



Called Planning Commission Meeting

700 Doug Davis Drive
Hapeville, GA 30354

June 28, 2022 6:00 PM

AGENDA

1. Call to Order:

2. Roll Call:

Brian Wismer, Chairman
Lucy Dolan, V.Chairman
G. Leah Davis
Rob Hall
Miller Radford
Jeanne Rast
Cliff Thomas

3. New Business:

3.1. 0 South Street Rezoning Request

Background:

SCP Acquisitions, LLC is requesting to rezone the property located at 0 South Street on Land Lot 96 of the 14th District, City of Hapeville, Fulton County, Georgia, Parcel Identification Number 14 0096 LL0502 from RMU, Residential Mixed Use to U-V, Urban Village for the purpose of constructing a multifamily development.

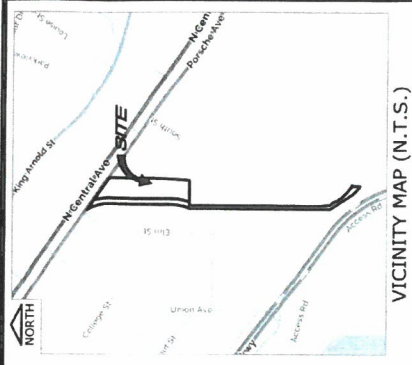
Documents:

1. Plans - 0 South Street_Rezoning
2. Application - 0 South Street_Rezoning_Redacted
3. Planner's Report - 0 South Street_Rezoning_ RMU to UV Rail Spur Rev

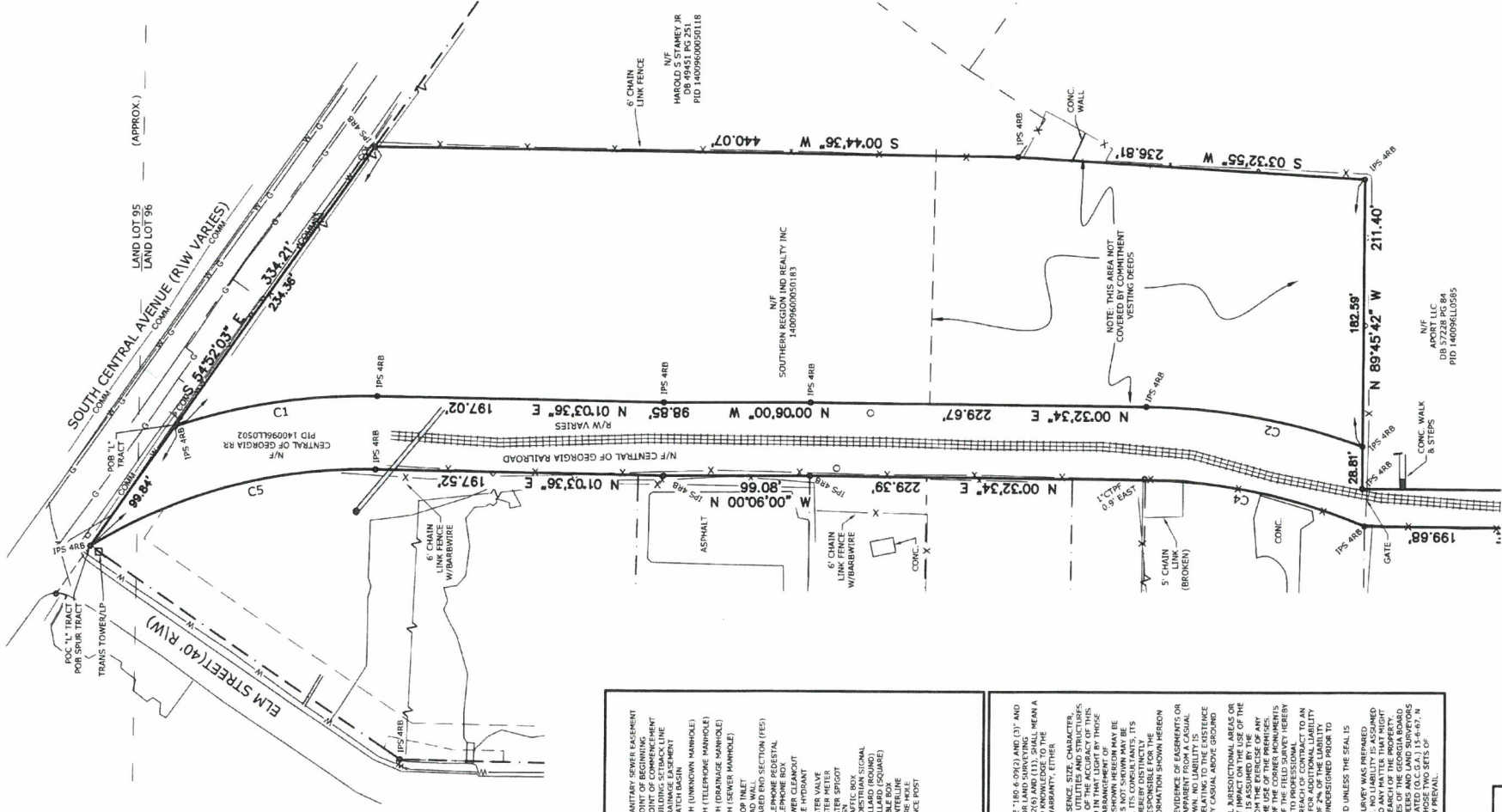
4. Next Meeting Date - July 19, 2022 at 6:00 PM:

