downtown Village Overlay District.

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 SPECIAL LAND USE PERMIT CRITERIA

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 Subject Property has a future land use designation of Downtown District, is zoned C2 and is within the Downtown Village Overlay District. The Subject Property is surrounded by other properties with restaurants with drive throughs including Mrs. Winner’s, Sonic Drive-In, and Pizza Hut. The proposed use is compatible with the City’s plans, goals and objectives.

2. How the proposal impacts the purposes of the overall zoning scheme, and whether the proposed change furthers the purposes of these zoning regulations.

The Subject Property fronts a commercialized stretch of North Henry Boulevard. The properties on the north side of North Henry Boulevard are zoned PUD, C2, SR, C1, and C3. On the south side of North Henry Boulevard there are several C3, C2, SR, and C1 properties. This zoning application does not seek to change the zoning designation. Rather, it seeks a special use permit to allow for a drive through. So, the zoning application would allow another iteration of a well-established use in the area and not disrupt the zoning scheme in the area.

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

The zoning proposal would allow another restaurant with a drive through in an area that has several. So, the proposed use not disrupt the area’s character.

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

The zoning proposal would not create an isolated district unrelated to adjacent properties.

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



Battle Law

The zoning proposal would not have a negative impact on the aesthetic character of existing and future uses of property and the surrounding area. The proposal will allow a new restaurant with a drive through.

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

The Subject Property is surrounded by other commercial uses including three restaurants with drive throughs. The proposed building would not be much larger than the nearby restaurants. So, the proposal is consistent with adjacent development densities.

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

The Subject Property is vacant and wooded. The Subject Property, as is, does not contribute to the public health, safety, or general welfare. The zoning proposal would not detract from the public health, safety, or general welfare and would provide a new place for citizens to visit.

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

There is water and sewer capacity to support the proposed use. The proposed restaurant would not overburden public facilities or services nor would it impact expenditures of public funds.

9. How the proposal impacts traffic safety and congestion.

The proposed use would capture traffic already traveling along North Henry Boulevard. While there may be a moderate increase in traffic, the Applicant does not anticipate a great change.

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

The zoning proposal includes stormwater management to address drainage. The Applicant will work with a civil engineer to meet all of the City of Stockbridge's standards for soil erosion and sedimentation, flooding, air quality, water quality and quantity.

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

The proposal will not have a negative impact on the provision of adequate light and air.

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

The Applicant does not anticipate a negative impact on the value of adjacent property.



Battle Law

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

There is no economically viable use as currently zoned.

14. Preservation of the 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 zoning proposal will not will not adversely impact the integrity of a residential neighborhood. The Subject Property is not immediately adjacent to a developed residential subdivision. The property east of the Subject Property is zoned PUD, but is not developed residentially or otherwise. So, the zoning proposal would not impact the character of that subdivision should it be developed at all.

III. CONCLUSION

For the foregoing reasons, the Applicant hereby requests that the application for a special land use permit for a restaurant with a drive through 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.



Battle Law

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.

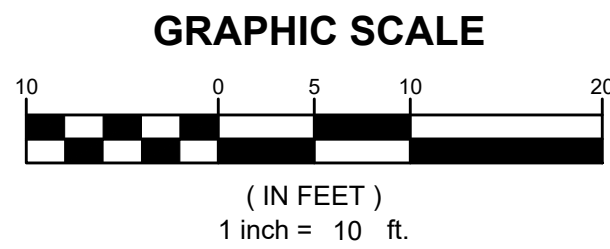
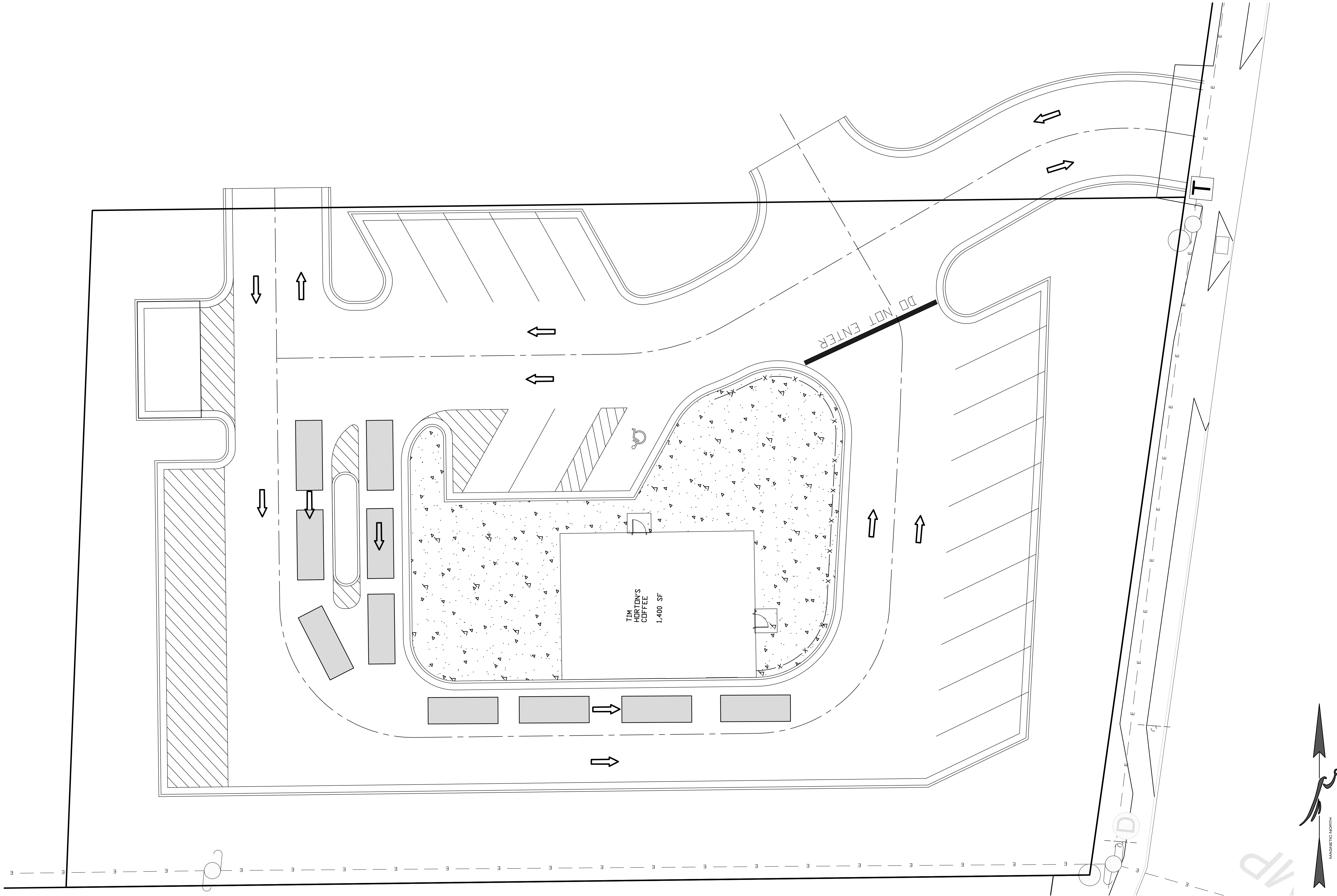
A refusal by the City of Stockbridge Mayor and Council to amend the land use and/or rezone the Subject Property to the classification as requested by the Applicant would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of similarly 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 Special Land Use Permit 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 special land use permit 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 special land use permit 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



CIVIL ENGINEERING
CONSTRUCTION MANAGEMENT
LAND SURVEYING
LANDSCAPE ARCHITECT
LAND PLANNING

FALCON DESIGN CONSULTANTS

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NEWNAS, GEORGIA 30265
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500 PIRACLE FOREST RD, STE C
CUMMING, GEORGIA 30040
PH: (678) 867-7140

www.fdc-llc.com

CONCEPT PLAN
FOR
**TIM HORTONS
STOCKBRIDGE**
LOCATED IN:
CITY OF STOCKBRIDGE
GEORGIA

DATE	REVISIONS
1.	
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8.	

Know what's below.
Call before you dig.
UTILITIES PROTECTION CENTER
1 (800) 282-2424 • 1 (404) 876-0000 • 1 (800) 282-2424 • 1 (404) 876-0000

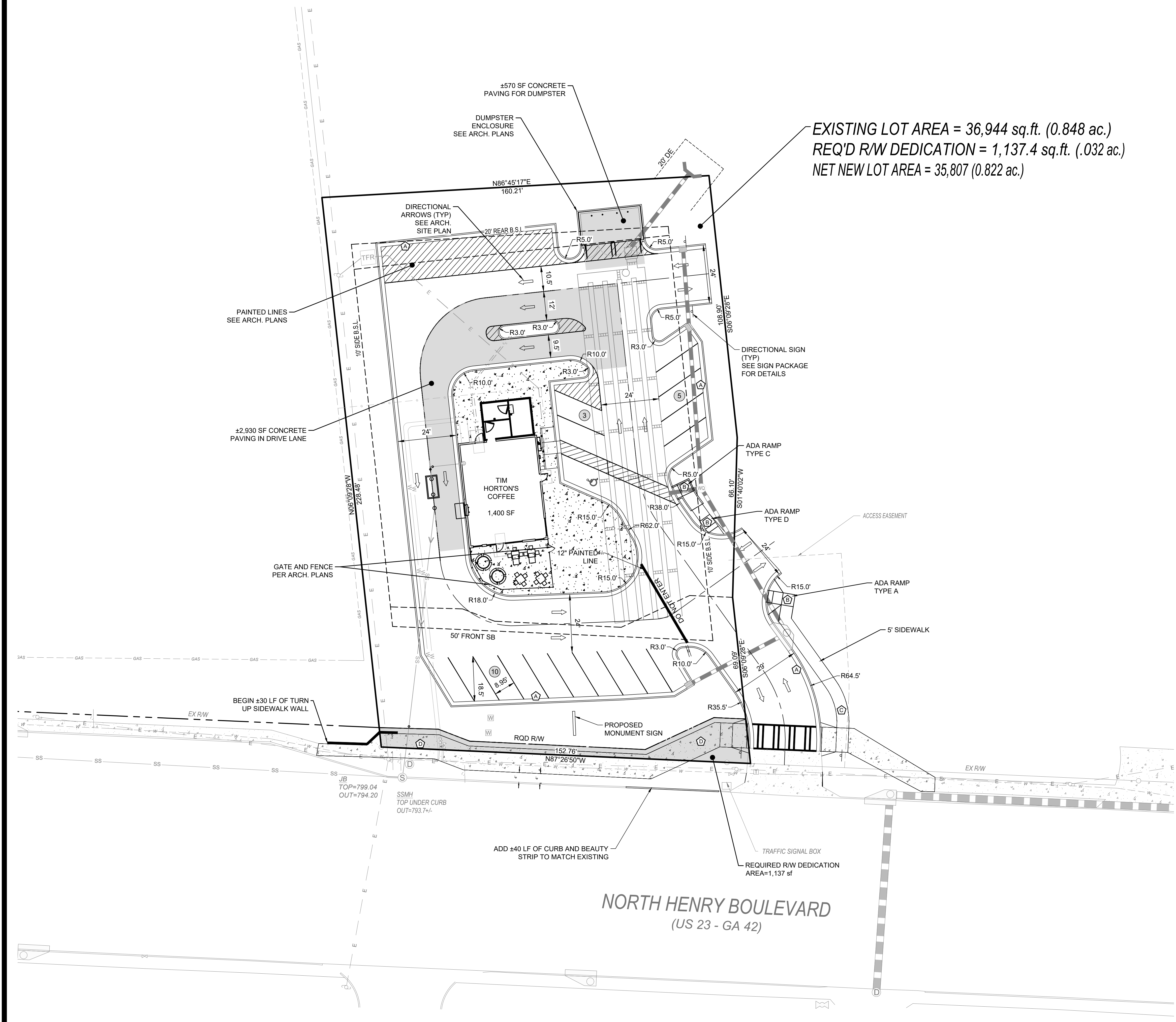
GEORGIA
REGISTERED PROFESSIONAL
1 (800) 282-2424 • 1 (404) 876-0000 • 1 (800) 282-2424 • 1 (404) 876-0000

DATE:	2/27/25
SCALE:	1" = 10'
PROJ NUMBER:	257.006
DRAWN BY:	EDA
REVIEWED BY:	JP
REVISED BY:	-

THIS DOCUMENT IS NOT VALID UNLESS IT BEARS THE ORIGINAL SIGNATURE OF THE REGISTRANT ACROSS THE REGISTRANT'S SEAL.

SHEET NUMBER

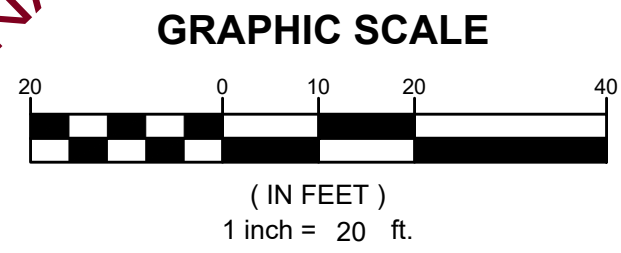
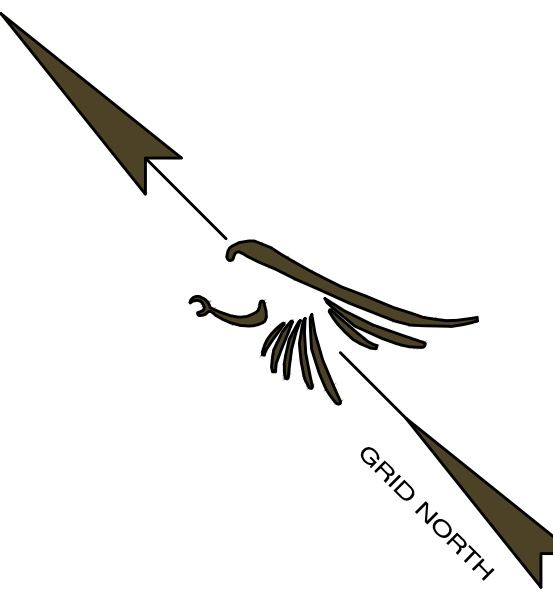
1.0



EXISTING LOT AREA = 36,944 sq.ft. (0.848 ac.)
REQ'D R/W DEDICATION = 1,137.4 sq.ft. (.032 ac.)
NET NEW LOT AREA = 35,807 (0.822 ac.)

LEGEND		
	PROPOSED	EXISTING
RIGHT-OF-WAY	R/W	R/W
BOUNDARY LINE		
PROPERTY LINE		
CURB & GUTTER		
EASEMENT		
BUILDING		
SIDEWALK		
CONCRETE PAVING		
FENCE		
FIRE HYDRANT		
WATER VALVE		
WATER METER		
WEIR INLET		
JUNCTION BOX		
SANITARY SEWER MANHOLE		
SINGLE WING CATCH BASIN		
DOUBLE WING CATCH BASIN		
STORM PIPE		
SEWER PIPE	SS	SS
WATER MAIN	W	W
CONTOUR (MAJOR)	000	000
CONTOUR (MINOR)	000	000
DRAINAGE BASIN LINE		

- KEY NOTES:**
- CONCRETE CURB AND GUTTER - (SEE DETAILS ON SHEET 15.3)
 - ACCESSIBLE RAMP - (SEE DETAILS ON SHEET 15.1)
 - 5' SIDEWALK
 - 10' SIDEWALK
- DEVELOPMENT NOTES:**
- ALL ROADWAY DIMENSIONS SHOWN ARE TO THE FACE OF CURB TO FACE OF CURB AND ALL RADII ARE BACK OF CURB UNLESS OTHERWISE NOTED.
 - CONTRACTOR SHALL REFER TO ARCHITECTURAL PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF EXISTING PORCHES, RAMPS, PRECISE BUILDING DIMENSIONS AND EXACT BUILDING UTILITY ENTRANCE LOCATIONS. SEE TIM HORTONS SIGN PACKAGE FOR DETAILED SIGN REQUIREMENTS.
 - ALL GRADIENTS ON SIDEWALKS ALONG THE ADA ROUTE SHALL HAVE A MAXIMUM LONGITUDINAL SLOPE OF 5% (1:20), EXCEPT AT CURB RAMPS (1:12), AND A MAXIMUM CROSS SLOPE OF 2.00% (1:50). THE MAXIMUM SLOPE IN ANY DIRECTION ON AN ADA PARKING STALL OR ACCESS ISLE SHALL BE 2.00% (1:50). THE CONTRACTOR SHALL REVIEW AND VERIFY THE GRADIENT IN THE FIELD ALONG THE ADA ROUTES PRIOR TO PLACING CONCRETE OR BITUMINOUS. THE CONTRACTOR SHALL NOTIFY THE ENGINEER IMMEDIATELY IF THERE IS A DISCREPANCY BETWEEN THE GRADIENT IN THE FIELD VERSUS THE DESIGN GRADIENT.
 - DRAINAGE AND UTILITY EASEMENTS SHALL BE DEDICATED TO THE CITY OF STOCKBRIDGE.



PRELIMINARY (NOT FOR CONSTRUCTION)

CIVIL
ENGINEERING
C.O.A. NO. 1742 04/79

LAND
SURVEYING
C.O.A. NO. 134 04/95

CONSTRUCTION
MANAGEMENT

LAND
PLANNING

FALCON DESIGN
CONSULTANTS

STOCKBRIDGE OFFICE
225 COMPTON DR., STE. 200
STOCKBRIDGE, GEORGIA 30281
PH: (770) 339-8666 • FAX: (770) 339-8666

NEWNAN OFFICE
40 GREENWAY CT., STE. A
NEWNAN, GEORGIA 30565
PH: (770) 755-7978

CUMMING OFFICE
500 PIRKLE FERRY RD., STE. C
CUMMING, GEORGIA 30041
PH: (678) 807-7100

www.fdc-llc.com

SITE PLAN
FOR
TIM HORTONS
4498 NORTH HENRY BLVD
LOCATED IN:
LAND LOT 61, 12TH DISTRICT
CITY OF STOCKBRIDGE, GEORGIA

DATE	REVISIONS
1	
2	
3	
4	
5	
6	
7	
8	

Know what's below dig
Call
UTILITIES PROTECTION CENTER
1 (800) 282-7411 THROUGHOUT GEORGIA
OR DIAL 811

DATE: 6/30/25
SCALE: 1" = 20'
PROJ NUMBER: 257.006
DRAWN BY: CAM
REVIEWED BY: -
REVISED BY: -

GSWCC# 0000058941
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SHEET NUMBER
7.0

CITY OF STOCKBRIDGE

4640 NORTH HENRY BOULEVARD
STOCKBRIDGE, GEORGIA 30281
PHONE (770) 389-7900
FAX (770) 389-7912

September 5, 2025

Sarah Shirk
Executive Assistant/Permit Coordinator
Falcon Design Consultants, LLC
235 Corporate Center Drive
Suite 200
Stockbridge, GA 30281

RE: Service Availability Letter
4498 North Henry Blvd.
Parcel #: S26-01015000
Development Type: Coffee Shop

Ms. Shirk:

As requested, let this letter serve as an acknowledgement of service availability and that the City of Stockbridge is the water and sewer provider of the subject property.

Sincerely,



Kevin Miller
Sewer Superintendent

Cc: Decius T. Aaron, Public Works Director
Scott Mask, Water Superintendent

THIS BLOCK RESERVED FOR THE CLERK OF THE SUPERIOR COURT

THE PURPOSE OF THIS PLAT IS TO RECONFIGURE PARCEL #S26-01014000 PARCEL #S26-01015000

LEGEND

DB DEED BOOK

PB PLAT BOOK

PG PAGE

LL LAND LOT

OTF OPEN TOP PIPE

RB REBAR

IPF IRON PIN FOUND

IPS 1/2" REBAR W/ CAP

CTP CRIMP TOP PIPE

C&G CURB & GUTTER

R/W RIGHT OF WAY

NF NOW OR FORMERLY

-E- OVERHEAD POWER LINE

sq ft SQUARE FOOT

REF REFERENCE

TBM TEMPORARY BENCHMARK

POB POINT OF BEGINNING

POC POINT OF COMMENCEMENT

RCP REINFORCED CONCRETE PIPE

DIP DUCTILE IRON PIPE

PVC POLYVINYL CHLORIDE PIPE

HDPE HIGH DENSITY POLYETHYLENE PIPE

CMP CORRUGATED METAL PIPE

PROPERTY LINE

CENTERLINE

IDENTIFICATION

B.S.L. BUILDING SETBACK LINE

BOC BACK OF CURB

C CURVE LABEL

CI CURB INLET

DE DRAINAGE EASEMENT

EOP EDGE OF PAVEMENT

FH FIRE HYDRANT

L LINE LABEL

PKS PK NAIL SET

SSE SANITARY SEWER EASEMENT

UE UTILITY EASEMENT

SWMF STORMWATER MANAGEMENT FACILITY

CO SEWER CLEAN OUT

IRON PIN FOUND

IRON PIN SET

CALCULATED POINT

POWER POLE

FIRE HYDRANT

WATER VALVE

WATER METER

JUNCTION BOX

SANITARY SEWER MANHOLE

DROP INLET

R/W MONUMENT

SINGLE WING CATCH BASIN

DOUBLE WING CATCH BASIN

CURB INLET

HEADWALL

FLARED END SECTION

GAS METER

GAS VALVE

ELECTRIC TRANSFORMER

TELEPHONE PEDESTAL

LIGHT POST

SITE NOTES

OWNER: THE CITY OF STOCKBRIDGE
4640 NORTH HENRY BLVD
STOCKBRIDGE, GEORGIA 30281

NUMBER OF LOTS: 2

TOTAL ACRES - 16.80

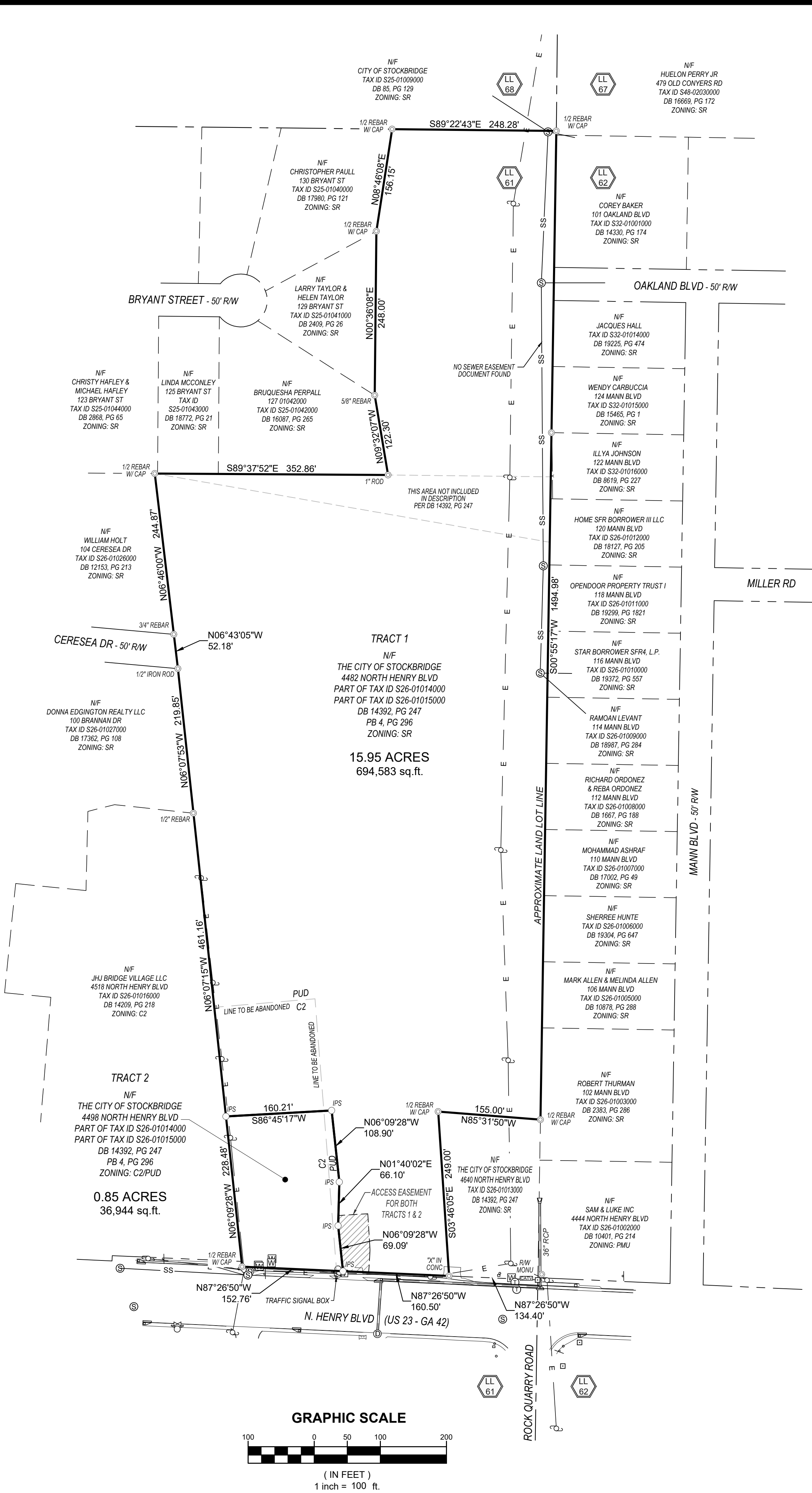
ZONING: C2 - GENERAL COMMERCIAL DISTRICT

MINIMUM LOT AREA: 10,000 SQUARE FEET
MINIMUM LOT WIDTH: 100 FEET
MINIMUM LOT FRONTAGE: 100% OF THE LOT WIDTH
MAXIMUM LOT COVERAGE: 70%

SETBACKS:
FRONT - 50 FEET
SIDE - 10 FEET
REAR - 20 FEET

ZONING: PUD - PLANNED UNIT DEVELOPMENT DISTRICT

MINIMUM LOT AREA: 3 ACRES
ALL OTHER CONDITIONS DETERMINED BY APPROVED CONCEPT PLAN



THIS BLOCK RESERVED FOR THE CLERK OF THE SUPERIOR COURT

THE PURPOSE OF THIS PLAT IS TO RECONFIGURE PARCEL #S26-01014000 PARCEL #S26-01015000

LEGEND

DB DEED BOOK

PB PLAT BOOK

PG PAGE

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OTF OPEN TOP PIPE

RB REBAR

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NF NOW OR FORMERLY

-E- OVERHEAD POWER LINE

sq ft SQUARE FOOT

REF REFERENCE

TBM TEMPORARY BENCHMARK

POB POINT OF BEGINNING

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4640 NORTH HENRY BLVD
STOCKBRIDGE, GEORGIA 30281

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MINIMUM LOT FRONTAGE: 100% OF THE LOT WIDTH
MAXIMUM LOT COVERAGE: 70%

SETBACKS:
FRONT - 50 FEET
SIDE - 10 FEET
REAR - 20 FEET

ZONING: PUD - PLANNED UNIT DEVELOPMENT DISTRICT

MINIMUM LOT AREA: 3 ACRES
ALL OTHER CONDITIONS DETERMINED BY APPROVED CONCEPT PLAN

CITY NOTES

1. THIS PROPERTY IS ON THE COUNTY WATER SYSTEM.

2. THIS PROPERTY IS ON A PAVED COUNTY RIGHT OF WAY.

3. THIS PROPERTY IS NOT PART OF A PLATTED SUBDIVISION.

4. THIS PROPERTY DOES NOT HAVE A BODY OF WATER ON THE PROPERTY.

5. THIS PROPERTY IS NOT LOCATED IN A FLOOD PLAIN.

6. THERE ARE NO WETLANDS ON THE PROPERTY.

7. THIS PROPERTY IS NOT LOCATED IN A WATERSHED PROTECTION DISTRICT.

8. PROOF OF CITY OF STOCKBRIDGE OR HENRY COUNTY APPROVAL FOR WATER CONNECTION, SEWER CONNECTION OR SEPTIC SYSTEM SHALL BE PROVIDED PRIOR TO ISSUANCE OF A BUILDING PERMIT.

STATEMENT OF OWNER

The undersigned is the owner of record of the property, and the entire parcel is contained within the subject plat.

Owner _____ Date _____

This statement must be notarized.

MINOR (DIVISION/COMBINATION) PLAT

Signature will be completed upon approval.

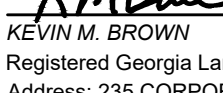
CITY OF Stockbridge, GA CERTIFICATE OF ZONING DIRECTOR

Community Director _____ Date _____

Pursuant to section 11.2 of the Unified Development Code, this plat has been approved for recording by the Zoning Director of the City of Stockbridge in accordance with existing rules and regulations.

CERTIFICATE OF SURVEYOR

It is hereby certified that this plat is true and correct and was prepared from an actual survey of the property made by me or under my supervision; that all monuments show hereon actually exist or are marked as Future, and their locations, size, type and material are correctly shown; and that all engineering requirements of the City of Stockbridge and all requirements of the Unified Development Code of the City of Stockbridge, Georgia have been fully complied with.


KEVIN M. BROWN
Registered Georgia Land Surveyor No.: 2960
Address: 235 CORPORATE CENTER DRIVE, STOCKBRIDGE, GA 30281
Phone #: 770-389-8666

SURVEYOR'S CERTIFICATION

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

FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67.


KEVIN M. BROWN
REGISTERED LAND SURVEYOR #2960

8/13/2025
DATE

A vicinity map showing the site's location within the Stockbridge area. The site is highlighted in grey and is situated at the intersection of North Henry Blvd and Rock Quarry Road. Surrounding streets include Bryant St, North Lee St, S Lee St, Oakland Blvd, Miller Rd, and Mann Blvd. The map is labeled 'VICINITY MAP NOT TO SCALE'.

CIVIL ENGINEERING
CONSTRUCTION MANAGEMENT
LANDSCAPE ARCHITECT
LAND PLANNING


FALCON DESIGN CONSULTANTS

STOCKBRIDGE OFFICE
4640 NORTH HENRY BLVD, STE. A
STOCKBRIDGE, GEORGIA 30281
PH: 770-389-8666 - Fax: 770-389-8666
www.fdc-fdc.com

CUMMING OFFICE
300 PIERCE STREET, STE. A
CUMMING, GEORGIA 30040
PH: 678-857-0100

LOT RECONFIGURATION

4482-4498 NORTH HENRY BLVD

CITY OF STOCKBRIDGE

LAND LOT 61, 12TH DISTRICT

HENRY COUNTY, GEORGIA

REVISIONS

1.	2.	3.	4.

THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON PERSONS, HEREON. SAID CERTIFICATE DOES NOT EXTEND TO ANY UNNAMED PERSON OR PERSONS, AND THE SURVEYOR MAKING SAID PERSON.

DATE: 8-13-2025

SCALE: 1" = 100'

FILE NUMBER: 257.006

DRAWN BY: J. ROBERTS

REVIEWED BY: K. BROWN

GEORGIA
REGISTERED
PROFESSIONAL
LAND SURVEYOR
KEVIN M. BROWN
8/13/25

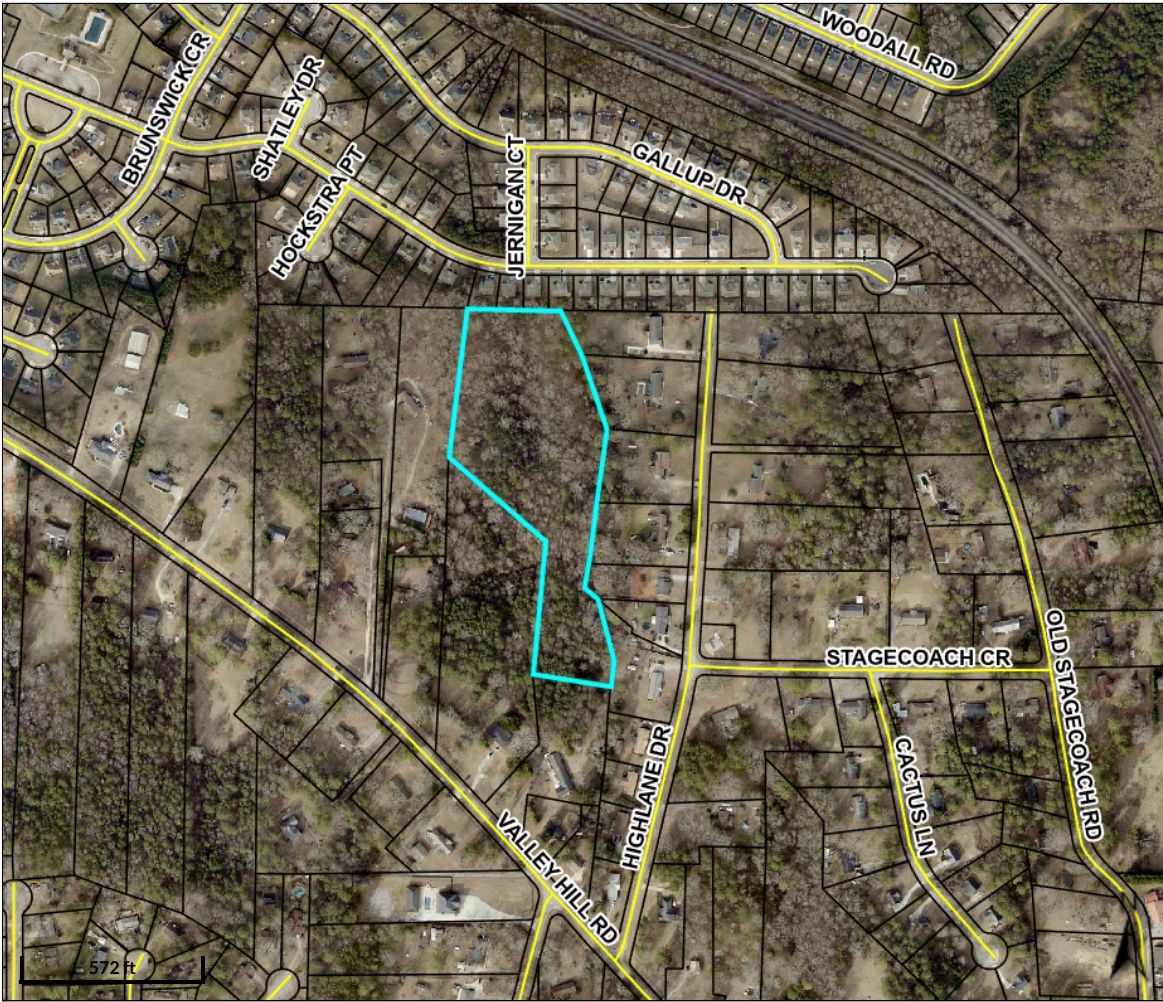
COA# LSF 000995

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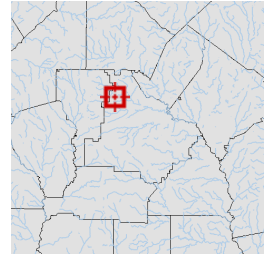
SHEET NUMBER

1 of 1

P:\Projects\257.006 North Henry Blvd Tim Horton\SURVEY\dwg\4482-4498 North Henry Blvd-LOT-DIV-00.dwg, S 24X36, KBrown, Aug 13, 2025 - 4:11:56pm



Overview



Legend

-  Parcels
-  Roads

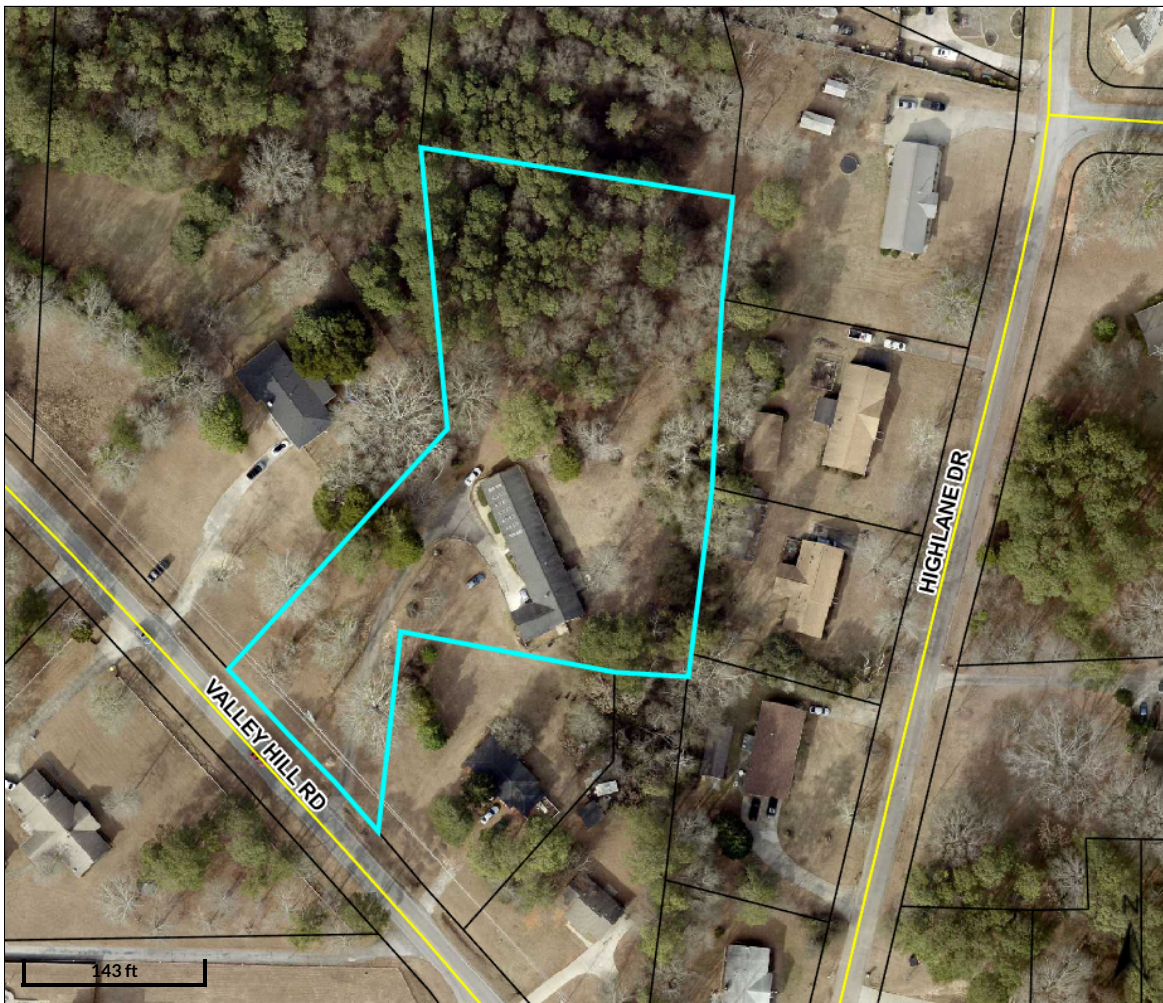
Parcel ID	S08-01020000	Class	R	Owner	ENCINALES ALEJANDRO G & TORRES DIANA P V	Land Value:	\$107800				
Property Address	264 VALLEY HILL RD STOCKBRIDGE GA 30281					Building Value:	\$0				
District	City/Stockbridge	Acreage	8.29	Address		Misc Value:	\$0	2/18/2021	\$375,000	MULTI PARCEL	Q
						Total Value:	\$107800	1/1/2010	\$0	CORPORATE U	

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

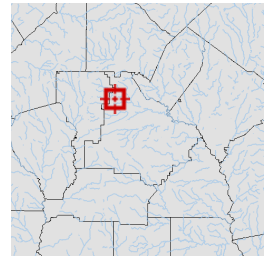
Date created: 9/5/2023

Last Data Uploaded: 9/5/2023 1:24:23 AM

Developed by  **Schneider**
GEOSPATIAL



Overview



Legend

- Parcels
- Roads

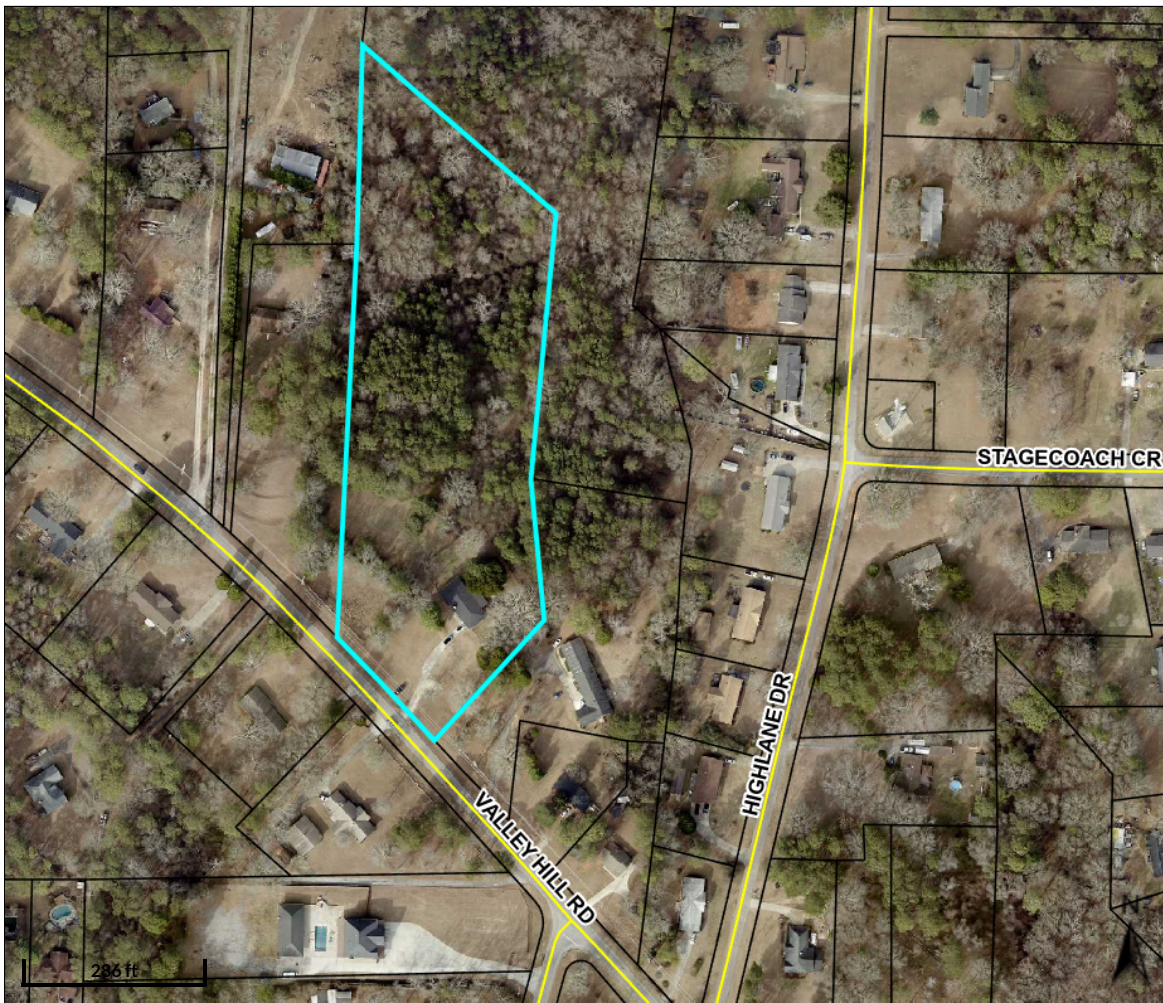
Parcel ID	S09-06010000	Class	R	Owner	GRANADOS CLAUDIA	Land Value:	\$	Last 2 Sales			
Property	258 VALLEY HILL	Acreage	2.43	Address	PEREZ	Building	\$	Date	Price	Reason	Qual
Address	RD				258 VALLEY HILL RD	Value:		6/30/2022	\$299,900	n/a	Q
District	City/Stockbridge				STOCKBRIDGE GA	Misc Value:	\$	2/3/2003	\$82,900	OTHER	U
					30281	Total Value:	\$0				

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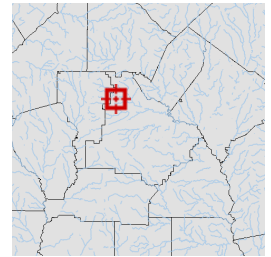
Date created: 6/16/2023

Last Data Uploaded: 6/15/2023 8:54:48 PM

Developed by  **Schneider**
GEOSPATIAL



Overview



Legend

- Parcels
- Roads

Parcel ID	S08-01010000	Class	R	Owner	ENCINALES ALEJANDRO G &	Land Value:	\$				
Property Address	264 VALLEY HILL RD	Acreage	6.525	Address	TORRES DIANA P V	Building Value:	\$				
District	City/Stockbridge				264 VALLEY HILL RD	Misc Value:	\$				
					STOCKBRIDGE GA 30281	Total Value:	\$0				
								Last 2 Sales			
								Date	Price	Reason	Qual
								2/18/2021	\$375,000	MULTI PARCEL	Q
								1/2/2008	\$221,600	CORPORATE U	

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

Date created: 6/16/2023

Last Data Uploaded: 6/15/2023 8:54:48 PM

Developed by  **Schneider**
GEOSPATIAL

LETTER OF INTENT

Project Description

The applicant requesting the zoning modification from what was approved by the RZ-2023-02 rezoning, those reasons are to 1) Increase the number of lots from 16 to 28 because we had the approval from the City of Stockbridge with the Sewer Availability; 2) Change and relocate the amenities to keep the walking trail, playground, gazebo and BBQ area in the same location; This development on the property located at 258 and 264 Valley Hill Road. The subject property contains about 17.06 acres of land, and it is comprised of three parcels. 258 and 264 Valley Hill Road, plus parcel # S08-01020000, has single family residential homes while the parcel is mostly wooded.

The current 'SR' zoning district for 258 - 264 Valley Hill Road and the larger parcel # S08-01020000 does allow single family detached lots, the applicant would be able to build the number of lots on the subject property due to the maximum allowed density of the lot area which is 3.9. The previously approved density for the lots was .94. The proposed density of the lots would be 1.64 which is far below the maximum allowable density for the lots. The reason for the modification is due to the City of Stockbridge Water Authority approving connection to the water and sewer lines. A letter of approval has been provided. The previous density of .94 was due to the construction of septic tanks on the lots. The connection directly to the City of Stockbridge Water Authority allows for a higher density and therefore eliminates the need for septic tanks. To allow for the subdivision to be built, the existing three parcels will need to be combined. Thus, the applicant intends to request a recombination plat to combine all three properties.

Section 2.4.2 of the Stockbridge Unified Development Code states that the purpose of the 'SR' zoning district is to "provide for single-family dwellings of a low to moderate density charter on individual lots". Table 1 below shows the SR requirements. The SR zoning district requires the minimum lot size of 12,000 square feet, the minimum lot width of 75 feet, and the minimum house size of 1,500 square feet. In addition, the yard setback requirements of the SR zoning district are as follows: 50 feet in the front, 10 feet at the side, and 40 feet in the rear.

SR Zoning District Requirements	
Minimum Lot Size	12,000 square feet
Minimum Lot Width	75 feet
Minimum Lot Frontage	100 percent of the lot width
Minimum Fron Yard Setback	50 feet

Minimum Side Yard Setback	10 feet
Minimum Rear Yard Setback	40 feet
Maximum Lot Coverage	30 percent
Minimum Heated Floor Area (House Size)	1,500 square feet

Section 4.4.2 of the Stockbridge Unified Development Code states the requirements for single family detached and attached homes should abide by the county's architectural Guidelines.

