

STATE OF GEORGIA  
HENRY COUNTY  
CITY OF STOCKBRIDGE

ORDINANCE NO. OR19-489

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 parcel known as 2725 Patrick Henry Parkway according to the system of numbering addresses in the City of Stockbridge and as Parcel ID 051-01028005 according to the system of numbering tax parcels in Henry County, more particularly described in Exhibit "A," a copy of which is attached hereto and incorporated herein by reference, is hereby rezoned to C-3 (Heavy Commercial District District), 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. To the owner's agreement to abide by the following:
  - a. To the site plan received by the Department of Community Development on March 26, 2018. Said site plan must meet or exceed the requirements of the Zoning Resolution and these conditions prior to the approval of a Land Disturbance Permit. In the event the Recommended Conditions of Zoning cause the approved site plan to be substantially different, the applicant shall be required to complete the concept review procedure prior to application for a Land Disturbance Permit. Unless otherwise noted herein, compliance with all conditions shall be in place prior to the issuance of the first Certificate of Occupancy.
2. The use of the subject property shall be for the use of a Tru-Hilton Hotel. Any other use of this property will have to go through the rezoning process.
3. No weekly or extended stay lodging rentals shall be allowed.
4. Vehicular parking shall be limited to passenger cars/SUVs/pickup trucks, as well as vans and limousines which may provide transportation services to airports.

5. Compliance with any Overlay Districts requirements and Eagles Landing Master Plan (if located within the Master Plan area) at the time of approval

**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 14<sup>th</sup> day of October, 2019.

CITY OF STOCKBRIDGE, GEORGIA

  
Anthony S. Ford, Mayor

ATTEST:

  
Vanessa Holiday, City Clerk

APPROVED AS TO FORM:

  
Michael Williams, City Attorney

Date Presented to Mayor: 10/17/19

Date Received from Mayor: 10/22/19

**EXHIBIT "A"**

[Attach legal description]

### Summary

**Parcel ID** 051-01028005  
**Location Address** 2725 PATRICK HENRY PKWY  
**Millage Group** 0003 (City/Stockbridge)  
**Property Usage** COMMERCIAL (1000)  
**Total Acres** 3.545  
**Landlot / District** 19 / 6  
**Subdivision**  
**Lot/Block**  
**Plat Book**  
**Plat Page**

Exemptions:

### Owners

PALACE HOSPITALITY GROUP LLC  
 807 BLACK DIAMOND DR  
 MCDONOUGH, GA 30253

### Valuation

	2019	2018	2017
+ Building Value	\$0	\$0	\$0
+ OB/Misc	\$0	\$0	\$0
+ Land Value	\$494,700	\$494,700	\$494,700
= Total Assessment	\$494,700	\$494,700	\$494,700

Exemptions:

### Assessment Notices 2019

2019 Assessment Notice

### Land Information

Land Use	Number of Units	Unit Type
COMMERCIAL (001000)	2.862	ACRES
RESTRICTED USE COMM (001010)	0.683	ACRES

### Sales Information

Sale Date	Deed Book/Page	Sale Price	Instrument	Reason	Grantor	Grantee
12/23/2016	15006-274	\$510,000	LIMITED WARRANTY DEED		PATRICK HENRY INVESTMENTS LLC	PALACE HOSPITALITY GROUP LLC
8/28/2012	12686-321	\$500,000	RECEIVERS DEED	BANK SALE	COMMUNITY CAPITAL BANK	PATRICK HENRY INVESTMENTS LLC
3/2/2010	11668-175	\$0	DEED UNDER POWER	D UND POWR	KILLEARN PROPERTIES INC	COMMUNITY CAPITAL BANK
2/13/1996	2248-48	\$0	QUIT CLAIM		SOUTHTRUST BANK SUCCESSOR IN INT TO PRIME BAN	KILLEARN PROPERTIES INC F/K/A ATLANTA TECH CE