5. Adjourn:

CURVE TABLE				
CURVE	ARC LEN.	RADIUS	DELTA	CHORD
C1	139.83	408.64	19°36'19"	139.15
C2	150.61	442.34	19°30'29"	149.88
C3	92.79	573.92	9°15'48"	92.69
C4	153.64	392.34	32°26'13"	152.66
C5	203.85	358.64	32°34'00"	201.12
				N 08°44'34" W
				N 10°17'49" E
				N 47°58'54" W
				S 11°45'41" W
				N 13°12'24" W



OVERALL AREA
TRACT "L" 2.889 ACRES
SPUR TRACT 1.918 ACRES



LINE TABLE		
LINE	DIRECTION	LENGTH
L1	S 03°54'09"E	11.58'
L2	S 04°07'43"E	53.36'
L3	S 13°53'30"E	51.09'
L4	N 88°31'100"E	10.45'
L5	S 24°54'39"E	49.91'
L6	S 43°29'52"E	49.80'
L7	S 44°37'12"E	49.89'
L8	S 52°01'57"E	54.86'
L9	S 56°16'45"E	17.12'
L10	S 66°52'52"E	10.65'
L11	N 89°29'09"W	9.45'
L12	S 01°11'00"W	56.40'

CURRENT ZONING: NOT PROVIDED.

DATUM
HORIZONTAL DATUM IS STATE PLANE GRID (NAD83-2011) AND VERTICAL DATUM IS SEA LEVEL (NAVD88), BOTH OF WHICH WERE ESTABLISHED BY GPS OBSERVATIONS UTILIZING A CHAMPION T GPS RECEIVER ON THE eGPS NETWORK.

[illegible]

ALTA/NSIPS CERTIFICATION
TO FIRST AMERICA TITLE INSURANCE COMPANY, MAIN STREET PARTNER GROUP, I.L.C.,
ITEM INVESTMENT GROUP, HARVEY FILLER PLAT 1, I.L.C., & APC, LLC

THIS IS TO CERTIFY THAT THE SURVEY ON WHICH IT IS BASED
FOR ALTA/NSIPS (LAND TITLE SURVEYS) MEETS STANDARD DETAIL REQUIREMENTS
FOR ALTA/NSIPS (LAND TITLE SURVEYS). TOWNSHIP: 12S, RANGE: 10E, SECTION: 16
ALTA AND NSIPS, AND INCLUDES ITEMS 1, 2, 3, 4, 5, 6, 7, 9, 10a, 11, 13, 14, 15, 17, 18, 19, & 20
OF TABLE "A", THEREOF.

THE FIELD WORK WAS COMPLETED ON 04/21/18

DATE OF PLAT OR MAP: 05/24/18


DOUGLAS P. CRUSE RLS# 2937

© COPYRIGHT 2018 | MEMBER OF THE SURVEYING & MAPPING SOCIETY OF GEORGIA (SAMSOG)

Surveyed By:	C. SELLARS
Field Date:	04-21-2018
Drafted By:	L.GOULD
Issue Date:	05-24-18

LAND LOTS 95 & 96 OF THE 14th DISTRICT,
CITY OF HAPEVILLE, FULTON COUNTY, GEORGIA

PLAT INFORMATION

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE OF 1. FOOT IN .85,389 FEET AND AN ANGULAR ERROR OF .2. SECONDS PER ANGLE POINT AND WAS ADJUSTED USING THE LEAST SQUARES METHOD. THIS PLAT HAS BEEN CALCULATED TO CLOSURE AND FOUND TO BE ACCURATE TO 1. FOOT IN 85,389 FEET. THIS INFORMATION WAS USED TO GATHER THE INFORMATION USED IN THE PREPARATION OF THIS PLAT.

THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITY NAMED HEREON. THIS PLAT DOES NOT EXTEND TO ANY UNMARRIED COUPLE OR TO ANY OTHER PERSONS WHOSE IDENTIFICATION OR RECRUITMENT BY THE SURVEYOR NAMED SAID PERSON, PERSONS OR ENTITY.