Proposed Architectural Design Materials	
Facades	Stone and cement fiberboard siding
Roof Pitch	4:12
Roof Materials	Asphalt Shingles
Foundation	Concrete
Finished Floor	Concrete
Garages	2-Car Garage

SSMH1
TOP=802.99
INV IN=795.79
INV OUT=795.69

SSMH2
TOP=809.74
INV IN=793.14
INV OUT=792.94

[illegible]

I HAVE THIS DATE, EXAMINED THE "FIA FLOOD HAZARD MAP" AND FOUND IN MY OPINION REFERENCED PARCEL IS NOT IN AN AREA HAVING SPECIAL FLOOD HAZARDS, WITHOUT AN ELEVATION CERTIFICATION SURVEYOR IS NOT RESPONSIBLE FOR ANY DAMAGE DUE ITS OPINION FOR SAID PARCEL MAP ID 13151C00860 AND 13151C00800.
EFFECTIVE DATE: 10/06/2016 ZONE: X

THE FLOOD INFORMATION ON THIS PLAT HAS BEEN DETERMINED AFTER REVIEW OF MAPS WHICH ONLY APPROXIMATE THE LOCATION OF THE APPLICABLE FLOOD HAZARD AREA. A SECOND OPINION OR COMPREHENSIVE FLOOD EVALUATION STUDY IS SUGGESTED FOR MORE ACCURATE INFORMATION. FOR FURTHER INFORMATION CONTACT THE LOCAL DRAINAGE DEPARTMENT, CORPS OF ENGINEERS AND INSURANCE COMPANY OR AN APPRAISER.

THIS PLAT WAS PREPARED TO SHOW THE APPROXIMATE LOCATION OF THE IMPROVEMENTS AND IS NOT RECORDABLE. FENCES SHOULD NOT BE PLACED USING SIDE DIMENSIONS FROM HOUSE. ALL MATTERS OF TITLE ARE EXCEPTED. THIS PLAT IS SUBJECT TO ALL LEGAL EASEMENTS AND RIGHT-OF-WAY PUBLIC OR PRIVATE.

THIS COMBINATION PLAT IS HEREBY APPROVED FOR RECORDING:

BY: _____
CITY OF STOCKBRIDGE
DATE: _____

AS REQUIRED BY SUBSECTION (D) OF SECTION 15-6-67, THIS PLAT HAS BEEN PREPARED BY A LAND SURVEYOR AND APPROVED BY ALL APPLICABLE LOCAL JURISDICTIONS FOR RECORDING AS EVIDENCED BY FORMAL AFFIRMATIONS, SIGNATURES, STAMPS, OR STATEMENTS HEREON. THE APPROVALS OR AFFIRMATIONS SHOULD BE CONFIRMED WITH THE APPROPRIATE GOVERNMENTAL BODIES BY ANY PURCHASER OR USER OF THIS PLAT AS TO INTENDED USE OF ANY PARCEL. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS OF THE NATIONAL BOARD OF SURVEYING AND MAPPING, 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

BY: W. Eugene Stepanov
DATE: SEPTEMBER 19, 2025
EUGENE A. STEPANOV 3197
REGISTERED GEORGIA LAND SURVEYOR



IN MY OPINION THIS PLAT, DRAWN BY ME OR UNDER MY SUPERVISION, WAS MADE FROM ACTUAL SURVEY, AND IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIRED BY LAW.

BY: W. Gary Stinson

DATE: DECEMBER 18, 2024
EUGENE A. STEPANOV 3197
REGISTERED GEORGIA LAND SURVEYOR

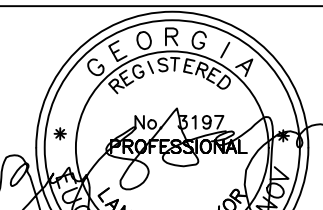
1. RECEIVING WATERS IS BIG COTTON INDIAN CREEK
2. NO WETLANDS ON THE PROPERTY
3. INTERMEDIATE REGIONAL FLOOD ELEVATION BENCHMARK IS N/A/
NO DATA FOR THIS AREA. THE NETWORK WAS USED TO
ESTABLISH MEAN SEA LEVEL ELEVATIONS, NAVD 1986.
4. NO SURVEY PITS ON SITE BASED ON VISUAL INSPECTION ONLY.
THE STATE OF TEXAS HEREON PROVIDES INFORMATION PROVIDED
FROM FIELD RUN SURVEY. REFERENCE TO STATE PLAT COORDINATES,
COORDINATES, GPS CHAMPION TRIT, EGPS NETWORK, NAVD 1986.
5. THE FIELD DATA UPON WHICH THE PLAT IS BASED HAS A CL
OF 100 FEET. THE PLAT IS BASED ON A POINT AND AN ADJACENT
POINT AND WAS ADJUSTED USING THE LEAST SQUARES METHOD.
HAS BEEN CALCULATED FOR CLOSURE AND FOUND TO BE ACCU
FEE IN 100,000+ FEET. AN ELECTRONIC TOTAL STATION AND A
PREPARATION OF THIS PLAT/SURVEY.

Parcel ID	ADDRESS	AREA	ZONING
S08-01010000 S08-01020000	264 VALLEY HILL ROAD STOCKBRIDGE, GA 30281	645,967.86 SF / 14,829 AC	C-1
S09-06010000	258 VALLEY HILL ROAD STOCKBRIDGE, GA 30281	98,499.98 SF / 2,261 AC	RA
TOTAL LAND AREA		744,467.84 SF / 17,091 AC	

RESULTANT PARCEL RETAINS ADDRESS:
3264 VALLEY HILL ROAD STOCKBRIDGE, GA 30281;
WITH Parcel ID# S08-01010000

COMBINATION PLAT PREPARED FOR: *SHEET 1 OF 1*
SUMMER-C CONSTRUCTION, LLC

PROPERTY ADDRESS:
264 & 258 VALLEY HILL ROAD
STOCKBRIDGE, GA 30281



THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE OF 1 FOOT IN 30,000+ FEET, AN ANGULAR ERROR OF 05 SECONDS PER ANGLE PER
SQUARES METHOD. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND FOUND TO BE 1 FOOT IN 100,000+ FEET. AN ELECTRONIC TOTAL
STATION WAS USED TO GATHER THE INFORMATION USED IN THE PREPARATION OF THIS PLAT. NO STATE PLANE COORDINATE MONUMENT FOUND WITHIN 500' OF THIS PROPERTY.

AU
COORD #20221465
DWG #20221465 COMBINATION PLAT

SURVEY LAND EXPRESS, INC.
LAND SURVEYING SERVICES

AU
COORD #20221465
DWG #20221465 COMBINATION PLAT

INC
24 LENOX POINTE
ATLANTA, GA 30324
FAX 404-601-0941
TEL 404-252-5747
INFO@SURVEYLANDPRESS.COM

PURPOSE STATEMENT
THE PURPOSE AND SCOPE OF THIS
PROJECT IS TO COMBINE EXISTING
HENRY COUNTY TAX PARCELS
S08-01010000, S08-01020000 &
S09-06010000 INTO ONE OVERALL
PARCEL SHOWN HEREON AS
COMBINED PARCEL (17.091 AC)

OTHER REFERENCES :

- SURVEY PREPARED BY SITE DESIGN SERVICES, INC.

LEGEND *

[illegible]

* SYMBOLS *

 ELECTRIC PANEL/METER
 WATER METER
 AIR CONDITIONER
 GAS METER
 JUNCTION BOX
 SANITARY SEWER MANHOLE
 STORM MANHOLE
 TRAFFIC/INFO SIGN
 GAS MARKER
 LAMP POST
 METAL POST/PILLAR
 WATER VALVE
 HEADWALL
 STAIRS
 DRAINAGE INLET
 FIRE HYDRANT
 R/W MONUMENT
 PARKING METER
 PARKING STOPS BLOCKS
 CONCRETE MONUMENT

LINE INDICATORS *

INDICATES SANITARY SEWER LINE
INDICATES POWER LINE
INDICATES WATER LINE
INDICATES GAS LINE
INDICATES FENCE LINE
INDICATES DRAINAGE LINE
BURIED POWER/CABLE LINE
AT&T BURIED LINE





















SSMH1
TOP=802.99
INV IN=795.79
INV OUT=795.69

SSMH2
TOP=809.74
INV IN=793.14
INV OUT=792.94

PROPOSED LOCATION OF SANITARY SEWER EASEMENT

Curve	Radius	Length	Chord	Chord Bearing
C1	525.00'	72.36'	72.30'	S 78°33'47"E

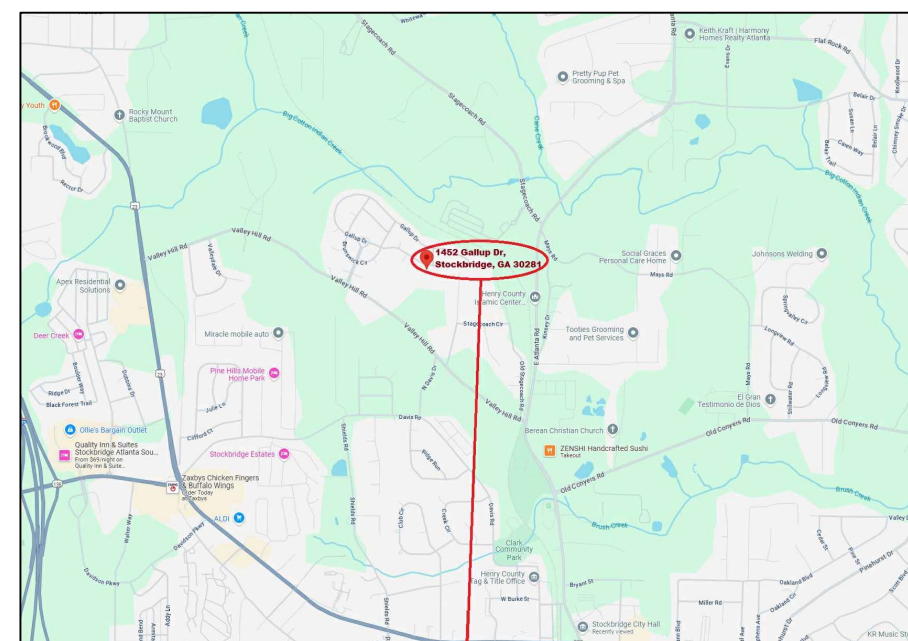
BEARING SHOWN HEREON ARE RELATIVE TO THE
NORTH AMERICAN DATUM OF 1983, GA WEST ZONE 1002
ELEVATIONS SHOWN HEREON RELATIVE TO THE NORTH
AMERICAN VERTICAL DATUM OF 1988

TREE NOTE:
TREES ARE NOT SHOWN ON THE SURVEY

ZONING NOTE:
BEFORE DEVELOPMENT OF THIS PROPERTY,
DEVELOPER AND ARCHITECT TO CONFIRM
ZONING DISTRICT, PER ZONING DEPARTMENT.

PROPERTY IS ZONED PUD
CITY OF STOCKBRIDGE

BUILDING SETBACK(AS PER PLAT)
FRONT: 22.5'
SIDE: 7.5'
REAR: 30.0'



SITE LOCATION MAP
NOT TO SCALE

FLOOD NOTE:

I HAVE THIS DATE, EXAMINED THE "FIA FLOOD HAZARD MAP" AND FOUND IN MY OPINION REFERENCED PARCEL IS NOT IN AN AREA HAVING SPECIAL FLOOD HAZARDS, WITHOUT AN ELEVATION CERTIFICATION SURVEYOR IS NOT RESPONSIBLE FOR ANY DAMAGE DUE TO ITS OPINION FOR SAID PARCEL MAP ID 13151C00800. EFFECTIVE DATE: 10/6/2016. ZONE: X

THE FLOOD INFORMATION ON THIS PLAT HAS BEEN DETERMINED AFTER REVIEW OF MAPS WHICH ONLY APPROXIMATE THE LOCATION OF THE APPLICABLE FLOOD HAZARD AREA. A SECOND OPINION OR COMPREHENSIVE FLOOD EVALUATION STUDY IS SUGGESTED FOR MORE ACCURATE INFORMATION. FOR FURTHER INFORMATION CONTACT THE LOCAL DRAINAGE DEPARTMENT, CORPS OF ENGINEERS AND INSURANCE COMPANY OR AN APPRAISER.

FUTURE FLOOD DISCLAIMER:

THE FLOOD DATA SHOWN HEREON IS PER FEMA ACTIVE PANEL MAP WITH EFFECTIVE DATE, AS SHOWN. THERE MAY BE FUTURE FLOOD ELEVATION INFORMATION STUDIED INTERNALLY BY THE LOCAL GOVERNING MUNICIPALITY IN WHICH THE SUBJECT PROPERTY SITUATES AND THAT INFORMATION MAY NOT BE AVAILABLE TO THE PUBLIC. THEREFORE NOT REFLECTED ON THE CURRENT FEMA PANEL MAP ON THE DATE OF THIS SURVEY. WE REQUEST ANY AND ALL FUTURE FLOOD INFORMATION FROM THE APPLICABLE MUNICIPALITIES AND SHOW THAT INFORMATION HEREON WHENEVER POSSIBLE. IT IS THE RESPONSIBILITY OF THE END USER OF THIS SURVEY TO VERIFY THE APPLICABLE FLOOD INFORMATION DURING THE DEVELOPMENT PHASE, OR OTHER FUTURE USE, BEYOND THE DATE OF THIS SURVEY.

SURVEY NOTES:

- STORM SEWER, SANITARY SEWER AND OTHER BURIED UTILITIES MAY HAVE BEEN PAVED OR COVERED OVER. THE LOCATION OF UNDERGROUND UTILITIES AS SHOWN HEREON ARE BASED ON ABOVE GROUND STRUCTURES AND RECORD DRAWINGS PROVIDED TO THE SURVEYOR. LOCATION OF UNDERGROUND MAY VARY FROM LOCATIONS SHOWN HEREON. ADDITIONAL BURIED UTILITIES MAY BE ENCOUNTERED. NO EXCAVATIONS WERE MADE DURING THE PROCESS OF THIS SURVEY TO LOCATE BURIED UTILITIES. BEFORE EXCAVATIONS ARE BEGUN, ELECTRIC, WATER AND SEWER, GAS COMPANIES SHOULD BE CONTACTED FOR VERIFICATION OF UTILITY TYPE AND FOR FIELD LOCATIONS.
- THIS PLAT WAS PREPARED TO SHOW THE APPROXIMATE LOCATION OF THE IMPROVEMENTS AND IS NOT RECORDABLE. FENCES SHOULD NOT BE LOCATED USING SIDE DIMENSIONS FROM THE HOUSE. ALL MATTERS OF THE TITLE ARE EXCEPTED. THIS PLAT IS SUBJECT TO ALL LEGAL EASEMENTS AND RIGHT OF WAY PUBLIC OR PRIVATE.
- SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD RECORDED AND NOT RECORDED, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.
- THIS SURVEY WAS MADE WITHOUT THE BENEFIT OF CURRENT TITLE COMMITMENT, EASEMENTS AND ENCUMBRANCES MAY EXIST WHICH BENEFIT OR BURDEN THIS PROPERTY. MATTERS OF TITLE ARE EXCEPTED. PROPERTY OWNER OR PERSON ORDERING THE SURVEY IS RESPONSIBLE TO CONTACT CLOSING ATTORNEY OR TITLE COMPANY FOR A FULL TITLE SEARCH AND COMMITMENT INCLUDING ALL THE EXCEPTION.
- SURVEY LAND EXPRESS, INC. IS NOT RESPONSIBLE FOR AND DOES NOT WARRANT THE ZONING INFORMATION AND INTERPRETATION AS PROVIDED HEREIN. THIS INFORMATION IS OBTAINED USING ON-LINE SOURCES, TELEPHONE CONVERSATION WITH ZONING OFFICE AT THE COUNTY OR CITY, ETC. AND CANNOT GUARANTEE ITS ACCURACY. IT IS RECOMMENDED THAT THE CLIENT OR USER OF THIS DATA VERIFY THIS INFORMATION WITH THE ISSUING AUTHORITY.
- THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITY NAMED HEREON. THIS PLAT DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS, OR ENTITY WITHOUT THE EXPRESS RE-CELESTATION OF THE SURVEYOR NAMED SUCH PERSON, PERSONS, ENTITY.
- PRESENCE OF STATE WATERS AND BUFFERS REQUIREMENT ARE SUBJECT TO COUNTY OF CITY DETERMINATION BY ENVIRONMENTAL. BUFFERS MAY APPLY.

* LEGEND *

SYMBOLS

APP	AS PER PLAT	ROD	IRON ROD FOUND
APD	AS PER DEED	ICP	INTERLOCKING CONCRETE PAVERS
APF	AS PER FIELD	IWP	INTERLOCKING WOOD PAVERS
AI	ANGLE IRON FOUND	IV	IRRIGATION VALVE
APZ	AS PER ZONING	IWM	IRRIGATION METER
BB	BOTTOM BANK	JB	JUNCTION BOX
BC	BACK OF CURB	JB	LAND LOT LINE
BLK	BLOCK	MAG	MAGNETIC READING IP
BLS	BUILDING SETBACK LINE	MGN	MAGNOLIA TREE
BRK	BRICK	MH	MAN HOLE
BSMT	BASEMENT	MTF	METAL FENCE
CBX	CABLE BOX	N	N'BORS
CBL	CABLE LINE	OH	OVERHANG
C	CONCRETE	OTP	OPEN TOP PIPE FOUND
CB	CATCH BASIN	OU	OWNERSHIP UNCLEAR
CL	CENTER LINE	P	PORCH
CLF	CHAIN LINK FENCE	(P)	PLAT
CMP	CORRUGATED METAL PIPE	PC	PROPERTY CORNER
C.O.A	CITY OF ATLANTA	PL	PROPERTY LINE
CO	CLEAN OUT	PN	PINE TREE
CO	CADASTRAL MAP	POB	POINT OF BEGINNING
CRWL	CRANIAL SPACE	POC	POINT OF COMMENCING
CP	CALCULATED POINT	PP	POWER POLE
CPT	CARPOT	PW	POWER LINE
(D)	DEED	R	RECORD
DI	DRAINAGE EASEMENT	PVC	POLYVINYL CHLORIDE PIPE
DI	DRAINAGE INLET	RBF	REINFORCING BAR FOUND
EA	EASEMENT	RBS	REINFORCING BAR SET
EB	ELECTRIC POWER BOX	RCP	REINFORCED CONC. PIPE
EM	ELECTRIC METER	R/W	RIGHT-OF-WAY
EP	EDGE OF PAVEMENT	SN	SIGN
EWOK	ELEVATED WOOD DECK	SSL	SANITARY SEWER LINE
F	FIELD	SSE	SANITARY SEWER EASEMENT
FC	FENCE CORNER	SP	SCREENED PORCH
FH	FIRE HYDRANT	SW	SIDEWALK
FR	FRAME	TB	TOP OF BANK
FP	FENCE POST	UE	UTILITY EASEMENT
GL	GAS LINE	WD	WOOD
GM	GAS METER	WDF	WOOD FENCE
GV	GAS VALVE	WDK	WOOD DECK
GW	GUY WIRE	WL	WATER LINE
HDW	HEAD WALL	WM	WATER METER
HW	HARDWOOD TREE	WRF	WIRE FENCE
IP	IRON PIN	WV	WATER VALVE
IPF	IRON PIN FOUND	WW	WET WEATHER
IPS	IRON PIN SET	W/	WITH/

	ELECTRIC SEWER/METER
	WATER METER
	AIR CONDITIONER
	GAS METER
	JUNCTION BOX
	SANITARY SEWER MANHOLE
	STORM MANHOLE
	TRAFFIC/INFO SIGN
	GAS MARKER
	LAMP POST
	WATER VALVE
	HEADWALL
	STAIRS
	DRAINAGE INLET
	FIRE HYDRANT
	MAIL BOX

* LINE INDICATORS *		
SS	SS	SS
INDICATES SANITARY SEWER LINE		
INDICATES POWER LINE	P	
W	W	W
INDICATES WATER LINE		
GAS	GAS	GAS
INDICATES GAS LINE		
X	FENCE LINE	X
INDICATES DRAINAGE LINE		
BURIED POWER/CABLE LINE		
AT&T BURIED LINE		

* SYMBOLS *

■	ELECTRIC PANEL/METER
□	WATER METER
□	AIR CONDITIONER
□	GAS METER
⊗	JUNCTION BOX
⊗	SANITARY SEWER MANHOLE
⊗	STORM MANHOLE
⊗	TRAFFIC/INFO SIGN
⊗	GAS MARKER
⊗	LAMP POST
⊗	WATER VALVE
⊗	HEADWALL
⊗	STAIRS
⊗	DRAINAGE INLET
⊗	FIRE HYDRANT
⊗	MAIL BOX

* LINE INDICATORS *

SS	INDICATES SANITARY SEWER LINE
P	INDICATES POWER LINE
W	INDICATES WATER LINE
GAS	INDICATES GAS LINE
X	INDICATES FENCE LINE
---	INDICATES DRAINAGE LINE
---	BURIED POWER/CABLE LINE
AT&T	BURIED LINE

TOTAL LAND AREA
9147.09 SF / 0.210 AC

EXISTING LOT COVERAGE
2509.07 SF / 0.058 AC / 27.4%

0 20
SCALE 1" = 20'

LOT 103	BLOCK
PINE GROVE SUBDIVISION	PHASE II
LAND LOT 101	12TH DISTRICT SECTION
HENRY COUNTY, GEORGIA	DB.17910/PG.93 PB.50/PG.90-101
FIELD WORK DATE JULY 18, 2025	PRINTED/SIGNED JULY 25, 2025
ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED	PAPER SIZE: 18" x 24"

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE OF 1 FOOT IN 30,000+ FEET, AN ANGULAR ERROR OF 05 SECONDS PER ANGLE POINT AND WAS ADJUSTED USING THE LEAST SQUARES METHOD. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND FOUND TO BE ACCURATE TO 1 FOOT IN 100,000+ FEET. AN ELECTRONIC TOTAL STATION AND A 100' CHAIN WERE USED TO GATHER THE INFORMATION USED IN THE PREPARATION OF THIS PLAT. NO STATE PLANE COORDINATE MONUMENT FOUND WITHIN 500' OF THIS PROPERTY.

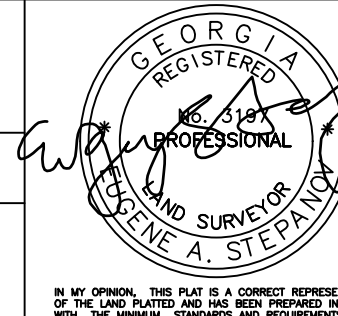
LK
COORD #20221465
DWG #20251093 PROPOSED SSL

SURVEY LAND EXPRESS, INC
LAND SURVEYING SERVICES

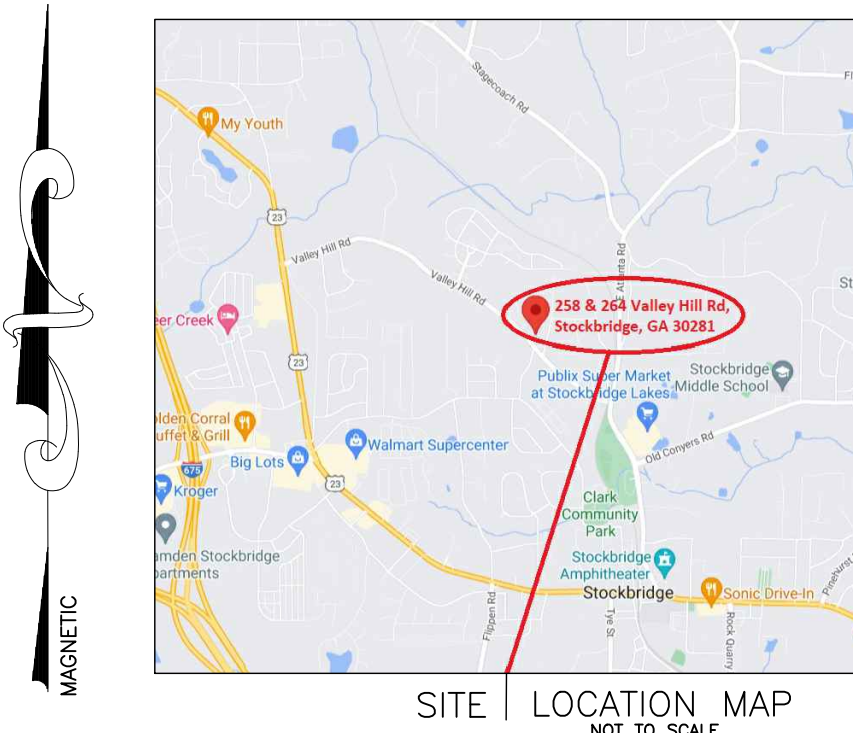
PROPOSED SANITARY SEWER LINE PREPARED FOR:
ALEJANDRO GRANADOS SHEET 1 OF 2

PROPERTY ADDRESS:
1452 GALLUP DRIVE
STOCKBRIDGE, GA 30281

24 LENOX POINTE
ATLANTA, GA 30324
TEL 404-601-0941
TEL 404-252-5747
INFO@SURVEYLANDEXPRESS.COM



IN MY OPINION, THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF LAW.



FLOOD NOTE:

I HAVE THIS DATE, EXAMINED THE "FIA FLOOD HAZARD MAP" AND FOUND IN MY OPINION REFERENCED PARCEL IS NOT IN AN AREA HAVING SPECIAL FLOOD HAZARDS, WITHOUT AN ELEVATION CERTIFICATION SURVEYOR IS NOT RESPONSIBLE FOR ANY DAMAGE DUE ITS OPINION FOR SAID PARCEL MAP ID 13151C0086D AND 13151C0080D.
OFFICE DATE: 10/06/2016 TIME: 3:00 PM Y

THE FLOOD INFORMATION ON THIS PLAT HAS BEEN DETERMINED AFTER REVIEW OF MAPS WHICH ONLY APPROXIMATE THE LOCATION OF THE APPLICABLE FLOOD HAZARD AREA. A SECOND OPINION OR COMPREHENSIVE FLOOD EVALUATION STUDY IS SUGGESTED FOR MORE ACCURATE INFORMATION. FOR FURTHER INFORMATION CONTACT THE LOCAL DRAINAGE DEPARTMENT, CORPS OF ENGINEERS AND INSURANCE COMPANY OR AN APPRAISER.

THIS PLAT WAS PREPARED TO SHOWN THE APPROXIMATE LOCATION OF THE IMPROVEMENTS AND IS NOT RECORDABLE. FENCES SHOULD NOT BE PLACED USING SIDE DIMENSIONS FROM HOUSE. ALL MATTERS OF TITLE ARE EXCEPTED. THIS PLAT IS SUBJECT TO ALL LEGAL EASEMENTS AND RIGHT-OF-WAY PUBLIC OR PRIVATE.

FUTURE FLOOD DISCLAIMER:

THE FLOOD DATA SHOWN HEREON IS PER FEMA ACTIVE PANEL MAP WITH EFFECTIVE DATE, AS SHOWN. THERE MAY BE FUTURE FLOOD ELEVATION INFORMATION STUDIED INTERNALLY BY THE LOCAL GOVERNING MUNICIPALITY IN WHICH THE SUBJECT PROPERTY SITUATES AND THAT INFORMATION MAY NOT BE AVAILABLE TO THE PUBLIC. ANY FUTURE FLOOD ELEVATION INFORMATION THAT MAY BE AVAILABLE TO THE PUBLIC SURVEY, WE REQUEST ANY AND ALL FUTURE FLOOD INFORMATION FROM THE APPLICABLE MUNICIPALITIES AND SHOW THAT INFORMATION HEREON WHENEVER POSSIBLE. THE RESPONSIBILITY OF THE ELEVATION DATA HEREON IS TO VERIFY THE APPLICABLE FLOOD INFORMATION DURING THE DEVELOPMENT PHASE, OR OTHER FUTURE USE, BEYOND THE DATE OF THIS SURVEY.

SURVEY NOTES:

- [illegible]

Course	Bearing	Distance
L1	S 11°26'02"W	15.10'
L2	S 13°15'41"W	33.48'

Curve	Radius	Length	Chord	Chord Bear.
C1	709.33'	218.40'	217.53'	N 21°44' 36"E
C2	709.33'	38.45'	88.40'	N 1°14'42" E
C3	709.33'	99.92'	99.92'	N 14°37' 33"E
C4	709.33'	97.96'	97.88'	N 06°08' 01"E
C5	709.33'	78.68'	78.64'	N 01°00' 01"W
C6	28.00'	25.88'	24.97'	N 20°41' 44"E
C7	60.00'	33.63'	33.19'	N 31°07' 15"E
C8	60.00'	75.18'	70.35'	N 20°49' 52"W
C9	60.00'	23.01'	22.87'	N 67°42' 40"W
C10	60.00'	75.18'	70.35'	S 56°24' 32"W
C11	60.00'	92.44'	83.56'	S 14°37' 12"E
C12	28.00'	25.88'	24.97'	S 20°41' 44"E
C13	659.33'	122.82'	122.63'	S 17°29' 00"W
C14	659.33'	225.71'	224.61'	S 32°50' 41"W

ZONING NOTE:

BEFORE DEVELOPMENT OF THIS PROPERTY,
DEVELOPER AND ARCHITECT TO CONFIRM
ZONING DISTRICT,PER ZONING DEPARTMENT.

	CURRENT ZONING
258 VALLEY HILL ROAD	26
STOCKBRIDGE, GA 30281	ST

PROPERTY IS ZONED RR
(RURAL RESIDENTIAL)
CITY OF STOCKBRIDGE
BUILDING SETBACK
FRONT: 75'

FRONT: 75'
SIDE: 20'
REAR: 40'
MAX. LOT COVERAGE: 30%
MAX. BUILDING HEIGHT:
35' FOR THE PRIMARY STRUCTURE
15' FOR ACCESSORY STRUCTURES
MINIMUM LOT AREA:
1 ACRE ON PUBLIC WATER/SEWER AND/
OR SEPTIC
1.25 ACRE ON PRIVATE WELL AND SEPTIC
3 ACRES FOR AGRICULTURAL USE
MINIMUM LOT WIDTH: 150'
MINIMUM LOT DEPTH: NONE
MINIMUM LOT FRONTAGE:
100% OF THE LOT WIDTH

PROPOSED ZONING
PROPERTY IS ZONED
CITY OF STOCKBRIDGE

BUILDING SETBACK
MIN. LOT AREA: 12,000 SF
MIN. LOT WIDTH: 75'
MAX. LOT DEPTH: NONE
MIN. LOT FRONTAGE: 100% OF THE LOT WIDTH
FRONT: 50'
SIDE: 10'
REAR: 40'
MAX. LOT COVERAGE: 30%
MIN. LIVING AREA 1,500 SF
MAX BUILDING HEIGHT:
35' FOR THE PRIMARY STRUCTURE
15' FOR ACCESSORY STRUCTURES

* L E G E N D *

AS AS PER PLAT
APP AS PER DEED
APF AS PER FIELD
A? ANGLE IRON FOUND
APZ AS PER ZONING
BB BOTTOM BANK
BC BACK OF CURB
BLK BLOCK
BLS BUILDING SETBACK LINE
BRK BRICK
BSMT BASEMENT
CBX CABLE BOX
CBL CABLE LINE
CJ CONCRETE
CD CATCH BASIN
CL CENTER LINE
CLF CHAIN LINK FENCE
CMP CORRUGATED METAL PIPE
C.O.A CITY OF ATLANTA
CQ SAN SEWER CLEAN OUT
CQ CADASTRAL MAP
COW CRAW SPACE
CALCULATED POINT
CP CURBPOST
(O) DEED
(SE) DRAINAGE EASEMENT
DI DRAINAGE INLET
EB ELECTRIC POWER BOX
EM ELECTRIC METER
EP EDGE OF PAVEMENT
F FIELD
FC FACE OF CURB
FDC FIRE DEPARTMENT CONNECTION
FH FIRE HYDRANT
FR FRAME
GL GAS LINE
GM GAS METER
GV GAS VALVE
GW GUY WIRE
HD HEAD WALL
HW HARDWOOD TREE
I IRON PIN
IF IRON PIN FOUND
IPS IRON PIN SET
IY IRRIGATION VALVE
IWM IRRIGATION METER
J JUNCTION BOX
LL LAND LOT LINE
MAC MAGNETIC READING IP
MN MAGNOLIA TREE
MH MAN HOLE
MTF METAL FENCE
N N-BLOCK
N OVERHANG
OHP OPEN TOP PIPE FOUND
OPL PORCH
(P) PLAT
PC PROPERTY CORNER
PL PROPERTY LINE
PLN PLANE TREE
POB POINT OF BEGINNING
POC POINT OF COMMENCING
PP POWER POLE
PW POWER LINE
R RECORD
RCS POLYVINYL CHLORIDE PIPE
ROD IRON ROD FOUND
RSF RAIL SPIKE FOUND
RBF REINFORCING BAR FOUND
RSB REINFORCING BAR SET
RCP REINFORCED CONC. PIPE
R/W RIGHT-OF-WAY
SN SIGN
SSL SANITARY SEWER LINE
SSE SANITARY SEWER
EASEMENT
SP SCREENED PORCH
SBL SIDEWALK
TB TOP OF BANK
TBL TIE BOLT
UE UTILITY EASEMENT
W WOOD
WDF WOOD FENCE
WDB WOOD DECK
WL WATER LINE
WMB WET METER
WF WET FENCE
WV WET VALVE
WET WATERWAY
W/ WARD INLET
Y YARD

* SYMBOLS *

■ ELECTRIC PANEL/METER
□ WATER METER
○ AIR CONDITIONER
□ GAS METER
⊕ JUNCTION BOX
⊗ SANITARY SEWER MANHOLE
○ STORM MANHOLE
□ TRAFFIC/INFO SIGN
○ GAS MARKER
○ LAMP POST
○ METAL POST/PILLAR
○ WATER VALVE
○ INDICATES POWER LINE
○ INDICATES WATER LINE
○ INDICATES GAS LINE
○ HEADWALL
○ DRAINAGE INLET
○ FIRE HYDRANT
○ P/W MONUMENT
○ PARKING METER
▬ PARKING STOPS BLOCKS
□ CONCRETE MONUMENT

* LINE INDICATORS *

— INDICATES SANITARY SEWER
— INDICATES POWER LINE
— INDICATES WATER LINE
— INDICATES GAS LINE
— HEADWALL
— DRAINAGE INLET
— FIRE HYDRANT
— P/W MONUMENT
— BURIED POWER/CABLE LINE
— AT&T BURIED LINE

CIVIL ENGINEERING SET TO BE PROVIDED
FOR DEVELOPMENT DURING THE LDP PERMIT PROCESS
FOR THE SUBDIVISION.

TOTAL LAND AREA
745,223.54 SF / 17.108 AC

CONCEPT PLAT FOR REZONING

AT PREPARED FOR: *SHEET 1*
SUMMER-C CONSTRUCTION, LLC

LOTS 4, 5,(AKA TRACT 3), TRACT 2 AND PART OF LOTS 5,6,7(AKA TRACT 1)		
J.W. STOKES SUBDIVISION AND A SURVEY PREPARED FOR JOSE GARCIA		
LAND LOT 92	12TH DISTRICT	SECTION
HENRY COUNTY, GEORGIA DB.17875/PG.231 AND DB.5711/PG.252 PB.2/PG.8		
FIELD WORK DATE NOV 14, 2012	PRINTED/SIGNED NOV 14, 2012, 2013	
ALL MATTERS PERTAINING TO TITLE ARE EXPECTED		PAPER SIZE: 24" x 36"

THE FIELD DATA UPON WHICH THIS PLAN IS BASED HAS A CLOSURE OF 1 FOOT IN 30,000 FEET, AN ANGULAR ERROR OF 69 SECONDS PER STATION AND A LINE MILEAGE OF 1.78 MILES. THE SURVEY WAS CONDUCTED USING THE FOLLOWING METHOD:
GATHER THE INFORMATION USED IN THE PREPARATION OF THIS PLAN. NO STATE PLANE COORDINATE MONUMENT FOUND WITHIN 50
MILES.

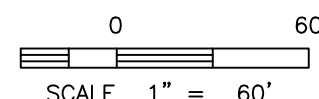
AU
COORD # 20221465
DWG # 20221465 CONCEPT PLAT 5 264&258

SURVEY LAND EXPRESS
LAND SURVEYING SERVICE

PROPERTY ADDRESS:
264 & 258 VALLEY HILL ROAD
STOCKBRIDGE, GA 30281

24 LENOX POINTE
ATLANTA, GA 30324
FAX 404-601-0941
TEL 404-252-5747
INFO@SURVEYLANDEXPRESS.COM

THIS SURVEY PLAT OF EXISTING CONDITIONS ON THE PROPERTY MUST BE USED AS A SINGLE STAND ALONE DOCUMENT. CAN NOT BE SCANNED AND ALTERED, CROPPED OUT COPY/PASTE OR MODIFIED WITH SURVEY LAND EXPRESS TITLE BLOCK, SURVEYOR'S STAMP AND SIGNATURE. THIS SURVEY PLAT CAN BE ONLY ATTACHED AS A SEPARATE DOCUMENT BY ITSELF TO ANY OTHER DOCUMENT. ANY OTHER DOCUMENT CAN NOT BE INSERTED WITH SURVEY LAND EXPRESS TITLE BLOCK, SURVEYOR'S STAMP AND SIGNATURE TO SOME OTHER DEVELOPMENT PROJECTS PREPARED BY ANY OTHER PARTY WITHOUT WRITTEN APPROVAL AND ORIGINAL BLUE INK SIGNATURE OF THE SURVEYOR OF RECORD.



CITY OF STOCKBRIDGE

4640 NORTH HENRY BOULEVARD
STOCKBRIDGE, GEORGIA 30281
PHONE (770) 389-7900
FAX (770) 389-7912

May 20, 2025

Mr. Alejandro Granados
264 Valley Hill Road
Stockbridge, Ga 30281

RE: Water and Sewer Availability
Parcel # S08-01010000, S08-01020000
S09-06010000
Development Type: 30 Residential Units

Mr. Granados:

The City has reviewed the water and sewer flow calculations for the referenced development. The City has determined that the existing water and wastewater systems have sufficient capacity to support the requested water and sanitary sewer flows. The Developer is fully responsible for confirming that connection to the existing system is a viable option through a gravity conveyance system. If this development requires a local pump station to access the sewer system, this capacity review should be revisited. If you decide to submit a request for capacity reservation, please contact our office.

Sincerely,



Kevin Miller
Sewer Superintendent

Cc: Decius T. Aaron, Public Works Director
Chad Peden, P.E., Carter & Sloope, Inc



Henry County Water Authority
Engineering Division

August 23, 2023

Re: Water and Sewer Services - Availability

Proposed Development: **Single-Family Residential**

Property Information: **264 – 258 Valley Hill Road**

**Parcel Numbers: S08-01010000, S08-0102000
S09-06010000**

LL 92; District 12; 17.06+/- acres

Proposed Zoning: **SR**

Sewer Basin: **Big Cotton Indian**

Watershed Basin: **Big Cotton Indian**

TO WHOM IT MAY CONCERN:

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

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

Static:	94	psi
Residual:	68	psi
Flow	1200	gpm
Calculated Flow @ 20 psi:	2110	gpm

As shown, these results are above the minimum adopted standards of 20 psi residual pressure at 750 gpm for said residential development as established by the Henry County Board of Commissioners.

Public sewer is not available to the property.

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 Plat dated 06/12/2023 prepared by Survey Land Express, Inc.

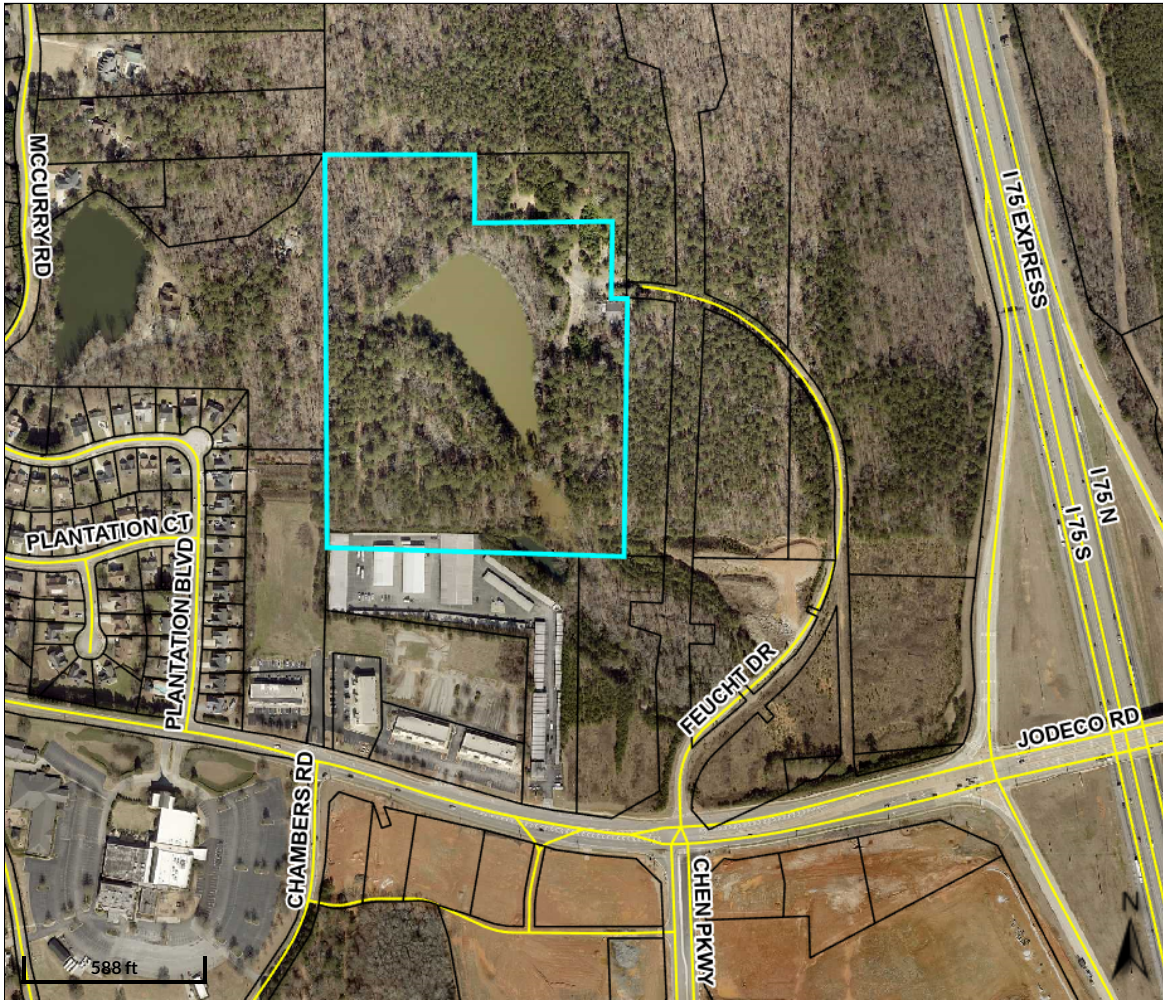


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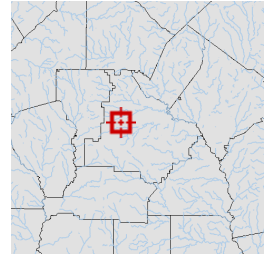
Scott Sage, P. E.
Engineering Division Manager
Henry County Water Authority



Henry County, GA



Overview



Legend

- Parcels
- Roads

Parcel ID	052-01020000	Class	Commercial	Owner	COOK GLENN D & CAROL J & JULIA A & ET AL	Land Value:	\$1,075,000
Property Address	2220 JODECO RD	Acreage	21.5	Address	1080 RIVERSIDE DRIVE WATKINSVILLE, GA 30677	Building Value:	\$0
District	Henry County					Misc Value:	\$0
						Total Value:	\$1,075,000
						Last 2 Sales	
						Date	Price
						6/10/2022	\$31,800
						9/3/2002	\$0
						Reason	Qual
						VL	U
						U	U

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

Date created: 4/17/2025

Last Data Uploaded: 4/17/2025 2:34:03 AM

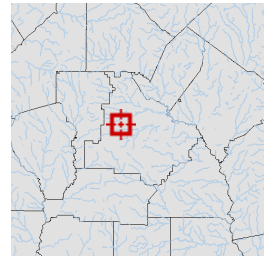
Developed by SCHNEIDER
GEOSPATIAL



Henry County, GA



Overview



Legend

- Parcels
- Roads

Parcel ID	052-01020001	Class	Commercial	Owner Address	COOK BRYAN 64 SELLERS RD HAZELHURST, GA 31539	Land Value:	\$175,000				
Property Address	JODECO RD	Acreage	3.5			Building Value:	\$0	Last 2 Sales			
District	Henry County					Misc Value:	\$0	Date	6/7/2006	Price	\$0
						Total Value:	\$175,000		n/a	Reason	U
										Qual	U

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

Date created: 4/17/2025

Last Data Uploaded: 4/17/2025 2:34:03 AM

Developed by SCHNEIDER
GEOSPATIAL

Project/Case #

ANNEX-2025.04.0405

Location Details:

0 & 2220 Jodeco Road

CITY OF STOCKBRIDGE ANNEXATION APPLICATION



City of Stockbridge Community Development Department

4640 North Henry Boulevard

Stockbridge, Georgia 30281

(770) 389-7900 www.stockbridgega.org

Zoning Case Number:

Ordinance Case Number:

Type of Annexation

☐ 60% Method -- Petitioners owning at least 60% of the property in the area to be annexed, and at least 60 percent of the voters in an area, may seek to have their property annexed into the City of Stockbridge.

☒ 100% Method -- Property owners of all the land in an area may seek to have their property annexed into the City of Stockbridge by signing a petition.

Case Name: 2220 Jodeco Road

Acres: 24.995

Zoning District: C-3 (Heavy Commercial District)

District: District 5

Is this property contiguous to the Stockbridge City Limits? ☒ Yes ☐ No ☐ Not Sure

Do you have plans to develop this property soon? ☒ Yes ☐ No ☐ Not Sure

APPLICANT INFORMATION

Name of Applicant: First Last
Dennis Webb

Applicant's Address: 1105 W. Peachtree St NE

Phone: 4048153620

City: Atlanta State: Georgia

Zip: 30309

Email: djwebb@sgrlaw.com

DJW

Applicant Signature

INFORMATION ABOUT THE FIRST PROPERTY OWNER:

First Name: Kenneth Last Butcher

Mailing Address 1080 Riverside Drive

Phone #: 7705608440

City: Watkinsville

State: Georgia

Zip: 30677

Email: ken@hardrockcs.com

INFORMATION ABOUT THE SECOND PROPERTY OWNER:

First Name Last

Mailing Address

Phone #:

City: State:

Zip:

Email:

INFORMATION ABOUT THE THIRD PROPERTY OWNER:

First Name Last Name

Mailing Address:

Phone #:

City:

State:

Zip:

Email:

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 2220 Jodeco Road [address], with Parcel Number 052-01020000, which is the subject of this application.

Name of Property Owner: Kenneth J. Butcher as representative for Glenn D. Cook, Carol J. Cook, Julia A. Cook, Bryan Cook, Debra C. Butcher

Property Owner's Address: 1080 RIVERSIDE DR., WATKINSVILLE, GA 30677

Telephone: 770-560-8440 E-mail: KEN@HARDROCKS.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: Kenneth J. Butcher Date: 4.1.25

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): Emory Equity, LLC

Company/law firm (if applicable): c/o Dennis J. Webb - Smith, Gambrell & Russell, LLP

Telephone, E-Mail, & Address: 404-815-3620, dwebb@sgriaw.com

1105 W. Peachtree Street. NE Suite 1000, Atlanta, GA 30309

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

Kenneth J. Butcher

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.

4.1.25

Date

Kelly Johnson

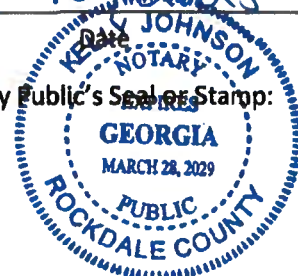
Signature of Notary Public

Kelly Johnson

Printed Name of Notary Public

April 1st 2025

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 Jodeco Road [address], with Parcel Number 052-01020001
which is the subject of this application.

