

STATE OF GEORGIA

CITY OF STOCKBRIDGE

ORDINANCE NO. OR16-407

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP, CITY OF STOCKBRIDGE, GEORGIA, AS AMENDED; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**WHEREAS**, the governing authority of the City of Stockbridge is the Mayor and Council thereof;

**WHEREAS**, the governing authority of the City of Stockbridge, Georgia desires to modify the zoning designation of certain property located within the City; and,

**WHEREAS**, the health, safety, and welfare of the citizens of Stockbridge, Georgia, will be positively impacted by the adoption of this Ordinance.

NOW THEREFORE, THE COUNCIL OF THE CITY OF STOCKBRIDGE HEREBY ORDAINS:

**Section 1.** The property located at the southeast corner of the intersection of Highway 42, more particularly described in Exhibit "A," a copy of which is attached hereto and incorporated herein by reference, is hereby rezoned to O-I (Office-Institutional) District (City of Stockbridge's Classification) with conditions, such rezoning to be noted on the City of Stockbridge Official Zoning Map approved by Mayor and Council as soon as reasonably possible following adoption of this Ordinance by the Zoning Administrator along with an

editorial note on the City of Stockbridge Official Zoning Map approved by Mayor and Council specifying the parcel(s) affected by this Ordinance and the date of adoption of this Ordinance. Until the rezoning is indicated on the City of Stockbridge Official Zoning Map approved by Mayor and Council, this Ordinance shall govern over the City of Stockbridge Official Zoning Map approved by Mayor and Council to the extent of any discrepancy between this Ordinance and the City of Stockbridge Official Zoning Map approved by Mayor and Council. Such rezoning shall be conditioned on the following:

1. The allowable uses of the subject property for residents shall include assisted living facility. Any assisted living facility shall be a state-licensed use in which domiciliary care is provided to adults who are provided with food, shelter, and personal services within independent living units which could include kitchen facilities in which residents have the option of preparing and serving some or all of their own meals. Other uses may include hospital, convalescent center, nursing home, hospice, clinic, or similar institution devoted primarily to the diagnosis and treatment of the sick or injured. In no case shall a multi-family dwelling be permitted. Non-residential uses permitted in the OI zoning district shall be allowed.
2. The number of independent living units shall be limited to 120.
3. The City of Stockbridge shall have architectural control over the development of the subject property. All buildings shall be constructed of brick, stone, stucco, glass or any combination thereof, allowing a uniform design with the existing church campus.
4. Any dumpster(s) shall be placed on a concrete pad and enclosed on three (3) sides. The enclosure shall be constructed of a material consistent with the structures on the existing church campus and shall be a minimum of eight feet (8') in height.

5. Sixty feet (60') of right-of-way from the centerline of Highway 42 North is required to be preserved all along the subject property's frontage along Highway 42 North.
6. No direct access shall be permitted to Highway 42 or Brannan Road. Access to the subject property shall be limited to the private driveway shared with the existing campus. If the subject property is owned by a different owner than the owner of the existing campus, an access easement shall be recorded at the Henry County courthouse with a copy provided to the City of Stockbridge.
7. Required buffers shall remain undisturbed. In places where the City of Stockbridge may determine that vegetation within the buffers are inadequate, buffers may be required to be enhanced. Landscaping shall exceed the minimum required by the landscaping ordinance.
8. In order to provide for consistent signage throughout the Eagles Landing development area, the property owner shall be allowed to submit a master sign plan for approval utilizing signage standards currently approved for other properties under the jurisdiction of the Eagles Landing property owners association.
9. Any independent living unit shall meet or exceed the requirements (or its equivalent) for multi-family accessible dwelling units of the Georgia Accessibility Code (120-3-20-.54) as amended.

**Section 2.** The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

**Section 3.** (a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

(b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

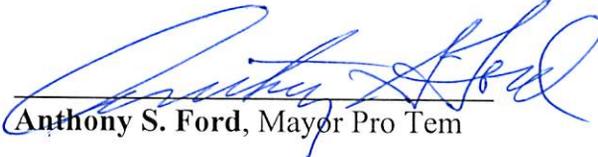
**Section 4.** All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

**Section 5.** Penalties in effect for violations of the Zoning Ordinance of the City of Stockbridge at the time of the effective date of this Ordinance shall be and are hereby made applicable to this Ordinance and shall remain in full force and effect.