[illegible]

 **SEL**

SOUTHEASTERN ENGINEERING, INC.
270 Sandy Plains Road Marietta, Georgia 30066
tel: 770-371-5936 fax: 770-371-5935
www.sesengineering.com
LSF MD 000913

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THIS BLOCK RESERVED FOR SUPERIOR COURT CLERK



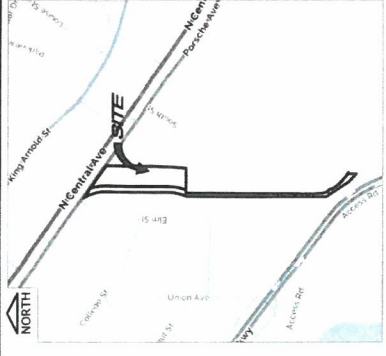
OVERALL AREA
2.97 ACRES
(APPROXIMATE)

LEGEND:

- [illegible]

GENERAL NOTES:

- [illegible]



VICINITY MAP (N.T.S.)

ALTA NOTES:

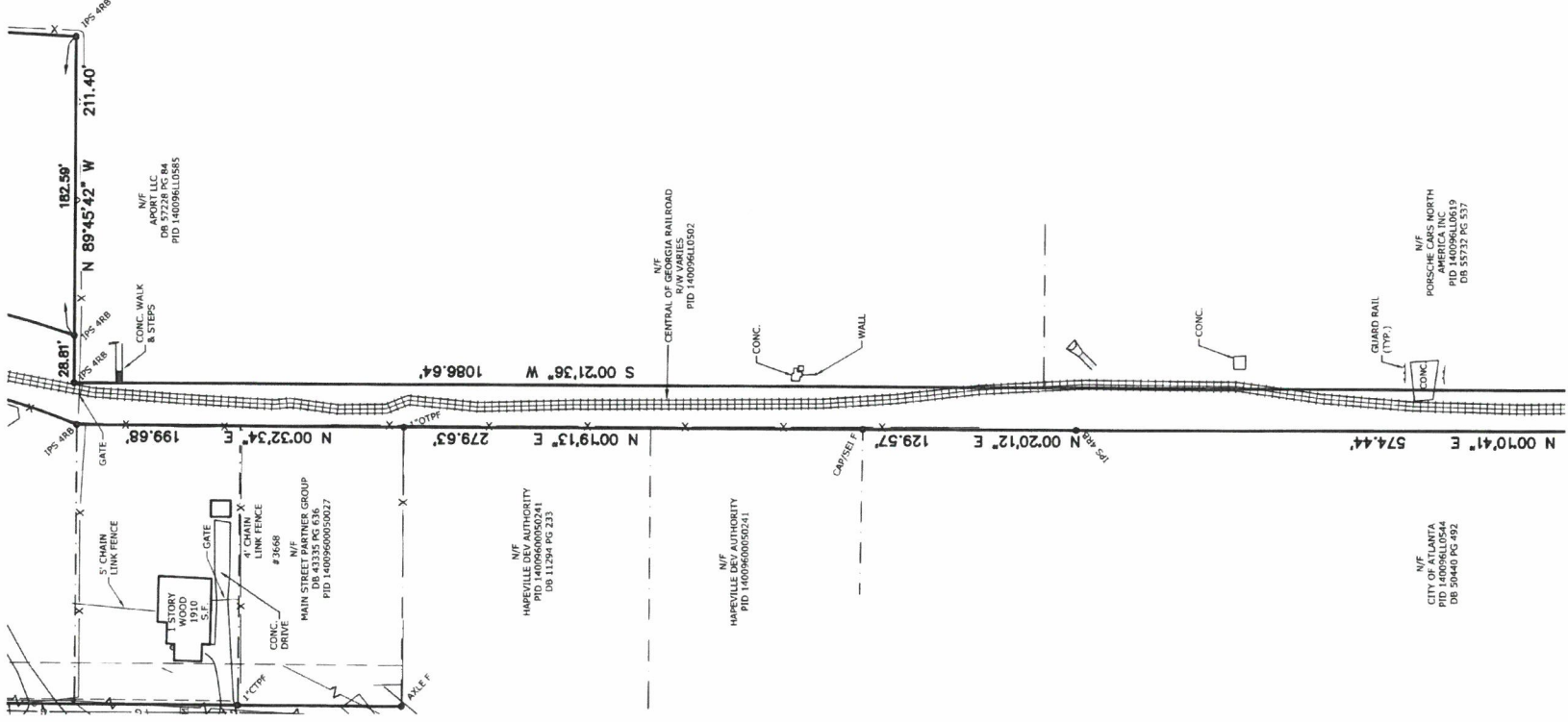
TRACT 1
B 3258 PG 681
B 3266 PG 476

TRACT 2
DB

SURVEYORS COMMENTS ON SCHEDULE B, SECTION II ITEMS
OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
COMMITMENT NO.: GA180004681
COMMITMENT DATE: MAY 10, 2018

Note: Items 1-11 are Standard Title Company Exceptions and are not addressed by the Surveyor.