Name of Property Owner: Kenneth J. Butcher as representative for Glenn D. Cook, Carol J. Cook, Julia A. Cook, Bryan Cook, Debra C. Butcher

Property Owner's Address: 1080 RIVERSIDE DR., WATKINSVILLE, GA 30677

Telephone: 770-560-8440 E-mail: KEN@HARDRICKS.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: Kenneth J. Butcher Date: 4.1.25

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Name(s) of Applicant(s): Emory Equity, LLC

Company/law firm (if applicable): c/o Dennis J. Webb - Smith, Gambrell & Russell, LLP

Telephone, E-Mail, & Address: 404-815-3620, dwebb@sgrlaw.com

1105 W. Peachtree Street. NE Suite 1000, Atlanta, GA 30309

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

Kenneth J. Butcher

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.

4.1.25

Date

Kelly Johnson

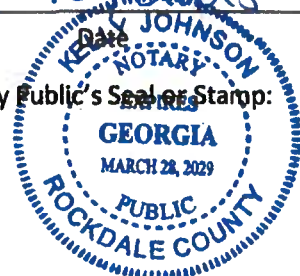
Signature of Notary Public

Kelly Johnson

Printed Name of Notary Public

April 1st 2025

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 conditional use permit, 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 ✓

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 1st day of April, 2025

KENNETH J BUTCHER
Applicant's Name - Printed

Kenn J Butcher
Signature of Applicant/Property Owner/Agent

Applicant's Attorney, if applicable - Printed

Signature of Applicant's Attorney, if applicable

Sworn to and subscribed before me this 1st day of April, 2025
As representative for Glenn D. Cook, Carol J. Cook, Julia A. Cook, Bryan Cook, Debra C. Butcher

Kelly Johnson
Notary Public



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

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 conditional use permit, 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 ☒

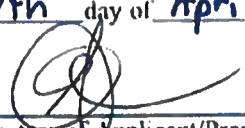
If Yes, the applicant and the attorney representing the applicant must file the following information with the City of Stockbridge Planning and Zoning Division within ten (10) days after this application is first filed:

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 7th day of April, 2025

Arthur Lynn

Applicant's Name - Printed

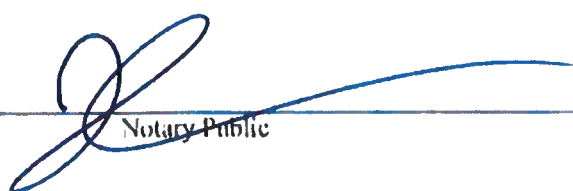

Signature of Applicant/Property Owner/Agent

Applicant's Attorney, if applicable - Printed

Signature of Applicant's Attorney, if applicable

Sworn to and subscribed before me this 7th day of April, 2025




Notary Public

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Applicant Campaign Disclosure Form

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

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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 sixth day of January, 2025.

Applicant's Name - Printed

Dennis J. Webb, Jr.

Signature of Applicant/Property Owner/Agent



Applicant's Attorney, if applicable - Printed

Smith, Gambrell & Russell, LLP

Signature of Applicant's Attorney, if applicable

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


Notary Public



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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 conditional use permit, 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 ☒

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 sixth day of January, 2025

Applicant's Name - Printed

J. Alexander Brock

Signature of Applicant/Property Owner/Agent



Applicant's Attorney, if applicable - Printed
Smith, Gambrell & Russell, LLP

Signature of Applicant's Attorney, if applicable

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


Notary Public



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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 conditional use permit, 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 ☒

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 sixth day of January, 2025.

Applicant's Name - Printed

Kathryn M. Zickert

Signature of Applicant/Property Owner/Agent

Kathryn M Zickert

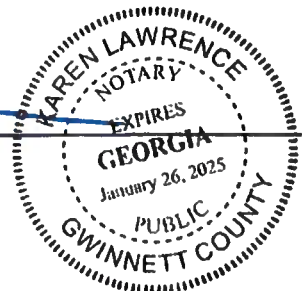
Applicant's Attorney, if applicable - Printed

Smith, Gambrell & Russell, LLP

Signature of Applicant's Attorney, if applicable

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

Karen Lawrence
Notary Public



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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 conditional use permit, 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 ☒

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 sixth day of January, 2025.

Applicant's Name - Printed

Kirk R. Fjelstul

Signature of Applicant/Property Owner/Agent



Applicant's Attorney, if applicable - Printed

Smith, Gambrell & Russell, LLP

Signature of Applicant's Attorney, if applicable

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


Notary Public



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

LEGAL DESCRIPTION (AS SURVEYED)

TRACT 1

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 51 OF THE 6TH DISTRICT OF HENRY COUNTY, GEORGIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT FORMED BY THE INTERSECTION OF LAND LOTS 51, 52, 77, & 78; THENCE ALONG THE SOUTH LINE OF LAND LOT 51 S89°17'27"E A DISTANCE OF 50.00 FEET TO A FOUND CONCRETE MONUMENT AND THE POINT OF BEGINNING; THENCE N00°51'53"E A DISTANCE OF 1,197.98 FEET TO A FOUND CONCRETE MONUMENT; THENCE S89°17'50"E A DISTANCE OF 243.55 FEET TO A FOUND 1/2" REBAR; THENCE S00°52'40"W A DISTANCE OF 208.65 FEET TO A FOUND 1/2" REBAR; THENCE S89°16'18"E A DISTANCE OF 615.33 FEET TO A FOUND 1/2" REBAR; THENCE S00°52'56"W A DISTANCE OF 270.63 FEET TO A SET 1/2" REBAR, ALSO KNOWN AS "POINT A"; THENCE S88°54'07"E A DISTANCE OF 50.00 FEET TO A SET 1/2" REBAR; THENCE S00°51'53"W A DISTANCE OF 718.18 FEET TO A SET 1/2" REBAR; THENCE N89°17'27"W A DISTANCE OF 908.75 FEET TO A FOUND CONCRETE MONUMENT WHICH IS THE POINT OF BEGINNING.
SAID LAND HAVING AN AREA OF 936.281 SQUARE FEET, 21.494 ACRES, MORE OR LESS.

TOGETHER WITH A 50-FOOT PERPETUAL NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT KNOWN AS "POINT A" DESCRIBED ABOVE THENCE N00°52'56"E A DISTANCE OF 50.00 FEET TO A POINT; THENCE S88°53'53"E A DISTANCE OF 90.42 FEET TO A POINT ON A CIRCULAR CURVE TO THE RIGHT; THENCE ALONG SAID CIRCULAR CURVE HAVING A RADIUS OF 657.27 AN ARC DISTANCE OF 999.24 FEET, SAID CURVE BEING SUBTENDED BY A CHORD BEARING S45°21'06"E FOR A DISTANCE OF 905.75 FEET TO A POINT; THENCE S01°53'53"E A DISTANCE OF 139.25 FEET TO A POINT; THENCE N89°18'55"W A DISTANCE OF 50.00 FEET TO A POINT; THENCE N01°53'53"W A DISTANCE OF 139.25 FEET TO A POINT ON A CIRCULAR CURVE TO THE LEFT; THENCE ALONG SAID CIRCULAR CURVE HAVING A RADIUS OF 607.27 AN ARC DISTANCE OF 920.91 FEET, SAID CURVE BEING SUBTENDED BY A CHORD BEARING N45°26'49"W FOR A DISTANCE OF 835.17 FEET TO A POINT; THENCE N88°53'53"W A DISTANCE OF 40.43 FEET TO A SET 1/2" REBAR; THENCE S88°54'07"E A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING KNOWN AS "POINT A".
SAID LAND HAVING AN AREA OF 59.443 SQUARE FEET, 1.365 ACRES, MORE OR LESS.

TOGETHER WITH EASEMENTS APPURTENANT TO SAID TRACT 1 AS CONTAINED IN THAT CERTAIN WARRANTY DEED FROM COLORADO PINES CAMPING RESORT, A COLORADO PARTNERSHIP COMPOSED OF VAN PALMER AND DOUGLAS GAYRICH, TO GLENN D. COOK AND CAROL J. COOK, DATED MARCH 6, 1989, FILED MARCH 8, 1989 AND RECORDED IN DEED BOOK 1841, PAGE 44, AFORESAID RECORDS;

LESS AND EXCEPT ANY PORTION OF THE PROPERTY SET FORTH ABOVE CONTAINED WITHIN THAT CERTAIN LIMITED WARRANTY DEED FROM GLENN D. COOK, CAROL J. COOK AND JULIA A. COOK TO BRYAN COOK, DATED JUNE 7, 2006, FILED JULY 20, 2006 AND RECORDED IN DEED BOOK 9390, PAGE 143, RECORDS OF THE SUPERIOR COURT OF HENRY COUNTY, GEORGIA.

TRACT 2

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 51 OF THE 6TH DISTRICT OF HENRY COUNTY, GEORGIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT FORMED BY THE INTERSECTION OF LAND LOTS 51, 52, 77, & 78; THENCE ALONG THE SOUTH LINE OF LAND LOT 51 S89°17'27"E A DISTANCE OF 50.00 FEET TO A FOUND CONCRETE MONUMENT; THENCE N00°51'53"E A DISTANCE OF 1,197.98 FEET TO A FOUND CONCRETE MONUMENT; THENCE S89°17'50"E A DISTANCE OF 243.55 FEET TO A FOUND 1/2" REBAR AND THE TRUE POINT OF BEGINNING; THENCE S89°18'55"E A DISTANCE OF 665.23 FEET TO A FOUND CONCRETE MONUMENT; THENCE S00°52'07"W A DISTANCE OF 480.11 FEET TO A SET 1/2" REBAR; THENCE N88°54'07"W A DISTANCE OF 50.00 FEET TO A SET 1/2" REBAR KNOWN AS "POINT A"; THENCE N00°52'56"E A DISTANCE OF 270.63 FEET TO A FOUND 1/2" REBAR; THENCE N89°16'18"W A DISTANCE OF 615.33 FEET TO A FOUND 1/2" REBAR; THENCE N00°52'40"E A DISTANCE OF 208.65 FEET TO A FOUND 1/2" REBAR AND THE TRUE POINT OF BEGINNING.
SAID LAND HAVING AN AREA OF XXXXX SQUARE FEET, XXXX ACRES, MORE OR LESS.

TOGETHER WITH EASEMENTS APPURTENANT TO SAID TRACT 2 AS CONTAINED IN THAT CERTAIN LIMITED WARRANTY DEED FROM GLENN D. COOK, CAROL J. COOK AND JULIA A. COOK TO BRYAN COOK, DATED JUNE 7, 2006, FILED JULY 20, 2006 AND RECORDED IN DEED BOOK 9390, PAGE 143, RECORDS OF THE SUPERIOR COURT OF HENRY COUNTY, GEORGIA.

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LOCATION

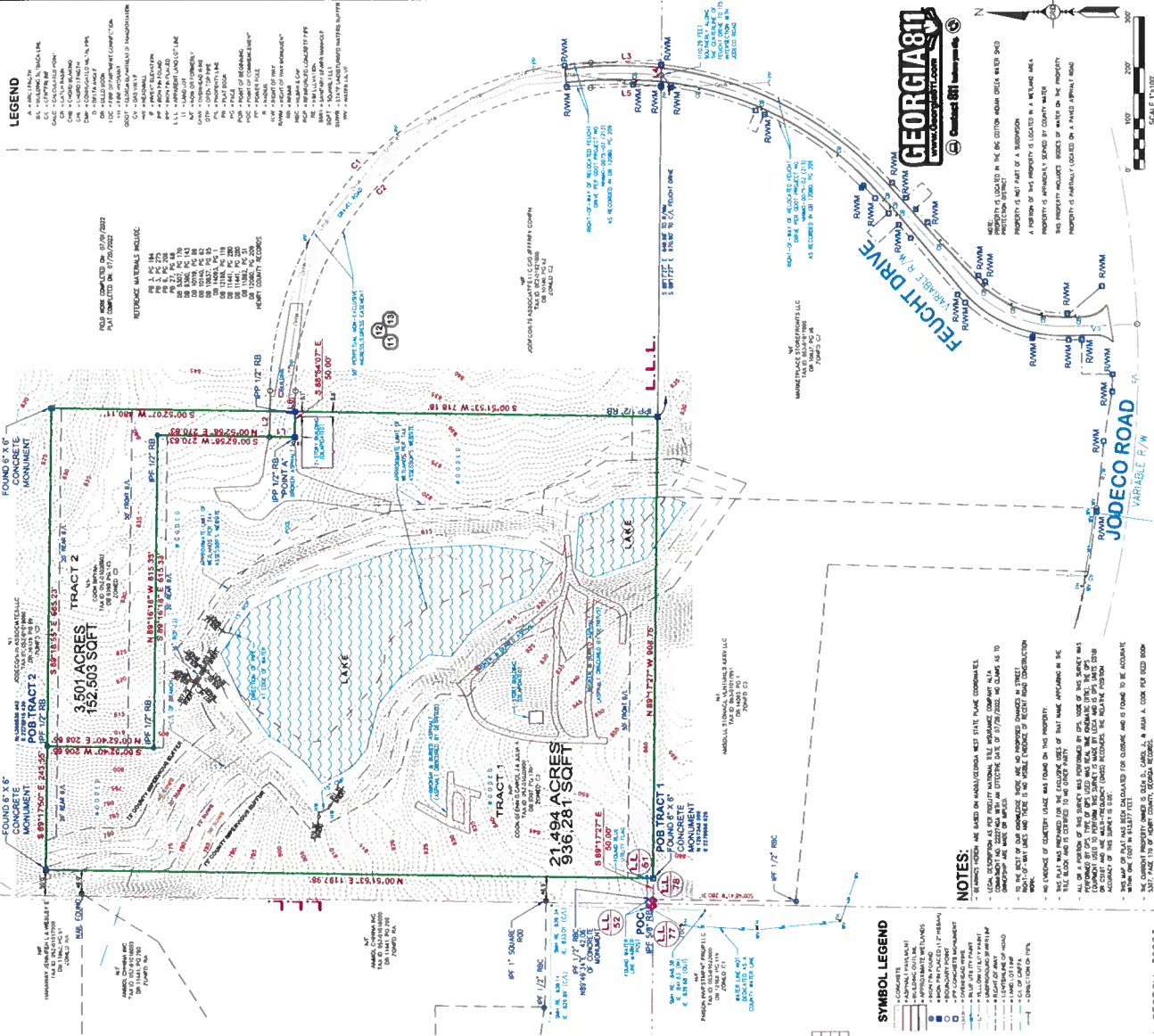
SITE ADDRESS: 2220 JODECO ROAD, MCDONOUGH, GEORGIA 30253

[illegible]

7-4614 / Email office@tensionhouse.org

IN LAND LOT 51, DISTRICT 6, HENRY COUNTY, GEORGIA

ORIGINAL DATA
08/25/2000
1" = 10'
DRAWN BY
S.A.
RECORDED BY
JPH
07/31/2000
NEW
R/L/AL
ILLU. BOOK
FIELD SHEET
27022
270221
27022



STATEMENT OF INTENT

and

Other Material Required by the
City of Stockbridge Unified Development Code
for the Annexation, Rezoning,
Future Land Use Map Amendment
and Concurrent Variance Application

of

EMORY EQUITY, LLC.

for

± 24.995 Acres of Land
located in
Land Lot 51
6th District, Henry County

REZONE: C-3 (Henry County) to MFR
FLUMA: HDMU (Henry County) to HDR

Submitted for Applicant by:

Dennis J. Webb, Jr.
Kathryn M. Zickert
J. Alexander Brock
Smith, Gambrell & Russell, LLP
1105 W. Peachtree Street, NE
Suite 1000
Atlanta, Georgia 30309
404-815-3500

I. INTRODUCTION

Emory Equity, LLC (“Applicant”) seeks to annex and rezone ± 24.995 acres of land located in Land Lot 51, 6th District of Henry County (the “Subject Property”) to allow a multifamily development. The Subject Property is currently located within unincorporated Henry County, is zoned Highway Commercial District (C-3) and designated as High-Density Mixed Use on the Henry County Future Land Use Map. The Applicant files this request to (a) annex the Subject Property into the City of Stockbridge; (b) rezone the Subject Property to the Stockbridge designation of MFR (Multi-Family Residential); (c) amend the Future Land Use Map designation for the Subject Property to HDR (High Density Residential) under the City’s Comprehensive Plan; and (d) request one concurrent variance to reduce the amount of required parking.

The Subject Property formerly contained a commercial campground and supporting facilities but is now vacant with mostly wooded areas and a large central lake. The property currently has access to Jodeco Road via an access easement along Feucht Drive, however the easement will provide direct access to the I-75 Western Parallel Connector once it is completed in 2026.¹ The Applicant seeks to redevelop the property for 321 multifamily units at a density of ± 12.8 units per acre along with amenities and associated site improvements (“Proposed Development”). The unit sizes and heights will meet the requirements of the MFR district and will be a mix of 1-, 2- and 3-bedroom units. The parking for the units will be provided through ± 424 surface spaces.

The Applicant envisions the Proposed Development as a residential retreat, interweaving the design into the natural landscape, existing waterscape and providing ample amenities. The

¹ The I-75 Parallel Connector Road is currently under construction as of the date of this application and is anticipated to be completed by November 2026. Refer to the Georgia Department of Transportation’s website for Project 0014482: <https://www.dot.ga.gov/applications/geopi/Pages/Dashboard.aspx?ProjectID=0014482>.

development will incorporate approximately 15.97 acres, or 63.9% of the overall property, as open space. The open space includes the preservation of natural vegetation within the onsite stream buffer, the existing lake and providing landscaped areas throughout the development. In particular, the Applicant seeks to incorporate the lake as both an aesthetic attraction as well as an amenity for the residents by incorporating extensive walking paths. The site design also provides pedestrian connectivity throughout and a connection to future sidewalks and trails along the I-75 Western Parallel Connector to foster walkability and connectivity to the neighborhood. Additionally, the Proposed Development will contain other amenities spread throughout the complex including a clubhouse, pool, dog park, additional walking trails and meditation garden.

The Subject Property is well situated for the proposed multi-family development. The Jodeco Road corridor to the south is a primarily commercial area with many uses that are supportive of the proposed residential including restaurant, retail, retail club warehouse, and grocery. The introduction of modern, attractive multifamily will act to further boost this commercial node and potentially attract newer business to the area. Examples of the adjacent commercial uses along Jodeco Road include the Bridges at Jodeco mixed-use development, the Emson Square Shopping Center and the Compass Self Storage, both located within unincorporated Henry County and zoned General Commercial District (C-2) and C-3, respectively. Also to the south is a property zoned Planned Unit District (PUD) in the City of Stockbridge, that was rezoned in 2023 pursuant to RZ-23-06 for a proposed mixed-use development. To the east and north are undeveloped properties, zoned C-2 within unincorporated Henry County. To the west, the Subject Property borders a ±11.43-acre parcel developed with one single family home, which is zoned Residential Agricultural (RA) within unincorporated Henry County. The proposed multi-family development and the requested MFR zoning will act as a transition in intensity from the

commercial and high-density mixed-use zonings to the existing single-family residential to the east.

Also to the east, is the I-75 Western Parallel Connector right-of-way which is anticipated to be the main access point for the Proposed Development once that roadway is completed. Currently, the Subject Property does not front a right-of-way, but has access to Jodeco Road via a 50-foot wide perpetual ingress/egress easement from Feucht Drive.² This will only be a temporary condition during construction since GDOT's plans indicate that the section of the I-75 Western Parallel Connector fronting the Subject Property will be completed in 2026, prior to the construction of the Proposed Development. Although Henry County nor GDOT have given the roadway a classification the I-75 Western Parallel Connector, a 4-lane road connecting two arterials, is anticipated to be at least a collector per the GDOT design manual definition.³

The proposed multifamily residences also are aligned with recent residential development trends within the City of Stockbridge. The City of Stockbridge Comprehensive Plan 2024 ("Comp Plan") notes that the city's residential development has not kept pace with the population growth and that the city will need at least 800 new residential units within the next 5 years and 1,700 units by 2040 to meet the current housing demand.⁴ The Proposed Development is meeting the Comp Plan's needs by adding high quality multi-family residential development into the city. In addition, the proposed multi-family will add to the mix of housing options existing in the area. Multi-family residences tend to attract younger professionals, empty nesters, and newer residents to the area that are not ready to purchase a home, demographics that are not currently served by

² The right-of-way of Feucht Drive terminates at the northern boundary of Parcel 053-01017005 and access to the site is extended through the easement.

³ See *GDOT Design Policy Manual*, pg. xxxvii ("Collector – Functional classification for a street or highway that provides a less highly developed level of service than an arterial, at a lower speed for shorter distances by collecting traffic from local roads and connecting them with arterials.")

⁴ See *City of Stockbridge Comprehensive Plan 2024*, pg 13.

the surrounding single-family residences. Many young professionals are choosing apartments in locations with easy access to employment and retail. The Subject Property meets these needs by being ideally situated in proximity to Jodeco Road, a large commercial corridor, and a short distance from other commercial corridors along Jonesboro Road, to the south, and Hudson Bridge Road, to the north via the proposed I-75 Western Parallel Connector. The Subject Property is in close proximity to a number of local employers and is a short distance from the on-ramp to I-75 which provides quick access to regional employment centers. In all, the Proposed Development is a natural and fitting use for the Subject Property and a positive step towards furthering the City's long-term goals for growth in the area.

In addition to the annexation and rezoning, the Applicant is requesting an amendment to the City's Future Land Use Map to designate the Subject Property as High Density Residential (HDR) land use. The current Henry County land use designation is High Density Mixed Use ("Henry County HDMU"). The Henry County HDMU land use allows a density up to 20 units per acre.⁵ The Applicant's request for HDR allows a comparable land use designation under Stockbridge's Comp Plan, which allows a density of 16 units per acre. The HDR land use also is compatible with certain zoning categories, namely MFR.⁶ Moreover, the Comp Plan notes that the HDR land use is appropriate transition between mixed-use and low or medium density residential.⁷ As noted in the paragraphs above, the Subject Property and its proposed HDR land use will act as a transition from the high density mixed-use land uses to the south and east and the existing single family residential in unincorporated Henry County to the west. Thus, the proposed

⁵ See *Henry County Comprehensive Plan*, pg. 90.

⁶ See *the City of Stockbridge Comprehensive Plan 2024*, pg. 50.

⁷ *Id.*

HDR land use designation is appropriate for the area and allows a development that is aligned with the Comp Plan's goals for growth.

The Applicant submits this document as a Statement of Intent with regard to this Application, a preservation of the Applicant's constitutional rights, a written justification for the Application, and an analysis of the factors to be considered for a rezoning per the City of Stockbridge Unified Development Code ("UDC"), § 9.2.2. A Site Plan has been filed with the original Application, along with the other required materials.

II. HISTORY

To the Applicant's knowledge, no rezoning applications concerning the Subject Property have been granted.

III. REZONING IMPACT ANALYSIS

A. WHETHER THE PROPOSAL IS CONSISTENT AND/OR COMPATIBLE WITH THE CITY'S PLANS, GOALS AND OBJECTIVES REFLECTED IN THE CITY'S COMPREHENSIVE PLAN.

Yes. As noted above, concurrent with its request for annexation, the Applicant requests that the City designate the Subject Property as HDR land use. The Proposed Development is consistent with this designation and will advance a number of policy goals outlined in the City's Comprehensive Plan, including:

- To provide a variety of housing choices to suit the changing needs and lifestyles of City residents;
- Provide a mixture of housing options to attract young professionals, singles, and small families;
- Reduce the impact of new development through the preservation of greenspace; and

- To ensure that new developments promote a better sense of place and preserve valued elements of community character.⁸

In addition, the HDR designation is compatible with character area designations adjacent and nearby properties. The existing land use designations in the area consist primarily of Henry County HDMU (a density of up to 20 units per acre) and HDMU (City of Stockbridge) to the southeast.

B. HOW THE PROPOSAL IMPACTS THE PURPOSES OF THE OVERALL ZONING SCHEME, AND WHETHER THE PROPOSED CHANGE FURTHERS THE PURPOSE OF THESE ZONING REGULATIONS.

As noted in the paragraphs above, the proposed multiple-family development will be compatible with exiting development in the area. In addition, it adds to the diversity of housing stock in the city attracting a wide range of residents, including younger professionals as noted in the Comp Plan.

C. HOW THE PROPOSAL IMPACTS THE ZONING DISTRICT, THE PARTICULAR PIECE OF PROPERTY, NEIGHBORHOOD, OR THE COMMUNITY.

The Proposed Development will be a positive addition to the area. As noted above, the City of Stockbridge envisions a mixture of housing options to attract young professionals, singles, and small families. Existing development in the area, however, consists primarily of commercial and single-family residential. The proposed multifamily residential will provide modern residential options and add to the mix of uses in the area, thus furthering the goals of the City of Stockbridge's UDC and long-term planning documents.

⁸ See the City of Stockbridge Comprehensive Plan 2024, pgs. 43-44.

D. WHETHER THE PROPOSAL CREATES AN ISOLATED DISTRICT UNRELATED TO ADJACENT PROPERTIES AND NEARBY DISTRICTS.

No. The Subject Property is surrounded by properties zoned C-2 and C-3 (Henry County), PUD (City of Stockbridge) and RA (Henry County). In addition, the Subject Property is surrounded on three sides by properties designated as HDMU on both the Henry County and City of Stockbridge Future Land Use Maps. The Proposed MFR zoning and HDR land use will act as a transition between the HDMU land uses to the south and east and the existing single family residential to the west. Moreover, some of the existing PUD developments currently under construction, south of Jodeco Road, contain multi-family residential components, including the Argento at the Bridges apartments, located approximately 1 mile south of the Subject Property on the I-75 Western Parallel Connector.⁹

E. HOW THE PROPOSAL IMPACTS THE AESTHETIC CHARACTER OF EXISTING AND FUTURE USES OF THE PROPERTY AND THE SURROUNDING AREA.

The proposed resort-style multifamily community will blend harmoniously with the surrounding developments. The Applicant is preserving a significant amount of open space that will buffer the RA zoned property to the west. Additionally, the Applicant will be providing onsite amenities for the residents as well as amenitized open space in the form of trails, dog parks/runs, and meditation gardens.

F. WHETHER THE PROPOSAL IS CONSISTENT WITH ADJACENT DEVELOPMENT DENSITIES AND THE DENSITY PATTERNS REFLECTED IN THE COMPREHENSIVE PLAN.

Yes. The 321 residential units equates to a density of ± 12.8 units per acre. This is below the Comprehensive Plan's maximum density for the HDR land use of up to 16 units per acre. The

⁹ The southern portion of the I-75 Western Parallel Connector is currently constructed from Mt. Olive Road north to Jodeco Road.

Applicant's proposed density will allow a development that is fitting for the area and commensurate with densities allowed in uses surrounding the property. Also see Paragraphs C, D and E above.

G. HOW THE PROPOSAL IMPACTS THE PUBLIC HEALTH, SAFETY, AND GENERAL WELFARE.

The proposal will benefit the public health, safety and general welfare. The Applicant proposes to bring the Subject Property into the City, creating a new, vibrant and modern development that diversifies the housing stock available and advances a number of goals outlined in the City's Comprehensive Plan. *See, e.g., Comp Plan at pp. 43-44.*

H. HOW THE PROPOSAL IMPACTS WATER, SEWERAGE, OTHER PUBLIC FACILITIES, OR PUBLIC SERVICES, AND HOW THE PROPOSED AMENDMENT IMPACTS EXPENDITURES OF PUBLIC FUNDS.

The Applicant has requested sewer capacity and water availability letters with this application to demonstrate that water and sewer are available and adequate to serve the Subject Property, along with upgrades that the Applicant is willing to make.

I. HOW THE PROPOSAL IMPACTS TRAFFIC SAFETY AND CONGESTION.

The proposed development will not overly burden existing streets or transportation facilities. The Applicant used the Institute of Transportation Engineers' (ITE) Trip Generation Manual, 9th Edition, to calculate the anticipated number of vehicular trips. The Proposed Development (ITE Category 223 – Mid-Rise Apartments) is expected to generate ± 112.35 trips during the AM weekday peak hour, ± 141.24 trips during the PM weekday peak hour.¹⁰ The proposed number of trips is not expected to overburden the surrounding roadways, however. The Subject Property will have direct access onto the I-75 Western Parallel Connector which is a

¹⁰ Note that the ITE 9th Edition does not provide a daily total trip generation rate for Mid-Rise Apartments.

collector roadway and is a short distance from Jodeco Road, a minor arterial. These types of major roadways are intended for a high volume of traffic and are anticipated to adequately accommodate the Proposed Development's minor amount of vehicular trips. Additionally, the Subject Property is approximately one mile from and U.S. Interstate 75, which can provide quick access to regional transportation. Because the Subject Property is located in proximity to a number of major roadways, its impact on traffic is anticipated to be minimal.

In addition, the proposed trips are expected to be significantly lower than a development allowed under the current C-3 zoning. For example, the C-3 district would allow a 150,000 retail shopping center (ITE Category 820) which would generate approximately 556.5 trips in the PM peak hour. This is a 294% increase in peak hour vehicular trips over the proposed multifamily development. Thus, the Proposed Development will have a significantly reduced impact over what could be constructed under the current C-3 zoning district today.

J. HOW THE PROPOSAL IMPACTS ENVIRONMENTAL CONDITIONS, INCLUDING, BUT NOT LIMITED TO, DRAINAGE, SOIL EROSION AND SEDIMENTATION, FLOODING, AIR QUALITY, WATER QUALITY AND QUANTITY.

The Applicant will mitigate any potential impacts to the environment by following all City, County, State and Federal requirements related to drainage, soil erosion and sedimentation, flooding, air quality, and water quality and quantity.

K. HOW THE PROPOSAL IMPACTS THE PROVISIONS OF ADEQUATE LIGHT AND AIR.

The proposal will have no negative impacts on the provision of adequate light and air. *See also J, above.*

L. HOW THE PROPOSAL IMPACTS THE VALUE OF ADJACENT PROPERTY.

As the site plan submitted with the application demonstrates, the proposal is a thoughtful, pedestrian-oriented, residential neighborhood that will deliver quality design and construction, all

of which should “raise-the-bar” for future development on adjacent and nearby properties and generate renewed interest in the area.

M. WHETHER THERE ARE SUBSTANTIAL REASONS WHY THE PROPERTY CANNOT BE USED IN ACCORDANCE WITH EXISTING REGULATIONS.

The property is currently zoned C-3 which restricts development to primarily commercial uses.

The property has seen no redevelopment under its current zoning, likely due to its distance from Jodeco Road. This separation from the view corridor of major roadways inhibits its attractiveness for commercial development. In addition, the onsite large lake, federally protected wetlands and rolling topography, significantly limits physical feasibility for commercial development and associated parking offer little benefit to a commercial use. On the contrary, the lake, wetlands, and topography are appealing for a well-designed multifamily development. As a result, the property is likely to remain undeveloped absent a rezoning to a more fitting residential district.

N. PRESERVATION OF THE 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 current proposal will have not have a negative impact on the integrity of nearby residential neighborhoods. The Applicant has taken careful consideration in the proposed design and incorporated appropriate buffers and setbacks to minimize negative impacts, if any, against the adjacent residential property to the west.

IV. CONCURRENT VARIANCE ANALYSIS

The Applicant is seeking one concurrent variance with its request to the following requirement of the Stockbridge UDC:

A. Stockbridge Zoning Ordinance § 4.8.5 to reduce the amount of required parking to 424 spaces total.

The City of Stockbridge UDC §4.8.5 requires multifamily developments (with fewer than

40 units per acre) to provide parking at the following ratios: 1.4 spaces per 1-bedroom unit, 2 spaces per 2-bedroom unit, and 2.25 spaces per 3-bedroom unit. The proposed multifamily development will consist of 167 1-bedroom units, 138 2-bedroom units, and 15 3-bedroom units, which equates to a total required parking of ± 544 spaces. The development, however, has limited space for parking and will be providing ± 424 parking spaces. The Subject Property is impacted by a large lake in the center of the property and a significant amount of stream buffers that limit the efficient layout of the site and available area for parking. A reduction in parking will not detrimentally impact the public or the residents. It is the Applicant's experience with its other developments that the amount of parking provided is sufficient for this type of development.

Pursuant to the City of Stockbridge UDC § 10.1.2, the criteria for granting the variance are met. First, there are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography that are not applicable to other lands or structures in the same district. Second, a literal interpretation of the Stockbridge UDC would deprive the Applicant of rights commonly enjoyed by other properties of the district in which the property is located. Third, the grant of the variance will not confer any special privileges upon the Applicant that are denied to other properties of the same district. Fourth, the requested variance will be consistent with the purpose and intent of the UDC, will be compatible with uses on neighboring properties, and will serve the public welfare. Fifth, the special circumstances necessitating the variance are not the result of the actions of the Applicant. Sixth, the variance requested is the minimum variance that will make possible the legal use of the land, building or structure. Finally, the variances will not permit a use of land, buildings, or structures that are not permitted by right in the proposed zoning district.

**V. NOTICE OF CONSTITUTIONAL CHALLENGES AND
PRESERVATION OF CONSTITUTIONAL RIGHTS**

The current zoning of the Subject Property and any intervening zoning district other than that requested is unconstitutional and contrary to the best interest of the health and welfare of the citizens of the City of Stockbridge, and constitutes an arbitrary and capricious act. As a result, the City of Stockbridge Unified Development Code is in violation of Article I, Section I, Paragraphs 1 and 2 of the Constitution of the State of Georgia 1983; Article I, Section III, Paragraph 1 of the Constitution of the State of Georgia; and Article I, Section II, Paragraph 3 of the Constitution of the State of Georgia, 1983. Furthermore, the current zoning violates the due process clause and equal protection clauses of the Fifth and Fourteenth Amendments to the Constitution of the United States of America.

In addition, the current zoning of the Subject Property and any intervening zoning district other than that requested is unconstitutional in that it renders the Subject Property unusable and destroys its marketability. Therefore, the current zoning constitutes a taking of the Applicant's property without just and adequate compensation and without due process of law in violation of the Fifth and Fourteenth Amendments to the United States Constitution and in violation of Article I, Section I, Paragraph 1 and Article I, Section III, Paragraph 1(a) of the Constitution of Georgia.

The Zoning Ordinance of the City of Stockbridge lacks adequate standards for the City Council to exercise its power to zone and rezone. In essence, the standards are not sufficient to contain the discretion of the City Council and to provide the Courts with a reasonable basis for judicial review. Because the stated standards (individually and collectively) are too vague and uncertain to provide reasonable guidance to the Mayor and City Council, the Zoning Ordinance violates the Fifth and Fourteenth Amendments of the Constitution of the United States in matters

of zoning. The Zoning Ordinance also violates Article I, Section III, Paragraph 1; and Article I, Paragraphs 1 and 2 of the Constitution of State of Georgia, 1983.

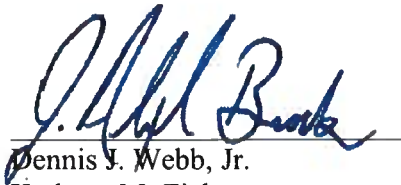
Opponents to this request lack standing, have failed to exhaust administrative remedies, and have waived their rights to appeal by failing to assert legal and constitutional objections.

VI. CONCLUSION

For the foregoing reasons, the Applicant respectfully requests that the Rezoning, Future Land Use Map Amendment, and Concurrent Variance Applications at issue be approved. The Applicant also invites and welcomes any comments from Staff or other officials of the City of Stockbridge so that such recommendations or input might be incorporated as conditions of approval.

This 4th day of April, 2025.

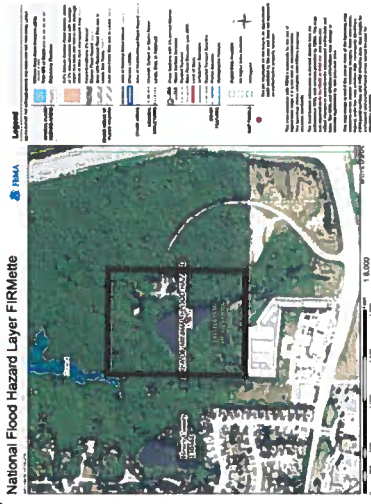
Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Dennis J. Webb, Jr.", is written over a horizontal line.

Dennis J. Webb, Jr.
Kathryn M. Zickert
J. Alexander Brock
Attorneys For Applicant

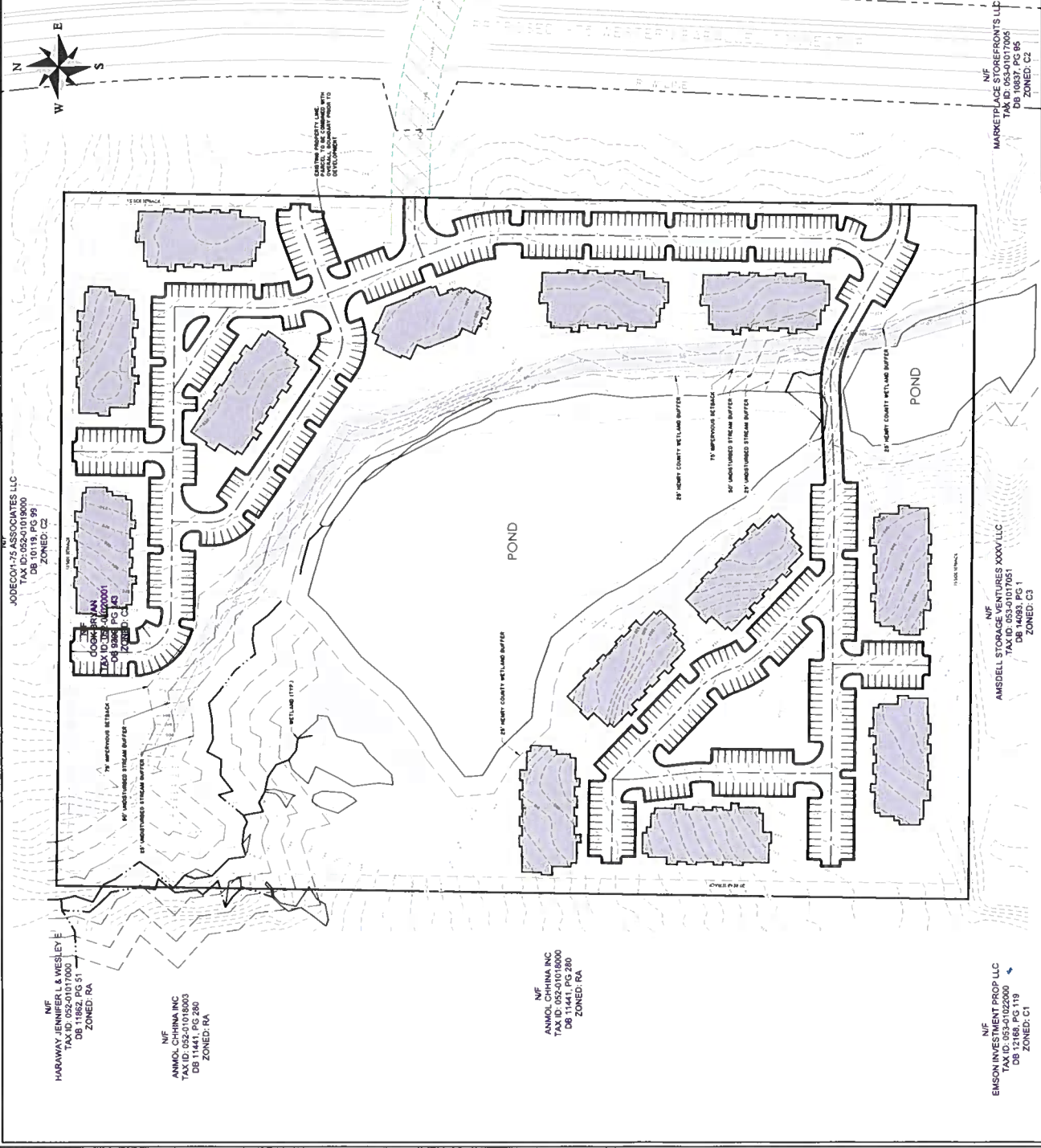
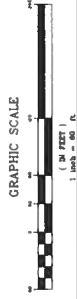
Smith, Gambrell & Russell, LLP
1105 W. Peachtree Street, NE
Suite 1000
Atlanta, Georgia 30309
404-815-3500

National Flood Hazard Layer Firmette



SITE ADDRESS	2220 JODECO RD, MCDONOUGH, GA 30253
LAND LOT	LL07-51
DISTRICT	LDIST-6
GROSS SITE AREA	24,995 AC
NET SITE AREA	20,0825 AC
EXISTING ZONING	C3 (HENRY COUNTY)
PROPOSED ZONING	MF (STOCKBRIDGE)
PROPOSED FUTURE LAND USE MAP AMENDMENT TO MAP	
PARCEL ID	035-003000, 032-003000
MAX DENSITY PER ACR ZONING IS UNIT PER ACRE	
PROPOSED DENSITY	24,995 AC * 12.84 UNITS/AC = 331 UNITS
PROPOSED DENSITY	24,995 AC * 12.84 UNITS/AC = 331 UNITS
PROPOSED DENSITY	24,995 AC * 12.84 UNITS/AC = 331 UNITS
PROPOSED ZONING JURISDICTION	CITY OF STOCKBRIDGE
MINIMUM FRONT SETBACK	60'
MINIMUM REAR SETBACK	20'
MINIMUM SIDE SETBACK	15'
PARKING SPACES (PROVIDED)	535 (1.67 PER UNIT)
PARKING SPACES (REQUIRED)	535 (1.67 PER UNIT)

ANNEXATION, REZONING & FUTURE
LAND USE MAP AMENDMENT
JODECO ROAD MULTI-FAMILY
UNINCORPORATED HENRY COUNTY, GA
PREPARED FOR:
EMORY EQUITY, LLC.
PREPARED BY:
THOMAS HUTTON
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12/27/23 1:46 PM
THOMAS HUTTON



JODECO-175 ASSOCIATES LLC
TAX ID: 052-01019000
DB 11882, PG 51
ZONED: C2

NF
HARAWAY JENNIFER L & WESLEY E
TAX ID: 052-01017000
DB 11882, PG 51
ZONED: RA

NF
ANNO, JESSICA INC
TAX ID: 052-01018003
DB 11441, PG 280
ZONED: RA

NF
ANNO, JESSICA INC
TAX ID: 052-01018000
DB 11441, PG 280
ZONED: RA

NF
EMSON INVESTMENT PROP LLC
TAX ID: 053-01022000
DB 12168, PG 119
ZONED: C1

NF
AMSBELL STORAGE VENTURES XXXV LLC
TAX ID: 053-01013001
DB 14083, PG 1
ZONED: C3

NF
MARKETPLACE STOREFRONTS LLC
TAX ID: 053-01017005
DB 10837, PG 85
ZONED: C2



JODECO ROAD MULTI-FAMILY - HENRY COUNTY, GA

ARCHITECTURAL IMAGERY

SEPTEMBER 1, 2022



Henry County Water Authority
Engineering Division

September 2, 2022

Re: Water and Sewer Services - Availability

Proposed Development: **Multi-Family**

Property Information: **2220 Jodeco Road Parcel Nos. 052-0102000 & 052-0102001**

LL 51; District 6; 25.0+/- acres

Proposed Zoning: **RM**

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 via a line extension of approximately 2,200 linear feet along Feucht Road at the developer's expense. A fire flow test calculated in the area revealed the following data:

Static:	84	psi
Residual:	70	psi
Flow	2250	gpm
Calculated Flow @ 20 psi:	5112	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** is available for the property. ***Sewer line capacity can be made available via the construction of a gravity line along the Western Parallel Connector Sanitary Sewer***

Extension project. Extending the sewer line may require an easement on the subject properties. This project is currently under design with no established date for completion.

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 Preliminary Site Plan dated 08/11/2022 prepared by Thomas & Hutton.



Date:

2022.09.02

16:26:35 -04'00'

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

FIRST AMENDED
STATEMENT OF INTENT

and

Other Material Required by the
City of Stockbridge Unified Development Code
for the Annexation, Rezoning and
Future Land Use Map Amendment

of

EMORY EQUITY, LLC.

for

± 24.995 Acres of Land
located in
Land Lot 51
6th District, Henry County

REZONE: C-3 (Henry County) to MFR
FLUMA: HDMU (Henry County) to HDR

Submitted for Applicant by:

Dennis J. Webb, Jr.
Kathryn M. Zickert
J. Alexander Brock
Smith, Gambrell & Russell, LLP
1105 W. Peachtree Street, NE
Suite 1000
Atlanta, Georgia 30309
404-815-3500

I. INTRODUCTION

Emory Equity, LLC (“Applicant”) seeks to annex and rezone ± 24.995 acres of land located in Land Lot 51, 6th District of Henry County (the “Subject Property”) to allow a multifamily development. The Subject Property is currently located within unincorporated Henry County, is zoned Highway Commercial District (C-3) and designated as High-Density Mixed Use on the Henry County Future Land Use Map. The Applicant files this request to (a) annex the Subject Property into the City of Stockbridge; (b) rezone the Subject Property to the Stockbridge designation of MFR (Multi-Family Residential); and (c) amend the Future Land Use Map designation for the Subject Property to HDR (High Density Residential) under the City’s Comprehensive Plan.

The Subject Property formerly contained a commercial campground and supporting facilities but is now vacant with mostly wooded areas and a large central lake. The property currently has access to Jodeco Road via an access easement along Feucht Drive, however the easement will provide direct access to the I-75 Western Parallel Connector once it is completed in 2026.¹ The Applicant seeks to redevelop the property for 321 multifamily units at a density of ±12.8 units per acre along with amenities and associated site improvements (“Proposed Development”). The unit sizes and heights will meet the requirements of the MFR district and will be a mix of 1-, 2- and 3-bedroom units. The parking for the units will be provided through ±424 surface spaces.

The Applicant envisions the Proposed Development as a residential retreat, interweaving the design into the natural landscape, existing waterscape and providing ample amenities. The

¹ The I-75 Parallel Connector Road is currently under construction as of the date of this application and is anticipated to be completed by November 2026. Refer to the Georgia Department of Transportation’s website for Project 0014482: <https://www.dot.ga.gov/applications/geopi/Pages/Dashboard.aspx?ProjectID=0014482>.

development will incorporate approximately 15.97 acres, or 63.9% of the overall property, as open space. The open space includes the preservation of natural vegetation within the onsite stream buffer, the existing lake and providing landscaped areas throughout the development. In particular, the Applicant seeks to incorporate the lake as both an aesthetic attraction as well as an amenity for the residents by incorporating extensive walking paths. The site design also provides pedestrian connectivity throughout and a connection to future sidewalks and trails along the I-75 Western Parallel Connector to foster walkability and connectivity to the neighborhood. Additionally, the Proposed Development will contain other amenities spread throughout the complex including a clubhouse, pool, dog park, additional walking trails and meditation garden.

The Subject Property is well situated for the proposed multi-family development. The Jodeco Road corridor to the south is a primarily commercial area with many uses that are supportive of the proposed residential including restaurant, retail, retail club warehouse, and grocery. The introduction of modern, attractive multifamily will act to further boost this commercial node and potentially attract newer business to the area. Examples of the adjacent commercial uses along Jodeco Road include the Bridges at Jodeco mixed-use development, the Emson Square Shopping Center and the Compass Self Storage, both located within unincorporated Henry County and zoned General Commercial District (C-2) and C-3, respectively. Also to the south is a property zoned Planned Unit District (PUD) in the City of Stockbridge, that was rezoned in 2023 pursuant to RZ-23-06 for a proposed mixed-use development. To the east and north are undeveloped properties, zoned C-2 within unincorporated Henry County. To the west, the Subject Property borders a ±11.43-acre parcel developed with one single family home, which is zoned Residential Agricultural (RA) within unincorporated Henry County. The proposed multi-family development and the requested MFR zoning will act as a transition in intensity from the

commercial and high-density mixed-use zonings to the existing single-family residential to the east.