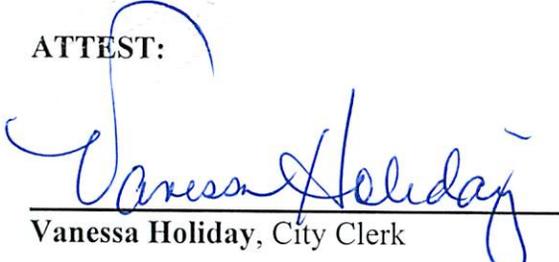
**Section 6.** The effective date of this Ordinance shall be the date of adoption unless otherwise specified herein.

ORDAINED this 13<sup>th</sup> day of June, 2016.

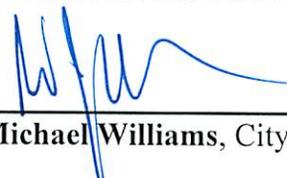
CITY OF STOCKBRIDGE, GEORGIA

  
Anthony S. Ford, Mayor Pro Tem

ATTEST:

  
Vanessa Holiday, City Clerk

APPROVED AS TO FORM:

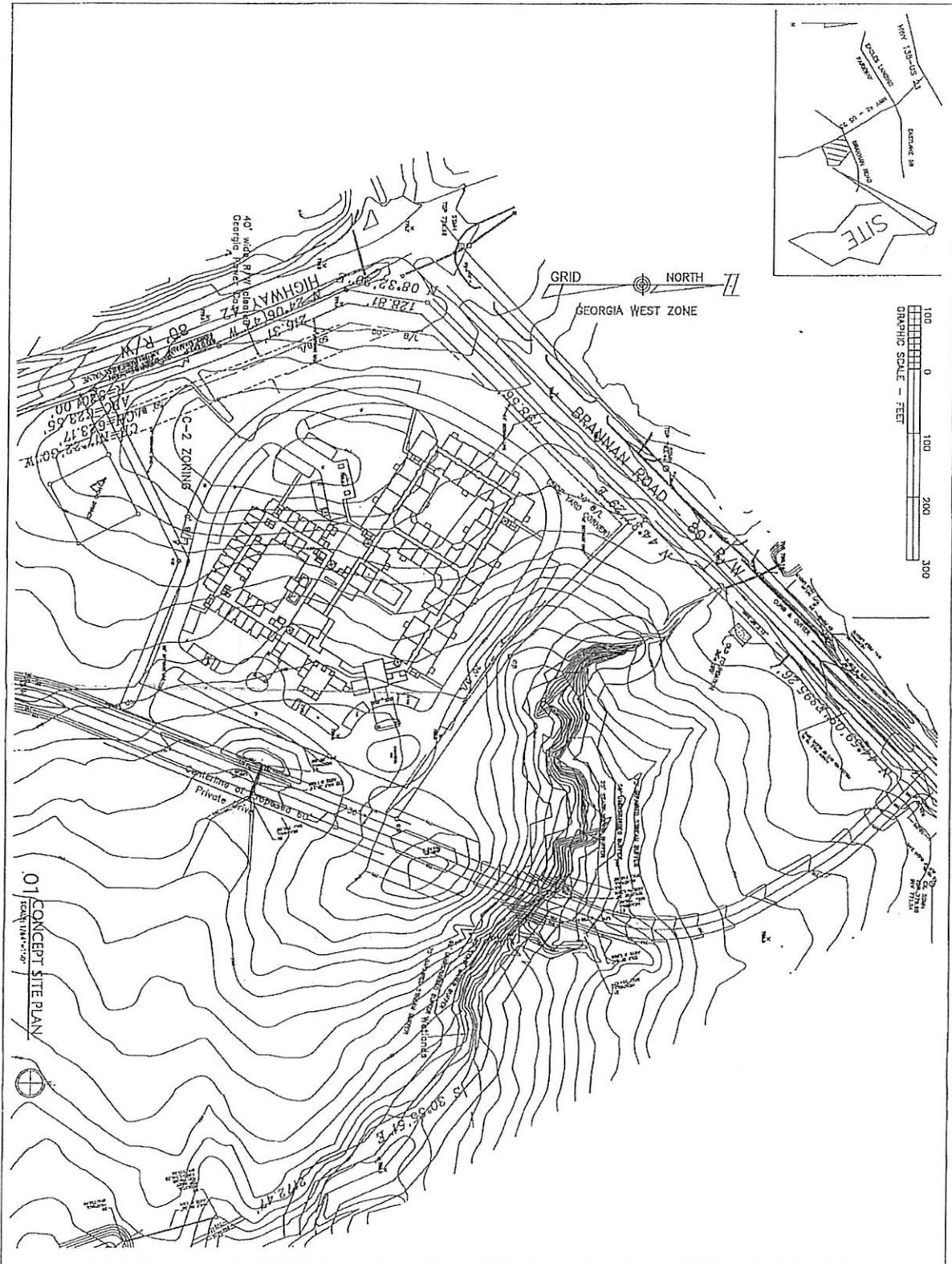
  
Michael Williams, City Attorney

Date Presented to Mayor: 6/14/16

Date Received from Mayor: 6/14/16