12. Easements, restrictions and right of reversion as contained in that certain Warranty Deed from the City of Atlanta, a municipal corporation of the State of Georgia to Central of Georgia Railway Company, a Georgia corporation, dated July 26, 1965, filed August 12, 1965 and recorded in Deed Book 4467, Page 309, records of the Superior Court of Fulton County, Georgia.



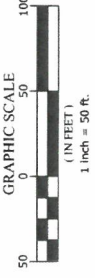
DATING

SUBSURFACE UTILITIES MARKED BY
UTILITSURVEY, LLC. SEE GENERAL NOTE 2.

GEORGIA SURVEYOR CERTIFICATION

GEORGIA SURVEYOR CERTIFICATION

THE GA SURVEYOR CERTIFICATION ACT requires that the GA Surveyor create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plans or other instruments which created the parcel or parcels is stated below. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, OR THE ACCURACY OF THE INFORMATION HEREIN. NO LIABILITY FOR ANY DAMAGE OR LOSS OF ANY KIND SHALL BE INCURRED BY ANY SURVEYOR FOR ANY USE OF THIS PLAT FOR PURPOSE OF THE LAND. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for surveyors in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Surveyors and as set forth in O.C.G.A. Section 15-6-67.



No	ISSUED DESCRIPTION	DATE
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PLAT INFORMATION

ALTA / NSPS LAND TITLE SURVEY

ASBURY TOWN CENTER

LOCATED IN:

LAND LOTS 95 & 96 OF THE 14th DISTRICT,
CITY OF HAPEVILLE, FULTON COUNTY, GEORGIA

Project No.: 1110-18-066,04
 Surveyed By: C. SELLARS
 Field Date: 04-21-2018
 Drafted By: L. GOULD
 Issue Date: 05-24-18

2 OF 6

ALTA NOTES:

SURVEYORS COMMENTS ON SCHEDULE B, SECTION II ITEMS
OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
COMMITMENT NO.: GA18004681
COMMITMENT DATE: MAY 10, 2018

Note: Items 1-11 are Standard Title Company Exceptions and are not addressed by the Surveyor.

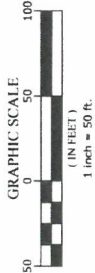
12. Easements, restrictions and right of reversion as contained in that certain Warranty Deed from the City of Atlanta, a municipal corporation of the State of Georgia to Central of Georgia Railway Company, a Georgia corporation, dated July 26, 1905, filed August 12, 1965 and recorded in Deed Book 4462, Page 309, records of the Superior Court of Fulton County, Georgia.

GENERAL NOTES:

[illegible]

**SUBSURFACE UTILITIES MARKED BY
UTLITY SURVEY, LLC SEE GENERAL NOTE 2**

DATUM
HORIZONTAL DATUM IS STATE PLANE GRID (NAD83-2011) AND
VERTICAL DATUM IS SEA LEVEL (NAVD88), BOTH OF WHICH WERE
ESTABLISHED BY GPS OBSERVATIONS UTILIZING A CHAMPION TKO
CODE RECEIVED ON THE ACCE NETWORK

[illegible]

ALTA / NSPS I AND TITILE SURVEY

ASBURY TOWN CENTER

LAND LOTS 95 & 96 OF THE 14th DISTRICT,
CITY OF HAPEVILLE, FULTON COUNTY, GEORGIA

SEI
SOUTHEASTERN ENGINEERING, INC.
2470 Sande Plains Road Marietta, Georgia 30066
tel: 770-571-3556 fax: 770-321-3935
www.seengineering.com

No	ISSUED DESCRIPTION	DATE
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PLAT INFORMATION

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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 EXPRESS REIFICATION BY THE SURVEYOR NAMING SAID

Project No.: 1110-18-066.04	Surveyed By: C. SELLARS
Field Date: 04-21-2018	
Drafted By: L GOULD	
Issue Date: 05-24-18	

3 OF 6

**CITY OF HAPEVILLE
ECONOMIC DEVELOPMENT DEPARTMENT
REZONING APPLICATION**

Name of Applicant SCP Acquisitions, LLC

Mailing Address [REDACTED]

Telephone [REDACTED] Mobile# [REDACTED]

Email [REDACTED]

Property Owner (s) Southern Region Industrial Realty, Inc. & Central of Georgia Railroad Company