Also to the east, is the I-75 Western Parallel Connector right-of-way which is anticipated to be the main access point for the Proposed Development once that roadway is completed. Currently, the Subject Property does not front a right-of-way, but has access to Jodeco Road via a 50-foot wide perpetual ingress/egress easement from Feucht Drive.² This will only be a temporary condition during construction since GDOT's plans indicate that the section of the I-75 Western Parallel Connector fronting the Subject Property will be completed in 2026, prior to the construction of the Proposed Development. Although Henry County nor GDOT have given the roadway a classification the I-75 Western Parallel Connector, a 4-lane road connecting two arterials, is anticipated to be at least a collector per the GDOT design manual definition.³

The proposed multifamily residences also are aligned with recent residential development trends within the City of Stockbridge. The City of Stockbridge Comprehensive Plan 2024 ("Comp Plan") notes that the city's residential development has not kept pace with the population growth and that the city will need at least 800 new residential units within the next 5 years and 1,700 units by 2040 to meet the current housing demand.⁴ The Proposed Development is meeting the Comp Plan's needs by adding high quality multi-family residential development into the city. In addition, the proposed multi-family will add to the mix of housing options existing in the area. Multi-family residences tend to attract younger professionals, empty nesters, and newer residents to the area that are not ready to purchase a home, demographics that are not currently served by

² The right-of-way of Feucht Drive terminates at the northern boundary of Parcel 053-01017005 and access to the site is extended through the easement.

³ See *GDOT Design Policy Manual*, pg. xxxvii ("Collector – Functional classification for a street or highway that provides a less highly developed level of service than an arterial, at a lower speed for shorter distances by collecting traffic from local roads and connecting them with arterials.")

⁴ See *City of Stockbridge Comprehensive Plan 2024*, pg 13.

the surrounding single-family residences. Many young professionals are choosing apartments in locations with easy access to employment and retail. The Subject Property meets these needs by being ideally situated in proximity to Jodeco Road, a large commercial corridor, and a short distance from other commercial corridors along Jonesboro Road, to the south, and Hudson Bridge Road, to the north via the proposed I-75 Western Parallel Connector. The Subject Property is in close proximity to a number of local employers and is a short distance from the on-ramp to I-75 which provides quick access to regional employment centers. In all, the Proposed Development is a natural and fitting use for the Subject Property and a positive step towards furthering the City's long-term goals for growth in the area.

In addition to the annexation and rezoning, the Applicant is requesting an amendment to the City's Future Land Use Map to designate the Subject Property as High Density Residential (HDR) land use. The current Henry County land use designation is High Density Mixed Use ("Henry County HDMU"). The Henry County HDMU land use allows a density up to 20 units per acre.⁵ The Applicant's request for HDR allows a comparable land use designation under Stockbridge's Comp Plan, which allows a density of 16 units per acre. The HDR land use also is compatible with certain zoning categories, namely MFR.⁶ Moreover, the Comp Plan notes that the HDR land use is appropriate transition between mixed-use and low or medium density residential.⁷ As noted in the paragraphs above, the Subject Property and its proposed HDR land use will act as a transition from the high density mixed-use land uses to the south and east and the existing single family residential in unincorporated Henry County to the west. Thus, the proposed

⁵ See *Henry County Comprehensive Plan*, pg. 90.

⁶ See *the City of Stockbridge Comprehensive Plan 2024*, pg. 50.

⁷ *Id.*

HDR land use designation is appropriate for the area and allows a development that is aligned with the Comp Plan’s goals for growth.

The Applicant submits this document as a Statement of Intent with regard to this Application, a preservation of the Applicant’s constitutional rights, a written justification for the Application, and an analysis of the factors to be considered for a rezoning per the City of Stockbridge Unified Development Code (“UDC”), § 9.2.2. A Site Plan has been filed with the original Application, along with the other required materials.

II. HISTORY

To the Applicant’s knowledge, no rezoning applications concerning the Subject Property have been granted.

III. REZONING IMPACT ANALYSIS

A. WHETHER THE PROPOSAL IS CONSISTENT AND/OR COMPATIBLE WITH THE CITY’S PLANS, GOALS AND OBJECTIVES REFLECTED IN THE CITY’S COMPREHENSIVE PLAN.

Yes. As noted above, concurrent with its request for annexation, the Applicant requests that the City designate the Subject Property as HDR land use. The Proposed Development is consistent with this designation and will advance a number of policy goals outlined in the City’s Comprehensive Plan, including:

- To provide a variety of housing choices to suit the changing needs and lifestyles of City residents;
- Provide a mixture of housing options to attract young professionals, singles, and small families;
- Reduce the impact of new development through the preservation of greenspace; and
- To ensure that new developments promote a better sense of place and preserve valued elements of community character.⁸

⁸ See the City of Stockbridge Comprehensive Plan 2024, pgs. 43-44.

In addition, the HDR designation is compatible with character area designations adjacent and nearby properties. The existing land use designations in the area consist primarily of Henry County HDMU (a density of up to 20 units per acre) and HDMU (City of Stockbridge) to the southeast.

B. HOW THE PROPOSAL IMPACTS THE PURPOSES OF THE OVERALL ZONING SCHEME, AND WHETHER THE PROPOSED CHANGE FURTHERS THE PURPOSE OF THESE ZONING REGULATIONS.

As noted in the paragraphs above, the proposed multiple-family development will be compatible with exiting development in the area. In addition, it adds to the diversity of housing stock in the city attracting a wide range of residents, including younger professionals as noted in the Comp Plan.

C. HOW THE PROPOSAL IMPACTS THE ZONING DISTRICT, THE PARTICULAR PIECE OF PROPERTY, NEIGHBORHOOD, OR THE COMMUNITY.

The Proposed Development will be a positive addition to the area. As noted above, the City of Stockbridge envisions a mixture of housing options to attract young professionals, singles, and small families. Existing development in the area, however, consists primarily of commercial and single-family residential. The proposed multifamily residential will provide modern residential options and add to the mix of uses in the area, thus furthering the goals of the City of Stockbridge's UDC and long-term planning documents.

D. WHETHER THE PROPOSAL CREATES AN ISOLATED DISTRICT UNRELATED TO ADJACENT PROPERTIES AND NEARBY DISTRICTS.

No. The Subject Property is surrounded by properties zoned C-2 and C-3 (Henry County), PUD (City of Stockbridge) and RA (Henry County). In addition, the Subject Property is surrounded on three sides by properties designated as HDMU on both the Henry County and City of Stockbridge Future Land Use Maps. The Proposed MFR zoning and HDR land use will act as

a transition between the HDMU land uses to the south and east and the existing single family residential to the west. Moreover, some of the existing PUD developments currently under construction, south of Jodeco Road, contain multi-family residential components, including the Argento at the Bridges apartments, located approximately 1 mile south of the Subject Property on the I-75 Western Parallel Connector.⁹

E. HOW THE PROPOSAL IMPACTS THE AESTHETIC CHARACTER OF EXISTING AND FUTURE USES OF THE PROPERTY AND THE SURROUNDING AREA.

The proposed resort-style multifamily community will blend harmoniously with the surrounding developments. The Applicant is preserving a significant amount of open space that will buffer the RA zoned property to the west. Additionally, the Applicant will be providing onsite amenities for the residents as well as amenitized open space in the form of trails, dog parks/runs, and meditation gardens.

F. WHETHER THE PROPOSAL IS CONSISTENT WITH ADJACENT DEVELOPMENT DENSITIES AND THE DENSITY PATTERNS REFLECTED IN THE COMPREHENSIVE PLAN.

Yes. The 321 residential units equates to a density of ± 12.8 units per acre. This is below the Comprehensive Plan's maximum density for the HDR land use of up to 16 units per acre. The Applicant's proposed density will allow a development that is fitting for the area and commensurate with densities allowed in uses surrounding the property. Also see Paragraphs C, D and E above.

⁹ The southern portion of the I-75 Western Parallel Connector is currently constructed from Mt. Olive Road north to Jodeco Road.

G. HOW THE PROPOSAL IMPACTS THE PUBLIC HEALTH, SAFETY, AND GENERAL WELFARE.

The proposal will benefit the public health, safety and general welfare. The Applicant proposes to bring the Subject Property into the City, creating a new, vibrant and modern development that diversifies the housing stock available and advances a number of goals outlined in the City's Comprehensive Plan. *See, e.g., Comp Plan at pp. 43-44.*

H. HOW THE PROPOSAL IMPACTS WATER, SEWERAGE, OTHER PUBLIC FACILITIES, OR PUBLIC SERVICES, AND HOW THE PROPOSED AMENDMENT IMPACTS EXPENDITURES OF PUBLIC FUNDS.

The Applicant has requested sewer capacity and water availability letters with this application to demonstrate that water and sewer are available and adequate to serve the Subject Property, along with upgrades that the Applicant is willing to make.

I. HOW THE PROPOSAL IMPACTS TRAFFIC SAFETY AND CONGESTION.

The proposed development will not overly burden existing streets or transportation facilities. The Applicant used the Institute of Transportation Engineers' (ITE) Trip Generation Manual, 9th Edition, to calculate the anticipated number of vehicular trips. The Proposed Development (ITE Category 223 – Mid-Rise Apartments) is expected to generate ± 112.35 trips during the AM weekday peak hour, ± 141.24 trips during the PM weekday peak hour.¹⁰ The proposed number of trips is not expected to overburden the surrounding roadways, however. The Subject Property will have direct access onto the I-75 Western Parallel Connector which is a collector roadway and is a short distance from Jodeco Road, a minor arterial. These types of major roadways are intended for a high volume of traffic and are anticipated to adequately accommodate the Proposed Development's minor amount of vehicular trips. Additionally, the

¹⁰ Note that the ITE 9th Edition does not provide a daily total trip generation rate for Mid-Rise Apartments.

Subject Property is approximately one mile from and U.S. Interstate 75, which can provide quick access to regional transportation. Because the Subject Property is located in proximity to a number of major roadways, its impact on traffic is anticipated to be minimal.

In addition, the proposed trips are expected to be significantly lower than a development allowed under the current C-3 zoning. For example, the C-3 district would allow a 150,000 retail shopping center (ITE Category 820) which would generate approximately 556.5 trips in the PM peak hour. This is a 294% increase in peak hour vehicular trips over the proposed multifamily development. Thus, the Proposed Development will have a significantly reduced impact over what could be constructed under the current C-3 zoning district today.

J. HOW THE PROPOSAL IMPACTS ENVIRONMENTAL CONDITIONS, INCLUDING, BUT NOT LIMITED TO, DRAINAGE, SOIL EROSION AND SEDIMENTATION, FLOODING, AIR QUALITY, WATER QUALITY AND QUANTITY.

The Applicant will mitigate any potential impacts to the environment by following all City, County, State and Federal requirements related to drainage, soil erosion and sedimentation, flooding, air quality, and water quality and quantity.

K. HOW THE PROPOSAL IMPACTS THE PROVISIONS OF ADEQUATE LIGHT AND AIR.

The proposal will have no negative impacts on the provision of adequate light and air. *See also J, above.*

L. HOW THE PROPOSAL IMPACTS THE VALUE OF ADJACENT PROPERTY.

As the site plan submitted with the application demonstrates, the proposal is a thoughtful, pedestrian-oriented, residential neighborhood that will deliver quality design and construction, all of which should “raise-the-bar” for future development on adjacent and nearby properties and generate renewed interest in the area.

M. WHETHER THERE ARE SUBSTANTIAL REASONS WHY THE PROPERTY CANNOT BE USED IN ACCORDANCE WITH EXISTING REGULATIONS.

The property is currently zoned C-2 which restricts development to primarily commercial uses. The property has seen no redevelopment under its current zoning, likely due to its distance from Jodeco Road. This separation from the view corridor of major roadways inhibits its attractiveness for commercial development. In addition, the onsite large lake, limits room for commercial development and associated parking with little benefit to a commercial use. On the contrary, the lake is an amenity to a residential development. As a result, the property is likely to remain undeveloped absent a rezoning to a more fitting residential district.

N. PRESERVATION OF THE 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 current proposal will have not have a negative impact on the integrity of nearby residential neighborhoods. The Applicant has taken careful consideration in the proposed design and incorporated appropriate buffers and setbacks to minimize negative impacts, if any, against the adjacent residential.

IV. NOTICE OF CONSTITUTIONAL CHALLENGES AND PRESERVATION OF CONSTITUTIONAL RIGHTS

The current zoning of the Subject Property and any intervening zoning district other than that requested is unconstitutional and contrary to the best interest of the health and welfare of the citizens of the City of Stockbridge, and constitutes an arbitrary and capricious act. As a result, the City of Stockbridge Unified Development Code is in violation of Article I, Section I, Paragraphs 1 and 2 of the Constitution of the State of Georgia 1983; Article I, Section III, Paragraph 1 of the Constitution of the State of Georgia; and Article I, Section II, Paragraph 3 of the Constitution of

the State of Georgia, 1983. Furthermore, the current zoning violates the due process clause and equal protection clauses of the Fifth and Fourteenth Amendments to the Constitution of the United States of America.

In addition, the current zoning of the Subject Property and any intervening zoning district other than that requested is unconstitutional in that it renders the Subject Property unusable and destroys its marketability. Therefore, the current zoning constitutes a taking of the Applicant's property without just and adequate compensation and without due process of law in violation of the Fifth and Fourteenth Amendments to the United States Constitution and in violation of Article I, Section I, Paragraph 1 and Article I, Section III, Paragraph 1(a) of the Constitution of Georgia.

The Zoning Ordinance of the City of Stockbridge lacks adequate standards for the City Council to exercise its power to zone and rezone. In essence, the standards are not sufficient to contain the discretion of the City Council and to provide the Courts with a reasonable basis for judicial review. Because the stated standards (individually and collectively) are too vague and uncertain to provide reasonable guidance to the Mayor and City Council, the Zoning Ordinance violates the Fifth and Fourteenth Amendments of the Constitution of the United States in matters of zoning. The Zoning Ordinance also violates Article I, Section III, Paragraph 1; and Article I, Paragraphs 1 and 2 of the Constitution of State of Georgia, 1983.

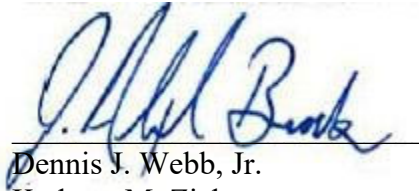
Opponents to this request lack standing, have failed to exhaust administrative remedies, and have waived their rights to appeal by failing to assert legal and constitutional objections.

V. CONCLUSION

For the foregoing reasons, the Applicant respectfully requests that the Annexation, Rezoning, and Future Land Use Map Amendment Applications at issue be approved. The Applicant also invites and welcomes any comments from Staff or other officials of the City of Stockbridge so that such recommendations or input might be incorporated as conditions of approval.

This 18th day of April, 2025.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "J. Alexander Brock", is written over a horizontal line.

Dennis J. Webb, Jr.
Kathryn M. Zickert
J. Alexander Brock
Attorneys For Applicant

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SEPTEMBER 1, 2022

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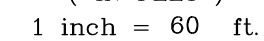
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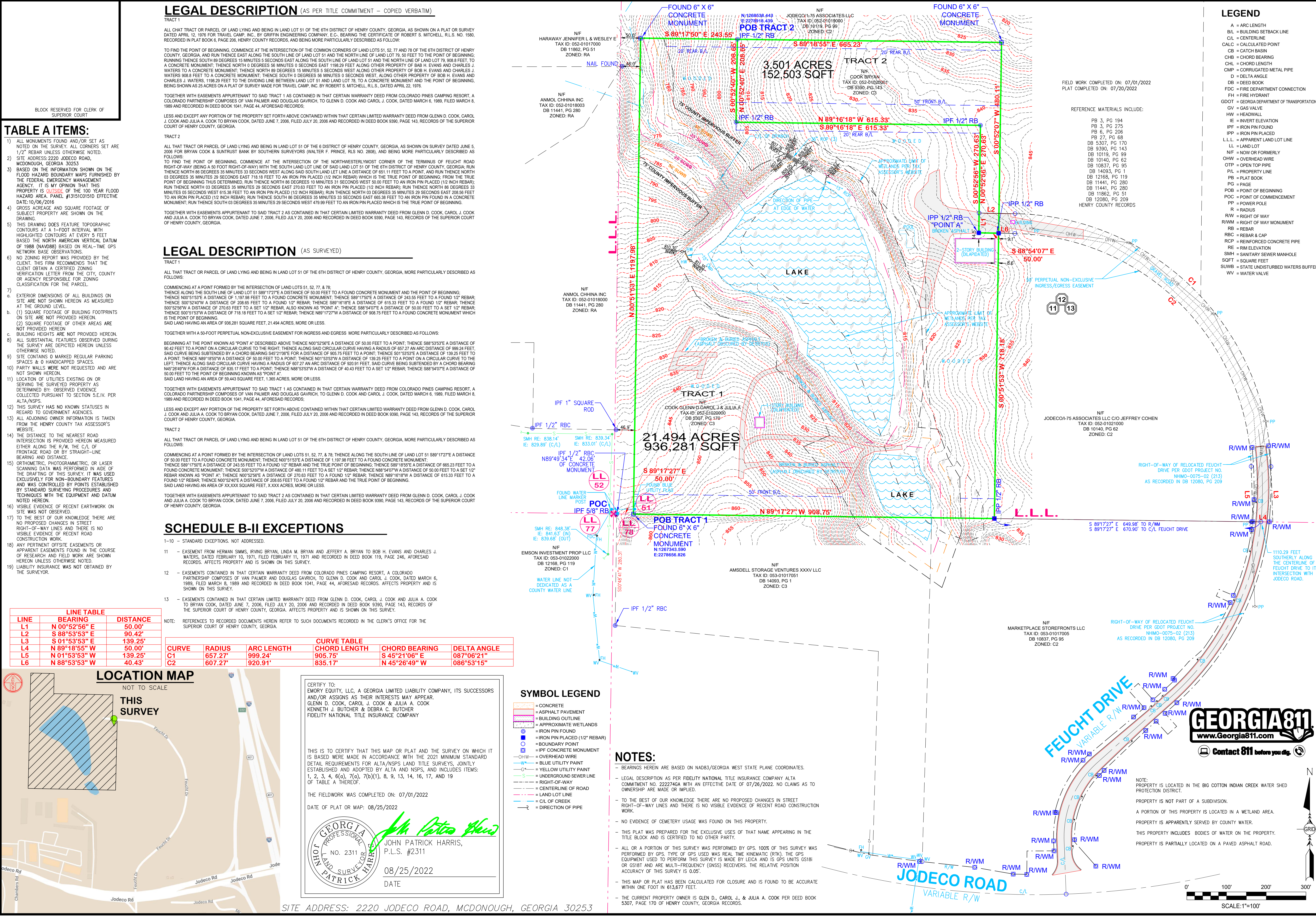


Back:



JODECO ROAD MULTI-FAMILY - HENRY COUNTY, GA
ARCHITECTURAL ELEVATIONS





LEGAL DESCRIPTION (AS PER TITLE COMMITMENT - COPIED VERBATIM)

TRACT 1

ALL CHAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 51 OF THE 6TH DISTRICT OF HENRY COUNTY, GEORGIA, AS SHOWN ON A PLAT OR SURVEY DATED APRIL 12, 1976 FOR TRAVEL CAMP, INC., BY GRIFFIN ENGINEERING COMPANY, E.C., BEARING THE CERTIFICATE OF ROBERT S. MITCHELL, R.L.S. NO. 1580, RECORDED IN PLAT BOOK 6, PAGE 206, HENRY COUNTY RECORDS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO FIND THE POINT OF BEGINNING, COMMENCE AT THE INTERSECTION OF THE COMMON CORNERS OF LAND LOTS 51, 52, 77 AND 78 OF THE 6TH DISTRICT OF HENRY COUNTY, GEORGIA, AND RUN THENCE EAST ALONG THE SOUTH LINE OF LAND LOT 51 AND THE NORTH LINE OF LAND LOT 79, 50 FEET TO THE POINT OF BEGINNING; RUN THENCE SOUTH 89 DEGREES 15 MINUTES 5 SECONDS EAST ALONG THE SOUTH LINE OF LAND LOT 51 AND THE NORTH LINE OF LAND LOT 79, 908.8 FEET, TO A CONCRETE MONUMENT; THENCE NORTH 0 DEGREES 56 MINUTES 0 SECONDS EAST 1198.29 FEET ALONG OTHER PROPERTY OF BOB H. EVANS AND CHARLES J. WATERS TO A CONCRETE MONUMENT; THENCE NORTH 0 DEGREES 15 MINUTES 5 SECONDS WEST ALONG OTHER PROPERTY OF BOB H. EVANS AND CHARLES J. WATERS 908.8 FEET TO A CONCRETE MONUMENT; THENCE SOUTH 0 DEGREES 56 MINUTES 0 SECONDS WEST, ALONG OTHER PROPERTY OF BOB H. EVANS AND CHARLES J. WATERS, 1198.29 FEET TO THE DIVIDING LINE BETWEEN LAND LOT 51 AND LAND LOT 78, TO A CONCRETE MONUMENT AND THE POINT OF BEGINNING, BEING SHOWN AS 25 ACRES ON A PLAT OF SURVEY MADE FOR TRAVEL CAMP, INC. BY ROBERT S. MITCHELL, R.L.S., DATED APRIL 22, 1976.

TOGETHER WITH EASEMENTS APPURTENANT TO SAID TRACT 1 AS CONTAINED IN THAT CERTAIN LIMITED WARRANTY DEED FROM COLORADO PINES CAMPING RESORT, A COLORADO PARTNERSHIP COMPOSED OF VAN PALMER AND DOUGLAS GAVRICH, TO GLENN D. COOK AND CAROL J. COOK, DATED MARCH 6, 1989, FILED MARCH 8, 1989 AND RECORDED IN DEED BOOK 1041, PAGE 44, AFORESAID RECORDS.

LESS AND EXCEPT ANY PORTION OF THE PROPERTY SET FORTH ABOVE CONTAINED WITHIN THAT CERTAIN LIMITED WARRANTY DEED FROM GLENN D. COOK, CAROL J. COOK AND JULIA A. COOK TO BRYAN COOK, DATED JUNE 7, 2006, FILED JULY 20, 2006 AND RECORDED IN DEED BOOK 9390, PAGE 143, RECORDS OF THE SUPERIOR COURT OF HENRY COUNTY, GEORGIA.

TRACT 2

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 51 OF THE 6TH DISTRICT OF HENRY COUNTY, GEORGIA, AS SHOWN ON SURVEY DATED JUNE 5, 2006 FOR BRYAN COOK & TRUST TRUST SURVEYORS (WALTER F. PRINCE, RLS NO. 2890), AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO FIND THE POINT OF BEGINNING, COMMENCE AT THE INTERSECTION OF THE NORTHWESTERLYMOST CORNER OF THE TERMINUS OF FEUCHT ROAD RIGHT-OF-WAY (BEING A 50 FOOT RIGHT-OF-WAY) WITH THE SOUTH LAND LOT 51 OF THE 6TH DISTRICT OF HENRY COUNTY, GEORGIA, RUN THENCE NORTH 86 DEGREES 35 MINUTES 33 SECONDS WEST ALONG SAID SOUTH LAND LET LINE A DISTANCE OF 651.11 FEET TO A POINT, AND RUN THENCE NORTH 0 DEGREES 35 MINUTES 29 SECONDS EAST 716.18 FEET TO AN IRON PIN PLACED (1/2 INCH REBAR) WHICH IS THE TRUE POINT OF BEGINNING, FROM THE TRUE POINT OF BEGINNING, THIS DETERMINED, RUN THENCE NORTH 86 DEGREES 35 MINUTES 33 SECONDS WEST 50.00 FEET TO AN IRON PIN PLACED (1/2 INCH REBAR); RUN THENCE NORTH 0 DEGREES 35 MINUTES 29 SECONDS EAST 270.63 FEET TO AN IRON PIN PLACED (1/2 INCH REBAR); RUN THENCE NORTH 86 DEGREES 35 MINUTES 29 SECONDS EAST 270.63 FEET TO AN IRON PIN PLACED (1/2 INCH REBAR); RUN THENCE NORTH 0 DEGREES 35 MINUTES 29 SECONDS EAST 208.56 FEET TO AN IRON PIN PLACED (1/2 INCH REBAR); RUN THENCE SOUTH 86 DEGREES 35 MINUTES 33 SECONDS EAST 655.38 FEET TO AN IRON PIN PLACED IN A CONCRETE MONUMENT, RUN THENCE SOUTH 0 DEGREES 35 MINUTES 29 SECONDS EAST 655.38 FEET TO AN IRON PIN PLACED WHICH IS THE TRUE POINT OF BEGINNING.

TOGETHER WITH EASEMENTS APPURTENANT TO SAID TRACT 2 AS CONTAINED IN THAT CERTAIN LIMITED WARRANTY DEED FROM GLENN D. COOK, CAROL J. COOK AND JULIA A. COOK TO BRYAN COOK, DATED JUNE 7, 2006, FILED JULY 20, 2006 AND RECORDED IN DEED BOOK 9390, PAGE 143, RECORDS OF THE SUPERIOR COURT OF HENRY COUNTY, GEORGIA.

LEGAL DESCRIPTION (AS SURVEYED)

TRACT 1

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 51 OF THE 6TH DISTRICT OF HENRY COUNTY, GEORGIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT FORMED BY THE INTERSECTION OF LAND LOTS 51, 52, 77, & 78; THENCE ALONG THE SOUTH LINE OF LAND LOT 51 S89°17'27"E A DISTANCE OF 50.00 FEET TO A FOUND CONCRETE MONUMENT AND THE POINT OF BEGINNING; THENCE N00°51'53"E A DISTANCE OF 1,197.98 FEET TO A FOUND CONCRETE MONUMENT; THENCE S89°17'50"E A DISTANCE OF 243.55 FEET TO A FOUND 1/2" REBAR; THENCE S00°52'40"W A DISTANCE OF 208.65 FEET TO A FOUND 1/2" REBAR; THENCE S89°16'18"E A DISTANCE OF 615.33 FEET TO A FOUND 1/2" REBAR; THENCE S00°52'40"W A DISTANCE OF 270.63 FEET TO A SET 1/2" REBAR, ALSO KNOWN AS "POINT A"; THENCE S89°16'18"E A DISTANCE OF 615.33 FEET TO A SET 1/2" REBAR; THENCE S00°51'53"W A DISTANCE OF 718.18 FEET TO A SET 1/2" REBAR; THENCE N89°17'27"E A DISTANCE OF 908.75 FEET TO A FOUND CONCRETE MONUMENT WHICH IS THE POINT OF BEGINNING.

(2) SQUARE FOOTAGE OF OTHER AREAS ARE NOT PROVIDED HEREON.

TOGETHER WITH A 50-FOOT PERPETUAL NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT KNOWN AS "POINT A" DESCRIBED ABOVE THENCE N00°52'56"E A DISTANCE OF 50.00 FEET TO A POINT; THENCE S88°53'35"E A DISTANCE OF 90.42 FEET TO A POINT ON A CIRCULAR CURVE TO THE RIGHT; THENCE ALONG SAID CIRCULAR CURVE HAVING A RADIUS OF 657.27 AN ARC DISTANCE OF 699.24 FEET, SAID CURVE BEING SUBTENDED BY A CHORD BEARING S42°17'08"E FOR A DISTANCE OF 305.75 FEET TO A POINT; THENCE S01°53'53"E A DISTANCE OF 139.25 FEET TO A POINT; THENCE N89°18'55"W A DISTANCE OF 50.00 FEET TO A POINT; THENCE N01°53'53"W A DISTANCE OF 139.25 FEET TO A POINT ON A CIRCULAR CURVE TO THE LEFT; THENCE ALONG SAID CIRCULAR CURVE HAVING A RADIUS OF 607.27 AN ARC DISTANCE OF 920.91 FEET, SAID CURVE BEING SUBTENDED BY A CHORD BEARING N45°26'49"W FOR A DISTANCE OF 50.00 FEET TO A POINT; THENCE N89°53'53"W A DISTANCE OF 40.43 FEET TO A SET 1/2" REBAR; THENCE S88°54'07"E A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING KNOWN AS "POINT A"; SAID LAND HAVING AN AREA OF 59.443 SQUARE FEET, 1.365 ACRES, MORE OR LESS.

TOGETHER WITH EASEMENTS APPURTENANT TO SAID TRACT 1 AS CONTAINED IN THAT CERTAIN WARRANTY DEED FROM COLORADO PINES CAMPING RESORT, A COLORADO PARTNERSHIP COMPOSED OF VAN PALMER AND DOUGLAS GAVRICH, TO GLENN D. COOK AND CAROL J. COOK, DATED MARCH 6, 1989, FILED MARCH 8, 1989 AND RECORDED IN DEED BOOK 1041, PAGE 44, AFORESAID RECORDS.

LESS AND EXCEPT ANY PORTION OF THE PROPERTY SET FORTH ABOVE CONTAINED WITHIN THAT CERTAIN LIMITED WARRANTY DEED FROM GLENN D. COOK, CAROL J. COOK AND JULIA A. COOK TO BRYAN COOK, DATED JUNE 7, 2006, FILED JULY 20, 2006 AND RECORDED IN DEED BOOK 9390, PAGE 143, RECORDS OF THE SUPERIOR COURT OF HENRY COUNTY, GEORGIA.

TRACT 2

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 51 OF THE 6TH DISTRICT OF HENRY COUNTY, GEORGIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT FORMED BY THE INTERSECTION OF LAND LOTS 51, 52, 77, & 78; THENCE ALONG THE SOUTH LINE OF LAND LOT 51 S89°17'27"E A DISTANCE OF 50.00 FEET TO A FOUND CONCRETE MONUMENT; THENCE N00°51'53"E A DISTANCE OF 1,197.98 FEET TO A FOUND CONCRETE MONUMENT; THENCE S89°17'50"E A DISTANCE OF 243.55 FEET TO A FOUND 1/2" REBAR; THENCE S00°52'40"W A DISTANCE OF 208.65 FEET TO A FOUND 1/2" REBAR; THENCE S89°16'18"E A DISTANCE OF 615.33 FEET TO A FOUND 1/2" REBAR; THENCE S00°52'40"W A DISTANCE OF 270.63 FEET TO A SET 1/2" REBAR, ALSO KNOWN AS "POINT A"; THENCE S89°16'18"E A DISTANCE OF 615.33 FEET TO A SET 1/2" REBAR; THENCE S00°51'53"W A DISTANCE OF 718.18 FEET TO A SET 1/2" REBAR; THENCE N89°16'18"W A DISTANCE OF 615.33 FEET TO A FOUND 1/2" REBAR; THENCE N00°52'56"E A DISTANCE OF 50.00 FEET TO A FOUND 1/2" REBAR; THENCE S88°54'07"E A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING.

SAID LAND HAVING AN AREA OF XX.XXX SQUARE FEET, X.XXX ACRES, MORE OR LESS.

TOGETHER WITH EASEMENTS APPURTENANT TO SAID TRACT 2 AS CONTAINED IN THAT CERTAIN LIMITED WARRANTY DEED FROM GLENN D. COOK, CAROL J. COOK AND JULIA A. COOK TO BRYAN COOK, DATED JUNE 7, 2006, FILED JULY 20, 2006 AND RECORDED IN DEED BOOK 9390, PAGE 143, RECORDS OF THE SUPERIOR COURT OF HENRY COUNTY, GEORGIA.

SCHEDULE B-II EXCEPTIONS

1-10 - STANDARD EXCEPTIONS. NOT ADDRESSED.

11 - EASEMENT FROM HERMAN SIMMS, IRVING BRYAN, LINDA M. BRYAN AND JEFFERY A. BRYAN TO BOB H. EVANS AND CHARLES J. WATERS, DATED FEBRUARY 10, 1971, FILED FEBRUARY 11, 1971 AND RECORDED IN DEED BOOK 119, PAGE 246, AFORESAID RECORDS. AFFECTS PROPERTY AND IS SHOWN ON THIS SURVEY.

12 - EASEMENTS CONTAINED IN THAT CERTAIN WARRANTY DEED FROM COLORADO PINES CAMPING RESORT, A COLORADO PARTNERSHIP COMPOSED OF VAN PALMER AND DOUGLAS GAVRICH, TO GLENN D. COOK AND CAROL J. COOK, DATED MARCH 6, 1989, FILED MARCH 8, 1989 AND RECORDED IN DEED BOOK 1041, PAGE 44, AFORESAID RECORDS. AFFECTS PROPERTY AND IS SHOWN ON THIS SURVEY.

13 - EASEMENTS CONTAINED IN THAT CERTAIN LIMITED WARRANTY DEED FROM GLENN D. COOK, CAROL J. COOK AND JULIA A. COOK TO BRYAN COOK, DATED JUNE 7, 2006, FILED JULY 20, 2006 AND RECORDED IN DEED BOOK 9390, PAGE 143, RECORDS OF THE SUPERIOR COURT OF HENRY COUNTY, GEORGIA. AFFECTS PROPERTY AND IS SHOWN ON THIS SURVEY.

NOTE: REFERENCES TO RECORDED DOCUMENTS HEREIN REFER TO SUCH DOCUMENTS RECORDED IN THE CLERK'S OFFICE FOR THE SUPERIOR COURT OF HENRY COUNTY, GEORGIA.

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	657.27"	999.24'	905.75'	S 45°21'06" E	087°06'21"
C2	607.27"	920.91'	835.17'	N 45°26'49" W	086°53'15"

LINE TABLE

LINE	BEARING	DISTANCE
L1	N 00°52'56" E	50.00'
L2	S 88°53'53" E	90.42'
L3	S 01°53'53" E	139.25'
L4	N 89°18'55" W	50.00'
L5	N 01°53'53" W	139.25'
L6	N 88°53'53" W	40.43'

LOCATION MAP

NOT TO SCALE

THIS SURVEY

SITE ADDRESS: 2220 JODECO ROAD, MCDONOUGH, GEORGIA 30253

GEORGIA811
www.Georgia811.com
Contact 811 before you dig.

SYMBOL LEGEND

- CONCRETE
- ASPHALT PAVEMENT
- BUILDING OUTLINE
- APPROXIMATE WETLANDS
- IRON PIN FOUND
- IRON PIN PLACED (1/2" REBAR)
- BOUNDARY POINT
- IPF CONCRETE MONUMENT
- OVERHEAD WIRE
- BLUE UTILITY PAINT
- YELLOW UTILITY PAINT
- UNDERGROUND SEWER LINE
- RIGHT-OF-WAY
- CENTERLINE OF ROAD
- LAND LOT LINE
- C/L OF CREEK
- DIRECTION OF PIPE

NOTES:

- BEARINGS HEREIN ARE BASED ON NAD83/GEORGIA WEST STATE PLANE COORDINATES.
- LEGAL DESCRIPTION AS PER FIDELITY NATIONAL TITLE INSURANCE COMPANY ALTA COMMITMENT NO. 2222746A WITH AN EFFECTIVE DATE OF 07/26/2022. NO CLAIMS AS TO OWNERSHIP ARE MADE OR IMPLIED.
- TO THE BEST OF OUR KNOWLEDGE THERE ARE NO PROPOSED CHANGES IN STREET RIGHT-OF-WAY LINES AND THERE IS NO VISIBLE EVIDENCE OF RECENT ROAD CONSTRUCTION WORK.
- NO EVIDENCE OF CEMETERY USAGE WAS FOUND ON THIS PROPERTY.
- THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USES OF THAT NAME APPEARING IN THE TITLE BLOCK AND IS CERTIFIED TO NO OTHER PARTY.
- ALL OR A PORTION OF THIS SURVEY WAS PERFORMED BY GPS. 100% OF THIS SURVEY WAS PERFORMED BY GPS. TYPE OF GPS USED WAS REAL TIME KINEMATIC (RTK). THE GPS EQUIPMENT USED TO PERFORM THIS SURVEY IS MADE BY LEICA AND IS GPS UNITS CS318I OR GS181 AND ARE MULTI-FREQUENCY (GNSS) RECEIVERS. THE RELATIVE POSITION ACCURACY OF THIS SURVEY IS 0.05'.
- THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 613,677 FEET.
- THE CURRENT PROPERTY OWNER IS GLEN D. CAROL J. & JULIA A. COOK PER DEED BOOK 5307, PAGE 170 OF HENRY COUNTY, GEORGIA RECORDS.

LEGEND

- A = ARC LENGTH
- B/L = BUILDING SETBACK LINE
- C/L = CENTERLINE
- CALC = CALCULATED POINT
- CB = CATCH BASIN
- CHB = CHORD BEARING
- CHL = CHORD LENGTH
- CM = CORRUGATED METAL PIPE
- D = DELTA ANGLE
- DB = DEED BOOK
- FDC = FIRE DEPARTMENT CONNECTION
- FH = FIRE HYDRANT
- GDOT = GEORGIA DEPARTMENT OF TRANSPORTATION
- GV = GAS VALVE
- HW = HEADWALL
- IE = INVERT ELEVATION
- IPF = IRON PIN FOUND
- IPP = IRON PIN PLACED
- L.L.L. = APPARENT LAND LOT LINE
- LL = LAND LOT
- NF = NOW OR FORMERLY
- OHW = OVERHEAD WIRE
- OTP = OPEN TOP PIPE
- P/L = PROPERTY LINE
- PB = PLAT BOOK
- PG = PAGE
- POB = POINT OF BEGINNING
- POC = POINT OF COMMENCEMENT
- PP = POWER POLE
- R = RADIUS
- R/W = RIGHT OF WAY
- R/W/M = RIGHT OF WAY MONUMENT
- RB = REBAR
- R/C = REBAR & CAP
- RCP = REINFORCED CONCRETE PIPE
- RE = RIM ELEVATION
- SMH = SANITARY SEWER MANHOLE
- SOFT = SQUARE FEET
- SUBW = STATE UNDISTURBED WATERS BUFFER
- WV = WATER VALVE

TABLE A ITEMS:

- ALL MONUMENTS FOUND AND/OR SET AS NOTED ON THE SURVEY. ALL CORNERS SET ARE 1/2" REBAR UNLESS OTHERWISE NOTED.
- SITE ADDRESS: 2220 JODECO ROAD, MCDONOUGH, GEORGIA 30253
- BASED ON THE INFORMATION SHOWN ON THE FLOOD HAZARD BOUNDARY MAPS FURNISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY. IT IS MY OPINION THAT THIS PROPERTY IS **OUTSIDE** OF THE 100 YEAR FLOOD HAZARD AREA. PANEL #315101515 EFFECTIVE DATE: 10/06/2016
- GROSS ACREAGE AND SQUARE FOOTAGE OF SUBJECT PROPERTY ARE SHOWN ON THE DRAWING.
- THIS DRAWING DOES FEATURE TOPOGRAPHIC CONTOURS AT A 1-FOOT INTERVAL WITH HIGHLIGHTED CONTOURS AT EVERY 5 FEET BASED THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88) BASED ON REAL-TIME GPS NETWORK BASE OBSERVATIONS.
- NO ZONING REPORT WAS PROVIDED BY THE CLIENT. THIS FIRM RECOMMENDS THAT THE CLIENT OBTAIN A CERTIFIED ZONING VERIFICATION LETTER FROM THE CITY, COUNTY OR AGENCY RESPONSIBLE FOR ZONING CLASSIFICATION FOR THE PARCEL.
- EXTERIOR DIMENSIONS OF ALL BUILDINGS ON SITE ARE NOT SHOWN HEREON AS MEASURED AT THE GROUND LEVEL.
- SQUARE FOOTAGE OF BUILDING FOOTPRINTS ON SITE ARE NOT PROVIDED HEREON.
- SQUARE FOOTAGE OF OTHER AREAS ARE NOT PROVIDED HEREON.
- BUILDING HEIGHTS ARE NOT PROVIDED HEREON.
- ALL SUBSTANTIAL FEATURES OBSERVED DURING THE SURVEY ARE DEPICTED HEREON UNLESS OTHERWISE NOTED.
- SITE CONTAINS 0 MARKED REGULAR PARKING SPACES & 0 HANDICAPPED SPACES.
- PARTY WALLS WERE NOT REQUESTED AND ARE NOT SHOWN HEREON.
- LOCATION OF UTILITIES EXISTING ON OR SERVING THE SURVEYED PROPERTY AS DETERMINED BY OBSERVED EVIDENCE COLLECTED PURSUANT TO SECTION 5.E.IV. PER ALTA/NSPS.
- THIS SURVEY HAS NO KNOWN STATUTES IN REGARD TO GOVERNMENT AGENCIES.
- ALL ADJOINING OWNER INFORMATION IS TAKEN FROM THE HENRY COUNTY TAX ASSESSOR'S WEBSITE.
- THE DISTANCE TO THE NEAREST ROAD INTERSECTION IS PROVIDED HEREON MEASURED EITHER ALONG THE R/W, THE C/L OF FRONTAGE, ROAD OR BY STRAIGHT-LINE BEARING AND DISTANCE.
- ORTHOMETRIC, PHOTOGRAMMETRIC, OR LASER SCANNING DATA WAS PERFORMED IN AIDE OF THE DRAFTING OF THIS SURVEY. IT WAS USED EXCLUSIVELY FOR NON-BOUNDARY FEATURES AND WAS CONTROLLED BY POINTS ESTABLISHED BY STANDARD SURVEYING PROCEDURES AND TECHNIQUES WITH THE EQUIPMENT AND DATUM NOTED HEREON.
- VISIBLE EVIDENCE OF RECENT EARTHWORK ON SITE WAS NOT OBSERVED.
- TO THE BEST OF OUR KNOWLEDGE THERE ARE NO PROPOSED CHANGES IN STREET RIGHT-OF-WAY LINES AND THERE IS NO VISIBLE EVIDENCE OF RECENT ROAD CONSTRUCTION WORK.
- ANY PERTINENT OFFSITE EASEMENTS OR APPARENT EASEMENTS FOUND IN THE COURSE OF RESEARCH AND FIELD WORK ARE SHOWN HEREON UNLESS OTHERWISE NOTED.
- LIABILITY INSURANCE WAS NOT OBTAINED BY THE SURVEYOR.

CERTIFY TO:
EMORY EQUITY, LLC, A GEORGIA LIMITED LIABILITY COMPANY, ITS SUCCESSORS AND/OR ASSIGNS AS THEIR INTERESTS MAY APPEAR.
GLENN D. COOK, CAROL J. COOK & JULIA A. COOK
KENNETH J. BUTCHER & DEBRA C. BUTCHER
FIDELITY NATIONAL TITLE INSURANCE COMPANY

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS: 1, 2, 3, 4, 6(a), 7(a), 7(b)(1), 8, 9, 13, 14, 16, 17, AND 19 OF TABLE A THEREOF.

THE FIELDWORK WAS COMPLETED ON: 07/01/2022

DATE OF PLAT OR MAP: 08/25/2022

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

08/25/2022

DATE

GEORGIA811
www.Georgia811.com
Contact 811 before you dig.

THIS DRAWING IS THE PROPERTY OF IRONSTONE SURVEYING AND IS AN INSTRUMENT OF SERVICE. IT IS TO BE REPRODUCED IN WHOLE OR IN PART WITHOUT THE EXPRESS WRITTEN PERMISSION OF SAME.

DATE

DESCRIPTION OF REVISION

JOB NO.

No.

IRONSTONE SURVEYING

96 Ernest Biles Drive, Jackson, Georgia 30233

Phone 770-957-4614 / Email office@ironstonesurveying.com

ALTA/NSPS LAND TITLE SURVEY

FOR EMORY EQUITY, LLC

IN LAND LOT 51, DISTRICT 6, HENRY COUNTY, GEORGIA

ORIGINAL PLAT DATE: 08/25/2022

SCALE: 1" = 100'

DRAWN BY: SJL

CHECKED BY: JPH

ORIGINAL FIELD DATE: 07/01/2022

CREW: RL/LAL

FIELD BOOK: FIELD SKETCH

JOB NO.: 220221

DWG NO.: 220221-A

SHEET: 1 of 1



Henry County Water Authority
Engineering Division

September 2, 2022

Re: Water and Sewer Services - Availability

Proposed Development: **Multi-Family**

Property Information: **2220 Jodeco Road Parcel Nos. 052-0102000 & 052-0102001
LL 51; District 6; 25.0+/- acres**

Proposed Zoning: **RM**

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 via a line extension of approximately 2,200 linear feet along Feucht Road at the developer's expense. A fire flow test calculated in the area revealed the following data:

Static:	84	psi
Residual:	70	psi
Flow	2250	gpm
Calculated Flow @ 20 psi:	5112	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** is available for the property. ***Sewer line capacity can be made available via the construction of a gravity line along the Western Parallel Connector Sanitary Sewer***

Extension project. Extending the sewer line may require an easement on the subject properties. This project is currently under design with no established date for completion.

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 Preliminary Site Plan dated 08/11/2022 prepared by Thomas & Hutton.



