

Planning Commission Meeting

Videoconference

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April 14, 2020 6:00 PM

AGENDA

April 14, 2020 6:00 PM

Agenda

1. Call to Order
2. Roll Call
Brian Wismer, Chairman
Jeanne Rast, Vice Chairman
Leah Davis
Lucy Dolan
Larry Martin
Charlotte Rentz
Cliff Thomas
3. Welcome
4. Approval of Minutes
5. Old Business
 - 5.I. 3234 Dogwood Drive. Special Use Permit
Background:

Claudette Eley is requesting approval of a special use permit to operate a personal care home at 3234 Dogwood Drive, Parcel Identification Number 14-0094-0001-013-0. The property is zoned V, Village and is subject to the zoning regulations under Sec. 93-1.1-5 of the City of Hapeville Zoning Ordinance. *This item was tabled at the March 10, 2020 meeting.*

Documents:

1. Planners Report 3234 Dogwood Dr. SUP - Personal Care Home 4.8.20
2. 3234 Dogwood Drive - Supplemental Information

5.II. 3140 Dogwood Drive Subdivision Plat Review

Background:

Wilson Smith is requesting subdivision plat approval to subdivide an existing 0.28 acre lot located at 3140 Dogwood Drive, Parcel Identification Number 14 009400020055. The property is zoned R-SF, Residential Single Family. *This item was tabled at the March 10, 2020 meeting.*

Documents:

1. APPLICATION - 3140 Dogwood Drive, Subdivision Plat_Redacted
2. Planner's Report 3140 Dogwood Dr Subdivision
3. Engineer's Report - 3140 Dogwood Dr Subd Plat Review -1 (002)

5.III Off-Street Parking Entrance & Exit Points Text Amendment

Background:

Consideration of a text amendment to amend Chapter 93 (Zoning), Article 23 (Off-street parking and loading), Section 93-23-2 (Entrance and exit points) for the purpose of updating the requirements for curb breaks at entrance and exit points for off-street parking access. *This item was tabled at the March 10, 2020 meeting.*

Documents:

1. Planner's Report Text Amendment Curb Breaks Upd. 4-8-20
2. Ordinance - Text Amendment Curb Breaks (02403010xA0B3B)

6. New Business

6.I. 3264 Springhaven Avenue Rezoning Request

Background:

Alex Popham of Epic Development is requesting approval to rezone the property located at 3264 Springhaven Avenue on Land Lot 98 of the 14th District, Fulton County (City of Hapeville), Parcel Identification Number 14-0098-0009-048-4 from V, Village to P-D, Planned Unit Development for the purpose of constructing a residential subdivision.

Documents:

1. 3264 Springhaven Avenue - Rezoning Application_Redacted
2. Planners Report 3264 Spring Haven Ave Rezoning FINAL

6.II. Single-Family Attached Developments (SFA), Special Provisions Text Amendment

Background:

Consideration of a text amendment to the Code of Ordinances, Chapter 93 (Zoning), Article 2 (General Provisions), Section 93-2-10 (Single Family Attached Developments (SFA, Special Provisions) for the purpose of amending special provisions for single-family attached developments.

Documents:

1. Planner's Report Text Amendment SFA Construction Standards

6.III 3571, 3581, 0 South Fulton Avenue Site Plan Review

. Background:

Kenneth Ellsworth is requesting site plan review to construct eight townhomes to be located at 3571, 3581, and 0 South Fulton Avenue, Parcel Identification Numbers 14-0098-0021-074-4, 14-0098-0021-075-1, 14-0098-0021-076-9. Each unit will be approximately 2,268-sf and will be three stories high with a 2-car garage. The properties are zoned RMU, Residential Mixed-Use and are 0.338 acres.

Documents:

1. APPLICATION - 3571, 3581, 0 South Fulton Avenue_Redacted
 2. Planners Report Site Plan Review 3571, 3581, 0 S. Fulton Ave.
 3. Engineer's Report - 3571 3581 S. Fulton Ave. Site Plans Review -1
 4. Fire Marshal's Report - 3571, 3581, 0 South Fulton A
7. Next Meeting Date - May 12, 2020 at 6:00 PM
 8. Adjourn



DEPARTMENT OF PLANNING AND ZONING

PLANNER'S REPORT

To: Adrienne Senter
From: Michael Smith
Date: April 8, 2020
RE: **Special Use Permit – 3234 Dogwood Drive - Revised**

BACKGROUND

UPDATE: this item was tabled at the March 10th Planning Commission meeting with a need for more information from the applicant. Staff contacted the applicant on March 17, 2020 with a list of questions. The applicant provided the attached information on April 8, 2020. As Planner's reports were due April 8, staff did not have time to perform a complete review of the information provided.

The City of Hapeville received a request for a Special Use Permit from Claudette Eley to operate a personal care home within an existing structure located at 3234 Dogwood Drive. The property is zoned V, Village, and is within the A-D, Arts District Overlay.

The structure has previously operated as a mortuary and is currently vacant. Per the provided site plan and floor plan, the property has eight regular parking spaces, one handicapped space, and a one-car garage. The original application indicated the building is roughly 3,100 square feet and would have up to ten dwelling units with 24 residents.

NOTE: The plans as drawn and the updated information indicate there would be 9 residential units and between 9 and 15 full-time (overnight) residents. Depending on the number of full time residents, the facility could accommodate up to 12 adult day care clients.

Details regarding the operation of the facility including staffing are included in the attachment.

Personal care homes are permitted as a Special Use within the V Zoning District and are subject to the provisions of Article 3.2 below:

CODE

ARTICLE 11.1. - V ZONE (VILLAGE)

Sec. 93-11.1-1. - Intent.