Mailing Address 1200 Peachtree Street NW, Atlanta, GA 30309

Telephone N/A Mobile# N/A

Address/Location of Property: 0 South Central Avenue, Hapeville, GA

Parcel ID #: 14 0096LL0502

Square Foot of Property 83,548.08 SF Acres 1.918

Present Zoning Classification RMU Proposed Zoning Classification U-V

Present Land Use Vacant Land (Rail Spur)

Proposed Land Use Mixed-Use Development

I hereby make application to the City of Hapeville, Georgia for the above referenced property. I do hereby swear or affirm that the information provided here and above is true, complete and accurate, and I understand that any inaccuracies may be considered just cause for invalidation of this application and any action taken on this application. I understand that the City of Hapeville, Georgia, reserves the right to enforce any and all ordinances regardless of any action or approval on this application. I further understand that it is my/our responsibility to conform with all of City of Hapeville's Ordinances in full. I hereby acknowledge that all requirements of the City of Hapeville shall be adhered too. I can read and write the English language and/or this document has been read and explained to me and I have full and voluntarily completed this application. I understand that it is a felony to make false statements or writings to the City of Hapeville, Georgia pursuant to O.C.G.A. 16-10-20 and I may be prosecuted for a violation thereof.

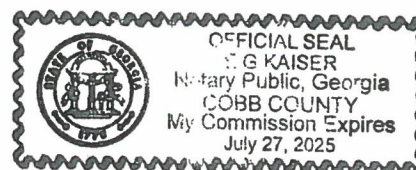
[Signature]
Applicant's signature

Date: 6/24/22

Sworn to and subscribed before me

This 24 day of June, 2022.

[Signature]
Notary Public



**CITY OF HAPEVILLE
ECONOMIC DEVELOPMENT DEPARTMENT
REZONING APPLICATION**

LETTER OF INTENT

In detail, provide a summary of the proposed project in the space provided below. Include the proposed use of each existing or proposed building, and the proposed land use.

SCP Acquisitions, LLC proposes a horizontally and vertically integrated mixed-use project contemplating 259 luxury apartments, roughly 3,000

square feet of retail and restaurant space, a "slip" parking deck, and various public and private amenities.

What are the reasons the property cannot be used in accordance with the existing regulations?

The rest of the property in question is zoned U-V and carries with it specific height, density, and regulatory requirements that are different from RMU.

Because the proposed project is mixed-use and crosses parcel lines, uniform zoning throughout is required.

Will the proposed zoning change create an isolated zoning district that is unrelated to adjacent and nearby districts? Yes _____ No x

If so, why should this property be placed in a different zoning district than all adjoining property?

N/A

How would the proposed zoning change impact on public facilities and services?

There would not be any impact.

What environmental impacts would the proposed project have?

There would not be any negative impact. More than likely, prior to development, environmental remediation will occur and improve the nature of the site.

Describe the effect the proposed zoning request will have on the adjacent properties and how it will impact the character of the neighborhood.

There would not be any negative impact. The current rail spur is vacant and the mixed-use project will positively impact the neighborhood.

Are there any proffered conditions you would like to apply to and be made part of this application for rezoning? Yes _____ No _____ x

Please list any written proffered conditions below.

N/A

Any development and site plans or other demonstrative materials presented as proffered conditions shall be referenced below and attached to this application as follows: (Please include a date or other identifiable information of each piece of material attached)

1. Hapeville Porsche Avenue Site Plan

2. Site Survey and Legal Description

**CITY OF HAPEVILLE
ECONOMIC DEVELOPMENT DEPARTMENT
REZONING APPLICATION**

AUTHORIZATION OF PROPERTY OWNER

I CERTIFY THAT I AM THE OWNER OF THE PROPERTY LOCATED AT:

0 South Central Avenue, Hapeville, GA

City of Hapeville, County of Fulton, State of Georgia

WHICH IS THE SUBJECT MATTER OF THIS APPLICATION. I AUTHORIZE THE APPLICANT NAMED BELOW TO ACT AS THE APPLICANT IN THE PURSUIT OF A REZONING FOR THE PROPERTY.

Name of Applicant Southern Region Industrial Reality Inc. & Central of GA Railroad Company

Address of Applicant 1200 Peachtree Street NW, Atlanta, GA 30309

Telephone of Applicant N/A



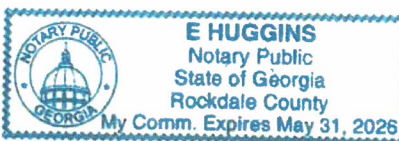
Signature of Owner

Andrew Seiler
Real Estate Agent

Print Name of Owner

Personally Appeared Before Me this 21st day of June, 2022.