Date:

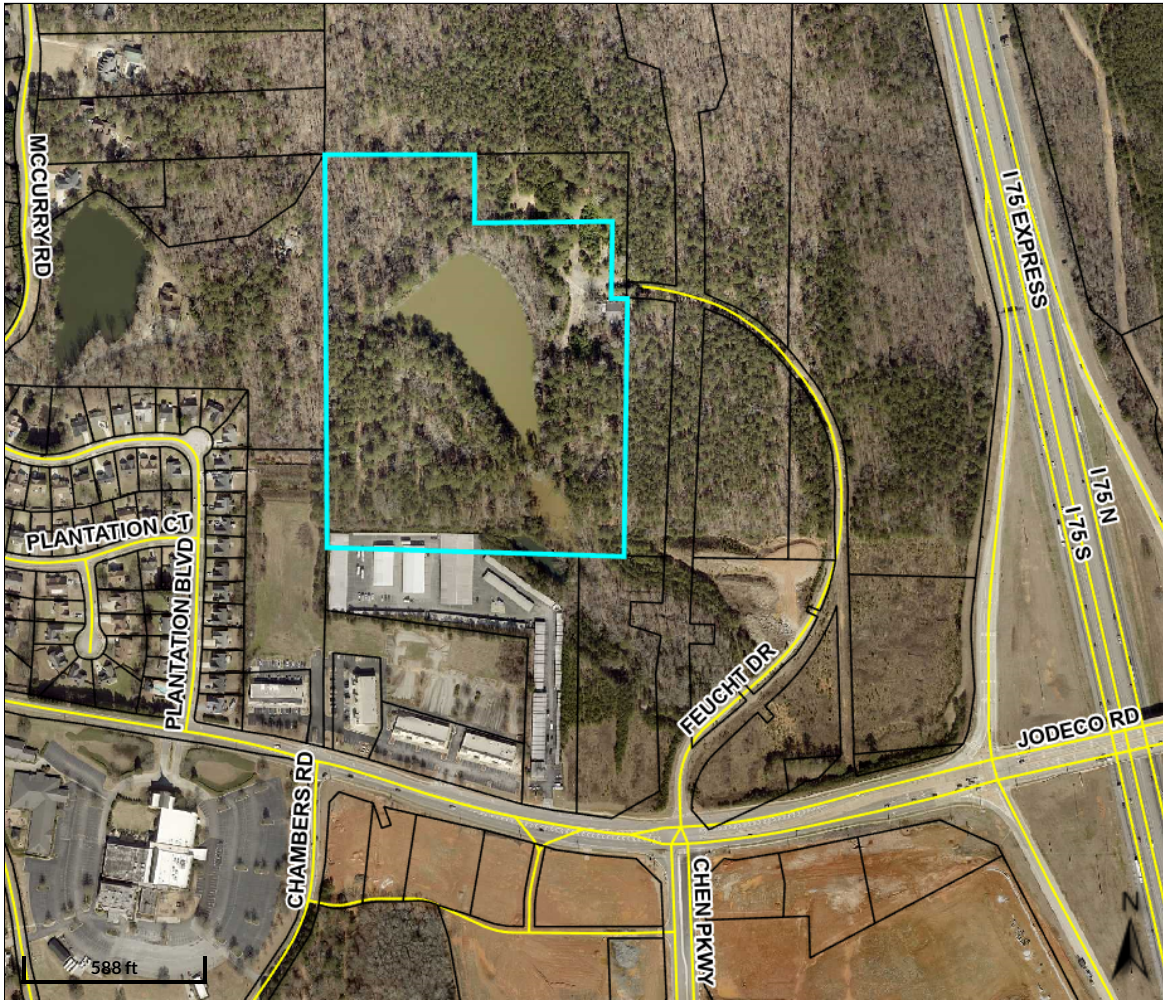
2022.09.02

16:26:35 -04'00'

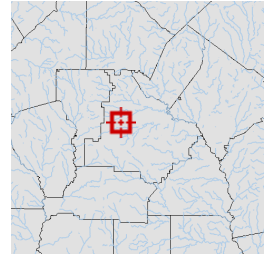
Scott Sage, P. E.
Engineering Division Manager
Henry County Water Authority



Henry County, GA



Overview



Legend

- Parcels
- Roads

Parcel ID	052-01020000	Class	Commercial	Owner	COOK GLENN D & CAROL J & JULIA A & ET AL	Land	\$1,075,000				
Property Address	2220 JODECO RD	Acreage	21.5	Address	1080 RIVERSIDE DRIVE WATKINSVILLE, GA 30677	Building	\$0	Last 2 Sales			
						Value:		Date	Price	Reason	Qual
						Misc	\$0	6/10/2022	\$31,800	VL	U
District	Henry County					Value:		9/3/2002	\$0	U	U
						Total	\$1,075,000				
						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: 4/17/2025

Last Data Uploaded: 4/17/2025 2:34:03 AM

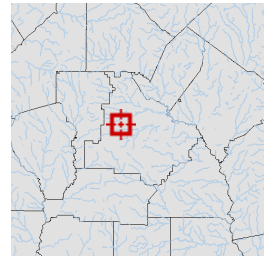
Developed by SCHNEIDER
GEOSPATIAL



Henry County, GA



Overview



Legend

- Parcels
- Roads

Parcel ID	052-01020001	Class	Commercial	Owner Address	COOK BRYAN 64 SELLERS RD HAZELHURST, GA 31539	Land Value:	\$175,000				
Property Address	JODECO RD	Acreage	3.5			Building Value:	\$0	Last 2 Sales			
District	Henry County					Misc Value:	\$0	Date	6/7/2006	Price	\$0
						Total Value:	\$175,000		n/a	Reason	U
										Qual	U

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

Date created: 4/17/2025

Last Data Uploaded: 4/17/2025 2:34:03 AM

Developed by SCHNEIDER
GEOSPATIAL

Project/Case #

COMP-2025.04.0406

Location Details:

0 & 2220 Jodeco Road

**City of Stockbridge
Planning and Zoning
Division,
Community Development
Department**



Application for an Amendment to the Comprehensive Plan

Zoning Case Number:

Ordinance Case Number:

Name of Applicant:	First Arthur Lynn	Last Emory Equity, LLC	
Applicant's Address:	2864 Alpine Road		Phone: 4048153620
City: Atlanta	State: Georgia	Zip: 30305	Email: djwebb@sgrlaw.com
Name of Agent:	First Dennis J.	Last Webb, Jr.	
Agent's Address:	1105 W. Peachtree St NE, Ste 1000		Phone: 4048153620
City: Atlanta	State: Georgia	Zip: 30309	Email: djwebb@sgrlaw.com

THE APPLICANT NAMED ABOVE AFFIRMS THAT HE OR SHE IS THE OWNER,
OR AGENT OF THE OWNER, OF THE PROPERTY DESCRIBED BELOW, AND
REQUESTS THAT THE FOLLOWING AMENDMENT TO THE COMPREHENSIVE
PLAN BE GRANTED:

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 thirty days prior to the City
Council meeting(s). The applicant or property owner shall not remove or
alter the sign for any reason.

☒ Acknowledged

From: High Density Mixed Use

To: High Density Residential

Case Name: 2220 Jodeco Road

Nearest intersection to the property: Jodeco Road & Feucht Drive

Size of Tract: 24.995

Land Lot Number(s): 51

District(s): District 5

acres

DJW

Applicant Signature

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
2220 Jodeco Road [address], with Parcel Number 052-01020000
which is the subject of this application.

Name of Property Owner: Kenneth J. Butcher as representative for Glenn D. Cook, Carol J. Cook, Julia A. Cook, Bryan Cook, Debra C. Butcher

Property Owner's Address: 1080 RIVERSIDE DR., WATKINSVILLE, GA 30677

Telephone: 770-560-8440 E-mail: Ken@HARDROCKS.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: Kenneth J. Butcher Date: 4.1.25

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): Emory Equity, LLC

Company/law firm (if applicable): c/o Dennis J. Webb - Smith, Gambrell & Russell, LLP

Telephone, E-Mail, & Address: 404-815-3620, dwebb@sgriaw.com

1105 W. Peachtree Street. NE Suite 1000, Atlanta, GA 30309

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

Kenneth J. Butcher

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.

4.1.25

Date

Kelly Johnson

Signature of Notary Public

Kelly Johnson

Printed Name of Notary Public

April 1st 2025

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 Jodeco Road [address], with Parcel Number 052-01020001
which is the subject of this application.

Name of Property Owner: Kenneth J. Butcher as representative for Glenn D. Cook, Carol J. Cook, Julia A. Cook, Bryan Cook, Debra C. Butcher

Property Owner's Address: 1080 RIVERSIDE DR., WATKINSVILLE, GA 30677

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Kenneth J. Butcher

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4.1.25

Date

Kelly Johnson

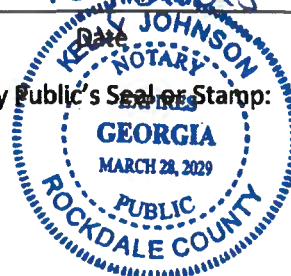
Signature of Notary Public

Kelly Johnson

Printed Name of Notary Public

April 1st 2025

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 conditional use permit, 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 ✓

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 1st day of April, 2025

KENNETH J BUTCHER
Applicant's Name - Printed

Kenn J Butcher
Signature of Applicant/Property Owner/Agent

Applicant's Attorney, if applicable - Printed

Signature of Applicant's Attorney, if applicable

Sworn to and subscribed before me this 1st day of April, 2025
As representative for Glenn D. Cook, Carol J. Cook, Julia A. Cook, Bryan Cook, Debra C. Butcher

Kelly Johnson
Notary Public


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

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 conditional use permit, 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 ☒

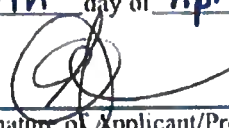
If **Yes**, the applicant and the attorney representing the applicant must file the following information with the City of Stockbridge Planning and Zoning Division within ten (10) days after this application is first filed:

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 7th day of April, 2025

Arthur Lynn

Applicant's Name - Printed

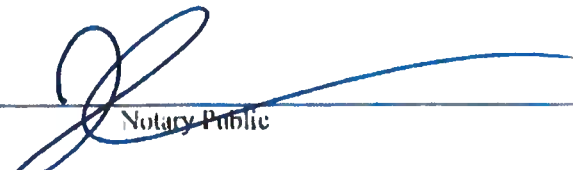

Signature of Applicant/Property Owner/Agent

Applicant's Attorney, if applicable - Printed

Signature of Applicant's Attorney, if applicable

Sworn to and subscribed before me this 7th day of April, 2025




Notary Public

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

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 conditional use permit, 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 ☒

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 sixth day of January, 2025

Applicant's Name - Printed

Dennis J. Webb, Jr.

Signature of Applicant/Property Owner/Agent

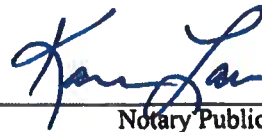


Applicant's Attorney, if applicable - Printed

Smith, Gambrell & Russell, LLP

Signature of Applicant's Attorney, if applicable

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


Notary Public

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Applicant Campaign Disclosure Form

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

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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 sixth day of January, 2025.

Applicant's Name - Printed

J. Alexander Brock

Signature of Applicant/Property Owner/Agent



Applicant's Attorney, if applicable - Printed

Smith, Gambrell & Russell, LLP

Signature of Applicant's Attorney, if applicable

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



Notary Public



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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 conditional use permit, 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 ☒

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 sixth day of January, 2025.

Applicant's Name - Printed

Kathryn M. Zickert

Signature of Applicant/Property Owner/Agent

Kathryn M Zickert

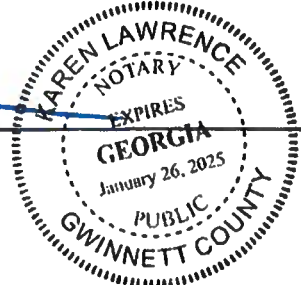
Applicant's Attorney, if applicable - Printed

Smith, Gambrell & Russell, LLP

Signature of Applicant's Attorney, if applicable

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

Karen Lawrence
Notary Public



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

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 conditional use permit, 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 ☒

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 sixth day of January, 2025.

Applicant's Name - Printed

Kirk R. Fjelstul

Signature of Applicant/Property Owner/Agent



Applicant's Attorney, if applicable - Printed
Smith, Gambrell & Russell, LLP

Signature of Applicant's Attorney, if applicable

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


Notary Public



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

LEGAL DESCRIPTION (AS SURVEILED)

TRACT 1

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 51 OF THE 6TH DISTRICT OF HENRY COUNTY, GEORGIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT FORMED BY THE INTERSECTION OF LAND LOTS 51, 52, 77, & 78; THENCE ALONG THE SOUTH LINE OF LAND LOT 51 S89°17'27"E A DISTANCE OF 50.00 FEET TO A FOUND CONCRETE MONUMENT AND THE POINT OF BEGINNING; THENCE N00°51'53"E A DISTANCE OF 1,197.98 FEET TO A FOUND CONCRETE MONUMENT; THENCE S89°17'50"E A DISTANCE OF 243.55 FEET TO A FOUND 1/2" REBAR; THENCE S00°52'40"W A DISTANCE OF 208.65 FEET TO A FOUND 1/2" REBAR; THENCE S89°16'18"E A DISTANCE OF 615.33 FEET TO A FOUND 1/2" REBAR; THENCE S00°52'56"W A DISTANCE OF 270.63 FEET TO A SET 1/2" REBAR, ALSO KNOWN AS "POINT A"; THENCE S88°54'07"E A DISTANCE OF 50.00 FEET TO A SET 1/2" REBAR; THENCE S00°51'53"W A DISTANCE OF 718.18 FEET TO A SET 1/2" REBAR; THENCE N89°17'27"W A DISTANCE OF 908.75 FEET TO A FOUND CONCRETE MONUMENT WHICH IS THE POINT OF BEGINNING.
SAID LAND HAVING AN AREA OF 936,281 SQUARE FEET, 21.494 ACRES, MORE OR LESS.

TOGETHER WITH A 50-FOOT PERPETUAL NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT KNOWN AS "POINT A" DESCRIBED ABOVE THENCE N00°52'56"E A DISTANCE OF 50.00 FEET TO A POINT; THENCE S88°53'53"E A DISTANCE OF 90.42 FEET TO A POINT ON A CIRCULAR CURVE TO THE RIGHT; THENCE ALONG SAID CIRCULAR CURVE HAVING A RADIUS OF 657.27 AN ARC DISTANCE OF 999.24 FEET, SAID CURVE BEING SUBTENDED BY A CHORD BEARING S45°21'06"E FOR A DISTANCE OF 905.75 FEET TO A POINT; THENCE S01°53'53"E A DISTANCE OF 139.25 FEET TO A POINT; THENCE N89°18'55"W A DISTANCE OF 50.00 FEET TO A POINT; THENCE N01°53'53"W A DISTANCE OF 139.25 FEET TO A POINT ON A CIRCULAR CURVE TO THE LEFT; THENCE ALONG SAID CIRCULAR CURVE HAVING A RADIUS OF 607.27 AN ARC DISTANCE OF 920.91 FEET, SAID CURVE BEING SUBTENDED BY A CHORD BEARING N45°26'49"W FOR A DISTANCE OF 835.17 FEET TO A POINT; THENCE N88°53'53"W A DISTANCE OF 40.43 FEET TO A SET 1/2" REBAR; THENCE S88°54'07"E A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING KNOWN AS "POINT A".
SAID LAND HAVING AN AREA OF 59,443 SQUARE FEET, 1.365 ACRES, MORE OR LESS.

TOGETHER WITH EASEMENTS APPURTENANT TO SAID TRACT 1 AS CONTAINED IN THAT CERTAIN WARRANTY DEED FROM COLORADO PINES CAMPING RESORT, A COLORADO PARTNERSHIP COMPOSED OF VAN PALMER AND DOUGLAS GAVRICH, TO GLENN D. COOK AND CAROL J. COOK, DATED MARCH 6, 1989, FILED MARCH 8, 1989 AND RECORDED IN DEED BOOK 1041, PAGE 44, AFORESAID RECORDS;

LESS AND EXCEPT ANY PORTION OF THE PROPERTY SET FORTH ABOVE CONTAINED WITHIN THAT CERTAIN LIMITED WARRANTY DEED FROM GLENN D. COOK, CAROL J. COOK AND JULIA A. COOK TO BRYAN COOK, DATED JUNE 7, 2006, FILED JULY 20, 2006 AND RECORDED IN DEED BOOK 9390, PAGE 143, RECORDS OF THE SUPERIOR COURT OF HENRY COUNTY, GEORGIA.

TRACT 2

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 51 OF THE 6TH DISTRICT OF HENRY COUNTY, GEORGIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT FORMED BY THE INTERSECTION OF LAND LOTS 51, 52, 77, & 78; THENCE ALONG THE SOUTH LINE OF LAND LOT 51 S89°17'27"E A DISTANCE OF 50.00 FEET TO A FOUND CONCRETE MONUMENT; THENCE N00°51'53"E A DISTANCE OF 1,197.98 FEET TO A FOUND CONCRETE MONUMENT; THENCE S89°17'50"E A DISTANCE OF 243.55 FEET TO A FOUND 1/2" REBAR AND THE TRUE POINT OF BEGINNING; THENCE S89°18'55"E A DISTANCE OF 665.23 FEET TO A FOUND CONCRETE MONUMENT; THENCE S00°52'07"W A DISTANCE OF 480.11 FEET TO A SET 1/2" REBAR; THENCE N88°54'07"W A DISTANCE OF 50.00 FEET TO A SET 1/2" REBAR KNOWN AS "POINT A"; THENCE N00°52'56"E A DISTANCE OF 270.63 FEET TO A FOUND 1/2" REBAR; THENCE N89°16'18"W A DISTANCE OF 615.33 FEET TO A FOUND 1/2" REBAR; THENCE N00°52'40"E A DISTANCE OF 208.65 FEET TO A FOUND 1/2" REBAR AND THE TRUE POINT OF BEGINNING.
SAID LAND HAVING AN AREA OF XXXX SQUARE FEET, XXXX ACRES, MORE OR LESS.

TOGETHER WITH EASEMENTS APPURTENANT TO SAID TRACT 2 AS CONTAINED IN THAT CERTAIN LIMITED WARRANTY DEED FROM GLENN D. COOK, CAROL J. COOK AND JULIA A. COOK TO BRYAN COOK, DATED JUNE 7, 2006, FILED JULY 20, 2006 AND RECORDED IN DEED BOOK 9390, PAGE 143, RECORDS OF THE SUPERIOR COURT OF HENRY COUNTY, GEORGIA.

STATEMENT OF INTENT

and

Other Material Required by the
City of Stockbridge Unified Development Code
for the Annexation, Rezoning,
Future Land Use Map Amendment
and Concurrent Variance Application

of

EMORY EQUITY, LLC.

for

± 24.995 Acres of Land
located in
Land Lot 51
6th District, Henry County

REZONE: C-3 (Henry County) to MFR
FLUMA: HDMU (Henry County) to HDR

Submitted for Applicant by:

Dennis J. Webb, Jr.
Kathryn M. Zickert
J. Alexander Brock
Smith, Gambrell & Russell, LLP
1105 W. Peachtree Street, NE
Suite 1000
Atlanta, Georgia 30309
404-815-3500

I. INTRODUCTION

Emory Equity, LLC (“Applicant”) seeks to annex and rezone ± 24.995 acres of land located in Land Lot 51, 6th District of Henry County (the “Subject Property”) to allow a multifamily development. The Subject Property is currently located within unincorporated Henry County, is zoned Highway Commercial District (C-3) and designated as High-Density Mixed Use on the Henry County Future Land Use Map. The Applicant files this request to (a) annex the Subject Property into the City of Stockbridge; (b) rezone the Subject Property to the Stockbridge designation of MFR (Multi-Family Residential); (c) amend the Future Land Use Map designation for the Subject Property to HDR (High Density Residential) under the City’s Comprehensive Plan; and (d) request one concurrent variance to reduce the amount of required parking.

The Subject Property formerly contained a commercial campground and supporting facilities but is now vacant with mostly wooded areas and a large central lake. The property currently has access to Jodeco Road via an access easement along Feucht Drive, however the easement will provide direct access to the I-75 Western Parallel Connector once it is completed in 2026.¹ The Applicant seeks to redevelop the property for 321 multifamily units at a density of ± 12.8 units per acre along with amenities and associated site improvements (“Proposed Development”). The unit sizes and heights will meet the requirements of the MFR district and will be a mix of 1-, 2- and 3-bedroom units. The parking for the units will be provided through ± 424 surface spaces.

The Applicant envisions the Proposed Development as a residential retreat, interweaving the design into the natural landscape, existing waterscape and providing ample amenities. The

¹ The I-75 Parallel Connector Road is currently under construction as of the date of this application and is anticipated to be completed by November 2026. Refer to the Georgia Department of Transportation’s website for Project 0014482: <https://www.dot.ga.gov/applications/geopi/Pages/Dashboard.aspx?ProjectID=0014482>.

development will incorporate approximately 15.97 acres, or 63.9% of the overall property, as open space. The open space includes the preservation of natural vegetation within the onsite stream buffer, the existing lake and providing landscaped areas throughout the development. In particular, the Applicant seeks to incorporate the lake as both an aesthetic attraction as well as an amenity for the residents by incorporating extensive walking paths. The site design also provides pedestrian connectivity throughout and a connection to future sidewalks and trails along the I-75 Western Parallel Connector to foster walkability and connectivity to the neighborhood. Additionally, the Proposed Development will contain other amenities spread throughout the complex including a clubhouse, pool, dog park, additional walking trails and meditation garden.

The Subject Property is well situated for the proposed multi-family development. The Jodeco Road corridor to the south is a primarily commercial area with many uses that are supportive of the proposed residential including restaurant, retail, retail club warehouse, and grocery. The introduction of modern, attractive multifamily will act to further boost this commercial node and potentially attract newer business to the area. Examples of the adjacent commercial uses along Jodeco Road include the Bridges at Jodeco mixed-use development, the Emson Square Shopping Center and the Compass Self Storage, both located within unincorporated Henry County and zoned General Commercial District (C-2) and C-3, respectively. Also to the south is a property zoned Planned Unit District (PUD) in the City of Stockbridge, that was rezoned in 2023 pursuant to RZ-23-06 for a proposed mixed-use development. To the east and north are undeveloped properties, zoned C-2 within unincorporated Henry County. To the west, the Subject Property borders a ±11.43-acre parcel developed with one single family home, which is zoned Residential Agricultural (RA) within unincorporated Henry County. The proposed multi-family development and the requested MFR zoning will act as a transition in intensity from the

commercial and high-density mixed-use zonings to the existing single-family residential to the east.

Also to the east, is the I-75 Western Parallel Connector right-of-way which is anticipated to be the main access point for the Proposed Development once that roadway is completed. Currently, the Subject Property does not front a right-of-way, but has access to Jodeco Road via a 50-foot wide perpetual ingress/egress easement from Feucht Drive.² This will only be a temporary condition during construction since GDOT's plans indicate that the section of the I-75 Western Parallel Connector fronting the Subject Property will be completed in 2026, prior to the construction of the Proposed Development. Although Henry County nor GDOT have given the roadway a classification the I-75 Western Parallel Connector, a 4-lane road connecting two arterials, is anticipated to be at least a collector per the GDOT design manual definition.³

The proposed multifamily residences also are aligned with recent residential development trends within the City of Stockbridge. The City of Stockbridge Comprehensive Plan 2024 ("Comp Plan") notes that the city's residential development has not kept pace with the population growth and that the city will need at least 800 new residential units within the next 5 years and 1,700 units by 2040 to meet the current housing demand.⁴ The Proposed Development is meeting the Comp Plan's needs by adding high quality multi-family residential development into the city. In addition, the proposed multi-family will add to the mix of housing options existing in the area. Multi-family residences tend to attract younger professionals, empty nesters, and newer residents to the area that are not ready to purchase a home, demographics that are not currently served by

² The right-of-way of Feucht Drive terminates at the northern boundary of Parcel 053-01017005 and access to the site is extended through the easement.

³ See *GDOT Design Policy Manual*, pg. xxxvii ("Collector – Functional classification for a street or highway that provides a less highly developed level of service than an arterial, at a lower speed for shorter distances by collecting traffic from local roads and connecting them with arterials.")

⁴ See *City of Stockbridge Comprehensive Plan 2024*, pg 13.

the surrounding single-family residences. Many young professionals are choosing apartments in locations with easy access to employment and retail. The Subject Property meets these needs by being ideally situated in proximity to Jodeco Road, a large commercial corridor, and a short distance from other commercial corridors along Jonesboro Road, to the south, and Hudson Bridge Road, to the north via the proposed I-75 Western Parallel Connector. The Subject Property is in close proximity to a number of local employers and is a short distance from the on-ramp to I-75 which provides quick access to regional employment centers. In all, the Proposed Development is a natural and fitting use for the Subject Property and a positive step towards furthering the City's long-term goals for growth in the area.

In addition to the annexation and rezoning, the Applicant is requesting an amendment to the City's Future Land Use Map to designate the Subject Property as High Density Residential (HDR) land use. The current Henry County land use designation is High Density Mixed Use ("Henry County HDMU"). The Henry County HDMU land use allows a density up to 20 units per acre.⁵ The Applicant's request for HDR allows a comparable land use designation under Stockbridge's Comp Plan, which allows a density of 16 units per acre. The HDR land use also is compatible with certain zoning categories, namely MFR.⁶ Moreover, the Comp Plan notes that the HDR land use is appropriate transition between mixed-use and low or medium density residential.⁷ As noted in the paragraphs above, the Subject Property and its proposed HDR land use will act as a transition from the high density mixed-use land uses to the south and east and the existing single family residential in unincorporated Henry County to the west. Thus, the proposed

⁵ See *Henry County Comprehensive Plan*, pg. 90.

⁶ See *the City of Stockbridge Comprehensive Plan 2024*, pg. 50.

⁷ *Id.*

HDR land use designation is appropriate for the area and allows a development that is aligned with the Comp Plan's goals for growth.

The Applicant submits this document as a Statement of Intent with regard to this Application, a preservation of the Applicant's constitutional rights, a written justification for the Application, and an analysis of the factors to be considered for a rezoning per the City of Stockbridge Unified Development Code ("UDC"), § 9.2.2. A Site Plan has been filed with the original Application, along with the other required materials.

II. HISTORY

To the Applicant's knowledge, no rezoning applications concerning the Subject Property have been granted.

III. REZONING IMPACT ANALYSIS

A. WHETHER THE PROPOSAL IS CONSISTENT AND/OR COMPATIBLE WITH THE CITY'S PLANS, GOALS AND OBJECTIVES REFLECTED IN THE CITY'S COMPREHENSIVE PLAN.

Yes. As noted above, concurrent with its request for annexation, the Applicant requests that the City designate the Subject Property as HDR land use. The Proposed Development is consistent with this designation and will advance a number of policy goals outlined in the City's Comprehensive Plan, including:

- To provide a variety of housing choices to suit the changing needs and lifestyles of City residents;
- Provide a mixture of housing options to attract young professionals, singles, and small families;
- Reduce the impact of new development through the preservation of greenspace; and

- To ensure that new developments promote a better sense of place and preserve valued elements of community character.⁸

In addition, the HDR designation is compatible with character area designations adjacent and nearby properties. The existing land use designations in the area consist primarily of Henry County HDMU (a density of up to 20 units per acre) and HDMU (City of Stockbridge) to the southeast.

B. HOW THE PROPOSAL IMPACTS THE PURPOSES OF THE OVERALL ZONING SCHEME, AND WHETHER THE PROPOSED CHANGE FURTHERS THE PURPOSE OF THESE ZONING REGULATIONS.

As noted in the paragraphs above, the proposed multiple-family development will be compatible with exiting development in the area. In addition, it adds to the diversity of housing stock in the city attracting a wide range of residents, including younger professionals as noted in the Comp Plan.

C. HOW THE PROPOSAL IMPACTS THE ZONING DISTRICT, THE PARTICULAR PIECE OF PROPERTY, NEIGHBORHOOD, OR THE COMMUNITY.

The Proposed Development will be a positive addition to the area. As noted above, the City of Stockbridge envisions a mixture of housing options to attract young professionals, singles, and small families. Existing development in the area, however, consists primarily of commercial and single-family residential. The proposed multifamily residential will provide modern residential options and add to the mix of uses in the area, thus furthering the goals of the City of Stockbridge's UDC and long-term planning documents.

⁸ See the *City of Stockbridge Comprehensive Plan 2024*, pgs. 43-44.

D. WHETHER THE PROPOSAL CREATES AN ISOLATED DISTRICT UNRELATED TO ADJACENT PROPERTIES AND NEARBY DISTRICTS.

No. The Subject Property is surrounded by properties zoned C-2 and C-3 (Henry County), PUD (City of Stockbridge) and RA (Henry County). In addition, the Subject Property is surrounded on three sides by properties designated as HDMU on both the Henry County and City of Stockbridge Future Land Use Maps. The Proposed MFR zoning and HDR land use will act as a transition between the HDMU land uses to the south and east and the existing single family residential to the west. Moreover, some of the existing PUD developments currently under construction, south of Jodeco Road, contain multi-family residential components, including the Argento at the Bridges apartments, located approximately 1 mile south of the Subject Property on the I-75 Western Parallel Connector.⁹

E. HOW THE PROPOSAL IMPACTS THE AESTHETIC CHARACTER OF EXISTING AND FUTURE USES OF THE PROPERTY AND THE SURROUNDING AREA.

The proposed resort-style multifamily community will blend harmoniously with the surrounding developments. The Applicant is preserving a significant amount of open space that will buffer the RA zoned property to the west. Additionally, the Applicant will be providing onsite amenities for the residents as well as amenitized open space in the form of trails, dog parks/runs, and meditation gardens.

F. WHETHER THE PROPOSAL IS CONSISTENT WITH ADJACENT DEVELOPMENT DENSITIES AND THE DENSITY PATTERNS REFLECTED IN THE COMPREHENSIVE PLAN.

Yes. The 321 residential units equates to a density of ± 12.8 units per acre. This is below the Comprehensive Plan's maximum density for the HDR land use of up to 16 units per acre. The

⁹ The southern portion of the I-75 Western Parallel Connector is currently constructed from Mt. Olive Road north to Jodeco Road.

Applicant's proposed density will allow a development that is fitting for the area and commensurate with densities allowed in uses surrounding the property. Also see Paragraphs C, D and E above.

G. HOW THE PROPOSAL IMPACTS THE PUBLIC HEALTH, SAFETY, AND GENERAL WELFARE.

The proposal will benefit the public health, safety and general welfare. The Applicant proposes to bring the Subject Property into the City, creating a new, vibrant and modern development that diversifies the housing stock available and advances a number of goals outlined in the City's Comprehensive Plan. *See, e.g., Comp Plan at pp. 43-44.*

H. HOW THE PROPOSAL IMPACTS WATER, SEWERAGE, OTHER PUBLIC FACILITIES, OR PUBLIC SERVICES, AND HOW THE PROPOSED AMENDMENT IMPACTS EXPENDITURES OF PUBLIC FUNDS.

The Applicant has requested sewer capacity and water availability letters with this application to demonstrate that water and sewer are available and adequate to serve the Subject Property, along with upgrades that the Applicant is willing to make.

I. HOW THE PROPOSAL IMPACTS TRAFFIC SAFETY AND CONGESTION.

The proposed development will not overly burden existing streets or transportation facilities. The Applicant used the Institute of Transportation Engineers' (ITE) Trip Generation Manual, 9th Edition, to calculate the anticipated number of vehicular trips. The Proposed Development (ITE Category 223 – Mid-Rise Apartments) is expected to generate ± 112.35 trips during the AM weekday peak hour, ± 141.24 trips during the PM weekday peak hour.¹⁰ The proposed number of trips is not expected to overburden the surrounding roadways, however. The Subject Property will have direct access onto the I-75 Western Parallel Connector which is a

¹⁰ Note that the ITE 9th Edition does not provide a daily total trip generation rate for Mid-Rise Apartments.

collector roadway and is a short distance from Jodeco Road, a minor arterial. These types of major roadways are intended for a high volume of traffic and are anticipated to adequately accommodate the Proposed Development's minor amount of vehicular trips. Additionally, the Subject Property is approximately one mile from and U.S. Interstate 75, which can provide quick access to regional transportation. Because the Subject Property is located in proximity to a number of major roadways, its impact on traffic is anticipated to be minimal.

In addition, the proposed trips are expected to be significantly lower than a development allowed under the current C-3 zoning. For example, the C-3 district would allow a 150,000 retail shopping center (ITE Category 820) which would generate approximately 556.5 trips in the PM peak hour. This is a 294% increase in peak hour vehicular trips over the proposed multifamily development. Thus, the Proposed Development will have a significantly reduced impact over what could be constructed under the current C-3 zoning district today.

J. HOW THE PROPOSAL IMPACTS ENVIRONMENTAL CONDITIONS, INCLUDING, BUT NOT LIMITED TO, DRAINAGE, SOIL EROSION AND SEDIMENTATION, FLOODING, AIR QUALITY, WATER QUALITY AND QUANTITY.

The Applicant will mitigate any potential impacts to the environment by following all City, County, State and Federal requirements related to drainage, soil erosion and sedimentation, flooding, air quality, and water quality and quantity.

K. HOW THE PROPOSAL IMPACTS THE PROVISIONS OF ADEQUATE LIGHT AND AIR.

The proposal will have no negative impacts on the provision of adequate light and air. *See also J, above.*

L. HOW THE PROPOSAL IMPACTS THE VALUE OF ADJACENT PROPERTY.

As the site plan submitted with the application demonstrates, the proposal is a thoughtful, pedestrian-oriented, residential neighborhood that will deliver quality design and construction, all

of which should “raise-the-bar” for future development on adjacent and nearby properties and generate renewed interest in the area.

M. WHETHER THERE ARE SUBSTANTIAL REASONS WHY THE PROPERTY CANNOT BE USED IN ACCORDANCE WITH EXISTING REGULATIONS.

The property is currently zoned C-3 which restricts development to primarily commercial uses.

The property has seen no redevelopment under its current zoning, likely due to its distance from Jodeco Road. This separation from the view corridor of major roadways inhibits its attractiveness for commercial development. In addition, the onsite large lake, federally protected wetlands and rolling topography, significantly limits physical feasibility for commercial development and associated parking offer little benefit to a commercial use. On the contrary, the lake, wetlands, and topography are appealing for a well-designed multifamily development. As a result, the property is likely to remain undeveloped absent a rezoning to a more fitting residential district.

N. PRESERVATION OF THE 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 current proposal will have not have a negative impact on the integrity of nearby residential neighborhoods. The Applicant has taken careful consideration in the proposed design and incorporated appropriate buffers and setbacks to minimize negative impacts, if any, against the adjacent residential property to the west.

IV. CONCURRENT VARIANCE ANALYSIS

The Applicant is seeking one concurrent variance with its request to the following requirement of the Stockbridge UDC:

A. Stockbridge Zoning Ordinance § 4.8.5 to reduce the amount of required parking to 424 spaces total.

The City of Stockbridge UDC §4.8.5 requires multifamily developments (with fewer than

40 units per acre) to provide parking at the following ratios: 1.4 spaces per 1-bedroom unit, 2 spaces per 2-bedroom unit, and 2.25 spaces per 3-bedroom unit. The proposed multifamily development will consist of 167 1-bedroom units, 138 2-bedroom units, and 15 3-bedroom units, which equates to a total required parking of ± 544 spaces. The development, however, has limited space for parking and will be providing ± 424 parking spaces. The Subject Property is impacted by a large lake in the center of the property and a significant amount of stream buffers that limit the efficient layout of the site and available area for parking. A reduction in parking will not detrimentally impact the public or the residents. It is the Applicant's experience with its other developments that the amount of parking provided is sufficient for this type of development.

Pursuant to the City of Stockbridge UDC § 10.1.2, the criteria for granting the variance are met. First, there are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography that are not applicable to other lands or structures in the same district. Second, a literal interpretation of the Stockbridge UDC would deprive the Applicant of rights commonly enjoyed by other properties of the district in which the property is located. Third, the grant of the variance will not confer any special privileges upon the Applicant that are denied to other properties of the same district. Fourth, the requested variance will be consistent with the purpose and intent of the UDC, will be compatible with uses on neighboring properties, and will serve the public welfare. Fifth, the special circumstances necessitating the variance are not the result of the actions of the Applicant. Sixth, the variance requested is the minimum variance that will make possible the legal use of the land, building or structure. Finally, the variances will not permit a use of land, buildings, or structures that are not permitted by right in the proposed zoning district.

**V. NOTICE OF CONSTITUTIONAL CHALLENGES AND
PRESERVATION OF CONSTITUTIONAL RIGHTS**

The current zoning of the Subject Property and any intervening zoning district other than that requested is unconstitutional and contrary to the best interest of the health and welfare of the citizens of the City of Stockbridge, and constitutes an arbitrary and capricious act. As a result, the City of Stockbridge Unified Development Code is in violation of Article I, Section I, Paragraphs 1 and 2 of the Constitution of the State of Georgia 1983; Article I, Section III, Paragraph 1 of the Constitution of the State of Georgia; and Article I, Section II, Paragraph 3 of the Constitution of the State of Georgia, 1983. Furthermore, the current zoning violates the due process clause and equal protection clauses of the Fifth and Fourteenth Amendments to the Constitution of the United States of America.

In addition, the current zoning of the Subject Property and any intervening zoning district other than that requested is unconstitutional in that it renders the Subject Property unusable and destroys its marketability. Therefore, the current zoning constitutes a taking of the Applicant's property without just and adequate compensation and without due process of law in violation of the Fifth and Fourteenth Amendments to the United States Constitution and in violation of Article I, Section I, Paragraph 1 and Article I, Section III, Paragraph 1(a) of the Constitution of Georgia.

The Zoning Ordinance of the City of Stockbridge lacks adequate standards for the City Council to exercise its power to zone and rezone. In essence, the standards are not sufficient to contain the discretion of the City Council and to provide the Courts with a reasonable basis for judicial review. Because the stated standards (individually and collectively) are too vague and uncertain to provide reasonable guidance to the Mayor and City Council, the Zoning Ordinance violates the Fifth and Fourteenth Amendments of the Constitution of the United States in matters

of zoning. The Zoning Ordinance also violates Article I, Section III, Paragraph 1; and Article I, Paragraphs 1 and 2 of the Constitution of State of Georgia, 1983.

Opponents to this request lack standing, have failed to exhaust administrative remedies, and have waived their rights to appeal by failing to assert legal and constitutional objections.

VI. CONCLUSION

For the foregoing reasons, the Applicant respectfully requests that the Rezoning, Future Land Use Map Amendment, and Concurrent Variance Applications at issue be approved. The Applicant also invites and welcomes any comments from Staff or other officials of the City of Stockbridge so that such recommendations or input might be incorporated as conditions of approval.

This 4th day of April, 2025.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "J. Alexander Brock", is written over a horizontal line.

Dennis J. Webb, Jr.

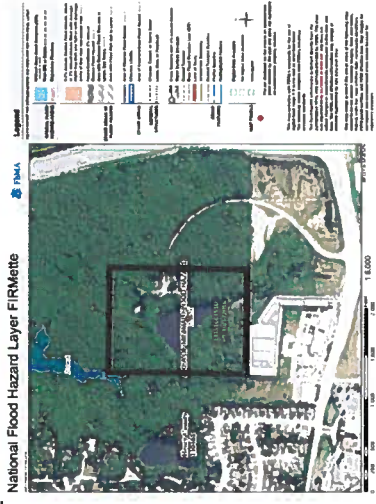
Kathryn M. Zickert

J. Alexander Brock

Attorneys For Applicant

Smith, Gambrell & Russell, LLP
1105 W. Peachtree Street, NE
Suite 1000
Atlanta, Georgia 30309
404-815-3500

National Flood Hazard Layer Firmette



50' PERPETUAL NON-EXCLUSIVE
INGRESS/EGRESS EASEMENT

SITE ADDRESS	2220 JOECO RD, MCDONOUGH, GA 30225
LAND LOT	LL07-51
DISTRICT	LDIST-16
GROSS SITE AREA	34,995 AC
NET SITE AREA	20,0425 AC
EXISTING ZONING	C3 HENRY COUNTY
PROPOSED ZONING	MFR (STOCKBROKER)
PROPOSED FUTURE LAND USE MAP AMENDMENT TO MFR	
PARCEL ID	032-0026000, 032-0026000
MAX DENSITY PER ACR	16 UNIT PER ACR
PROPOSED DENSITY	24,995 AC * 12.84 UNIT/AC = 320 UNITS
PROPOSED BUILDING HEIGHT	35' MAX
PROPOSED ZONING JURISDICTION	CITY OF STOCKBRIDGE
MINIMUM FRONT SETBACK	60'
MINIMUM REAR SETBACK	20'
MINIMUM SIDE SETBACK	15'
PARKING SPACES (PROVIDED)	535 (67 PER UNIT)
PARKING SPACES (REQUIRED)	535 (67 PER UNIT)

ANNEXATION, RETZONING & FUTURE
LAND USE MAP AMENDMENT
JOECO ROAD MULTI-FAMILY
UNINCORPORATED HENRY COUNTY, GA
PREPARED FOR:
EMORY EQUITY, LLC.
PREPARED BY:
THOMAS HUTTON
300 Peachtree Street, Suite 175
Atlanta, GA 30303
www.thomashutton.com

GRAPHIC SCALE



NF
HARAWAY JENNIFER & WESLEY E
TAX ID: 052-01019000
DB 11862, PG 51
ZONED: RA

NF
JODECO-75 ASSOCIATES LLC
TAX ID: 052-01019000
DB 11862, PG 51
ZONED: C3

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JODECO-75 ASSOCIATES LLC
TAX ID: 052-01019000
DB 11862, PG 51
ZONED: C3

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JODECO-75 ASSOCIATES LLC
TAX ID: 052-01019000
DB 11862, PG 51
ZONED: C3

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TAX ID: 052-01019000
DB 11862, PG 51
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DB 11862, PG 51
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JODECO-75 ASSOCIATES LLC
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DB 11862, PG 51
ZONED: C3

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JODECO-75 ASSOCIATES LLC
TAX ID: 052-01019000
DB 11862, PG 51
ZONED: C3

NF
ENSON INVESTMENT PROP LLC
TAX ID: 052-01022000
DB 12168, PG 119
ZONED: C1

NF
ENSON INVESTMENT PROP LLC
TAX ID: 052-01022000
DB 12168, PG 119
ZONED: C1

NF
ENSON INVESTMENT PROP LLC
TAX ID: 052-01022000
DB 12168, PG 119
ZONED: C1

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ENSON INVESTMENT PROP LLC
TAX ID: 052-01022000
DB 12168, PG 119
ZONED: C1

NF
AMSDALL STORAGE VENTURES XXXV LLC
TAX ID: 052-01022000
DB 14093, PG 1
ZONED: C3

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AMSDALL STORAGE VENTURES XXXV LLC
TAX ID: 052-01022000
DB 14093, PG 1
ZONED: C3

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AMSDALL STORAGE VENTURES XXXV LLC
TAX ID: 052-01022000
DB 14093, PG 1
ZONED: C3

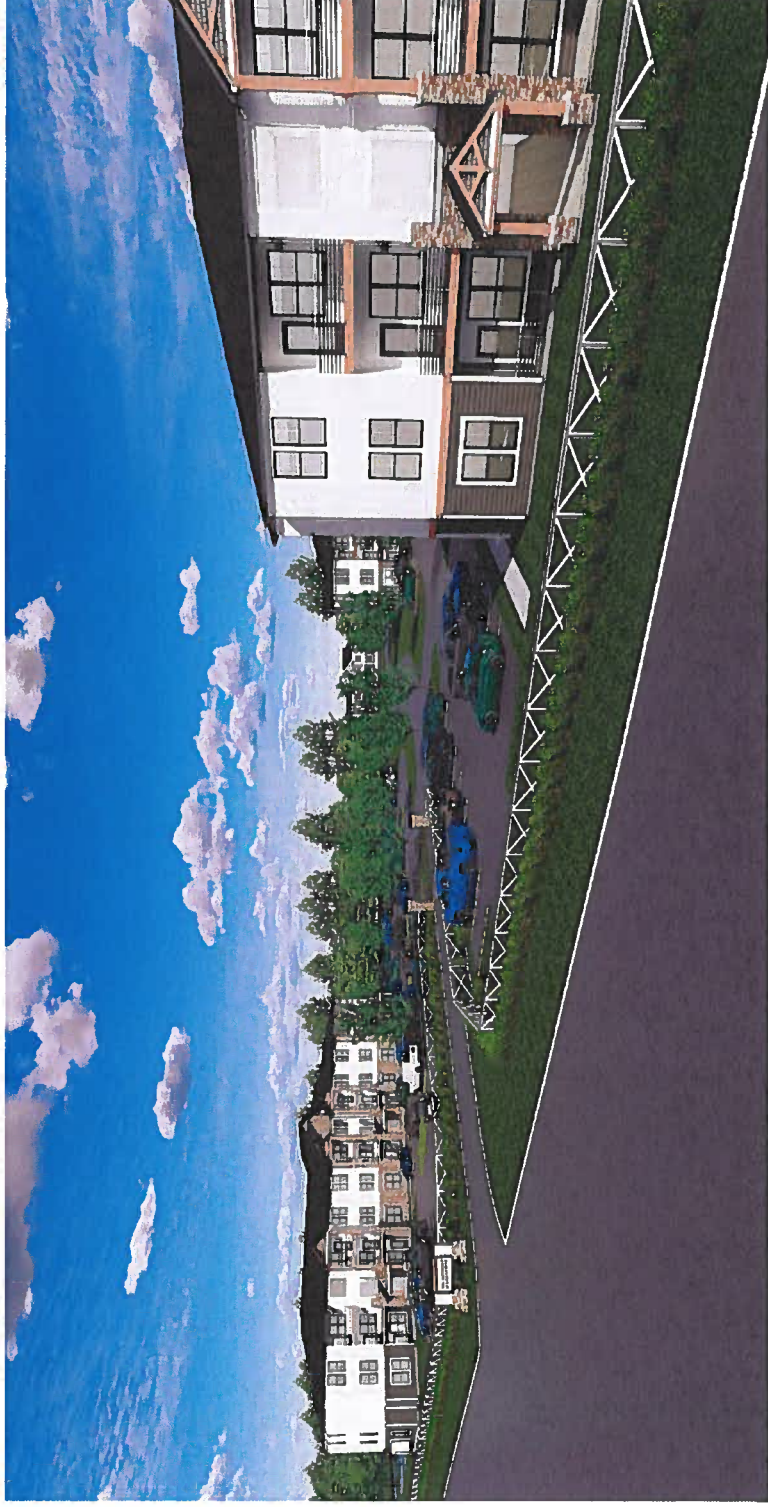
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AMSDALL STORAGE VENTURES XXXV LLC
TAX ID: 052-01022000
DB 14093, PG 1
ZONED: C3

NF
MARKETPLACE VENTURES LLC
TAX ID: 052-01022000
DB 10837, PG 95
ZONED: C2

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MARKETPLACE VENTURES LLC
TAX ID: 052-01022000
DB 10837, PG 95
ZONED: C2

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MARKETPLACE VENTURES LLC
TAX ID: 052-01022000
DB 10837, PG 95
ZONED: C2

NF
MARKETPLACE VENTURES LLC
TAX ID: 052-01022000
DB 10837, PG 95
ZONED: C2



JODECO ROAD MULTI-FAMILY - HENRY COUNTY, GA

ARCHITECTURAL IMAGERY

SEPTEMBER 1, 2022



Henry County Water Authority
Engineering Division

September 2, 2022

Re: Water and Sewer Services - Availability

Proposed Development: **Multi-Family**

Property Information: **2220 Jodeco Road Parcel Nos. 052-0102000 & 052-0102001
LL 51; District 6; 25.0+/- acres**

Proposed Zoning: **RM**

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 via a line extension of approximately 2,200 linear feet along Feucht Road at the developer's expense. A fire flow test calculated in the area revealed the following data:

Static:	84	psi
Residual:	70	psi
Flow	2250	gpm
Calculated Flow @ 20 psi:	5112	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 is available for the property. ***Sewer line capacity can be made available via the construction of a gravity line along the Western Parallel Connector Sanitary Sewer***

Extension project. Extending the sewer line may require an easement on the subject properties. This project is currently under design with no established date for completion.

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 Preliminary Site Plan dated 08/11/2022 prepared by Thomas & Hutton.

 Date:
2022.09.02
16:26:35 -04'00'

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

FIRST AMENDED
STATEMENT OF INTENT

and

Other Material Required by the
City of Stockbridge Unified Development Code
for the Annexation, Rezoning and
Future Land Use Map Amendment

of

EMORY EQUITY, LLC.

for

± 24.995 Acres of Land
located in
Land Lot 51
6th District, Henry County

REZONE: C-3 (Henry County) to MFR
FLUMA: HDMU (Henry County) to HDR

Submitted for Applicant by:

Dennis J. Webb, Jr.
Kathryn M. Zickert
J. Alexander Brock
Smith, Gambrell & Russell, LLP
1105 W. Peachtree Street, NE
Suite 1000
Atlanta, Georgia 30309
404-815-3500

I. INTRODUCTION

Emory Equity, LLC (“Applicant”) seeks to annex and rezone ± 24.995 acres of land located in Land Lot 51, 6th District of Henry County (the “Subject Property”) to allow a multifamily development. The Subject Property is currently located within unincorporated Henry County, is zoned Highway Commercial District (C-3) and designated as High-Density Mixed Use on the Henry County Future Land Use Map. The Applicant files this request to (a) annex the Subject Property into the City of Stockbridge; (b) rezone the Subject Property to the Stockbridge designation of MFR (Multi-Family Residential); and (c) amend the Future Land Use Map designation for the Subject Property to HDR (High Density Residential) under the City’s Comprehensive Plan.

The Subject Property formerly contained a commercial campground and supporting facilities but is now vacant with mostly wooded areas and a large central lake. The property currently has access to Jodeco Road via an access easement along Feucht Drive, however the easement will provide direct access to the I-75 Western Parallel Connector once it is completed in 2026.¹ The Applicant seeks to redevelop the property for 321 multifamily units at a density of ±12.8 units per acre along with amenities and associated site improvements (“Proposed Development”). The unit sizes and heights will meet the requirements of the MFR district and will be a mix of 1-, 2- and 3-bedroom units. The parking for the units will be provided through ±424 surface spaces.

The Applicant envisions the Proposed Development as a residential retreat, interweaving the design into the natural landscape, existing waterscape and providing ample amenities. The

¹ The I-75 Parallel Connector Road is currently under construction as of the date of this application and is anticipated to be completed by November 2026. Refer to the Georgia Department of Transportation’s website for Project 0014482: <https://www.dot.ga.gov/applications/geopi/Pages/Dashboard.aspx?ProjectID=0014482>.

development will incorporate approximately 15.97 acres, or 63.9% of the overall property, as open space. The open space includes the preservation of natural vegetation within the onsite stream buffer, the existing lake and providing landscaped areas throughout the development. In particular, the Applicant seeks to incorporate the lake as both an aesthetic attraction as well as an amenity for the residents by incorporating extensive walking paths. The site design also provides pedestrian connectivity throughout and a connection to future sidewalks and trails along the I-75 Western Parallel Connector to foster walkability and connectivity to the neighborhood. Additionally, the Proposed Development will contain other amenities spread throughout the complex including a clubhouse, pool, dog park, additional walking trails and meditation garden.