**EXHIBIT "A"**

**[Attach legal description]**



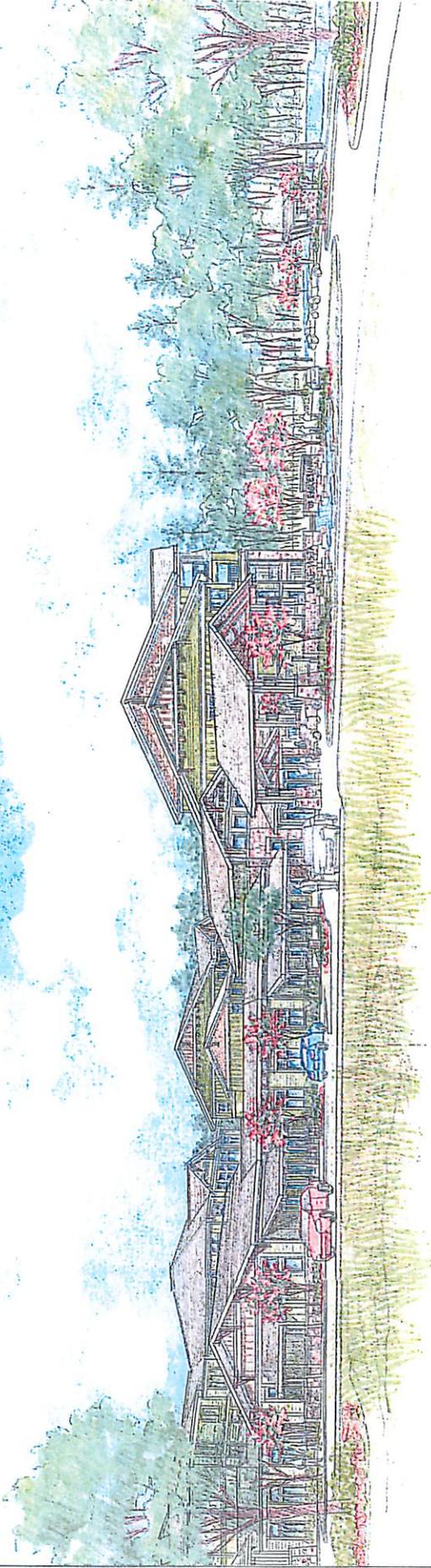
<p>DATE: 01/20/2016          PROJECT: CONCEPT SITE PLAN          SHEET: A1.00          DRAWN BY: [Signature]</p>	<p><b>Lake Vista at Eagle's Landing</b>          PRIVATE ROAD          STOCKBRIDGE, GEORGIA</p>	<p><b>three living architecture</b>  <i>design that lifts the human spirit</i></p> <p>4010 Ft. Coward Epwy   D331, Texas   214.559.5049   214.559.0010          8218 220   75204   telephone   website</p>
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**EXHIBIT "B"**