E Huggins
Notary Public





PLANNER'S REPORT

DATE: June 27, 2022
TO: Adrienne Senter
FROM: Lynn Patterson
RE: Rezoning 1 Tract from Split U-V/RMU to U-V, Parcel number 14 0096 LL0502

BACKGROUND

The City of Hapeville received a rezoning application from SCP Acquisitions, LLC on behalf of Southern Region Industrial Realty, Inc & Center of Georgia Railroad Company for the rezoning of 1 parcel (Parcel 14 0096 LL0502) from RMU, Residential Mixed Use, to U-V, Urban Village as part of an assemblage. The parcel is part of proposed mixed use development including apartments (259), retail space (3,000 SF), slip parking deck, and a linear park. The tract under construction is a former railroad spur and will be primarily incorporated in the project as the linear park. A portion of it along South Central/Porsche Avenue will be incorporated into the driveway of the project. The tract on its own is undevelopable based on the City's dimensional requirements and requires assemblage.

The location of the parcel is shown on Figure 1, City of Hapeville Zoning Map. According to the City of Hapeville Future Land Use Map (Figure 2), the property is identified as High Intensity Mixed Use.

Figure 1 City of Hapeville Current Zoning Map

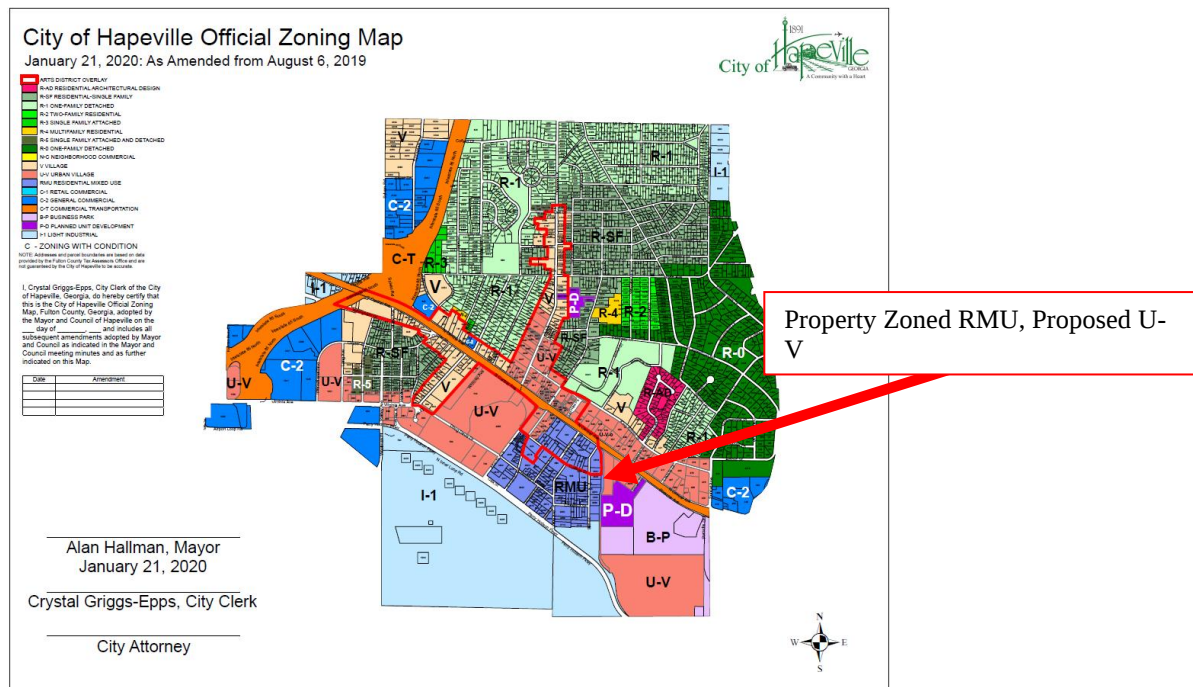


Figure 2 City of Hapeville Future Land Use Map