The Subject Property is well situated for the proposed multi-family development. The Jodeco Road corridor to the south is a primarily commercial area with many uses that are supportive of the proposed residential including restaurant, retail, retail club warehouse, and grocery. The introduction of modern, attractive multifamily will act to further boost this commercial node and potentially attract newer business to the area. Examples of the adjacent commercial uses along Jodeco Road include the Bridges at Jodeco mixed-use development, the Emson Square Shopping Center and the Compass Self Storage, both located within unincorporated Henry County and zoned General Commercial District (C-2) and C-3, respectively. Also to the south is a property zoned Planned Unit District (PUD) in the City of Stockbridge, that was rezoned in 2023 pursuant to RZ-23-06 for a proposed mixed-use development. To the east and north are undeveloped properties, zoned C-2 within unincorporated Henry County. To the west, the Subject Property borders a ±11.43-acre parcel developed with one single family home, which is zoned Residential Agricultural (RA) within unincorporated Henry County. The proposed multi-family development and the requested MFR zoning will act as a transition in intensity from the

commercial and high-density mixed-use zonings to the existing single-family residential to the east.

Also to the east, is the I-75 Western Parallel Connector right-of-way which is anticipated to be the main access point for the Proposed Development once that roadway is completed. Currently, the Subject Property does not front a right-of-way, but has access to Jodeco Road via a 50-foot wide perpetual ingress/egress easement from Feucht Drive.² This will only be a temporary condition during construction since GDOT's plans indicate that the section of the I-75 Western Parallel Connector fronting the Subject Property will be completed in 2026, prior to the construction of the Proposed Development. Although Henry County nor GDOT have given the roadway a classification the I-75 Western Parallel Connector, a 4-lane road connecting two arterials, is anticipated to be at least a collector per the GDOT design manual definition.³

The proposed multifamily residences also are aligned with recent residential development trends within the City of Stockbridge. The City of Stockbridge Comprehensive Plan 2024 ("Comp Plan") notes that the city's residential development has not kept pace with the population growth and that the city will need at least 800 new residential units within the next 5 years and 1,700 units by 2040 to meet the current housing demand.⁴ The Proposed Development is meeting the Comp Plan's needs by adding high quality multi-family residential development into the city. In addition, the proposed multi-family will add to the mix of housing options existing in the area. Multi-family residences tend to attract younger professionals, empty nesters, and newer residents to the area that are not ready to purchase a home, demographics that are not currently served by

² The right-of-way of Feucht Drive terminates at the northern boundary of Parcel 053-01017005 and access to the site is extended through the easement.

³ See *GDOT Design Policy Manual*, pg. xxxvii ("Collector – Functional classification for a street or highway that provides a less highly developed level of service than an arterial, at a lower speed for shorter distances by collecting traffic from local roads and connecting them with arterials.")

⁴ See *City of Stockbridge Comprehensive Plan 2024*, pg 13.

the surrounding single-family residences. Many young professionals are choosing apartments in locations with easy access to employment and retail. The Subject Property meets these needs by being ideally situated in proximity to Jodeco Road, a large commercial corridor, and a short distance from other commercial corridors along Jonesboro Road, to the south, and Hudson Bridge Road, to the north via the proposed I-75 Western Parallel Connector. The Subject Property is in close proximity to a number of local employers and is a short distance from the on-ramp to I-75 which provides quick access to regional employment centers. In all, the Proposed Development is a natural and fitting use for the Subject Property and a positive step towards furthering the City's long-term goals for growth in the area.

In addition to the annexation and rezoning, the Applicant is requesting an amendment to the City's Future Land Use Map to designate the Subject Property as High Density Residential (HDR) land use. The current Henry County land use designation is High Density Mixed Use ("Henry County HDMU"). The Henry County HDMU land use allows a density up to 20 units per acre.⁵ The Applicant's request for HDR allows a comparable land use designation under Stockbridge's Comp Plan, which allows a density of 16 units per acre. The HDR land use also is compatible with certain zoning categories, namely MFR.⁶ Moreover, the Comp Plan notes that the HDR land use is appropriate transition between mixed-use and low or medium density residential.⁷ As noted in the paragraphs above, the Subject Property and its proposed HDR land use will act as a transition from the high density mixed-use land uses to the south and east and the existing single family residential in unincorporated Henry County to the west. Thus, the proposed

⁵ See *Henry County Comprehensive Plan*, pg. 90.

⁶ See *the City of Stockbridge Comprehensive Plan 2024*, pg. 50.

⁷ *Id.*

HDR land use designation is appropriate for the area and allows a development that is aligned with the Comp Plan’s goals for growth.

The Applicant submits this document as a Statement of Intent with regard to this Application, a preservation of the Applicant’s constitutional rights, a written justification for the Application, and an analysis of the factors to be considered for a rezoning per the City of Stockbridge Unified Development Code (“UDC”), § 9.2.2. A Site Plan has been filed with the original Application, along with the other required materials.

II. HISTORY

To the Applicant’s knowledge, no rezoning applications concerning the Subject Property have been granted.

III. REZONING IMPACT ANALYSIS

A. WHETHER THE PROPOSAL IS CONSISTENT AND/OR COMPATIBLE WITH THE CITY’S PLANS, GOALS AND OBJECTIVES REFLECTED IN THE CITY’S COMPREHENSIVE PLAN.

Yes. As noted above, concurrent with its request for annexation, the Applicant requests that the City designate the Subject Property as HDR land use. The Proposed Development is consistent with this designation and will advance a number of policy goals outlined in the City’s Comprehensive Plan, including:

- To provide a variety of housing choices to suit the changing needs and lifestyles of City residents;
- Provide a mixture of housing options to attract young professionals, singles, and small families;
- Reduce the impact of new development through the preservation of greenspace; and
- To ensure that new developments promote a better sense of place and preserve valued elements of community character.⁸

⁸ See the City of Stockbridge Comprehensive Plan 2024, pgs. 43-44.

In addition, the HDR designation is compatible with character area designations adjacent and nearby properties. The existing land use designations in the area consist primarily of Henry County HDMU (a density of up to 20 units per acre) and HDMU (City of Stockbridge) to the southeast.

B. HOW THE PROPOSAL IMPACTS THE PURPOSES OF THE OVERALL ZONING SCHEME, AND WHETHER THE PROPOSED CHANGE FURTHERS THE PURPOSE OF THESE ZONING REGULATIONS.

As noted in the paragraphs above, the proposed multiple-family development will be compatible with exiting development in the area. In addition, it adds to the diversity of housing stock in the city attracting a wide range of residents, including younger professionals as noted in the Comp Plan.

C. HOW THE PROPOSAL IMPACTS THE ZONING DISTRICT, THE PARTICULAR PIECE OF PROPERTY, NEIGHBORHOOD, OR THE COMMUNITY.

The Proposed Development will be a positive addition to the area. As noted above, the City of Stockbridge envisions a mixture of housing options to attract young professionals, singles, and small families. Existing development in the area, however, consists primarily of commercial and single-family residential. The proposed multifamily residential will provide modern residential options and add to the mix of uses in the area, thus furthering the goals of the City of Stockbridge's UDC and long-term planning documents.

D. WHETHER THE PROPOSAL CREATES AN ISOLATED DISTRICT UNRELATED TO ADJACENT PROPERTIES AND NEARBY DISTRICTS.

No. The Subject Property is surrounded by properties zoned C-2 and C-3 (Henry County), PUD (City of Stockbridge) and RA (Henry County). In addition, the Subject Property is surrounded on three sides by properties designated as HDMU on both the Henry County and City of Stockbridge Future Land Use Maps. The Proposed MFR zoning and HDR land use will act as

a transition between the HDMU land uses to the south and east and the existing single family residential to the west. Moreover, some of the existing PUD developments currently under construction, south of Jodeco Road, contain multi-family residential components, including the Argento at the Bridges apartments, located approximately 1 mile south of the Subject Property on the I-75 Western Parallel Connector.⁹

E. HOW THE PROPOSAL IMPACTS THE AESTHETIC CHARACTER OF EXISTING AND FUTURE USES OF THE PROPERTY AND THE SURROUNDING AREA.

The proposed resort-style multifamily community will blend harmoniously with the surrounding developments. The Applicant is preserving a significant amount of open space that will buffer the RA zoned property to the west. Additionally, the Applicant will be providing onsite amenities for the residents as well as amenitized open space in the form of trails, dog parks/runs, and meditation gardens.

F. WHETHER THE PROPOSAL IS CONSISTENT WITH ADJACENT DEVELOPMENT DENSITIES AND THE DENSITY PATTERNS REFLECTED IN THE COMPREHENSIVE PLAN.

Yes. The 321 residential units equates to a density of ± 12.8 units per acre. This is below the Comprehensive Plan's maximum density for the HDR land use of up to 16 units per acre. The Applicant's proposed density will allow a development that is fitting for the area and commensurate with densities allowed in uses surrounding the property. Also see Paragraphs C, D and E above.

⁹ The southern portion of the I-75 Western Parallel Connector is currently constructed from Mt. Olive Road north to Jodeco Road.

G. HOW THE PROPOSAL IMPACTS THE PUBLIC HEALTH, SAFETY, AND GENERAL WELFARE.

The proposal will benefit the public health, safety and general welfare. The Applicant proposes to bring the Subject Property into the City, creating a new, vibrant and modern development that diversifies the housing stock available and advances a number of goals outlined in the City's Comprehensive Plan. *See, e.g., Comp Plan at pp. 43-44.*

H. HOW THE PROPOSAL IMPACTS WATER, SEWERAGE, OTHER PUBLIC FACILITIES, OR PUBLIC SERVICES, AND HOW THE PROPOSED AMENDMENT IMPACTS EXPENDITURES OF PUBLIC FUNDS.

The Applicant has requested sewer capacity and water availability letters with this application to demonstrate that water and sewer are available and adequate to serve the Subject Property, along with upgrades that the Applicant is willing to make.

I. HOW THE PROPOSAL IMPACTS TRAFFIC SAFETY AND CONGESTION.

The proposed development will not overly burden existing streets or transportation facilities. The Applicant used the Institute of Transportation Engineers' (ITE) Trip Generation Manual, 9th Edition, to calculate the anticipated number of vehicular trips. The Proposed Development (ITE Category 223 – Mid-Rise Apartments) is expected to generate ± 112.35 trips during the AM weekday peak hour, ± 141.24 trips during the PM weekday peak hour.¹⁰ The proposed number of trips is not expected to overburden the surrounding roadways, however. The Subject Property will have direct access onto the I-75 Western Parallel Connector which is a collector roadway and is a short distance from Jodeco Road, a minor arterial. These types of major roadways are intended for a high volume of traffic and are anticipated to adequately accommodate the Proposed Development's minor amount of vehicular trips. Additionally, the

¹⁰ Note that the ITE 9th Edition does not provide a daily total trip generation rate for Mid-Rise Apartments.

Subject Property is approximately one mile from and U.S. Interstate 75, which can provide quick access to regional transportation. Because the Subject Property is located in proximity to a number of major roadways, its impact on traffic is anticipated to be minimal.

In addition, the proposed trips are expected to be significantly lower than a development allowed under the current C-3 zoning. For example, the C-3 district would allow a 150,000 retail shopping center (ITE Category 820) which would generate approximately 556.5 trips in the PM peak hour. This is a 294% increase in peak hour vehicular trips over the proposed multifamily development. Thus, the Proposed Development will have a significantly reduced impact over what could be constructed under the current C-3 zoning district today.

J. HOW THE PROPOSAL IMPACTS ENVIRONMENTAL CONDITIONS, INCLUDING, BUT NOT LIMITED TO, DRAINAGE, SOIL EROSION AND SEDIMENTATION, FLOODING, AIR QUALITY, WATER QUALITY AND QUANTITY.

The Applicant will mitigate any potential impacts to the environment by following all City, County, State and Federal requirements related to drainage, soil erosion and sedimentation, flooding, air quality, and water quality and quantity.

K. HOW THE PROPOSAL IMPACTS THE PROVISIONS OF ADEQUATE LIGHT AND AIR.

The proposal will have no negative impacts on the provision of adequate light and air. *See also J, above.*

L. HOW THE PROPOSAL IMPACTS THE VALUE OF ADJACENT PROPERTY.

As the site plan submitted with the application demonstrates, the proposal is a thoughtful, pedestrian-oriented, residential neighborhood that will deliver quality design and construction, all of which should “raise-the-bar” for future development on adjacent and nearby properties and generate renewed interest in the area.

M. WHETHER THERE ARE SUBSTANTIAL REASONS WHY THE PROPERTY CANNOT BE USED IN ACCORDANCE WITH EXISTING REGULATIONS.

The property is currently zoned C-2 which restricts development to primarily commercial uses. The property has seen no redevelopment under its current zoning, likely due to its distance from Jodeco Road. This separation from the view corridor of major roadways inhibits its attractiveness for commercial development. In addition, the onsite large lake, limits room for commercial development and associated parking with little benefit to a commercial use. On the contrary, the lake is an amenity to a residential development. As a result, the property is likely to remain undeveloped absent a rezoning to a more fitting residential district.

N. PRESERVATION OF THE 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 current proposal will have not have a negative impact on the integrity of nearby residential neighborhoods. The Applicant has taken careful consideration in the proposed design and incorporated appropriate buffers and setbacks to minimize negative impacts, if any, against the adjacent residential.

IV. NOTICE OF CONSTITUTIONAL CHALLENGES AND PRESERVATION OF CONSTITUTIONAL RIGHTS

The current zoning of the Subject Property and any intervening zoning district other than that requested is unconstitutional and contrary to the best interest of the health and welfare of the citizens of the City of Stockbridge, and constitutes an arbitrary and capricious act. As a result, the City of Stockbridge Unified Development Code is in violation of Article I, Section I, Paragraphs 1 and 2 of the Constitution of the State of Georgia 1983; Article I, Section III, Paragraph 1 of the Constitution of the State of Georgia; and Article I, Section II, Paragraph 3 of the Constitution of

the State of Georgia, 1983. Furthermore, the current zoning violates the due process clause and equal protection clauses of the Fifth and Fourteenth Amendments to the Constitution of the United States of America.

In addition, the current zoning of the Subject Property and any intervening zoning district other than that requested is unconstitutional in that it renders the Subject Property unusable and destroys its marketability. Therefore, the current zoning constitutes a taking of the Applicant's property without just and adequate compensation and without due process of law in violation of the Fifth and Fourteenth Amendments to the United States Constitution and in violation of Article I, Section I, Paragraph 1 and Article I, Section III, Paragraph 1(a) of the Constitution of Georgia.

The Zoning Ordinance of the City of Stockbridge lacks adequate standards for the City Council to exercise its power to zone and rezone. In essence, the standards are not sufficient to contain the discretion of the City Council and to provide the Courts with a reasonable basis for judicial review. Because the stated standards (individually and collectively) are too vague and uncertain to provide reasonable guidance to the Mayor and City Council, the Zoning Ordinance violates the Fifth and Fourteenth Amendments of the Constitution of the United States in matters of zoning. The Zoning Ordinance also violates Article I, Section III, Paragraph 1; and Article I, Paragraphs 1 and 2 of the Constitution of State of Georgia, 1983.

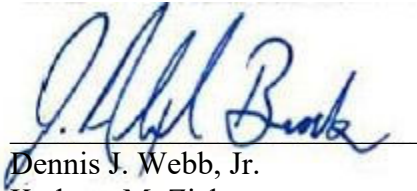
Opponents to this request lack standing, have failed to exhaust administrative remedies, and have waived their rights to appeal by failing to assert legal and constitutional objections.

V. CONCLUSION

For the foregoing reasons, the Applicant respectfully requests that the Annexation, Rezoning, and Future Land Use Map Amendment Applications at issue be approved. The Applicant also invites and welcomes any comments from Staff or other officials of the City of Stockbridge so that such recommendations or input might be incorporated as conditions of approval.

This 18th day of April, 2025.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "J. Alexander Brock", is written over a horizontal line.

Dennis J. Webb, Jr.
Kathryn M. Zickert
J. Alexander Brock
Attorneys For Applicant

Smith, Gambrell & Russell, LLP
1105 W. Peachtree Street, NE
Suite 1000
Atlanta, Georgia 30309
404-815-3500



JODECO ROAD MULTI-FAMILY - HENRY COUNTY, GA
ARCHITECTURAL IMAGERY

SEPTEMBER 1, 2022

Front:



Left:



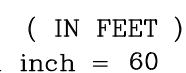
Right:



Back:



JODECO ROAD MULTI-FAMILY - HENRY COUNTY, GA
ARCHITECTURAL ELEVATIONS



TRACT 1

TO FIND THE POINT OF BEGINNING, COMMENCE AT THE INTERSECTION OF THE COMMON CORNERS OF LAND LOTS 51, 52, 77 AND 78 OF THE 6TH DISTRICT OF HENRY COUNTY, GEORGIA, AND RUN THENCE EAST ALONG THE SOUTHERN LINE OF LAND LOT 51 AND THE NORTH LINE OF LAND LOT 78, 50 FEET TO THE POINT OF BEGINNING; THENCE RUNNING THENCE SOUTH 89 DEGREES 15 MINUTES 5 SECONDS EAST ALONG THE SOUTHERN LINE OF LAND LOT 51 AND THE NORTH LINE OF LAND LOT 78, 908.8 FEET; THENCE SOUTHWEST ALONG THE SOUTHERN LINE OF LAND LOT 78, 1108.29 FEET TO THE DIVIDING LINE BETWEEN LAND LOTS 51 AND LAND LOT 78, TO A CONCRETE MONUMENT; THENCE NORTH 89 DEGREES 15 MINUTES 5 SECONDS WEST ALONG OTHER PROPERTY OF BOB H. EVANS AND CHARLES J. WATERS, 908.8 FEET TO A CONCRETE MONUMENT; THENCE SOUTH 0 DEGREES 56 MINUTES 0 SECONDS WEST, TO ANOTHER PROPERTY OF BOB H. EVANS AND CHARLES J. WATERS, 1108.29 FEET TO THE DIVIDING LINE BETWEEN LAND LOT 51 AND LAND LOT 78, TO A CONCRETE MONUMENT AND THE POINT OF BEGINNING.

LESS AND EXCEPT ANY PORTION OF THE PROPERTY SET FORTH ABOVE CONTAINED WITHIN THAT CERTAIN LIMITED WARRANTY DEED FROM GLENN D. COOK, CAROL J. COOK AND JULIA A. COOK TO BRYAN COOK, DATED JUNE 7, 2006, FILED JULY 20, 2006 AND RECORDED IN DEED BOOK 9390, PAGE 143, RECORDS OF THE SUPERIOR COURT OF HENRY COUNTY, GEORGIA.

TRACT 2

TO FIND THE POINT OF BEGINNING COMMENCE AT THE INTERSECTION OF THE NORTHWESTERLY MOST CORNER OF THE TERMINUS OF FLUCHT ROAD RIGHT-OF-WAY (BEING A 50 FOOT RIGHT-OF-WAY) WITH THE SOUTH LAND LOT LINE OF SAID LAND LOT 51 OF THE 6TH DISTRICT OF HENRY COUNTY, GEORGIA; RUN THENCE NORTH 68 DEGREES 35 MINUTES 33 SECONDS WEST ALONG SAID SOUTH LAND LOT LINE A DISTANCE OF 651.11 FEET TO A POINT; AND RUN THENCE NORTH 03 DEGREES 15 MINUTES 35 SECONDS EAST 718.18 FEET TO AN IRON PIN PLACED (1/2 INCH REBAR) WHICH IS THE TRUE POINT OF BEGINNING, FROM THE TRUE POINT OF BEGINNING THUS DETERMINED, RUN THENCE NORTH 68 DEGREES 35 MINUTES 33 SECONDS WEST 50.00 FEET TO AN IRON PIN PLACED (1/2 INCH REBAR); THENCE SOUTH 68 DEGREES 35 MINUTES 33 SECONDS EAST 170.00 FEET TO AN IRON PIN PLACED (1/2 INCH REBAR); THENCE NORTH 03 DEGREES 15 MINUTES 35 SECONDS WEST 615.38 FEET TO AN IRON PIN PLACED (1/2 INCH REBAR); RUN THENCE NORTH 03 DEGREES 15 MINUTES 35 SECONDS EAST 208.56 FEET TO AN IRON PIN PLACED (1/2 INCH REBAR); RUN THENCE SOUTH 86 DEGREES 35 MINUTES 33 SECONDS EAST 653.82 FEET TO AN IRON PIN FOUND IN A CONCRETE MONUMENT; RUN THENCE SOUTH 03 DEGREES 15 MINUTES 35 SECONDS WEST 478.99 FEET TO AN IRON PIN PLACED WHICH IS THE TRUE POINT OF BEGINNING.

TOGETHER WITH EASEMENTS APPURTENANT TO SAID TRACT 2 AS CONTAINED IN THAT CERTAIN LIMITED WARRANTY DEED FROM GLENN D. COOK, CAROL J. COOK AND JULIA A. COOK TO BRYAN COOK, DATED JUNE 7, 2006, FILED JULY 20, 2006 AND RECORDED IN DEED BOOK 9390, PAGE 143, RECORDS OF THE SUPERIOR COURT OF HENRY COUNTY, GEORGIA.

TRACT 4

COMMENCING AT A POINT FORMED BY THE INTERSECTION OF LAND LOTS 51, 52, 77, & 78;
 THEN ALONG THE SOUTH LINE OF LAND LOT 51 S89°17'27"E A DISTANCE OF 50.00 FEET TO A FOUND CONCRETE MONUMENT AND THE POINT OF BEGINNING;
 THENCE S00°51'53"E A DISTANCE OF 1.19798 FEET TO A FOUND CONCRETE MONUMENT; THENCE S89°17'50"E A DISTANCE OF 243.55 FEET TO A FOUND 1/2" REBAR
 THENCE S00°52'00"E A DISTANCE OF 208.75 FEET TO A FOUND CONCRETE MONUMENT; THENCE S89°16'18"E A DISTANCE OF 815.32 FEET TO A FOUND 1/2" REBAR
 THENCE S00°51'53"E A DISTANCE OF 1.19798 FEET TO A FOUND CONCRETE MONUMENT; THENCE S89°17'27"E A DISTANCE OF 50.00 FEET TO A SET 1/2" REBAR
 THENCE S00°51'53"E A DISTANCE OF 718.18 FEET TO A SET 1/2" REBAR; THENCE N89°17'27"W A DISTANCE OF 908.75 FEET TO A FOUND CONCRETE MONUMENT WHICH
 IS THE POINT OF BEGINNING.

TOGETHER WITH A 50-FOOT PERPETUAL NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

[illegible]

TOGETHER WITH EASEMENTS APPURTENANT TO SAID TRACT 1 AS CONTAINED IN THAT CERTAIN WARRANTY DEED FROM COLORADO PINES CAMPING RESORT, A COLORADO PARTNERSHIP COMPOSES OF VAN PALMER AND DOUGLAS GAVRICH, TO GLENN D. COOK AND CAROL J. COOK, DATED MARCH 6, 1989, FILED MARCH 8, 1989 AND RECORDED IN DEED BOOK 1041, PAGE 44, AFORESAID RECORDS:

LESS AND EXCEPT ANY PORTION OF THE PROPERTY SET FORTH ABOVE CONTAINED WITHIN THAT CERTAIN LIMITED WARRANTY DEED FROM GLENN D. COOK, CAROL J. COOK AND JULIA A. COOK TO BRYAN COOK, DATED JUNE 7, 2006, FILED JULY 20, 2006 AND RECORDED IN DEED BOOK 9390, PAGE 143, RECORDS OF THE SUPERIOR COURT OF HENRY COUNTY, GEORGIA.

TRACT 2

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 51 OF THE 6TH DISTRICT OF HENRY COUNTY, GEORGIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT FORMED BY THE INTERSECTION OF LAND LOTS 51, 52, 77 & 78; THENCE ALONG THE SOUTH LINE OF LAND LOT 51 S89°17'27"E A DISTANCE OF 50.00 FEET TO A FOUND CONCRETE MONUMENT; THENCE N00°51'53"E A DISTANCE OF 1,197.98 FEET TO A FOUND CONCRETE MONUMENT; THENCE S89°17'50"E A DISTANCE OF 243.55 FEET TO A FOUND 1/2" REBAR AND THE POINT OF BEGINNING; THENCE S89°18'55"E A DISTANCE OF 665.23 FEET TO A FOUND CONCRETE MONUMENT; THENCE S00°52'07"W A DISTANCE OF 480.11 FEET TO A SET 1/2" REBAR; THENCE N88°34'07"W A DISTANCE OF 50.00 FEET TO A SET 1/2" REBAR KNOWN AS THE "NORTH REBAR"; THENCE N00°51'53"E A DISTANCE OF 270.63 FEET TO A FOUND 1/2" REBAR; THENCE N89°16'18"W A DISTANCE OF 615.33 FEET TO A FOUND CONCRETE MONUMENT; THENCE N00°51'53"E A DISTANCE OF 1,197.98 FEET TO A FOUND 1/2" REBAR AND THE TRUE POINT OF BEGINNING.

S&1D LAND HAVING AN AREA OF XX.XXX SQUARE FEET, XXX.XXX ACRES, MORE OR LESS.

TOGETHER WITH EASEMENTS APPURTENANT TO SAID TRACT 2 AS CONTAINED IN THAT CERTAIN LIMITED WARRANTY DEED FROM GLENN D. COOK, CAROL J. COOK AND JULIA A. COOK TO BRYAN COOK, DATED JUNE 7, 2006, FILED JULY 20, 2006 AND RECORDED IN DEED BOOK 9390, PAGE 143, RECORDS OF THE SUPERIOR COURT OF HENRY COUNTY, GEORGIA

1-10 - STANDARD EXCEPTIONS. NOT ADDRESSED

- 11 EASEMENT FROM HERMAN SIMMS, IRVING BRIAN, LINDA M. BRIAN AND JEFFERY A. BRIAN TO BOB H. EVANS AND CHARLES J. WATERS, DATED FEBRUARY 10, 1971, FILED FEBRUARY 11, 1971 AND RECORDED IN DEED BOOK 16, PAGE 246, AFORESAID RECORDS. AFFECTS PROPERTY AND IS SHOWN ON THIS SURVEY.
- 12 EASEMENTS CONTAINED IN THAT CERTAIN WARRANTY DEED FROM COLORADO PINES CAMPING RESORT, A COLORADO RESORT, COMPANY, INC. TO VAN PALMER AND DOUGLAS GARRETT, TO GLENN D. COOK AND CAROL J. COOK, DATED MARCH 8, 1989, FILED MARCH 8, 1989 AND RECORDED IN DEED BOOK 10401, PAGE 44, AFORESAID RECORDS. AFFECTS PROPERTY AND IS SHOWN ON THIS SURVEY.
- 13 EASEMENTS CONTAINED IN THAT CERTAIN LIMITED WARRANTY DEED FROM GLENN D. COOK, CAROL J. COOK AND JULIA A. COOK TO BRIAN COOK, DATED JUNE 7, 2006, FILED JULY 20, 2006 AND RECORDED IN DEED BOOK 3590, PAGE 143, RECORDS OF THE SUPERIOR COURT OF THE STATE OF COLORADO, DISTRICT JUDGE, JAMES W. HANCOCK, JR. IS SHOWN ON THIS SURVEY.

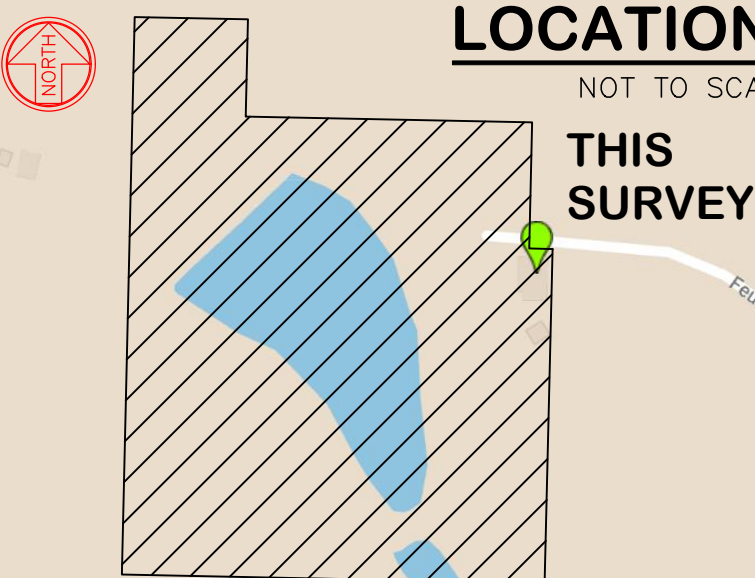
NOTE: REFERENCES TO RECORDED DOCUMENTS HEREIN REFER TO SUCH DOCUMENTS RECORDED IN THE CLERK'S OFFICE FOR THE SUPERIOR COURT OF HENRY COUNTY, GEORGIA.

CURVE TABLE					
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	657.27'	999.24'	905.75'	S 45°21'06" E	087°06'21"
C2	607.27'	920.91'	835.17'	N 45°26'49" W	086°53'15"

NOT TO SCALE

THIS

SURVEY



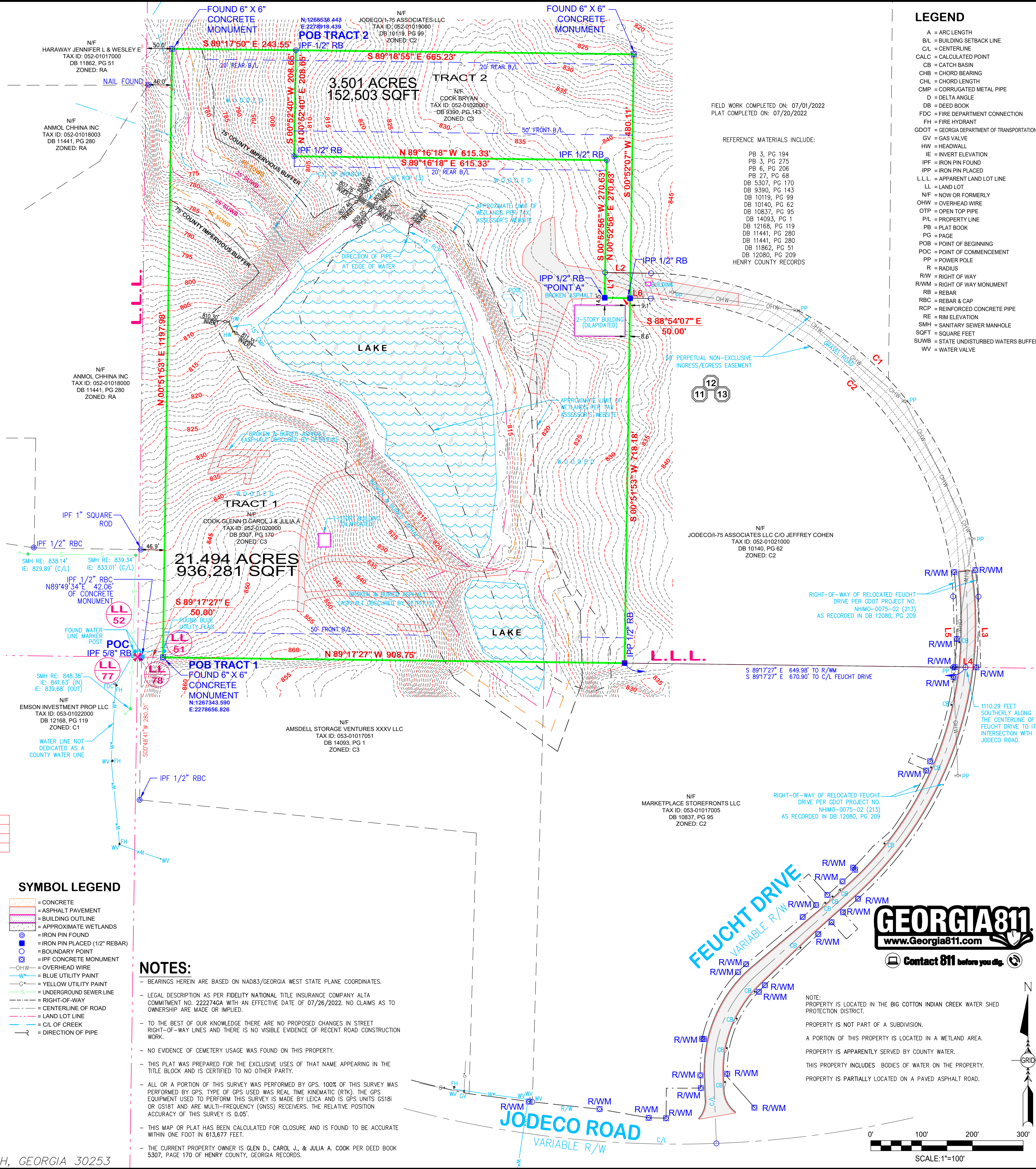
- 1) ALL MONUMENTS FOUND AND/OR SET AS NOTED ON THE SURVEY. ALL CORNERS SET ARE 1/2" REBAR UNLESS OTHERWISE NOTED.
- 2) SITE ADDRESS: 2220 JOEDEO ROAD, McDONOUGH, GEORGIA 30253
- 3) BASED ON THE INFORMATION SHOWN ON THE FLOOD HAZARD BOUNDARY MAPS FURNISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY. IT IS MY OPINION THAT THIS PROPERTY IS OUTSIDE OF THE 100 YEAR FLOOD HAZARD AREA. PANEL #J1S1C0151D EFFECTIVE DATE: 10/06/2016

- a. SUBJECT PROPERTY ARE SHOWN ON THE DRAWING.
- 5) THIS DRAWING DOES FEATURE TOPOGRAPHIC CONTOURS AT 1-FOOT INTERVAL WITH HIGHLIGHTED CONTOURS AT EVERY 5 FEET BASED THE NORTH AMERICAN VERTICAL DATUM (NAVD83) AND THE REAL-TIME GPS NETWORK BASE OBSERVATIONS.
- 6) NO ZONING REPORT WAS PROVIDED BY THE CLIENT. THIS FIRM RECOMMENDS THAT THE CLIENT OBTAIN A CERTAIN ZONING VERIFICATION LETTER FROM THE CITY, COUNTY OR AGENCY RESPONSIBLE FOR ZONING CLASSIFICATION FOR THE PARCEL.
- 7) a. EXTERIOR DIMENSIONS OF ALL BUILDINGS ON SITE ARE NOT SHOWN HEREON AS MEASURED AT THE TIME OF THE SURVEY.
- b. 1) SQUARE FOOTAGE OF BUILDING FOOTPRINTS ON SITE ARE NOT PROVIDED HEREON.
- 2) SQUARE FOOTAGE OF OTHER AREAS ARE NOT PROVIDED HEREON.
- c. BUILDING HEIGHTS ARE NOT PROVIDED HEREON.
- d. ALL SUBSTANTIAL FEATURES OBSERVED DURING THE SURVEY ARE DEPICTED HEREON UNLESS OTHERWISE NOTED.
- 9) SITE CONTAINS A MARKED REGULAR PARKING SPACES & 0 HANDICAPPED SPACES.
- 10) CITY OF CHICAGO WAS NOT REQUESTED AND IS NOT SHOWN HEREON.
- 11) LOCATION OF UTILITIES EXISTING ON OR SERVING THE SURVEYED PROPERTY AS DETERMINED BY OBSERVATION AND/OR COLLECTED PURSUANT TO SECTION 5.E.I.V. PER ALTA/NSPS.
- 12) THIS SURVEY HAS NO KNOWN STATUTES IN REGARD TO GOVERNMENT AGENCIES.
- 13) ALL ADJOINING OWNER INFORMATION IS TAKEN FROM THE HENRY COUNTY TAX ASSESSOR'S WEBSITE.
- 14) THE DISTANCE TO THE NEAREST ROAD INTERSECTION IS PROVIDED HEREON MEASURED EITHER ALONG THE R/W, THE C/L OF ROAD OR BY A STRAIGHT-LINE BEARING AND DISTANCE.
- 15) ORTHOMETRIC, PHOTOGRAMMETRIC, OR LASER SCANNING DATA WAS PERFORMED IN AIDE OF THE DETERMINATION OF THE ELEVATION AND EXCLUSIVELY FOR NON-BOUNDARY FEATURES AND WAS CONTROLLED BY POINTS ESTABLISHED BY THE SURVEYOR USING STANDARD SURVEY TECHNIQUES WITH THE EQUIPMENT AND DATUM NOTED HEREON.
- 16) VISIBLE EVIDENCE OF RECENT FIREWORK OR SITE WAS OBSERVED.
- 17) TO THE BEST OF OUR KNOWLEDGE THERE ARE NO PROPOSED CHANGES IN STREET RIGHT-OF-WAY LINES AND THERE IS NO VISIBLE EVIDENCE OF RECENT ROAD CONSTRUCTION WORK.
- 18) ANY PERTINENT GISTE EASEMENTS OR APPROPRIATE EASEMENTS FOUND IN THE COURSE OF RESEARCH AND FIELD WORK ARE SHOWN HEREON UNLESS OTHERWISE NOTED.
- 19) VISIBLE EVIDENCE OF RECENT WAS NOT OBTAINED BY THE SURVEYOR.

 = CONCRETE
 = ASPHALT PAVEMENT
 = BUILDING OUTLINE
 = APPROXIMATE WETLANDS
 = IRON PIN FOUND
 = IRON PIN PLACED (1/2" REBAR)
 = BOUNDARY POINT
 = IPF CONCRETE MONUMENT
 OHW = OVERHEAD WIRE
 — = BLUE UTILITY PAINT
 - = YELLOW UTILITY PAINT
 — = UNDERGROUND SEWER LINE
 - - - = RIGHT-OF-WAY
 - . - = CENTERLINE OF ROAD
 - - - = LAND LOT LINE
 — = C/L OF CREEK
 — = DIRECTION OF PIPE

— BEARINGS HEREIN ARE BASED ON NAD83/GEORGIA WEST STATE PLANE COORDINATES.

- LEGAL DESCRIPTION AS PER PIDUITY NATIONAL TITLE INSURANCE COMPANY ALTA COMMITMENT NO. 22227464 WITH AN EFFECTIVE DATE OF 07/26/2022. NO CLAIMS AS TO OWNERSHIP ARE MADE OR IMPLIED.
- TO THE BEST OF OUR KNOWLEDGE THERE ARE NO PROPOSED CHANGES IN STREET RIGHT-OF-WAY LINES AND THERE IS NO VISIBLE EVIDENCE OF RECENT ROAD CONSTRUCTION WORK.
 - NO EVIDENCE OF CEMETERY USAGE WAS FOUND ON THIS PROPERTY.
 - THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USES OF THAT NAME APPEARING IN THE TITLE BLOCK AND IS CERTIFIED TO NO OTHER PARTY.
 - ALL OR A PORTION OF THIS SURVEY WAS PERFORMED BY GPS. 100% OF THIS SURVEY WAS PERFORMED BY GPS. TYPE OF GPS USED WAS REAL TIME KINEMATIC (RTK). THE GPS EQUIPMENT USED TO PERFORM THIS SURVEY IS MADE BY LEICA AND IS GPS UNITS GS18I OR GS18T AND ARE MULTI-FREQUENCY (GNSS) RECEIVERS. THE RELATIVE POSITION ACCURACY OF THIS SURVEY IS 0.05'.
 - THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 613,677 FEET.
 - THE CURRENT PROPERTY OWNER IS GLEN D. CAROL J. & JULIA A. COOK PER DEED BOOK 5307, PAGE 170 OF HENRY COUNTY, GEORGIA RECORDS.



A = ARC LENGTH
BL = BUILDING SETBACK LINE
C = CENTERLINE
CALC = CALCULATED POINT
CATCH = CATCH BASIN
CHB = CHORD BEARING
CHL = CHORD LENGTH
CMP = CORRUGATED METAL PIPE
D = DELTA ANGLE
DEB = DEED BOOK
FDC = FIRE DEPARTMENT CONNECTION
FID = FIRE INSULATION
GDOT = GEORGIA DEPARTMENT OF TRANSPORTATION
GV = GAS VALVE
HW = HEADWALL
IE = INVERT ELEVATION
IPF = IRON PIPE FENCED
IPR = IRON PIPE PLACED
L = APPARENT LAND LOT LINE
LL = LAND LOT
NF = NOW OR FORMERLY
OHW = OVERHEAD WIRE
OP = OPEN TOP PIPE
PL = PROPERTY LINE
PB = PLAT BOOK
PS = PASE
POB = POINT OF BEGINNING
POP = POINT OF COMMENCEMENT
PP = POWER POLE
R = RADIUS
RW = RIGHT OF WAY
RWYM = RIGHT OF WAY MONUMENT
RBC = REBAR
RCB = REBAR & CAP
RCF = REINFORCED CONCRETE
RE = REM ELEVATION
SMH = SANITARY SEWER MANHOLE
SQFT = SQUARE FEET
SWU = SURFACE UNDISTURBED WATERS BUFFER
SWW = SWATH

THIS DRAWING IS THE
PROPERTY OF
IRONSTONE SURVEYING
AND IS AN INSTRUMENT
OF SERVICE NOT TO BE
REPRODUCED IN WHOLE
OR IN PART WITHOUT
THE EXPRESS WRITTEN
PERMISSION OF SAME

[illegible]

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

ALTA/NSPS LAND TITLE SURVEY
FOR EMORY EQUITY, LLC
IN LAND LOT 51, DISTRICT 6, HENRY COUNTY, GEORGIA

ORIGINAL PLAT DATE	08/25/2022
SCALE	1" = 100'
DRAWN BY	SJL
CHECKED BY	JPH
ORIGINAL FIELD DATE	07/01/2022
CREW	RL/AL
FIELD BOOK	FIELD SKETCH
JOB NO.	220221
DWG NO.	220221-A
SHEET	1 of 1

SITE ADDRESS: 2220 JODECO ROAD, MCDONOUGH, GEORGIA 30253



Henry County Water Authority
Engineering Division

September 2, 2022

Re: Water and Sewer Services - Availability

Proposed Development: **Multi-Family**

Property Information: **2220 Jodeco Road Parcel Nos. 052-0102000 & 052-0102001
LL 51; District 6; 25.0+/- acres**

Proposed Zoning: **RM**

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 via a line extension of approximately 2,200 linear feet along Feucht Road at the developer's expense. A fire flow test calculated in the area revealed the following data:

Static:	84	psi
Residual:	70	psi
Flow	2250	gpm
Calculated Flow @ 20 psi:	5112	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** is available for the property. ***Sewer line capacity can be made available via the construction of a gravity line along the Western Parallel Connector Sanitary Sewer***

Extension project. Extending the sewer line may require an easement on the subject properties. This project is currently under design with no established date for completion.

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 Preliminary Site Plan dated 08/11/2022 prepared by Thomas & Hutton.



Date:

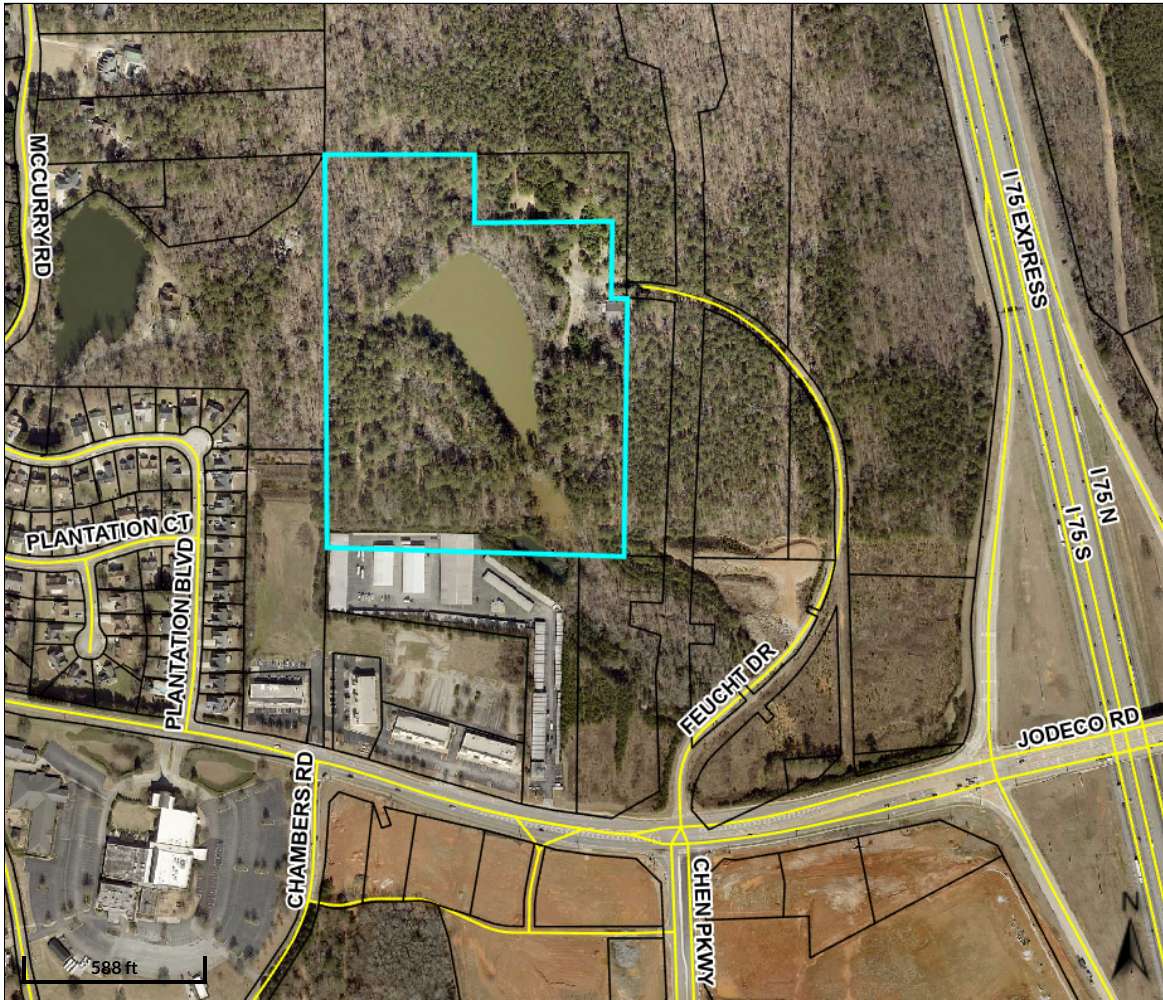
2022.09.02

16:26:35 -04'00'

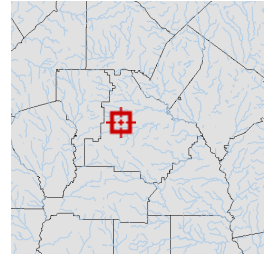
Scott Sage, P. E.
Engineering Division Manager
Henry County Water Authority



Henry County, GA



Overview



Legend

- Parcels
- Roads

Parcel ID	052-01020000	Class	Commercial	Owner	COOK GLENN D & CAROL J	Land	\$1,075,000					
		Acreage	21.5	Address	& JULIA A & ET AL	Value:						
Property Address	2220 JODECO RD				1080 RIVERSIDE DRIVE WATKINSVILLE, GA 30677	Building	\$0	Last 2 Sales				
						Value:		Date	Price	Reason	Qual	
						Misc	\$0	6/10/2022	\$31,800	VL	U	
District	Henry County					Value:		9/3/2002	\$0	U	U	
						Total	\$1,075,000					
						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: 4/17/2025

Last Data Uploaded: 4/17/2025 2:34:03 AM

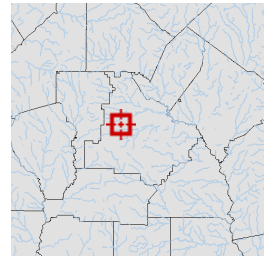
Developed by SCHNEIDER
GEOSPATIAL



Henry County, GA



Overview



Legend

- Parcels
- Roads

Parcel ID	052-01020001	Class	Commercial	Owner	COOK BRYAN	Land	\$175,000
Property Address	JODECO RD	Acreage	3.5	Address	64 SELLERS RD HAZELHURST, GA 31539	Value:	
District	Henry County					Building	\$0
						Value:	
						Misc	\$0
						Value:	
						Total	\$175,000
						Value:	

Last 2 Sales				
Date	Price	Reason	Qual	
6/7/2006	\$0	U	U	
n/a	\$	n/a	n/a	

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: 4/17/2025

Last Data Uploaded: 4/17/2025 2:34:03 AM

Developed by SCHNEIDER
GEOSPATIAL

FIRST AMENDED
STATEMENT OF INTENT

and

Other Material Required by the
City of Stockbridge Unified Development Code
for the Annexation, Rezoning and
Future Land Use Map Amendment

of

EMORY EQUITY, LLC.

for

± 24.995 Acres of Land
located in
Land Lot 51
6th District, Henry County

REZONE: C-3 (Henry County) to MFR
FLUMA: HDMU (Henry County) to HDR

Submitted for Applicant by:

Dennis J. Webb, Jr.
Kathryn M. Zickert
J. Alexander Brock
Smith, Gambrell & Russell, LLP
1105 W. Peachtree Street, NE
Suite 1000
Atlanta, Georgia 30309
404-815-3500

I. INTRODUCTION

Emory Equity, LLC (“Applicant”) seeks to annex and rezone ± 24.995 acres of land located in Land Lot 51, 6th District of Henry County (the “Subject Property”) to allow a multifamily development. The Subject Property is currently located within unincorporated Henry County, is zoned Highway Commercial District (C-3) and designated as High-Density Mixed Use on the Henry County Future Land Use Map. The Applicant files this request to (a) annex the Subject Property into the City of Stockbridge; (b) rezone the Subject Property to the Stockbridge designation of MFR (Multi-Family Residential); and (c) amend the Future Land Use Map designation for the Subject Property to HDR (High Density Residential) under the City’s Comprehensive Plan.