[Attach building façade picture]



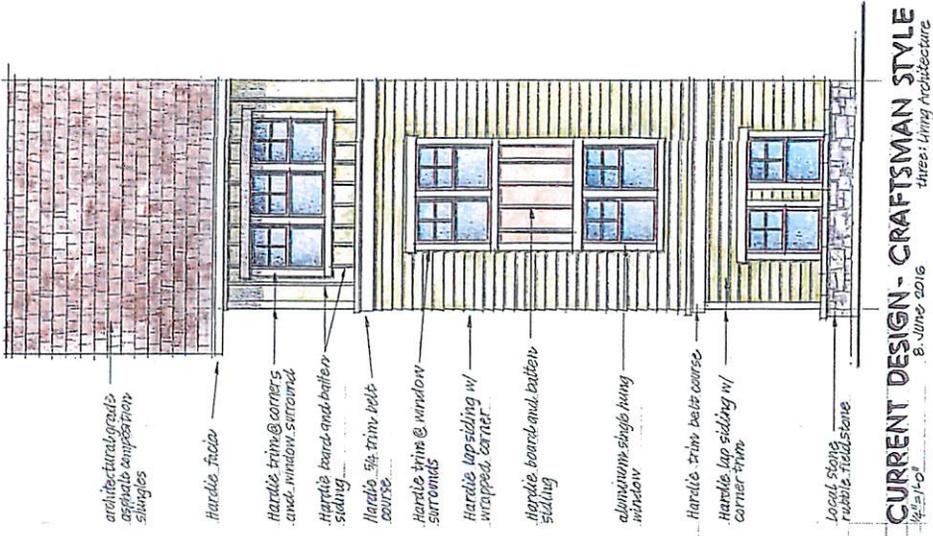
IL arrival court - perspective view



lake vista at  
eagle's landing

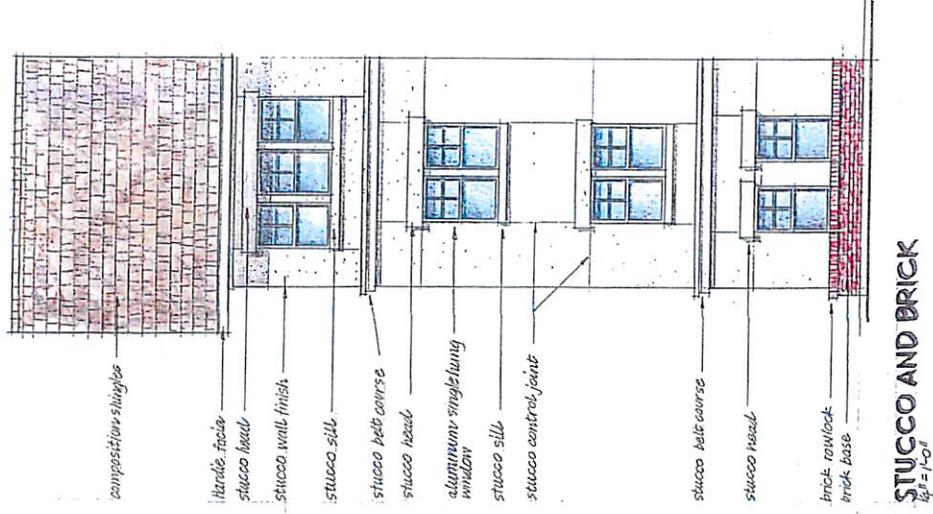
mcdonough, georgia

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may 02, 2016



**CURRENT DESIGN - CRAFTSMAN STYLE**  
 three: living Architecture  
 8. June 2016  