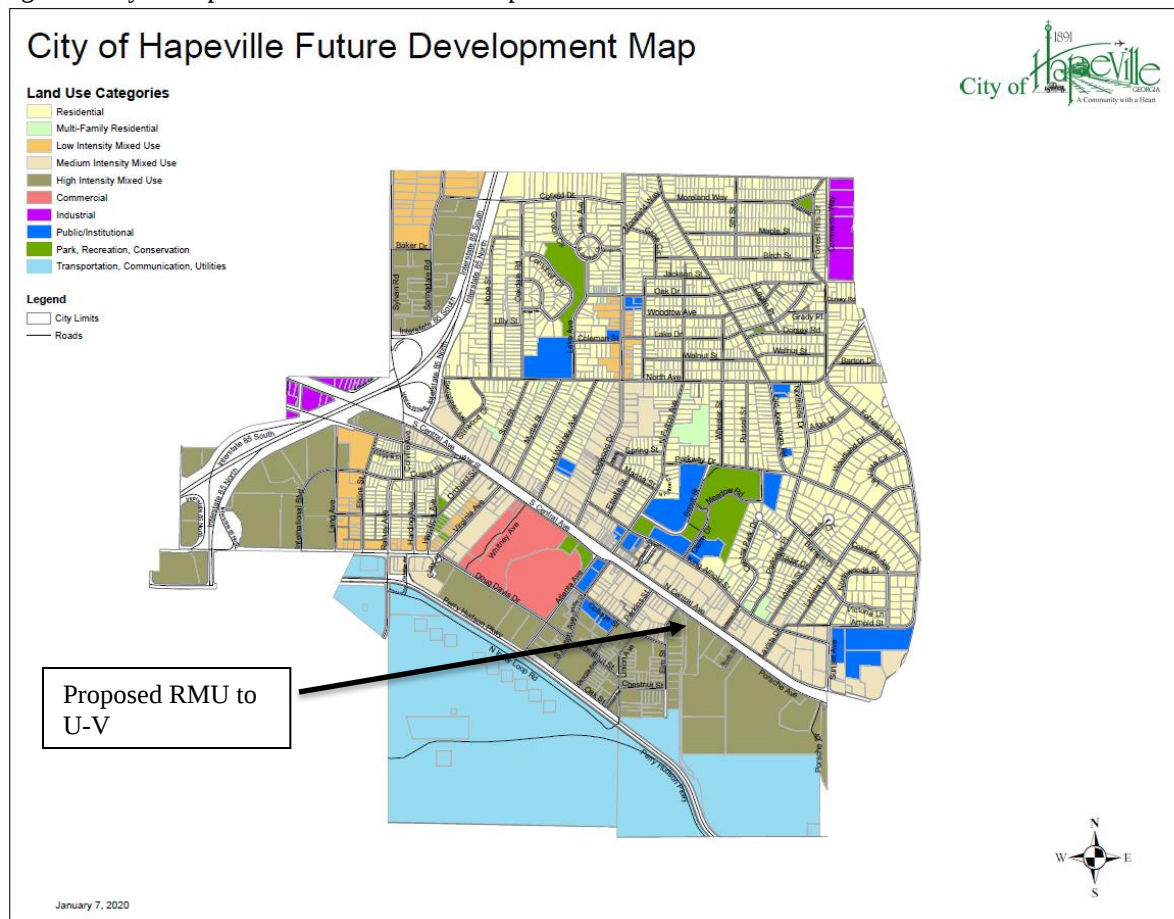


Table 1 Dimensional Requirements City of Hapeville

Zoning District	Development Type	Lot Frontage (feet)	Min. Lot Area Sq. Ft.	Lot Area/ DU Square Feet	Floor Area/ DU Sq. Ft.	Max Lot Coverage	Minimum Front Yard		Minimum		Maximum		Min. Parking Spaces	Max Unit Per Bldg/Lot
							Minor Col.	Maj. Arterial	Side	Rear	Stories	Feet		
RMU	Single-family detached	30	2,400	m	1,000	100	0/15	0/15	0	0	2 ½	35	1.5du	1
	Accessory structure(s)								0	0	2	25		
	Single-family attached— Duplex	30	2,400	m	1,000	100	0/15	0/15	0	0	2 ½	35	1 DU	2
	Single-family attached— patio/townhomes and live-work unit	20	1,200	M	1,000	100	0/15	0/15	0	0	3	45	1 DU,h	a.
	Accessory structures								0	0	2	25		
	Multi-family Condominiums	20	2,000	M	600	100	0/15	0/15	0	0	6b	M	1DU	

	Nonresidential	20	2,000			100	0/15	0/15	0	0	6b	M	D, e, l, j, k	
UV	Single-family detached	30	2,400		1,000	90	0/15	0/15	0	0	2½	35	1.5 DU	1
	Accessory structure(s)								0	0	2	25		
	Single-family attached - duplex	30	2,400		1,000	90	0/15	0/15	0	0	2½	35	1 DU	2
	Single-family attached patio/town homes and live-work unit	20	1,200		1,000	90	0/15	0/15	0	0	3	45	1 DU	l.
	Accessory structure(s)								0	0	2	25		
	Multifamily	20	2,000		600	90	0/15	0/15	0	0	4 g.	64 g.	1 DU	
	Nonresidential	20	2,000			90	0/15	0/15	0	0	4 g.	64 g.	d, e, i, j, k.	