The Subject Property formerly contained a commercial campground and supporting facilities but is now vacant with mostly wooded areas and a large central lake. The property currently has access to Jodeco Road via an access easement along Feucht Drive, however the easement will provide direct access to the I-75 Western Parallel Connector once it is completed in 2026.¹ The Applicant seeks to redevelop the property for 321 multifamily units at a density of ±12.8 units per acre along with amenities and associated site improvements (“Proposed Development”). The unit sizes and heights will meet the requirements of the MFR district and will be a mix of 1-, 2- and 3-bedroom units. The parking for the units will be provided through ±424 surface spaces.

The Applicant envisions the Proposed Development as a residential retreat, interweaving the design into the natural landscape, existing waterscape and providing ample amenities. The

¹ The I-75 Parallel Connector Road is currently under construction as of the date of this application and is anticipated to be completed by November 2026. Refer to the Georgia Department of Transportation’s website for Project 0014482: <https://www.dot.ga.gov/applications/geopi/Pages/Dashboard.aspx?ProjectID=0014482>.

development will incorporate approximately 15.97 acres, or 63.9% of the overall property, as open space. The open space includes the preservation of natural vegetation within the onsite stream buffer, the existing lake and providing landscaped areas throughout the development. In particular, the Applicant seeks to incorporate the lake as both an aesthetic attraction as well as an amenity for the residents by incorporating extensive walking paths. The site design also provides pedestrian connectivity throughout and a connection to future sidewalks and trails along the I-75 Western Parallel Connector to foster walkability and connectivity to the neighborhood. Additionally, the Proposed Development will contain other amenities spread throughout the complex including a clubhouse, pool, dog park, additional walking trails and meditation garden.

The Subject Property is well situated for the proposed multi-family development. The Jodeco Road corridor to the south is a primarily commercial area with many uses that are supportive of the proposed residential including restaurant, retail, retail club warehouse, and grocery. The introduction of modern, attractive multifamily will act to further boost this commercial node and potentially attract newer business to the area. Examples of the adjacent commercial uses along Jodeco Road include the Bridges at Jodeco mixed-use development, the Emson Square Shopping Center and the Compass Self Storage, both located within unincorporated Henry County and zoned General Commercial District (C-2) and C-3, respectively. Also to the south is a property zoned Planned Unit District (PUD) in the City of Stockbridge, that was rezoned in 2023 pursuant to RZ-23-06 for a proposed mixed-use development. To the east and north are undeveloped properties, zoned C-2 within unincorporated Henry County. To the west, the Subject Property borders a ±11.43-acre parcel developed with one single family home, which is zoned Residential Agricultural (RA) within unincorporated Henry County. The proposed multi-family development and the requested MFR zoning will act as a transition in intensity from the

commercial and high-density mixed-use zonings to the existing single-family residential to the east.

Also to the east, is the I-75 Western Parallel Connector right-of-way which is anticipated to be the main access point for the Proposed Development once that roadway is completed. Currently, the Subject Property does not front a right-of-way, but has access to Jodeco Road via a 50-foot wide perpetual ingress/egress easement from Feucht Drive.² This will only be a temporary condition during construction since GDOT's plans indicate that the section of the I-75 Western Parallel Connector fronting the Subject Property will be completed in 2026, prior to the construction of the Proposed Development. Although Henry County nor GDOT have given the roadway a classification the I-75 Western Parallel Connector, a 4-lane road connecting two arterials, is anticipated to be at least a collector per the GDOT design manual definition.³

The proposed multifamily residences also are aligned with recent residential development trends within the City of Stockbridge. The City of Stockbridge Comprehensive Plan 2024 ("Comp Plan") notes that the city's residential development has not kept pace with the population growth and that the city will need at least 800 new residential units within the next 5 years and 1,700 units by 2040 to meet the current housing demand.⁴ The Proposed Development is meeting the Comp Plan's needs by adding high quality multi-family residential development into the city. In addition, the proposed multi-family will add to the mix of housing options existing in the area. Multi-family residences tend to attract younger professionals, empty nesters, and newer residents to the area that are not ready to purchase a home, demographics that are not currently served by

² The right-of-way of Feucht Drive terminates at the northern boundary of Parcel 053-01017005 and access to the site is extended through the easement.

³ See *GDOT Design Policy Manual*, pg. xxxvii ("Collector – Functional classification for a street or highway that provides a less highly developed level of service than an arterial, at a lower speed for shorter distances by collecting traffic from local roads and connecting them with arterials.")

⁴ See *City of Stockbridge Comprehensive Plan 2024*, pg 13.

the surrounding single-family residences. Many young professionals are choosing apartments in locations with easy access to employment and retail. The Subject Property meets these needs by being ideally situated in proximity to Jodeco Road, a large commercial corridor, and a short distance from other commercial corridors along Jonesboro Road, to the south, and Hudson Bridge Road, to the north via the proposed I-75 Western Parallel Connector. The Subject Property is in close proximity to a number of local employers and is a short distance from the on-ramp to I-75 which provides quick access to regional employment centers. In all, the Proposed Development is a natural and fitting use for the Subject Property and a positive step towards furthering the City's long-term goals for growth in the area.

In addition to the annexation and rezoning, the Applicant is requesting an amendment to the City's Future Land Use Map to designate the Subject Property as High Density Residential (HDR) land use. The current Henry County land use designation is High Density Mixed Use ("Henry County HDMU"). The Henry County HDMU land use allows a density up to 20 units per acre.⁵ The Applicant's request for HDR allows a comparable land use designation under Stockbridge's Comp Plan, which allows a density of 16 units per acre. The HDR land use also is compatible with certain zoning categories, namely MFR.⁶ Moreover, the Comp Plan notes that the HDR land use is appropriate transition between mixed-use and low or medium density residential.⁷ As noted in the paragraphs above, the Subject Property and its proposed HDR land use will act as a transition from the high density mixed-use land uses to the south and east and the existing single family residential in unincorporated Henry County to the west. Thus, the proposed

⁵ See *Henry County Comprehensive Plan*, pg. 90.

⁶ See *the City of Stockbridge Comprehensive Plan 2024*, pg. 50.

⁷ *Id.*

HDR land use designation is appropriate for the area and allows a development that is aligned with the Comp Plan’s goals for growth.

The Applicant submits this document as a Statement of Intent with regard to this Application, a preservation of the Applicant’s constitutional rights, a written justification for the Application, and an analysis of the factors to be considered for a rezoning per the City of Stockbridge Unified Development Code (“UDC”), § 9.2.2. A Site Plan has been filed with the original Application, along with the other required materials.

II. HISTORY

To the Applicant’s knowledge, no rezoning applications concerning the Subject Property have been granted.

III. REZONING IMPACT ANALYSIS

A. WHETHER THE PROPOSAL IS CONSISTENT AND/OR COMPATIBLE WITH THE CITY’S PLANS, GOALS AND OBJECTIVES REFLECTED IN THE CITY’S COMPREHENSIVE PLAN.

Yes. As noted above, concurrent with its request for annexation, the Applicant requests that the City designate the Subject Property as HDR land use. The Proposed Development is consistent with this designation and will advance a number of policy goals outlined in the City’s Comprehensive Plan, including:

- To provide a variety of housing choices to suit the changing needs and lifestyles of City residents;
- Provide a mixture of housing options to attract young professionals, singles, and small families;
- Reduce the impact of new development through the preservation of greenspace; and
- To ensure that new developments promote a better sense of place and preserve valued elements of community character.⁸

⁸ See the City of Stockbridge Comprehensive Plan 2024, pgs. 43-44.

In addition, the HDR designation is compatible with character area designations adjacent and nearby properties. The existing land use designations in the area consist primarily of Henry County HDMU (a density of up to 20 units per acre) and HDMU (City of Stockbridge) to the southeast.

B. HOW THE PROPOSAL IMPACTS THE PURPOSES OF THE OVERALL ZONING SCHEME, AND WHETHER THE PROPOSED CHANGE FURTHERS THE PURPOSE OF THESE ZONING REGULATIONS.

As noted in the paragraphs above, the proposed multiple-family development will be compatible with exiting development in the area. In addition, it adds to the diversity of housing stock in the city attracting a wide range of residents, including younger professionals as noted in the Comp Plan.

C. HOW THE PROPOSAL IMPACTS THE ZONING DISTRICT, THE PARTICULAR PIECE OF PROPERTY, NEIGHBORHOOD, OR THE COMMUNITY.

The Proposed Development will be a positive addition to the area. As noted above, the City of Stockbridge envisions a mixture of housing options to attract young professionals, singles, and small families. Existing development in the area, however, consists primarily of commercial and single-family residential. The proposed multifamily residential will provide modern residential options and add to the mix of uses in the area, thus furthering the goals of the City of Stockbridge's UDC and long-term planning documents.

D. WHETHER THE PROPOSAL CREATES AN ISOLATED DISTRICT UNRELATED TO ADJACENT PROPERTIES AND NEARBY DISTRICTS.

No. The Subject Property is surrounded by properties zoned C-2 and C-3 (Henry County), PUD (City of Stockbridge) and RA (Henry County). In addition, the Subject Property is surrounded on three sides by properties designated as HDMU on both the Henry County and City of Stockbridge Future Land Use Maps. The Proposed MFR zoning and HDR land use will act as

a transition between the HDMU land uses to the south and east and the existing single family residential to the west. Moreover, some of the existing PUD developments currently under construction, south of Jodeco Road, contain multi-family residential components, including the Argento at the Bridges apartments, located approximately 1 mile south of the Subject Property on the I-75 Western Parallel Connector.⁹

E. HOW THE PROPOSAL IMPACTS THE AESTHETIC CHARACTER OF EXISTING AND FUTURE USES OF THE PROPERTY AND THE SURROUNDING AREA.

The proposed resort-style multifamily community will blend harmoniously with the surrounding developments. The Applicant is preserving a significant amount of open space that will buffer the RA zoned property to the west. Additionally, the Applicant will be providing onsite amenities for the residents as well as amenitized open space in the form of trails, dog parks/runs, and meditation gardens.

F. WHETHER THE PROPOSAL IS CONSISTENT WITH ADJACENT DEVELOPMENT DENSITIES AND THE DENSITY PATTERNS REFLECTED IN THE COMPREHENSIVE PLAN.

Yes. The 321 residential units equates to a density of ± 12.8 units per acre. This is below the Comprehensive Plan's maximum density for the HDR land use of up to 16 units per acre. The Applicant's proposed density will allow a development that is fitting for the area and commensurate with densities allowed in uses surrounding the property. Also see Paragraphs C, D and E above.

⁹ The southern portion of the I-75 Western Parallel Connector is currently constructed from Mt. Olive Road north to Jodeco Road.

G. HOW THE PROPOSAL IMPACTS THE PUBLIC HEALTH, SAFETY, AND GENERAL WELFARE.

The proposal will benefit the public health, safety and general welfare. The Applicant proposes to bring the Subject Property into the City, creating a new, vibrant and modern development that diversifies the housing stock available and advances a number of goals outlined in the City's Comprehensive Plan. *See, e.g., Comp Plan at pp. 43-44.*

H. HOW THE PROPOSAL IMPACTS WATER, SEWERAGE, OTHER PUBLIC FACILITIES, OR PUBLIC SERVICES, AND HOW THE PROPOSED AMENDMENT IMPACTS EXPENDITURES OF PUBLIC FUNDS.

The Applicant has requested sewer capacity and water availability letters with this application to demonstrate that water and sewer are available and adequate to serve the Subject Property, along with upgrades that the Applicant is willing to make.

I. HOW THE PROPOSAL IMPACTS TRAFFIC SAFETY AND CONGESTION.

The proposed development will not overly burden existing streets or transportation facilities. The Applicant used the Institute of Transportation Engineers' (ITE) Trip Generation Manual, 9th Edition, to calculate the anticipated number of vehicular trips. The Proposed Development (ITE Category 223 – Mid-Rise Apartments) is expected to generate ± 112.35 trips during the AM weekday peak hour, ± 141.24 trips during the PM weekday peak hour.¹⁰ The proposed number of trips is not expected to overburden the surrounding roadways, however. The Subject Property will have direct access onto the I-75 Western Parallel Connector which is a collector roadway and is a short distance from Jodeco Road, a minor arterial. These types of major roadways are intended for a high volume of traffic and are anticipated to adequately accommodate the Proposed Development's minor amount of vehicular trips. Additionally, the

¹⁰ Note that the ITE 9th Edition does not provide a daily total trip generation rate for Mid-Rise Apartments.

Subject Property is approximately one mile from and U.S. Interstate 75, which can provide quick access to regional transportation. Because the Subject Property is located in proximity to a number of major roadways, its impact on traffic is anticipated to be minimal.

In addition, the proposed trips are expected to be significantly lower than a development allowed under the current C-3 zoning. For example, the C-3 district would allow a 150,000 retail shopping center (ITE Category 820) which would generate approximately 556.5 trips in the PM peak hour. This is a 294% increase in peak hour vehicular trips over the proposed multifamily development. Thus, the Proposed Development will have a significantly reduced impact over what could be constructed under the current C-3 zoning district today.

J. HOW THE PROPOSAL IMPACTS ENVIRONMENTAL CONDITIONS, INCLUDING, BUT NOT LIMITED TO, DRAINAGE, SOIL EROSION AND SEDIMENTATION, FLOODING, AIR QUALITY, WATER QUALITY AND QUANTITY.

The Applicant will mitigate any potential impacts to the environment by following all City, County, State and Federal requirements related to drainage, soil erosion and sedimentation, flooding, air quality, and water quality and quantity.

K. HOW THE PROPOSAL IMPACTS THE PROVISIONS OF ADEQUATE LIGHT AND AIR.

The proposal will have no negative impacts on the provision of adequate light and air. *See also J, above.*

L. HOW THE PROPOSAL IMPACTS THE VALUE OF ADJACENT PROPERTY.

As the site plan submitted with the application demonstrates, the proposal is a thoughtful, pedestrian-oriented, residential neighborhood that will deliver quality design and construction, all of which should “raise-the-bar” for future development on adjacent and nearby properties and generate renewed interest in the area.

M. WHETHER THERE ARE SUBSTANTIAL REASONS WHY THE PROPERTY CANNOT BE USED IN ACCORDANCE WITH EXISTING REGULATIONS.

The property is currently zoned C-2 which restricts development to primarily commercial uses. The property has seen no redevelopment under its current zoning, likely due to its distance from Jodeco Road. This separation from the view corridor of major roadways inhibits its attractiveness for commercial development. In addition, the onsite large lake, limits room for commercial development and associated parking with little benefit to a commercial use. On the contrary, the lake is an amenity to a residential development. As a result, the property is likely to remain undeveloped absent a rezoning to a more fitting residential district.

N. PRESERVATION OF THE 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 current proposal will have not have a negative impact on the integrity of nearby residential neighborhoods. The Applicant has taken careful consideration in the proposed design and incorporated appropriate buffers and setbacks to minimize negative impacts, if any, against the adjacent residential.

IV. NOTICE OF CONSTITUTIONAL CHALLENGES AND PRESERVATION OF CONSTITUTIONAL RIGHTS

The current zoning of the Subject Property and any intervening zoning district other than that requested is unconstitutional and contrary to the best interest of the health and welfare of the citizens of the City of Stockbridge, and constitutes an arbitrary and capricious act. As a result, the City of Stockbridge Unified Development Code is in violation of Article I, Section I, Paragraphs 1 and 2 of the Constitution of the State of Georgia 1983; Article I, Section III, Paragraph 1 of the Constitution of the State of Georgia; and Article I, Section II, Paragraph 3 of the Constitution of

the State of Georgia, 1983. Furthermore, the current zoning violates the due process clause and equal protection clauses of the Fifth and Fourteenth Amendments to the Constitution of the United States of America.

In addition, the current zoning of the Subject Property and any intervening zoning district other than that requested is unconstitutional in that it renders the Subject Property unusable and destroys its marketability. Therefore, the current zoning constitutes a taking of the Applicant's property without just and adequate compensation and without due process of law in violation of the Fifth and Fourteenth Amendments to the United States Constitution and in violation of Article I, Section I, Paragraph 1 and Article I, Section III, Paragraph 1(a) of the Constitution of Georgia.

The Zoning Ordinance of the City of Stockbridge lacks adequate standards for the City Council to exercise its power to zone and rezone. In essence, the standards are not sufficient to contain the discretion of the City Council and to provide the Courts with a reasonable basis for judicial review. Because the stated standards (individually and collectively) are too vague and uncertain to provide reasonable guidance to the Mayor and City Council, the Zoning Ordinance violates the Fifth and Fourteenth Amendments of the Constitution of the United States in matters of zoning. The Zoning Ordinance also violates Article I, Section III, Paragraph 1; and Article I, Paragraphs 1 and 2 of the Constitution of State of Georgia, 1983.

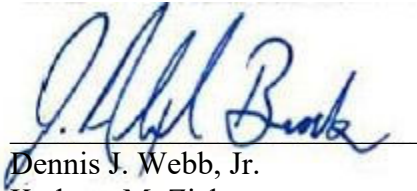
Opponents to this request lack standing, have failed to exhaust administrative remedies, and have waived their rights to appeal by failing to assert legal and constitutional objections.

V. CONCLUSION

For the foregoing reasons, the Applicant respectfully requests that the Annexation, Rezoning, and Future Land Use Map Amendment Applications at issue be approved. The Applicant also invites and welcomes any comments from Staff or other officials of the City of Stockbridge so that such recommendations or input might be incorporated as conditions of approval.

This 18th day of April, 2025.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "J. Alexander Brock", is written over a horizontal line.

Dennis J. Webb, Jr.
Kathryn M. Zickert
J. Alexander Brock
Attorneys For Applicant

Smith, Gambrell & Russell, LLP
1105 W. Peachtree Street, NE
Suite 1000
Atlanta, Georgia 30309
404-815-3500



JODECO ROAD MULTI-FAMILY - HENRY COUNTY, GA
ARCHITECTURAL IMAGERY

Front:



Left:



Right:



Back:



JODECO ROAD MULTI-FAMILY - HENRY COUNTY, GA
ARCHITECTURAL ELEVATIONS

Project/Case #

REZ-2025.04.0407

Location Details:

0 & 2220 Jodeco Road

**City of Stockbridge
Planning and Zoning
Division,
Community Development
Department**



Rezoning Request Application

Zoning Case Number:**Ordinance Case Number:**

Name of Applicant:	First Arthur Lynn	Last Emory Equity, LLC	
Applicant's Address:	2864 Alpine Road		Phone: 4048153620
City:	Atlanta	State: Georgia	Zip: 30305 Email: djwebb@sgrlaw.com

Name of Agent:	First Dennis	Last Webb, Jr.	
Agent's Address:	1105 West Peachtree Street NE, Ste 1000		Phone: 4048153620
City:	Atlanta	State: Georgia	Zip: 30309 Email: djwebb@sgrlaw.com

**THE APPLICANT NAMED ABOVE AFFIRMS THAT THEY ARE THE OWNER
OR AGENT OF THE OWNER OF THE PROPERTY DESCRIBED BELOW
AND REQUESTS**

Request from **C-3 (Heavy Commercial** to
District)
(Current Zoning)

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 either Planning Commission or City Council meeting(s). The applicant or property owner shall not remove or alter the sign for any reason.

☒ Acknowledged

MFR (Multiple Family Residential District)

(Requested Zoning District)

For the Purpose of: **Multifamily Residential Development**

(Type of Development)

Is Development of Regional Impact (DRI)? ☐ Yes ☒ No

Nearest intersection to the property: **Jodeco Road & Feucht Drive**

Size of Tract: **24.995**

acres

Land Lot Number(s): **51**

District(s): **District 5**

Gross Density:

units per acre

Net Density:

units per acre

DJW

Applicant Signature

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
2220 Jodeco Road [address], with Parcel Number 052-01020000
which is the subject of this application.

Name of Property Owner: Kenneth J. Butcher as representative for Glenn D. Cook, Carol J. Cook, Julia A. Cook, Bryan Cook, Debra C. Butcher

Property Owner's Address: 1080 RIVERSIDE DR., WATKINSVILLE, GA 30677

Telephone: 770-560-8440 E-mail: KEN@HARDROCKCS.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: Kenneth J. Butcher Date: 4-1-25

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): Emory Equity, LLC

Company/law firm (if applicable): c/o Dennis J. Webb - Smith, Gambrell & Russell, LLP

Telephone, E-Mail, & Address: 404-815-3620, dwebb@sgrlaw.com

1105 W. Peachtree Street. NE Suite 1000, Atlanta, GA 30309

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

Kenneth J. Butcher

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

4-1-25

Date

Kelly Johnson

Signature of Notary Public

Kelly Johnson

Printed Name of Notary Public

April 1st, 2025

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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Property Owner's Address: 1080 RIVERSIDE DR., WATKINSVILLE, GA 30677

Telephone: 770-560-8440 E-mail: KEN@HARDRICKS.COM

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Kenneth J. Butcher

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4.1.25

Date

Kelly Johnson

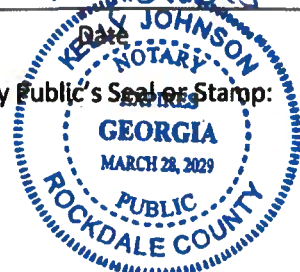
Signature of Notary Public

Kelly Johnson

Printed Name of Notary Public

April 1st 2025

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 conditional use permit, 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 ✓

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 1st day of April, 2025

KENNETH J BUTCHER
Applicant's Name - Printed

Kenn J Butcher
Signature of Applicant/Property Owner/Agent

Applicant's Attorney, if applicable - Printed

Signature of Applicant's Attorney, if applicable

Sworn to and subscribed before me this 1st day of April, 2025
As representative for Glenn D. Cook, Carol J. Cook, Julia A. Cook, Bryan Cook, Debra C. Butcher

Kelly Johnson
Notary Public

KELLY JOHNSON
NOTARY
EXPIRES
GEORGIA
MARCH 28, 2029
PUBLIC
ROCKDALE COUNTY

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

Applicant Campaign Disclosure Form

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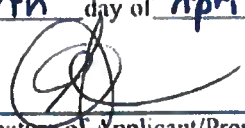
If Yes, the applicant and the attorney representing the applicant must file the following information with the City of Stockbridge Planning and Zoning Division within ten (10) days after this application is first filed:

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 7th day of April, 2025

Arthur Lynn

Applicant's Name - Printed


Signature of Applicant/Property Owner/Agent

Applicant's Attorney, if applicable - Printed

Signature of Applicant's Attorney, if applicable

Sworn to and subscribed before me this 7th day of April, 2025




Notary Public

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

Applicant Campaign Disclosure Form

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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 sixth day of January, 2025.

Applicant's Name - Printed

Dennis J. Webb, Jr.

Signature of Applicant/Property Owner/Agent

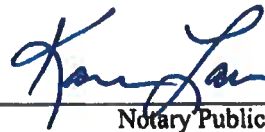


Applicant's Attorney, if applicable - Printed

Smith, Gambrell & Russell, LLP

Signature of Applicant's Attorney, if applicable

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


Notary Public



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

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We certify that the foregoing information is true and correct, this sixth day of January, 2025.

Applicant's Name - Printed

J. Alexander Brock

Signature of Applicant/Property Owner/Agent



Applicant's Attorney, if applicable - Printed

Smith, Gambrell & Russell, LLP

Signature of Applicant's Attorney, if applicable

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



Notary Public



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

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 conditional use permit, 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 ☒

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 sixth day of January, 2025

Applicant's Name - Printed

Kathryn M. Zickert

Signature of Applicant/Property Owner/Agent

Kathryn M Zickert

Applicant's Attorney, if applicable - Printed

Smith, Gambrell & Russell, LLP

Signature of Applicant's Attorney, if applicable

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

Karen Lawrence
Notary Public



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Applicant Campaign Disclosure Form

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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 sixth day of January, 2025.

Applicant's Name - Printed

Kirk R. Fjelstul

Signature of Applicant/Property Owner/Agent



Applicant's Attorney, if applicable - Printed

Smith, Gambrell & Russell, LLP

Signature of Applicant's Attorney, if applicable

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


Notary Public



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

LEGAL DESCRIPTION (AS SURVEYED)

TRACT 1

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 51 OF THE 6TH DISTRICT OF HENRY COUNTY, GEORGIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT FORMED BY THE INTERSECTION OF LAND LOTS 51, 52, 77, & 78; THENCE ALONG THE SOUTH LINE OF LAND LOT 51 S89°17'27"E A DISTANCE OF 50.00 FEET TO A FOUND CONCRETE MONUMENT AND THE POINT OF BEGINNING; THENCE N00°51'53"E A DISTANCE OF 1,197.98 FEET TO A FOUND CONCRETE MONUMENT; THENCE S89°17'50"E A DISTANCE OF 243.55 FEET TO A FOUND 1/2" REBAR; THENCE S00°52'40"W A DISTANCE OF 208.65 FEET TO A FOUND 1/2" REBAR; THENCE S89°16'18"E A DISTANCE OF 615.33 FEET TO A FOUND 1/2" REBAR; THENCE S00°52'56"W A DISTANCE OF 270.63 FEET TO A SET 1/2" REBAR, ALSO KNOWN AS "POINT A"; THENCE S88°54'07"E A DISTANCE OF 50.00 FEET TO A SET 1/2" REBAR; THENCE S00°51'53"W A DISTANCE OF 718.18 FEET TO A SET 1/2" REBAR; THENCE N89°17'27"W A DISTANCE OF 908.75 FEET TO A FOUND CONCRETE MONUMENT WHICH IS THE POINT OF BEGINNING.
SAID LAND HAVING AN AREA OF 936,281 SQUARE FEET, 21.494 ACRES, MORE OR LESS.

TOGETHER WITH A 50-FOOT PERPETUAL NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT KNOWN AS "POINT A" DESCRIBED ABOVE THENCE N00°52'56"E A DISTANCE OF 50.00 FEET TO A POINT; THENCE S88°53'53"E A DISTANCE OF 90.42 FEET TO A POINT ON A CIRCULAR CURVE TO THE RIGHT; THENCE ALONG SAID CIRCULAR CURVE HAVING A RADIUS OF 657.27 AN ARC DISTANCE OF 999.24 FEET, SAID CURVE BEING SUBTENDED BY A CHORD BEARING S45°21'06"E FOR A DISTANCE OF 905.75 FEET TO A POINT; THENCE S01°53'53"E A DISTANCE OF 139.25 FEET TO A POINT; THENCE N89°18'55"W A DISTANCE OF 50.00 FEET TO A POINT; THENCE N01°53'53"W A DISTANCE OF 139.25 FEET TO A POINT ON A CIRCULAR CURVE TO THE LEFT; THENCE ALONG SAID CIRCULAR CURVE HAVING A RADIUS OF 607.27 AN ARC DISTANCE OF 920.91 FEET, SAID CURVE BEING SUBTENDED BY A CHORD BEARING N45°26'49"W FOR A DISTANCE OF 835.17 FEET TO A POINT; THENCE N88°53'53"W A DISTANCE OF 40.43 FEET TO A SET 1/2" REBAR; THENCE S88°54'07"E A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING KNOWN AS "POINT A".
SAID LAND HAVING AN AREA OF 59,443 SQUARE FEET, 1.365 ACRES, MORE OR LESS.

TOGETHER WITH EASEMENTS APPURTENANT TO SAID TRACT 1 AS CONTAINED IN THAT CERTAIN WARRANTY DEED FROM COLORADO PINES CAMPING RESORT, A COLORADO PARTNERSHIP COMPOSED OF VAN PALMER AND DOUGLAS GAVRICH, TO GLENN D. COOK AND CAROL J. COOK, DATED MARCH 6, 1989, FILED MARCH 8, 1989 AND RECORDED IN DEED BOOK 1041, PAGE 44, AFORESAID RECORDS;

LESS AND EXCEPT ANY PORTION OF THE PROPERTY SET FORTH ABOVE CONTAINED WITHIN THAT CERTAIN LIMITED WARRANTY DEED FROM GLENN D. COOK, CAROL J. COOK AND JULIA A. COOK TO BRYAN COOK, DATED JUNE 7, 2006, FILED JULY 20, 2006 AND RECORDED IN DEED BOOK 9390, PAGE 143, RECORDS OF THE SUPERIOR COURT OF HENRY COUNTY, GEORGIA.

TRACT 2

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 51 OF THE 6TH DISTRICT OF HENRY COUNTY, GEORGIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT FORMED BY THE INTERSECTION OF LAND LOTS 51, 52, 77, & 78; THENCE ALONG THE SOUTH LINE OF LAND LOT 51 S89°17'27"E A DISTANCE OF 50.00 FEET TO A FOUND CONCRETE MONUMENT; THENCE N00°51'53"E A DISTANCE OF 1,197.98 FEET TO A FOUND CONCRETE MONUMENT; THENCE S89°17'50"E A DISTANCE OF 243.55 FEET TO A FOUND 1/2" REBAR AND THE TRUE POINT OF BEGINNING; THENCE S89°18'55"E A DISTANCE OF 665.23 FEET TO A FOUND CONCRETE MONUMENT; THENCE S00°52'07"W A DISTANCE OF 480.11 FEET TO A SET 1/2" REBAR; THENCE N88°54'07"W A DISTANCE OF 50.00 FEET TO A SET 1/2" REBAR KNOWN AS "POINT A"; THENCE N00°52'56"E A DISTANCE OF 270.63 FEET TO A FOUND 1/2" REBAR; THENCE N89°16'18"W A DISTANCE OF 615.33 FEET TO A FOUND 1/2" REBAR; THENCE N00°52'40"E A DISTANCE OF 208.65 FEET TO A FOUND 1/2" REBAR AND THE TRUE POINT OF BEGINNING.
SAID LAND HAVING AN AREA OF XXXXX SQUARE FEET, XXXX ACRES, MORE OR LESS.

TOGETHER WITH EASEMENTS APPURTENANT TO SAID TRACT 2 AS CONTAINED IN THAT CERTAIN LIMITED WARRANTY DEED FROM GLENN D. COOK, CAROL J. COOK AND JULIA A. COOK TO BRYAN COOK, DATED JUNE 7, 2006, FILED JULY 20, 2006 AND RECORDED IN DEED BOOK 9390, PAGE 143, RECORDS OF THE SUPERIOR COURT OF HENRY COUNTY, GEORGIA.

STATEMENT OF INTENT

and

Other Material Required by the
City of Stockbridge Unified Development Code
for the Annexation, Rezoning,
Future Land Use Map Amendment
and Concurrent Variance Application

of

EMORY EQUITY, LLC.

for

± 24.995 Acres of Land
located in
Land Lot 51
6th District, Henry County

REZONE: C-3 (Henry County) to MFR
FLUMA: HDMU (Henry County) to HDR

Submitted for Applicant by:

Dennis J. Webb, Jr.
Kathryn M. Zickert
J. Alexander Brock
Smith, Gambrell & Russell, LLP
1105 W. Peachtree Street, NE
Suite 1000
Atlanta, Georgia 30309
404-815-3500

I. INTRODUCTION

Emory Equity, LLC (“Applicant”) seeks to annex and rezone ± 24.995 acres of land located in Land Lot 51, 6th District of Henry County (the “Subject Property”) to allow a multifamily development. The Subject Property is currently located within unincorporated Henry County, is zoned Highway Commercial District (C-3) and designated as High-Density Mixed Use on the Henry County Future Land Use Map. The Applicant files this request to (a) annex the Subject Property into the City of Stockbridge; (b) rezone the Subject Property to the Stockbridge designation of MFR (Multi-Family Residential); (c) amend the Future Land Use Map designation for the Subject Property to HDR (High Density Residential) under the City’s Comprehensive Plan; and (d) request one concurrent variance to reduce the amount of required parking.

The Subject Property formerly contained a commercial campground and supporting facilities but is now vacant with mostly wooded areas and a large central lake. The property currently has access to Jodeco Road via an access easement along Feucht Drive, however the easement will provide direct access to the I-75 Western Parallel Connector once it is completed in 2026.¹ The Applicant seeks to redevelop the property for 321 multifamily units at a density of ± 12.8 units per acre along with amenities and associated site improvements (“Proposed Development”). The unit sizes and heights will meet the requirements of the MFR district and will be a mix of 1-, 2- and 3-bedroom units. The parking for the units will be provided through ± 424 surface spaces.

The Applicant envisions the Proposed Development as a residential retreat, interweaving the design into the natural landscape, existing waterscape and providing ample amenities. The

¹ The I-75 Parallel Connector Road is currently under construction as of the date of this application and is anticipated to be completed by November 2026. Refer to the Georgia Department of Transportation’s website for Project 0014482: <https://www.dot.ga.gov/applications/geopi/Pages/Dashboard.aspx?ProjectID=0014482>.

development will incorporate approximately 15.97 acres, or 63.9% of the overall property, as open space. The open space includes the preservation of natural vegetation within the onsite stream buffer, the existing lake and providing landscaped areas throughout the development. In particular, the Applicant seeks to incorporate the lake as both an aesthetic attraction as well as an amenity for the residents by incorporating extensive walking paths. The site design also provides pedestrian connectivity throughout and a connection to future sidewalks and trails along the I-75 Western Parallel Connector to foster walkability and connectivity to the neighborhood. Additionally, the Proposed Development will contain other amenities spread throughout the complex including a clubhouse, pool, dog park, additional walking trails and meditation garden.

The Subject Property is well situated for the proposed multi-family development. The Jodeco Road corridor to the south is a primarily commercial area with many uses that are supportive of the proposed residential including restaurant, retail, retail club warehouse, and grocery. The introduction of modern, attractive multifamily will act to further boost this commercial node and potentially attract newer business to the area. Examples of the adjacent commercial uses along Jodeco Road include the Bridges at Jodeco mixed-use development, the Emson Square Shopping Center and the Compass Self Storage, both located within unincorporated Henry County and zoned General Commercial District (C-2) and C-3, respectively. Also to the south is a property zoned Planned Unit District (PUD) in the City of Stockbridge, that was rezoned in 2023 pursuant to RZ-23-06 for a proposed mixed-use development. To the east and north are undeveloped properties, zoned C-2 within unincorporated Henry County. To the west, the Subject Property borders a ±11.43-acre parcel developed with one single family home, which is zoned Residential Agricultural (RA) within unincorporated Henry County. The proposed multi-family development and the requested MFR zoning will act as a transition in intensity from the

commercial and high-density mixed-use zonings to the existing single-family residential to the east.

Also to the east, is the I-75 Western Parallel Connector right-of-way which is anticipated to be the main access point for the Proposed Development once that roadway is completed. Currently, the Subject Property does not front a right-of-way, but has access to Jodeco Road via a 50-foot wide perpetual ingress/egress easement from Feucht Drive.² This will only be a temporary condition during construction since GDOT's plans indicate that the section of the I-75 Western Parallel Connector fronting the Subject Property will be completed in 2026, prior to the construction of the Proposed Development. Although Henry County nor GDOT have given the roadway a classification the I-75 Western Parallel Connector, a 4-lane road connecting two arterials, is anticipated to be at least a collector per the GDOT design manual definition.³

The proposed multifamily residences also are aligned with recent residential development trends within the City of Stockbridge. The City of Stockbridge Comprehensive Plan 2024 ("Comp Plan") notes that the city's residential development has not kept pace with the population growth and that the city will need at least 800 new residential units within the next 5 years and 1,700 units by 2040 to meet the current housing demand.⁴ The Proposed Development is meeting the Comp Plan's needs by adding high quality multi-family residential development into the city. In addition, the proposed multi-family will add to the mix of housing options existing in the area. Multi-family residences tend to attract younger professionals, empty nesters, and newer residents to the area that are not ready to purchase a home, demographics that are not currently served by

² The right-of-way of Feucht Drive terminates at the northern boundary of Parcel 053-01017005 and access to the site is extended through the easement.

³ See *GDOT Design Policy Manual*, pg. xxxvii ("Collector – Functional classification for a street or highway that provides a less highly developed level of service than an arterial, at a lower speed for shorter distances by collecting traffic from local roads and connecting them with arterials.")

⁴ See *City of Stockbridge Comprehensive Plan 2024*, pg 13.

the surrounding single-family residences. Many young professionals are choosing apartments in locations with easy access to employment and retail. The Subject Property meets these needs by being ideally situated in proximity to Jodeco Road, a large commercial corridor, and a short distance from other commercial corridors along Jonesboro Road, to the south, and Hudson Bridge Road, to the north via the proposed I-75 Western Parallel Connector. The Subject Property is in close proximity to a number of local employers and is a short distance from the on-ramp to I-75 which provides quick access to regional employment centers. In all, the Proposed Development is a natural and fitting use for the Subject Property and a positive step towards furthering the City's long-term goals for growth in the area.

In addition to the annexation and rezoning, the Applicant is requesting an amendment to the City's Future Land Use Map to designate the Subject Property as High Density Residential (HDR) land use. The current Henry County land use designation is High Density Mixed Use ("Henry County HDMU"). The Henry County HDMU land use allows a density up to 20 units per acre.⁵ The Applicant's request for HDR allows a comparable land use designation under Stockbridge's Comp Plan, which allows a density of 16 units per acre. The HDR land use also is compatible with certain zoning categories, namely MFR.⁶ Moreover, the Comp Plan notes that the HDR land use is appropriate transition between mixed-use and low or medium density residential.⁷ As noted in the paragraphs above, the Subject Property and its proposed HDR land use will act as a transition from the high density mixed-use land uses to the south and east and the existing single family residential in unincorporated Henry County to the west. Thus, the proposed

⁵ See *Henry County Comprehensive Plan*, pg. 90.

⁶ See *the City of Stockbridge Comprehensive Plan 2024*, pg. 50.

⁷ *Id.*

HDR land use designation is appropriate for the area and allows a development that is aligned with the Comp Plan's goals for growth.

The Applicant submits this document as a Statement of Intent with regard to this Application, a preservation of the Applicant's constitutional rights, a written justification for the Application, and an analysis of the factors to be considered for a rezoning per the City of Stockbridge Unified Development Code ("UDC"), § 9.2.2. A Site Plan has been filed with the original Application, along with the other required materials.

II. HISTORY

To the Applicant's knowledge, no rezoning applications concerning the Subject Property have been granted.

III. REZONING IMPACT ANALYSIS

A. WHETHER THE PROPOSAL IS CONSISTENT AND/OR COMPATIBLE WITH THE CITY'S PLANS, GOALS AND OBJECTIVES REFLECTED IN THE CITY'S COMPREHENSIVE PLAN.

Yes. As noted above, concurrent with its request for annexation, the Applicant requests that the City designate the Subject Property as HDR land use. The Proposed Development is consistent with this designation and will advance a number of policy goals outlined in the City's Comprehensive Plan, including:

- To provide a variety of housing choices to suit the changing needs and lifestyles of City residents;
- Provide a mixture of housing options to attract young professionals, singles, and small families;
- Reduce the impact of new development through the preservation of greenspace; and

- To ensure that new developments promote a better sense of place and preserve valued elements of community character.⁸

In addition, the HDR designation is compatible with character area designations adjacent and nearby properties. The existing land use designations in the area consist primarily of Henry County HDMU (a density of up to 20 units per acre) and HDMU (City of Stockbridge) to the southeast.

B. HOW THE PROPOSAL IMPACTS THE PURPOSES OF THE OVERALL ZONING SCHEME, AND WHETHER THE PROPOSED CHANGE FURTHERS THE PURPOSE OF THESE ZONING REGULATIONS.

As noted in the paragraphs above, the proposed multiple-family development will be compatible with exiting development in the area. In addition, it adds to the diversity of housing stock in the city attracting a wide range of residents, including younger professionals as noted in the Comp Plan.

C. HOW THE PROPOSAL IMPACTS THE ZONING DISTRICT, THE PARTICULAR PIECE OF PROPERTY, NEIGHBORHOOD, OR THE COMMUNITY.

The Proposed Development will be a positive addition to the area. As noted above, the City of Stockbridge envisions a mixture of housing options to attract young professionals, singles, and small families. Existing development in the area, however, consists primarily of commercial and single-family residential. The proposed multifamily residential will provide modern residential options and add to the mix of uses in the area, thus furthering the goals of the City of Stockbridge's UDC and long-term planning documents.

⁸ See the *City of Stockbridge Comprehensive Plan 2024*, pgs. 43-44.

D. WHETHER THE PROPOSAL CREATES AN ISOLATED DISTRICT UNRELATED TO ADJACENT PROPERTIES AND NEARBY DISTRICTS.

No. The Subject Property is surrounded by properties zoned C-2 and C-3 (Henry County), PUD (City of Stockbridge) and RA (Henry County). In addition, the Subject Property is surrounded on three sides by properties designated as HDMU on both the Henry County and City of Stockbridge Future Land Use Maps. The Proposed MFR zoning and HDR land use will act as a transition between the HDMU land uses to the south and east and the existing single family residential to the west. Moreover, some of the existing PUD developments currently under construction, south of Jodeco Road, contain multi-family residential components, including the Argento at the Bridges apartments, located approximately 1 mile south of the Subject Property on the I-75 Western Parallel Connector.⁹

E. HOW THE PROPOSAL IMPACTS THE AESTHETIC CHARACTER OF EXISTING AND FUTURE USES OF THE PROPERTY AND THE SURROUNDING AREA.

The proposed resort-style multifamily community will blend harmoniously with the surrounding developments. The Applicant is preserving a significant amount of open space that will buffer the RA zoned property to the west. Additionally, the Applicant will be providing onsite amenities for the residents as well as amenitized open space in the form of trails, dog parks/runs, and meditation gardens.

F. WHETHER THE PROPOSAL IS CONSISTENT WITH ADJACENT DEVELOPMENT DENSITIES AND THE DENSITY PATTERNS REFLECTED IN THE COMPREHENSIVE PLAN.

Yes. The 321 residential units equates to a density of ± 12.8 units per acre. This is below the Comprehensive Plan's maximum density for the HDR land use of up to 16 units per acre. The

⁹ The southern portion of the I-75 Western Parallel Connector is currently constructed from Mt. Olive Road north to Jodeco Road.

Applicant's proposed density will allow a development that is fitting for the area and commensurate with densities allowed in uses surrounding the property. Also see Paragraphs C, D and E above.

G. HOW THE PROPOSAL IMPACTS THE PUBLIC HEALTH, SAFETY, AND GENERAL WELFARE.

The proposal will benefit the public health, safety and general welfare. The Applicant proposes to bring the Subject Property into the City, creating a new, vibrant and modern development that diversifies the housing stock available and advances a number of goals outlined in the City's Comprehensive Plan. *See, e.g., Comp Plan at pp. 43-44.*

H. HOW THE PROPOSAL IMPACTS WATER, SEWERAGE, OTHER PUBLIC FACILITIES, OR PUBLIC SERVICES, AND HOW THE PROPOSED AMENDMENT IMPACTS EXPENDITURES OF PUBLIC FUNDS.

The Applicant has requested sewer capacity and water availability letters with this application to demonstrate that water and sewer are available and adequate to serve the Subject Property, along with upgrades that the Applicant is willing to make.

I. HOW THE PROPOSAL IMPACTS TRAFFIC SAFETY AND CONGESTION.

The proposed development will not overly burden existing streets or transportation facilities. The Applicant used the Institute of Transportation Engineers' (ITE) Trip Generation Manual, 9th Edition, to calculate the anticipated number of vehicular trips. The Proposed Development (ITE Category 223 – Mid-Rise Apartments) is expected to generate ± 112.35 trips during the AM weekday peak hour, ± 141.24 trips during the PM weekday peak hour.¹⁰ The proposed number of trips is not expected to overburden the surrounding roadways, however. The Subject Property will have direct access onto the I-75 Western Parallel Connector which is a

¹⁰ Note that the ITE 9th Edition does not provide a daily total trip generation rate for Mid-Rise Apartments.

collector roadway and is a short distance from Jodeco Road, a minor arterial. These types of major roadways are intended for a high volume of traffic and are anticipated to adequately accommodate the Proposed Development's minor amount of vehicular trips. Additionally, the Subject Property is approximately one mile from and U.S. Interstate 75, which can provide quick access to regional transportation. Because the Subject Property is located in proximity to a number of major roadways, its impact on traffic is anticipated to be minimal.

In addition, the proposed trips are expected to be significantly lower than a development allowed under the current C-3 zoning. For example, the C-3 district would allow a 150,000 retail shopping center (ITE Category 820) which would generate approximately 556.5 trips in the PM peak hour. This is a 294% increase in peak hour vehicular trips over the proposed multifamily development. Thus, the Proposed Development will have a significantly reduced impact over what could be constructed under the current C-3 zoning district today.

J. HOW THE PROPOSAL IMPACTS ENVIRONMENTAL CONDITIONS, INCLUDING, BUT NOT LIMITED TO, DRAINAGE, SOIL EROSION AND SEDIMENTATION, FLOODING, AIR QUALITY, WATER QUALITY AND QUANTITY.

The Applicant will mitigate any potential impacts to the environment by following all City, County, State and Federal requirements related to drainage, soil erosion and sedimentation, flooding, air quality, and water quality and quantity.

K. HOW THE PROPOSAL IMPACTS THE PROVISIONS OF ADEQUATE LIGHT AND AIR.

The proposal will have no negative impacts on the provision of adequate light and air. *See also J, above.*

L. HOW THE PROPOSAL IMPACTS THE VALUE OF ADJACENT PROPERTY.

As the site plan submitted with the application demonstrates, the proposal is a thoughtful, pedestrian-oriented, residential neighborhood that will deliver quality design and construction, all

of which should “raise-the-bar” for future development on adjacent and nearby properties and generate renewed interest in the area.

M. WHETHER THERE ARE SUBSTANTIAL REASONS WHY THE PROPERTY CANNOT BE USED IN ACCORDANCE WITH EXISTING REGULATIONS.

The property is currently zoned C-3 which restricts development to primarily commercial uses.