 1/2" = 1'-0"

architectural materials

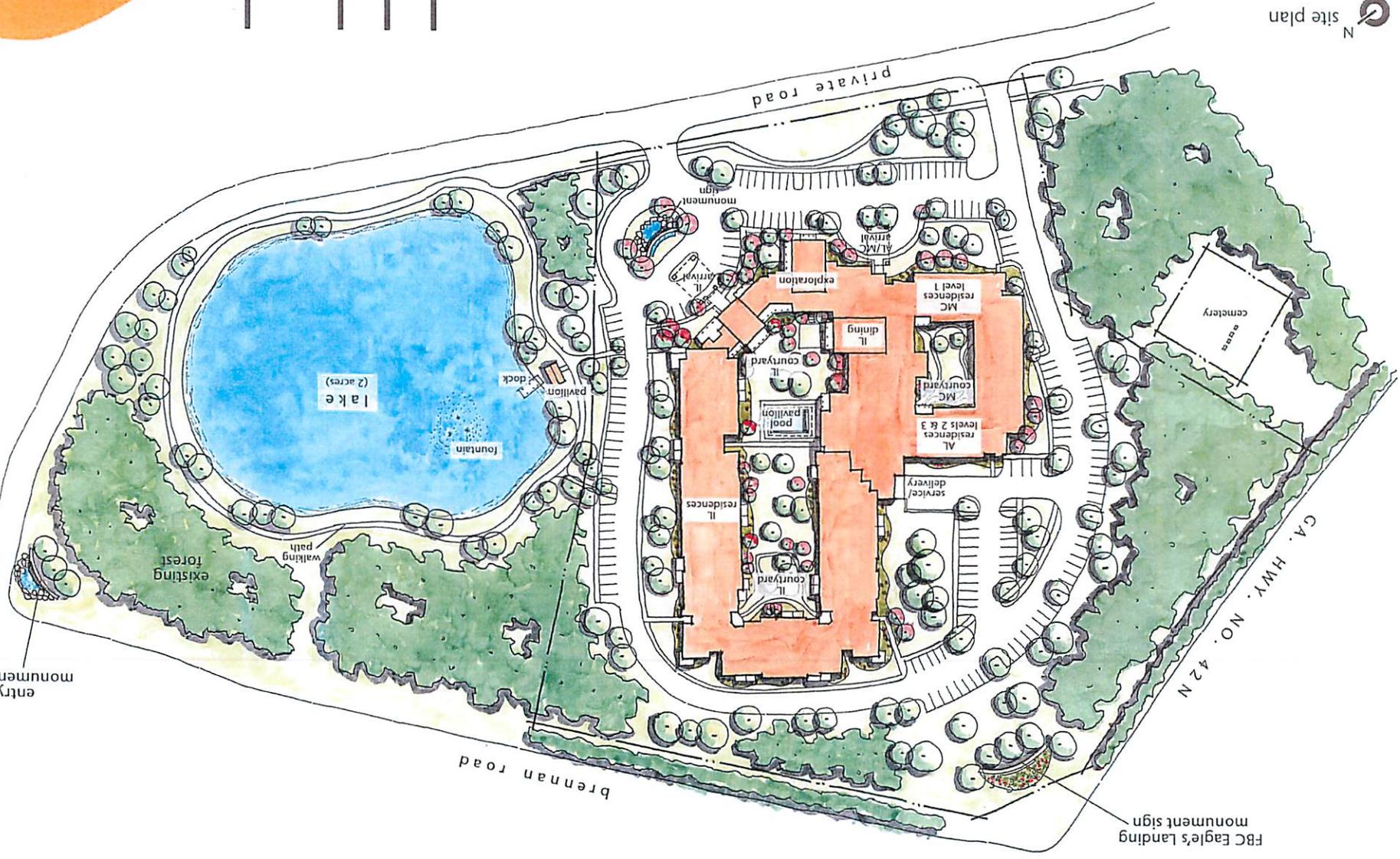


**STUCCO AND BRICK**  
 1/2" = 1'-0"

lake vista at eagle's landing  
 mcdonough, georgia

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 June 08, 2016





lake vista at eagle's landing  
mcdonough, georgia

entry monument sign

FBC Eagle's Landing monument sign

GA. HWY. NO. 42 N