- a. Single-family attached patio/townhomes cannot have more than eight units per building and no less than four units attached.
- b. Buildings over 40 feet in height must be approved by the building official and fire chief to ensure that fire safety design standards are met.
- c. One parking space for every 200 square feet of enclosed commercial floor area.
- d. One parking space for every unit in a hospital, hotel, motel, boardinghouse, or similar establishment. One off-street loading space for every 10,000 square feet of building.
- e. One parking space for every three seats in an auditorium, church, theater, or similar establishment.
- f. One parking space for every two employees on the largest shift of any industrial uses or similar establishment.
- g. Buildings over four stories or 64 feet in height must be approved by the planning commission and the fire chief to insurance that fire safety standards are met. One off-street loading space for every 10,000 square feet of building.
- h. All live-work units shall provide a total of three parking spaces per dwelling unit, one of which may be provided in adjacent on-street parking.
- i. Three parking spaces for every 1,000 square feet of enclosed commercial/office floor area.
- j. One parking space for every three seats in an auditorium, church, theater, or similar establishment.
- k. Three parking spaces for every 1,000 square feet of enclosed restaurant floor area; and three parking spaces for every 1,000 square feet of unenclosed restaurant floor area when such floor area exceeds 300 square feet.

REVIEW OF APPLICATION

(1) The existing land use pattern;

The parcel is currently vacant – having served as a rail spur for the former Hapeville Ford Plant. It is proposed to be incorporated into the mixed use development as an entry to the property and as a linear park. To the east of the proposed mixed use development is a future 130,000 SF office building and Porsche campus including the service center, classic car restoration facility, parking garage, and track.

(2) The possible creation of an isolated district unrelated to adjacent and nearby districts;

The proposed rezoning is to provide uniform zoning for the mixed use project. The current zoning (RMU) has historically been a reflection of the properties adjacent to the west. The linear park and residential mixed-use of the project is consistent with the intent of both the U-V and RMU zoning districts. To the southwest is an I-I Light Industrial zoning district. To the north of the parcel is the railroad. To the south, the adjacent zoning districts are B-P and U-V, Urban Village. The area is designated as high density mixed use in the Future Land Use Map.

(3) The population density pattern and possible increase or overtaxing of the load one public facilities including, but not limited to, schools, utilities, and streets;

The proposed zoning change and accompanying development includes multi-family units. The density allowed is consistent with the existing zoning. The rezoning will not increase allowable density.

(4) The cost of the city and other governmental entities in providing, improving, increasing or maintaining public utilities, schools, streets and other public safety measures;

There is no foreseeable significant increase in providing, improving, increasing or maintaining public utilities, schools, streets, and other public safety measures given the existing zoning and adjacent zoning.

(5) The possible impact on the environment, including, but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quantity.

A portion of the property is located within the FEMA Flood Map. Remediation of the site is likely given the previous use. All city and state requirements regarding drainage, soil erosion, sedimentation, flooding, air quality and water quality are required during development.



(6) Whether the proposed zoning map amendment will be a deterrent to the value or improvement of development of adjacent property in accordance with existing regulations;

There is no evidence the change in zoning is a deterrent to the value or improvement of adjacent property. Rather, the improvement of the property into a linear park may increase adjacent property value.

(7) Whether there are substantial reasons why the property cannot be used in accordance with existing regulations;

As there is a proposed assemblage, the properties must have the same zoning classification. The applicant has requested the U-V, Urban Village zoning for these properties to be consistent.

(8) The aesthetic effect of existing and future use of the property as it relates to the surrounding area;
The proposed zoning would improve the aesthetics of the property as it would develop it into a linear park from a vacant overgrown parcel.

(9) The extent to which the proposed zoning map amendment is consistent with the land use plan;
The future land use plan designates the land use as high density mixed use. The proposed zoning amendment is consistent with the future land use map.

(10) The possible effects of the proposed zoning map amendment on the character of a zoning district, a particular piece of property, neighborhood, a particular area, or the community;
The effects of the zoning map amendment are negligible. The parcel on its own could not be development given existing dimensional requirements.

(11) The relation that the proposed zoning map amendment bears to the purpose of the overall zoning scheme, with due consideration given to whether or not the proposed change will help carry out the purposes of these zoning regulations;
The proposed zoning map amendment would not substantially change the purpose of these zoning regulations.

(12) Applications for a zoning map amendment which do not contain specific site plans carry a rebuttable presumption that such rezoning shall adversely affect the zoning scheme;
A site plan was provided.

(13) The consideration of the preservation of the integrity of residential neighborhoods shall be considered to carry great weight;
There are adjacent residential neighborhoods to the west zoned RMU. There is a required buffer for development in U-V, furthermore, the proposal of a linear park would improve the integrity of the residential / residential mixed use neighborhoods.

(14) In those instances in which property fronts on a major thoroughfare and also adjoins an established residential neighborhood, the factor of preservation of the residential area shall be considered to carry great weight.
The property will provide a buffer and public amenity for the residential area.

RECOMMENDATION

The proposed zoning is required for the assemblage and development of the project in its entirety. The differences between RMU, Residential Mixed Use and U-V, Urban Village are negligible for the proposed project. Staff recommends approval of the rezoning.