The property has seen no redevelopment under its current zoning, likely due to its distance from Jodeco Road. This separation from the view corridor of major roadways inhibits its attractiveness for commercial development. In addition, the onsite large lake, federally protected wetlands and rolling topography, significantly limits physical feasibility for commercial development and associated parking offer little benefit to a commercial use. On the contrary, the lake, wetlands, and topography are appealing for a well-designed multifamily development. As a result, the property is likely to remain undeveloped absent a rezoning to a more fitting residential district.

N. PRESERVATION OF THE 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 current proposal will have not have a negative impact on the integrity of nearby residential neighborhoods. The Applicant has taken careful consideration in the proposed design and incorporated appropriate buffers and setbacks to minimize negative impacts, if any, against the adjacent residential property to the west.

IV. CONCURRENT VARIANCE ANALYSIS

The Applicant is seeking one concurrent variance with its request to the following requirement of the Stockbridge UDC:

A. Stockbridge Zoning Ordinance § 4.8.5 to reduce the amount of required parking to 424 spaces total.

The City of Stockbridge UDC §4.8.5 requires multifamily developments (with fewer than

40 units per acre) to provide parking at the following ratios: 1.4 spaces per 1-bedroom unit, 2 spaces per 2-bedroom unit, and 2.25 spaces per 3-bedroom unit. The proposed multifamily development will consist of 167 1-bedroom units, 138 2-bedroom units, and 15 3-bedroom units, which equates to a total required parking of ± 544 spaces. The development, however, has limited space for parking and will be providing ± 424 parking spaces. The Subject Property is impacted by a large lake in the center of the property and a significant amount of stream buffers that limit the efficient layout of the site and available area for parking. A reduction in parking will not detrimentally impact the public or the residents. It is the Applicant's experience with its other developments that the amount of parking provided is sufficient for this type of development.

Pursuant to the City of Stockbridge UDC § 10.1.2, the criteria for granting the variance are met. First, there are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography that are not applicable to other lands or structures in the same district. Second, a literal interpretation of the Stockbridge UDC would deprive the Applicant of rights commonly enjoyed by other properties of the district in which the property is located. Third, the grant of the variance will not confer any special privileges upon the Applicant that are denied to other properties of the same district. Fourth, the requested variance will be consistent with the purpose and intent of the UDC, will be compatible with uses on neighboring properties, and will serve the public welfare. Fifth, the special circumstances necessitating the variance are not the result of the actions of the Applicant. Sixth, the variance requested is the minimum variance that will make possible the legal use of the land, building or structure. Finally, the variances will not permit a use of land, buildings, or structures that are not permitted by right in the proposed zoning district.

**V. NOTICE OF CONSTITUTIONAL CHALLENGES AND
PRESERVATION OF CONSTITUTIONAL RIGHTS**

The current zoning of the Subject Property and any intervening zoning district other than that requested is unconstitutional and contrary to the best interest of the health and welfare of the citizens of the City of Stockbridge, and constitutes an arbitrary and capricious act. As a result, the City of Stockbridge Unified Development Code is in violation of Article I, Section I, Paragraphs 1 and 2 of the Constitution of the State of Georgia 1983; Article I, Section III, Paragraph 1 of the Constitution of the State of Georgia; and Article I, Section II, Paragraph 3 of the Constitution of the State of Georgia, 1983. Furthermore, the current zoning violates the due process clause and equal protection clauses of the Fifth and Fourteenth Amendments to the Constitution of the United States of America.

In addition, the current zoning of the Subject Property and any intervening zoning district other than that requested is unconstitutional in that it renders the Subject Property unusable and destroys its marketability. Therefore, the current zoning constitutes a taking of the Applicant's property without just and adequate compensation and without due process of law in violation of the Fifth and Fourteenth Amendments to the United States Constitution and in violation of Article I, Section I, Paragraph 1 and Article I, Section III, Paragraph 1(a) of the Constitution of Georgia.

The Zoning Ordinance of the City of Stockbridge lacks adequate standards for the City Council to exercise its power to zone and rezone. In essence, the standards are not sufficient to contain the discretion of the City Council and to provide the Courts with a reasonable basis for judicial review. Because the stated standards (individually and collectively) are too vague and uncertain to provide reasonable guidance to the Mayor and City Council, the Zoning Ordinance violates the Fifth and Fourteenth Amendments of the Constitution of the United States in matters

of zoning. The Zoning Ordinance also violates Article I, Section III, Paragraph 1; and Article I, Paragraphs 1 and 2 of the Constitution of State of Georgia, 1983.

Opponents to this request lack standing, have failed to exhaust administrative remedies, and have waived their rights to appeal by failing to assert legal and constitutional objections.

VI. CONCLUSION

For the foregoing reasons, the Applicant respectfully requests that the Rezoning, Future Land Use Map Amendment, and Concurrent Variance Applications at issue be approved. The Applicant also invites and welcomes any comments from Staff or other officials of the City of Stockbridge so that such recommendations or input might be incorporated as conditions of approval.

This 4th day of April, 2025.

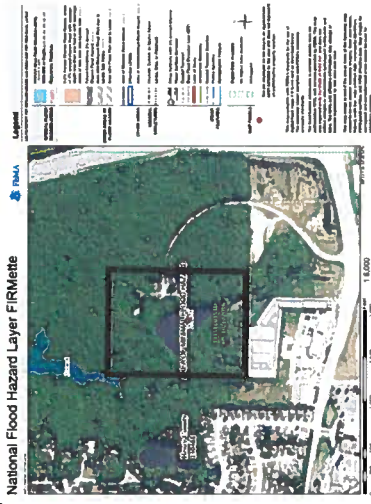
Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Dennis J. Webb, Jr.", is written over a horizontal line.

Dennis J. Webb, Jr.
Kathryn M. Zickert
J. Alexander Brock
Attorneys For Applicant

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404-815-3500

National Flood Hazard Layer FirMette



JODECO-175 ASSOCIATES LLC
TAX ID: 052-01019000
DB 11862, PG 95
ZONED: C2

HARAWAY JENNIFER L & WESLEY E
TAX ID: 052-01017000
DB 11862, PG 51
ZONED: RA

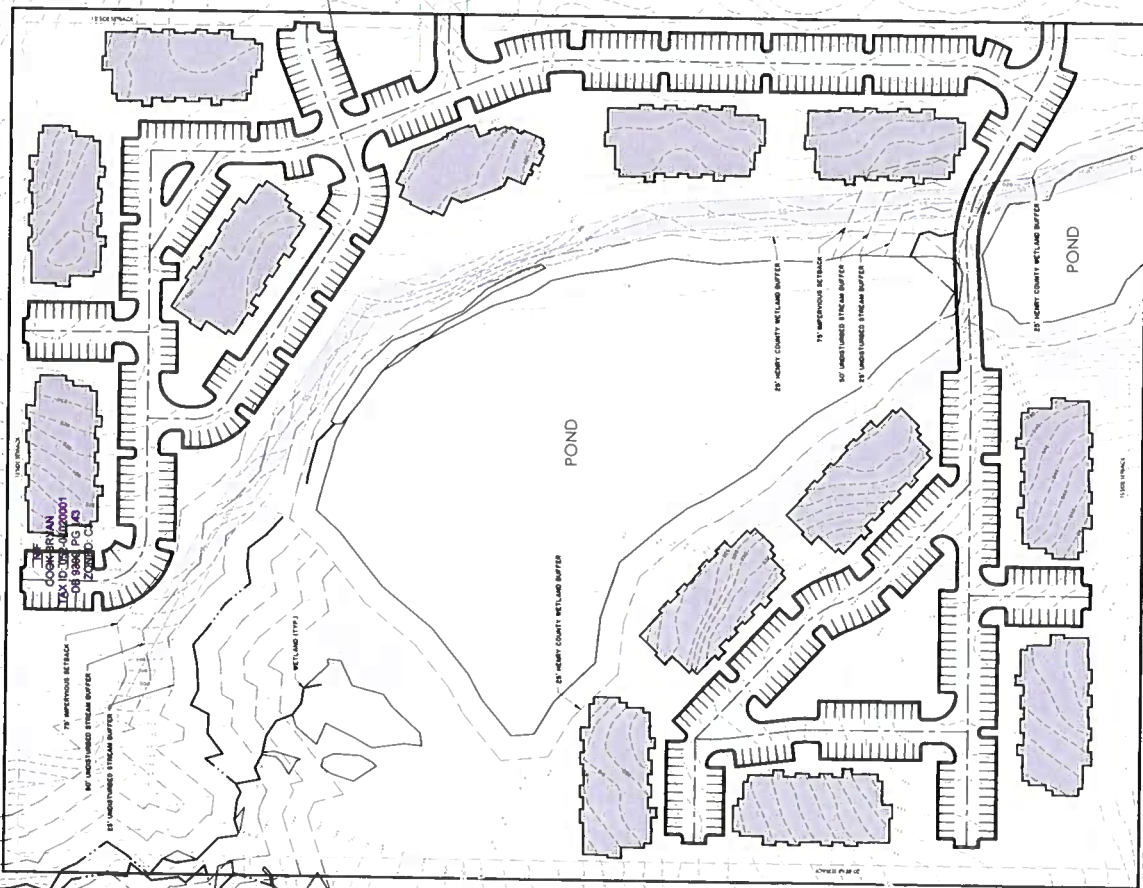
ANAKO, JENNIFER A INC
TAX ID: 052-01018003
DB 11441, PG 280
ZONED: RA

ANAKO, JENNIFER A INC
TAX ID: 052-01018000
DB 11441, PG 280
ZONED: RA

EMSON INVESTMENT PROP LLC
TAX ID: 052-01022000
DB 12168, PG 119
ZONED: C1

AMDELL SYRACUSEANUS XXXV LLC
TAX ID: 052-01017001
DB 14093, PG 1
ZONED: C3

MARKETPLACE STOREFRONTS LLC
TAX ID: 052-01017005
DB 10837, PG 95
ZONED: C2

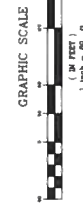


50' PERPETUAL NON-EXCLUSIVE
INGRESS/EGRESS EASEMENT

EXISTING PROPERTY LINE
ADJACENT TO BE COMMANDED WITH
DEVELOPMENT

SITE ADDRESS	2220 JODECO RD, MCDONOUGH, GA 30223
LAND LOT	LL07-51
DISTRICT	LDST-6
GROSS SITE AREA	24,995 AC
NET SITE AREA	20,0425 AC
EXISTING ZONING	C3 HENRY COUNTY
PROPOSED ZONING	MFR (STOCKBRIDGE)
PROPOSED FUTURE LAND USE MAP AMENDMENT TO MFR	
PARCEL ID	052-002000, 052-002000
MAX DENSITY PER ACR (TONING: 6 UNIT PER ACR)	
PROPOSED DENSITY	24,995 AC * 12.81 UNIT/AC = 319 UNIT
PROPOSED ZONING ASSOCIATION	CITY OF STOCKBRIDGE
MINIMUM FRONT SETBACK	60'
MINIMUM REAR SETBACK	20'
MINIMUM SIDE SETBACK	15'
PARKING SPACES (PROVIDED)	553 (1.67 PER UNIT)
PROPOSED SPACES (REQUIRED)	553 (1.67 PER UNIT)

ANNEXATION, REZONING & FUTURE
LAND USE MAP AMENDMENT
JODECO ROAD MULTI-FAMILY
UNINCORPORATED HENRY COUNTY, GA
PREPARED FOR:
EMORY EQUITY, LLC.
PREPARED BY:
THOMAS HUTTON
COUNTY ENGINEER
HENRY COUNTY, GA
www.thomashutton.com



DATE: 05/20/2020
SCALE: 1" = 100'
PROJECT: JODECO RD

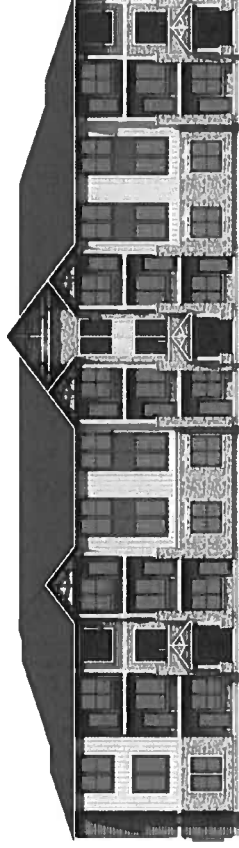


JODECO ROAD MULTI-FAMILY - HENRY COUNTY, GA

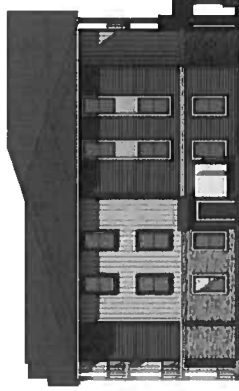
ARCHITECTURAL IMAGERY

SEPTEMBER 1, 2022

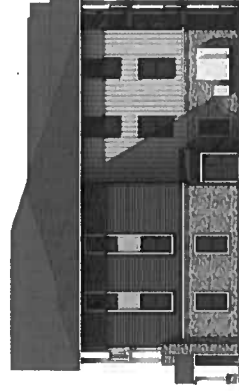
Front:



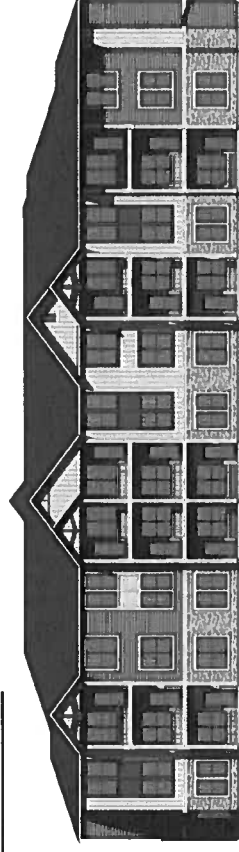
Left:



Right:



Back:



JODECO ROAD MULTI-FAMILY - HENRY COUNTY, GA

ARCHITECTURAL ELEVATIONS

SEPTEMBER 1, 2022



Henry County Water Authority
Engineering Division

September 2, 2022

Re: Water and Sewer Services - Availability

Proposed Development: **Multi-Family**

Property Information: **2220 Jodeco Road Parcel Nos. 052-0102000 & 052-0102001
LL 51; District 6; 25.0+/- acres**

Proposed Zoning: **RM**

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 via a line extension of approximately 2,200 linear feet along Feucht Road at the developer's expense. A fire flow test calculated in the area revealed the following data:

Static:	84	psi
Residual:	70	psi
Flow	2250	gpm
Calculated Flow @ 20 psi:	5112	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 is available for the property. ***Sewer line capacity can be made available via the construction of a gravity line along the Western Parallel Connector Sanitary Sewer***

Extension project. Extending the sewer line may require an easement on the subject properties. This project is currently under design with no established date for completion.

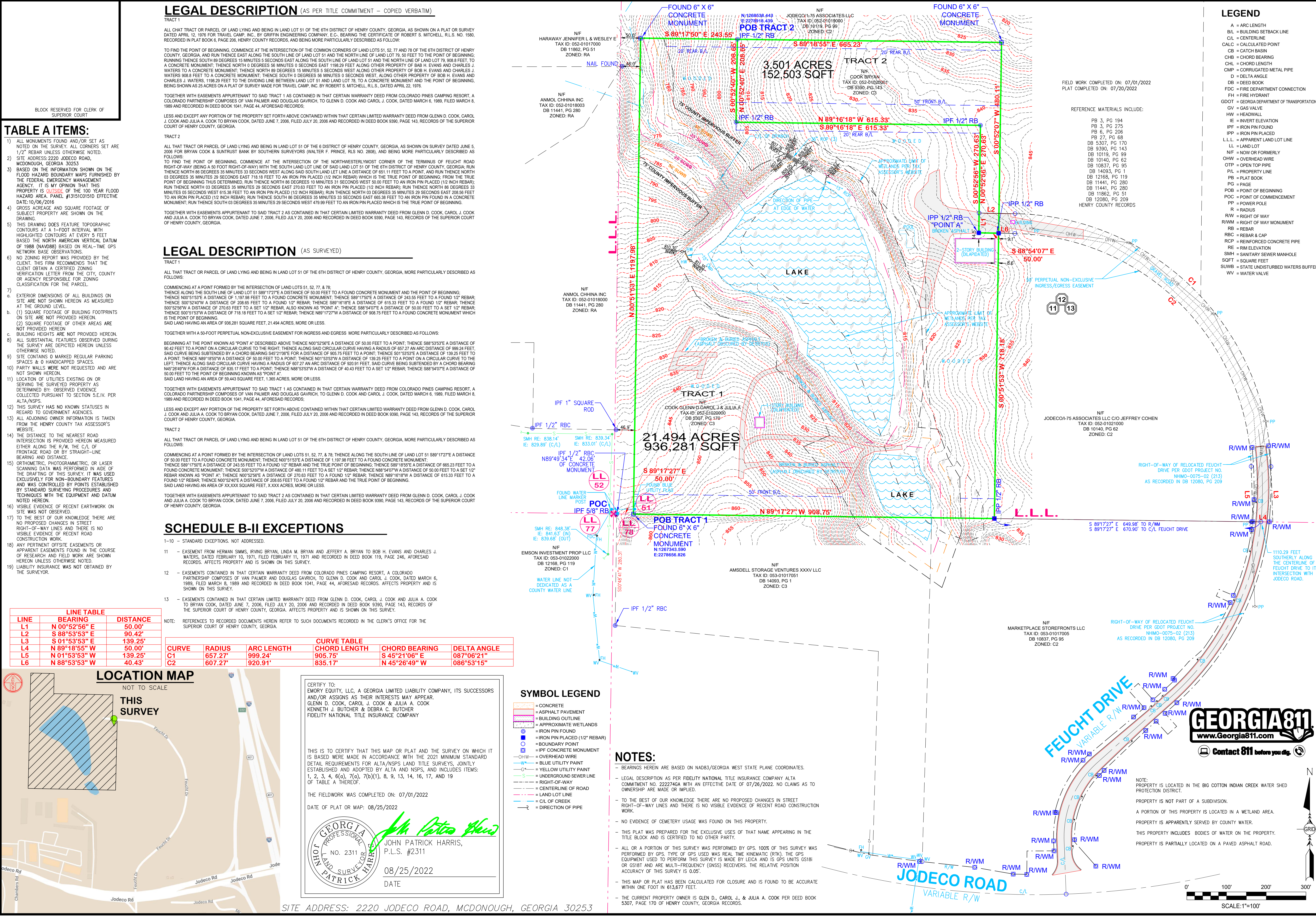
The Authority provides water and sewer services where capacity is available on a first-come, first served basis. Each customer, developer, and property owner must also comply with the rules, regulations, and ordinances of the Authority.

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 Preliminary Site Plan dated 08/11/2022 prepared by Thomas & Hutton.

 Date:
2022.09.02
16:26:35 -04'00'

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



LEGAL DESCRIPTION (AS PER TITLE COMMITMENT - COPIED VERBATIM)

TRACT 1

ALL CHAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 51 OF THE 6TH DISTRICT OF HENRY COUNTY, GEORGIA, AS SHOWN ON A PLAT OR SURVEY DATED APRIL 12, 1976 FOR TRAVEL CAMP, INC., BY GRIFFIN ENGINEERING COMPANY, E.C., BEARING THE CERTIFICATE OF ROBERT S. MITCHELL, R.L.S. NO. 1580, RECORDED IN PLAT BOOK 6, PAGE 206, HENRY COUNTY RECORDS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO FIND THE POINT OF BEGINNING, COMMENCE AT THE INTERSECTION OF THE COMMON CORNERS OF LAND LOTS 51, 52, 77 AND 78 OF THE 6TH DISTRICT OF HENRY COUNTY, GEORGIA, AND RUN THENCE EAST ALONG THE SOUTH LINE OF LAND LOT 51 AND THE NORTH LINE OF LAND LOT 79, 50 FEET TO THE POINT OF BEGINNING; RUN THENCE SOUTH 89 DEGREES 15 MINUTES 5 SECONDS EAST ALONG THE SOUTH LINE OF LAND LOT 51 AND THE NORTH LINE OF LAND LOT 79, 908.8 FEET TO A CONCRETE MONUMENT; THENCE NORTH 0 DEGREES 56 MINUTES 0 SECONDS EAST 1198.29 FEET ALONG OTHER PROPERTY OF BOB H. EVANS AND CHARLES J. WATERS TO A CONCRETE MONUMENT; THENCE NORTH 0 DEGREES 15 MINUTES 5 SECONDS WEST ALONG OTHER PROPERTY OF BOB H. EVANS AND CHARLES J. WATERS 908.8 FEET TO A CONCRETE MONUMENT; THENCE SOUTH 0 DEGREES 56 MINUTES 0 SECONDS WEST, ALONG OTHER PROPERTY OF BOB H. EVANS AND CHARLES J. WATERS, 1198.29 FEET TO THE DIVIDING LINE BETWEEN LAND LOT 51 AND LAND LOT 78, TO A CONCRETE MONUMENT AND THE POINT OF BEGINNING, BEING SHOWN AS 25 ACRES ON A PLAT OF SURVEY MADE FOR TRAVEL CAMP, INC. BY ROBERT S. MITCHELL, R.L.S., DATED APRIL 22, 1976.

TOGETHER WITH EASEMENTS APPURTENANT TO SAID TRACT 1 AS CONTAINED IN THAT CERTAIN LIMITED WARRANTY DEED FROM COLORADO PINES CAMPING RESORT, A COLORADO PARTNERSHIP COMPOSED OF VAN PALMER AND DOUGLAS GAVRICH, TO GLENN D. COOK AND CAROL J. COOK, DATED MARCH 6, 1989, FILED MARCH 8, 1989 AND RECORDED IN DEED BOOK 1041, PAGE 44, AFORESAID RECORDS.

LESS AND EXCEPT ANY PORTION OF THE PROPERTY SET FORTH ABOVE CONTAINED WITHIN THAT CERTAIN LIMITED WARRANTY DEED FROM GLENN D. COOK, CAROL J. COOK AND JULIA A. COOK TO BRYAN COOK, DATED JUNE 7, 2006, FILED JULY 20, 2006 AND RECORDED IN DEED BOOK 9390, PAGE 143, RECORDS OF THE SUPERIOR COURT OF HENRY COUNTY, GEORGIA.

TRACT 2

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 51 OF THE 6TH DISTRICT OF HENRY COUNTY, GEORGIA, AS SHOWN ON SURVEY DATED JUNE 5, 2006 FOR BRYAN COOK & TRUST TRUST SURVEYORS (WALTER F. PRINCE, RLS NO. 2890), AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO FIND THE POINT OF BEGINNING, COMMENCE AT THE INTERSECTION OF THE NORTHWESTERLYMOST CORNER OF THE TERMINUS OF FEUCHT ROAD RIGHT-OF-WAY (BEING A 50 FOOT RIGHT-OF-WAY) WITH THE SOUTH LAND LOT 51 OF THE 6TH DISTRICT OF HENRY COUNTY, GEORGIA, RUN THENCE NORTH 86 DEGREES 35 MINUTES 33 SECONDS WEST ALONG SAID SOUTH LAND LET LINE A DISTANCE OF 651.11 FEET TO A POINT, AND RUN THENCE NORTH 0 DEGREES 35 MINUTES 29 SECONDS EAST 716.18 FEET TO AN IRON PIN PLACED (1/2 INCH REBAR) WHICH IS THE TRUE POINT OF BEGINNING, FROM THE TRUE POINT OF BEGINNING, THIS DETERMINED, RUN THENCE NORTH 86 DEGREES 35 MINUTES 33 SECONDS WEST 50.00 FEET TO AN IRON PIN PLACED (1/2 INCH REBAR); RUN THENCE NORTH 0 DEGREES 35 MINUTES 29 SECONDS EAST 270.63 FEET TO AN IRON PIN PLACED (1/2 INCH REBAR); RUN THENCE NORTH 86 DEGREES 35 MINUTES 29 SECONDS EAST 270.63 FEET TO AN IRON PIN PLACED (1/2 INCH REBAR); RUN THENCE NORTH 0 DEGREES 35 MINUTES 29 SECONDS EAST 208.56 FEET TO AN IRON PIN PLACED (1/2 INCH REBAR); RUN THENCE SOUTH 86 DEGREES 35 MINUTES 33 SECONDS EAST 655.38 FEET TO AN IRON PIN PLACED IN A CONCRETE MONUMENT; RUN THENCE SOUTH 0 DEGREES 35 MINUTES 29 SECONDS EAST 655.38 FEET TO AN IRON PIN PLACED WHICH IS THE TRUE POINT OF BEGINNING.

TOGETHER WITH EASEMENTS APPURTENANT TO SAID TRACT 2 AS CONTAINED IN THAT CERTAIN LIMITED WARRANTY DEED FROM GLENN D. COOK, CAROL J. COOK AND JULIA A. COOK TO BRYAN COOK, DATED JUNE 7, 2006, FILED JULY 20, 2006 AND RECORDED IN DEED BOOK 9390, PAGE 143, RECORDS OF THE SUPERIOR COURT OF HENRY COUNTY, GEORGIA.

LEGAL DESCRIPTION (AS SURVEYED)

TRACT 1

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 51 OF THE 6TH DISTRICT OF HENRY COUNTY, GEORGIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT FORMED BY THE INTERSECTION OF LAND LOTS 51, 52, 77, & 78; THENCE ALONG THE SOUTH LINE OF LAND LOT 51 S89°17'27"E A DISTANCE OF 50.00 FEET TO A FOUND CONCRETE MONUMENT AND THE POINT OF BEGINNING; THENCE N00°51'53"E A DISTANCE OF 1,197.98 FEET TO A FOUND CONCRETE MONUMENT; THENCE S89°17'50"E A DISTANCE OF 243.55 FEET TO A FOUND 1/2" REBAR; THENCE S00°52'40"W A DISTANCE OF 208.65 FEET TO A FOUND 1/2" REBAR; THENCE S89°16'18"E A DISTANCE OF 615.33 FEET TO A FOUND 1/2" REBAR; THENCE S00°52'40"W A DISTANCE OF 270.63 FEET TO A SET 1/2" REBAR, ALSO KNOWN AS "POINT A"; THENCE S89°16'18"E A DISTANCE OF 615.33 FEET TO A SET 1/2" REBAR; THENCE S00°51'53"W A DISTANCE OF 718.18 FEET TO A SET 1/2" REBAR; THENCE N89°17'27"E A DISTANCE OF 908.75 FEET TO A FOUND CONCRETE MONUMENT WHICH IS THE POINT OF BEGINNING.

(2) SQUARE FOOTAGE OF OTHER AREAS ARE NOT PROVIDED HEREON.

TOGETHER WITH A 50-FOOT PERPETUAL NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT KNOWN AS "POINT A" DESCRIBED ABOVE THENCE N00°52'56"E A DISTANCE OF 50.00 FEET TO A POINT; THENCE S88°53'35"E A DISTANCE OF 90.42 FEET TO A POINT ON A CIRCULAR CURVE TO THE RIGHT; THENCE ALONG SAID CIRCULAR CURVE HAVING A RADIUS OF 657.27 AN ARC DISTANCE OF 699.24 FEET, SAID CURVE BEING SUBTENDED BY A CHORD BEARING S45°21'06"E FOR A DISTANCE OF 305.75 FEET TO A POINT; THENCE S01°53'53"E A DISTANCE OF 139.25 FEET TO A POINT; THENCE N89°18'55"W A DISTANCE OF 50.00 FEET TO A POINT; THENCE N01°53'53"W A DISTANCE OF 139.25 FEET TO A POINT ON A CIRCULAR CURVE TO THE LEFT; THENCE ALONG SAID CIRCULAR CURVE HAVING A RADIUS OF 607.27 AN ARC DISTANCE OF 920.91 FEET, SAID CURVE BEING SUBTENDED BY A CHORD BEARING N45°26'49"W FOR A DISTANCE OF 50.00 FEET TO A POINT; THENCE N89°53'53"W A DISTANCE OF 40.43 FEET TO A SET 1/2" REBAR; THENCE S88°54'07"E A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING KNOWN AS "POINT A"; SAID LAND HAVING AN AREA OF 59.443 SQUARE FEET, 1.365 ACRES, MORE OR LESS.

TOGETHER WITH EASEMENTS APPURTENANT TO SAID TRACT 1 AS CONTAINED IN THAT CERTAIN WARRANTY DEED FROM COLORADO PINES CAMPING RESORT, A COLORADO PARTNERSHIP COMPOSED OF VAN PALMER AND DOUGLAS GAVRICH, TO GLENN D. COOK AND CAROL J. COOK, DATED MARCH 6, 1989, FILED MARCH 8, 1989 AND RECORDED IN DEED BOOK 1041, PAGE 44, AFORESAID RECORDS.

LESS AND EXCEPT ANY PORTION OF THE PROPERTY SET FORTH ABOVE CONTAINED WITHIN THAT CERTAIN LIMITED WARRANTY DEED FROM GLENN D. COOK, CAROL J. COOK AND JULIA A. COOK TO BRYAN COOK, DATED JUNE 7, 2006, FILED JULY 20, 2006 AND RECORDED IN DEED BOOK 9390, PAGE 143, RECORDS OF THE SUPERIOR COURT OF HENRY COUNTY, GEORGIA.

TRACT 2

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COMMENCING AT A POINT FORMED BY THE INTERSECTION OF LAND LOTS 51, 52, 77, & 78; THENCE ALONG THE SOUTH LINE OF LAND LOT 51 S89°17'27"E A DISTANCE OF 50.00 FEET TO A FOUND CONCRETE MONUMENT; THENCE N00°51'53"E A DISTANCE OF 1,197.98 FEET TO A FOUND CONCRETE MONUMENT; THENCE S89°17'50"E A DISTANCE OF 243.55 FEET TO A FOUND 1/2" REBAR; THENCE S00°52'40"W A DISTANCE OF 208.65 FEET TO A FOUND 1/2" REBAR; THENCE S89°16'18"E A DISTANCE OF 615.33 FEET TO A FOUND 1/2" REBAR; THENCE S00°52'40"W A DISTANCE OF 270.63 FEET TO A SET 1/2" REBAR, ALSO KNOWN AS "POINT A"; THENCE S89°16'18"E A DISTANCE OF 615.33 FEET TO A SET 1/2" REBAR; THENCE S00°51'53"W A DISTANCE OF 718.18 FEET TO A SET 1/2" REBAR; THENCE N89°17'27"E A DISTANCE OF 908.75 FEET TO A FOUND CONCRETE MONUMENT WHICH IS THE POINT OF BEGINNING.

SAID LAND HAVING AN AREA OF XX.XXX SQUARE FEET, X.XXX ACRES, MORE OR LESS.

TOGETHER WITH EASEMENTS APPURTENANT TO SAID TRACT 2 AS CONTAINED IN THAT CERTAIN LIMITED WARRANTY DEED FROM GLENN D. COOK, CAROL J. COOK AND JULIA A. COOK TO BRYAN COOK, DATED JUNE 7, 2006, FILED JULY 20, 2006 AND RECORDED IN DEED BOOK 9390, PAGE 143, RECORDS OF THE SUPERIOR COURT OF HENRY COUNTY, GEORGIA.

SCHEDULE B-II EXCEPTIONS

1-10 - STANDARD EXCEPTIONS. NOT ADDRESSED.

11 - EASEMENT FROM HERMAN SIMMS, IRVING BRYAN, LINDA M. BRYAN AND JEFFERY A. BRYAN TO BOB H. EVANS AND CHARLES J. WATERS, DATED FEBRUARY 10, 1971, FILED FEBRUARY 11, 1971 AND RECORDED IN DEED BOOK 119, PAGE 246, AFORESAID RECORDS. AFFECTS PROPERTY AND IS SHOWN ON THIS SURVEY.

12 - EASEMENTS CONTAINED IN THAT CERTAIN WARRANTY DEED FROM COLORADO PINES CAMPING RESORT, A COLORADO PARTNERSHIP COMPOSED OF VAN PALMER AND DOUGLAS GAVRICH, TO GLENN D. COOK AND CAROL J. COOK, DATED MARCH 6, 1989, FILED MARCH 8, 1989 AND RECORDED IN DEED BOOK 1041, PAGE 44, AFORESAID RECORDS. AFFECTS PROPERTY AND IS SHOWN ON THIS SURVEY.

13 - EASEMENTS CONTAINED IN THAT CERTAIN LIMITED WARRANTY DEED FROM GLENN D. COOK, CAROL J. COOK AND JULIA A. COOK TO BRYAN COOK, DATED JUNE 7, 2006, FILED JULY 20, 2006 AND RECORDED IN DEED BOOK 9390, PAGE 143, RECORDS OF THE SUPERIOR COURT OF HENRY COUNTY, GEORGIA. AFFECTS PROPERTY AND IS SHOWN ON THIS SURVEY.

NOTE: REFERENCES TO RECORDED DOCUMENTS HEREIN REFER TO SUCH DOCUMENTS RECORDED IN THE CLERK'S OFFICE FOR THE SUPERIOR COURT OF HENRY COUNTY, GEORGIA.

CURVE	RADIUS	ARC LENGTH	CURVE TABLE	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	657.27"	999.24'	905.75'	905.75'	S 45°21'06" E	087°06'21"
C2	607.27"	920.91'	835.17'	835.17'	N 45°26'49" W	086°53'15"

LINE TABLE

LINE	BEARING	DISTANCE
L1	N 00°52'56" E	50.00'
L2	S 88°53'53" E	90.42'
L3	S 01°53'53" E	139.25'
L4	N 89°18'55" W	50.00'
L5	N 01°53'53" W	139.25'
L6	N 88°53'53" W	40.43'

LOCATION MAP

NOT TO SCALE

THIS SURVEY

GEORGIA811
www.Georgia811.com

Contact 811 before you dig.

NOTE: PROPERTY IS LOCATED IN THE BIG COTTON INDIAN CREEK WATER SHED PROTECTION DISTRICT.

PROPERTY IS NOT PART OF A SUBDIVISION.

A PORTION OF THIS PROPERTY IS LOCATED IN A WETLAND AREA.

PROPERTY IS APPARENTLY SERVED BY COUNTY WATER.

THIS PROPERTY INCLUDES BODIES OF WATER ON THE PROPERTY.

PROPERTY IS PARTIALLY LOCATED ON A PAVED ASPHALT ROAD.

SCALE: 1"=100'

SYMBOL LEGEND

- CONCRETE
- ASPHALT PAVEMENT
- BUILDING OUTLINE
- APPROXIMATE WETLANDS
- IRON PIN FOUND
- IRON PIN PLACED (1/2" REBAR)
- BOUNDARY POINT
- IPF CONCRETE MONUMENT
- OVERHEAD WIRE
- BLUE UTILITY PAINT
- YELLOW UTILITY PAINT
- UNDERGROUND SEWER LINE
- RIGHT-OF-WAY
- CENTERLINE OF ROAD
- LAND LOT LINE
- C/L OF CREEK
- DIRECTION OF PIPE

NOTES:

- BEARINGS HEREIN ARE BASED ON NAD83/GEORGIA WEST STATE PLANE COORDINATES.
- LEGAL DESCRIPTION AS PER FIDELITY NATIONAL TITLE INSURANCE COMPANY ALTA COMMITMENT NO. 2222746A WITH AN EFFECTIVE DATE OF 07/26/2022. NO CLAIMS AS TO OWNERSHIP ARE MADE OR IMPLIED.
- TO THE BEST OF OUR KNOWLEDGE THERE ARE NO PROPOSED CHANGES IN STREET RIGHT-OF-WAY LINES AND THERE IS NO VISIBLE EVIDENCE OF RECENT ROAD CONSTRUCTION WORK.
- NO EVIDENCE OF CEMETERY USAGE WAS FOUND ON THIS PROPERTY.
- THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USES OF THAT NAME APPEARING IN THE TITLE BLOCK AND IS CERTIFIED TO NO OTHER PARTY.
- ALL OR A PORTION OF THIS SURVEY WAS PERFORMED BY GPS. 100% OF THIS SURVEY WAS PERFORMED BY GPS. TYPE OF GPS USED WAS REAL TIME KINEMATIC (RTK). THE GPS EQUIPMENT USED TO PERFORM THIS SURVEY IS MADE BY LEICA AND IS GPS UNITS GS181 OR GS181 AND ARE MULTI-FREQUENCY (GNSS) RECEIVERS. THE RELATIVE POSITION ACCURACY OF THIS SURVEY IS 0.05'.
- THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 613,677 FEET.
- THE CURRENT PROPERTY OWNER IS GLEN D. CAROL J. & JULIA A. COOK PER DEED BOOK 5307, PAGE 170 OF HENRY COUNTY, GEORGIA RECORDS.

TABLE A ITEMS:

- ALL MONUMENTS FOUND AND/OR SET AS NOTED ON THE SURVEY. ALL CORNERS SET ARE 1/2" REBAR UNLESS OTHERWISE NOTED.
- SITE ADDRESS: 2220 JODECO ROAD, MCDONOUGH, GEORGIA 30253
- BASED ON THE INFORMATION SHOWN ON THE FLOOD HAZARD BOUNDARY MAPS FURNISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY. IT IS MY OPINION THAT THIS PROPERTY IS **OUTSIDE** OF THE 100 YEAR FLOOD HAZARD AREA. PANEL #315101510 EFFECTIVE DATE: 10/06/2016
- GROSS ACREAGE AND SQUARE FOOTAGE OF SUBJECT PROPERTY ARE SHOWN ON THE DRAWING.
- THIS DRAWING DOES FEATURE TOPOGRAPHIC CONTOURS AT A 1-FOOT INTERVAL WITH HIGHLIGHTED CONTOURS AT EVERY 5 FEET BASED THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88) BASED ON REAL-TIME GPS NETWORK BASE OBSERVATIONS.
- NO ZONING REPORT WAS PROVIDED BY THE CLIENT. THIS FIRM RECOMMENDS THAT THE CLIENT OBTAIN A CERTIFIED ZONING VERIFICATION LETTER FROM THE CITY, COUNTY OR AGENCY RESPONSIBLE FOR ZONING CLASSIFICATION FOR THE PARCEL.
- EXTERIOR DIMENSIONS OF ALL BUILDINGS ON SITE ARE NOT SHOWN HEREON AS MEASURED AT THE GROUND LEVEL.
- SQUARE FOOTAGE OF BUILDING FOOTPRINTS ON SITE ARE NOT PROVIDED HEREON.
- SQUARE FOOTAGE OF OTHER AREAS ARE NOT PROVIDED HEREON.
- BUILDING HEIGHTS ARE NOT PROVIDED HEREON.
- ALL SUBSTANTIAL FEATURES OBSERVED DURING THE SURVEY ARE DEPICTED HEREON UNLESS OTHERWISE NOTED.
- SITE CONTAINS 0 MARKED REGULAR PARKING SPACES & 0 HANDICAPPED SPACES.
- PARTY WALLS WERE NOT REQUESTED AND ARE NOT SHOWN HEREON.
- LOCATION OF UTILITIES EXISTING ON OR SERVING THE SURVEYED PROPERTY AS DETERMINED BY OBSERVED EVIDENCE COLLECTED PURSUANT TO SECTION 5.E.IV. PER ALTA/NSPS.
- THIS SURVEY HAS NO KNOWN STATUTES IN REGARD TO GOVERNMENT AGENCIES.
- ALL ADJOINING OWNER INFORMATION IS TAKEN FROM THE HENRY COUNTY TAX ASSESSOR'S WEBSITE.
- THE DISTANCE TO THE NEAREST ROAD INTERSECTION IS PROVIDED HEREON MEASURED EITHER ALONG THE R/W, THE C/L OF FRONTAGE, ROAD OR BY STRAIGHT-LINE BEARING AND DISTANCE.
- ORTHOMETRIC, PHOTOGRAMMETRIC, OR LASER SCANNING DATA WAS PERFORMED IN AIDE OF THE DRAFTING OF THIS SURVEY. IT WAS USED EXCLUSIVELY FOR NON-BOUNDARY FEATURES AND WAS CONTROLLED BY POINTS ESTABLISHED BY STANDARD SURVEYING PROCEDURES AND TECHNIQUES WITH THE EQUIPMENT AND DATUM NOTED HEREON.
- VISIBLE EVIDENCE OF RECENT EARTHWORK ON SITE WAS NOT OBSERVED.
- TO THE BEST OF OUR KNOWLEDGE THERE ARE NO PROPOSED CHANGES IN STREET RIGHT-OF-WAY LINES AND THERE IS NO VISIBLE EVIDENCE OF RECENT ROAD CONSTRUCTION WORK.
- ANY PERTINENT OFFSITE EASEMENTS OR APPARENT EASEMENTS FOUND IN THE COURSE OF RESEARCH AND FIELD WORK ARE SHOWN HEREON UNLESS OTHERWISE NOTED.
- LIABILITY INSURANCE WAS NOT OBTAINED BY THE SURVEYOR.

LEGAL DESCRIPTION (AS SURVEYED)

TRACT 1

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 51 OF THE 6TH DISTRICT OF HENRY COUNTY, GEORGIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT FORMED BY THE INTERSECTION OF LAND LOTS 51, 52, 77, & 78; THENCE ALONG THE SOUTH LINE OF LAND LOT 51 S89°17'27"E A DISTANCE OF 50.00 FEET TO A FOUND CONCRETE MONUMENT; THENCE N00°51'53"E A DISTANCE OF 1,197.98 FEET TO A FOUND CONCRETE MONUMENT; THENCE S89°17'50"E A DISTANCE OF 243.55 FEET TO A FOUND 1/2" REBAR; THENCE S00°52'40"W A DISTANCE OF 208.65 FEET TO A FOUND 1/2" REBAR; THENCE S89°16'18"E A DISTANCE OF 615.33 FEET TO A FOUND 1/2" REBAR; THENCE S00°52'40"W A DISTANCE OF 270.63 FEET TO A SET 1/2" REBAR, ALSO KNOWN AS "POINT A"; THENCE S89°16'18"E A DISTANCE OF 615.33 FEET TO A SET 1/2" REBAR; THENCE S00°51'53"W A DISTANCE OF 718.18 FEET TO A SET 1/2" REBAR; THENCE N89°17'27"E A DISTANCE OF 908.75 FEET TO A FOUND CONCRETE MONUMENT WHICH IS THE POINT OF BEGINNING.

SAID LAND HAVING AN AREA OF XX.XXX SQUARE FEET, X.XXX ACRES, MORE OR LESS.

TOGETHER WITH EASEMENTS APPURTENANT TO SAID TRACT 1 AS CONTAINED IN THAT CERTAIN WARRANTY DEED FROM COLORADO PINES CAMPING RESORT, A COLORADO PARTNERSHIP COMPOSED OF VAN PALMER AND DOUGLAS GAVRICH, TO GLENN D. COOK AND CAROL J. COOK, DATED MARCH 6, 1989, FILED MARCH 8, 1989 AND RECORDED IN DEED BOOK 1041, PAGE 44, AFORESAID RECORDS. AFFECTS PROPERTY AND IS SHOWN ON THIS SURVEY.

TRACT 2

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 51 OF THE 6TH DISTRICT OF HENRY COUNTY, GEORGIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT FORMED BY THE INTERSECTION OF LAND LOTS 51, 52, 77, & 78; THENCE ALONG THE SOUTH LINE OF LAND LOT 51 S89°17'27"E A DISTANCE OF 50.00 FEET TO A FOUND CONCRETE MONUMENT; THENCE N00°51'53"E A DISTANCE OF 1,197.98 FEET TO A FOUND CONCRETE MONUMENT; THENCE S89°17'50"E A DISTANCE OF 243.55 FEET TO A FOUND 1/2" REBAR; THENCE S00°52'40"W A DISTANCE OF 208.65 FEET TO A FOUND 1/2" REBAR; THENCE S89°16'18"E A DISTANCE OF 615.33 FEET TO A FOUND 1/2" REBAR; THENCE S00°52'40"W A DISTANCE OF 270.63 FEET TO A SET 1/2" REBAR, ALSO KNOWN AS "POINT A"; THENCE S89°16'18"E A DISTANCE OF 615.33 FEET TO A SET 1/2" REBAR; THENCE S00°51'53"W A DISTANCE OF 718.18 FEET TO A SET 1/2" REBAR; THENCE N89°17'27"E A DISTANCE OF 908.75 FEET TO A FOUND CONCRETE MONUMENT WHICH IS THE POINT OF BEGINNING.

SAID LAND HAVING AN AREA OF XX.XXX SQUARE FEET, X.XXX ACRES, MORE OR LESS.

TOGETHER WITH EASEMENTS APPURTENANT TO SAID TRACT 2 AS CONTAINED IN THAT CERTAIN LIMITED WARRANTY DEED FROM GLENN D. COOK, CAROL J. COOK AND JULIA A. COOK TO BRYAN COOK, DATED JUNE 7, 2006, FILED JULY 20, 2006 AND RECORDED IN DEED BOOK 9390, PAGE 143, RECORDS OF THE SUPERIOR COURT OF HENRY COUNTY, GEORGIA.

CERTIFY TO:

EMORY EQUITY, LLC, A GEORGIA LIMITED LIABILITY COMPANY, ITS SUCCESSORS AND/OR ASSIGNS AS THEIR INTERESTS MAY APPEAR.

GLENN D. COOK, CAROL J. COOK & JULIA A. COOK

KENNETH J. BUTCHER & DEBRA C. BUTCHER

FIDELITY NATIONAL TITLE INSURANCE COMPANY

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS: 1, 2, 3, 4, 6(a), 7(a), 7(b)(1), 8, 9, 13, 14, 16, 17, AND 19 OF TABLE A THEREOF.

THE FIELDWORK WAS COMPLETED ON: 07/01/2022

DATE OF PLAT OR MAP: 08/25/2022

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

08/25/2022

DATE

GEORGIA811
www.Georgia811.com

Contact 811 before you dig.

NOTE: PROPERTY IS LOCATED IN THE BIG COTTON INDIAN CREEK WATER SHED PROTECTION DISTRICT.

PROPERTY IS NOT PART OF A SUBDIVISION.

A PORTION OF THIS PROPERTY IS LOCATED IN A WETLAND AREA.

PROPERTY IS APPARENTLY SERVED BY COUNTY WATER.

THIS PROPERTY INCLUDES BODIES OF WATER ON THE PROPERTY.

PROPERTY IS PARTIALLY LOCATED ON A PAVED ASPHALT ROAD.

SCALE: 1"=100'

THIS DRAWING IS THE PROPERTY OF IRONSTONE SURVEYING AND IS AN INSTRUMENT OF SERVICE. IT IS TO BE REPRODUCED IN WHOLE OR IN PART WITHOUT THE EXPRESS WRITTEN PERMISSION OF SAME.

DATE

DESCRIPTION OF REVISION

Job No.

No.

ALTANSNPS LAND TITLE SURVEY

FOR EMORY EQUITY, LLC

IN LAND LOT 51, DISTRICT 6, HENRY COUNTY, GEORGIA

ORIGINAL PLAT DATE 08/25/2022

SCALE 1" = 100'

DRAWN BY SJL

CHECKED BY JPH

ORIGINAL FIELD DATE 07/01/2022

CREW RL/LAL

FIELD BOOK FIELD SKETCH

JOB NO. 220221

DWG NO. 220221-A

SHEET 1 of 1



Henry County Water Authority
Engineering Division

September 2, 2022

Re: Water and Sewer Services - Availability

Proposed Development: **Multi-Family**

Property Information: **2220 Jodeco Road Parcel Nos. 052-0102000 & 052-0102001
LL 51; District 6; 25.0+/- acres**

Proposed Zoning: **RM**

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 via a line extension of approximately 2,200 linear feet along Feucht Road at the developer's expense. A fire flow test calculated in the area revealed the following data:

Static:	84	psi
Residual:	70	psi
Flow	2250	gpm
Calculated Flow @ 20 psi:	5112	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** is available for the property. ***Sewer line capacity can be made available via the construction of a gravity line along the Western Parallel Connector Sanitary Sewer***

Extension project. Extending the sewer line may require an easement on the subject properties. This project is currently under design with no established date for completion.

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 Preliminary Site Plan dated 08/11/2022 prepared by Thomas & Hutton.



Date:

2022.09.02

16:26:35 -04'00'

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