The V district is established in order to:

- (1) Accommodate a mixed-use, urban fabric that preserves neighborhood scale;
- (2) Accommodate residents in the district with pedestrian access to services and employment typical of a live/work community;
- (3) Promotes neighborhoods established near shopping and employment centers;
- (4) Encourage pedestrian and neighborhood uses in the commercial area;
- (5) Discourage land uses, which are automobile or transportation related;
- (6) Exclude industrial uses such as manufacturing, processing and warehousing;
- (7) Promote retail and related commercial uses such as business offices, florists, card shops antiques, apparel and banks; and
- (8) Encourage mixed use with commercial uses on the first floor and residential living above.

Sec. 93-11.1-5. - Special uses.

The following uses require a special use permit, in accordance with sections 93-3.2-5 and 93-3.2-6, in any V zone:

- (2) Personal care homes, subject to the restrictions in section [93-2-21].

ARTICLE 28. - A-D ZONE (ARTS DISTRICT OVERLAY)

Sec. 93-28-7.5. - Residential uses.

The maximum number of dwelling units in a single building shall not be limited, provided that no development shall exceed 50 units. The parking requirement for such uses shall be one space for each dwelling unit. No minimum lot area shall apply in the arts district overlay provided all other development standards of this article are met.

ARTICLE 3.2. - CONDITIONAL USES

Sec. 93-3.2-1. - Permit required.

Zoning districts established herein permit certain uses which are allowable therein provided they meet specified conditions, as set forth therein and here. No such use shall be permitted until a conditional use permit has been issued authorizing such use. The procedures for granting such permits shall be the same as for amendments to the zoning ordinance or zoning map.

Sec. 93-3.2-2. - Review of applications.

Those conditions specified in the zoning district regulations shall be considered to be the minimum standards which must be met before the conditional use application may be considered by the planning commission for review and recommendation and the mayor and council for decision. In deciding upon whether or not a conditional use meets the minimum standards and promotes the health, safety, morals, or general welfare of the city, the mayor and council shall utilize the applicable standards of review of section 93-25-6.

Sec. 93-3.2-3. - Issuance of permit.

If the mayor and council, after applying the evidence to the standards of review, have been convinced that the allowance of the conditional use will promote the health, safety, morals, or general welfare of the city, a conditional use permit may be granted, subject to those provisions that may be imposed by the mayor and council.

Sec. 93-3.2-4. - Procedures regarding delays in use of condition.

If a building permit, grading permit or occupation tax permit has not issued and construction (if any is necessary) begun within a 12-month period after such conditional use is approved, the conditional use may be withdrawn at a meeting of the mayor and council. The mayor and council may then reinstate the prior zoning district and regulations. In the alternative, the mayor and council may extend the conditional use for 12 months and any number of subsequent 12-month periods by only one such period at a time.

Sec. 93-3.2-5. - Special use permit procedures.

Mayor and council may in considering a special use permit following a public hearing impose reasonable conditions deemed necessary to the protection or benefit of owners of adjacent and nearby properties to ensure compatibility of the proposed development or use with surrounding uses. The decision of mayor and council concerning consideration of a special use shall be given to the applicant in writing, by certified U.S. mail to the address indicated in the application. Aggrieved applicants shall have 30 calendar days from the date of receipt of the notice in which to petition the superior court of Fulton County for writ of certiorari.

REVIEW

Sec. 93-3.2-6. - Special use permit criteria and standards.

- (a) *Special use permit criteria.* Special uses are compatible uses of land or the improvement of structures within a zoning district that reasonably require special consideration and therefore, are not allowed "by right." The following standards shall be considered in evaluating the appropriateness of all proposed special uses of property:

- (1) Impact on the use or development of adjacent properties, or the surrounding area, as concerns public health, safety or general welfare;

There is a shared driveway on the south side of the property. The width of the driveway should be provided to ensure access for both properties at all times. Otherwise, use of the property as a personal care home should have no negative impact on the use or development of adjacent properties or the surrounding area as concerns public health, safety or general welfare.

- (2) Capacity of the lot to accommodate the use and satisfy the dimensional requirements of the ordinance;

The City's Code does not provide guidance for dimensional requirements placed on personal care homes. However, the minimum space per dwelling unit for personal care homes is mandated by state law as 80 square feet; the provided floor plan shows that each dwelling unit would have at least 100 square feet of space, which is compliant for one person per unit. The applicant should provide square footage for each unit to indicate the number of residents.

The use would occupy an existing structure and as such would not be required to meet the setback requirements of the Village district. The facility would provide 10 parking spaces, which is sufficient to meet the minimum of one parking space per dwelling unit required by the Arts District overlay for residential uses. While the applicant asserts most residents of personal care homes do require parking, there is a concern, that staffing would require up to 6 parking spaces during shift changes leaving only 4 parking spaces for visitors, volunteers, and other outside staff (therapists, etc.)

- (3) Compatibility with adjacent properties and other land uses in the vicinity;

Personal care homes are a residential use, which are compatible with the Village district and the Arts District Overlay. Further, there is an existing senior living facility at the nearest intersection to the north, approximately 300 feet away.

- (4) Potential nuisance or hazardous characteristics, specifically as concerns the number of individuals projected to use such facility or nature of the activity;

The facility must follow all applicable state and local laws regarding operation of a personal care home. While the individuals utilizing the facility is unlikely to pose a nuisance or hazardous characteristics, the parking concerns denoted above could create a problem.

- (5) Impact on traffic movement, availability of off-street parking, options for buffering or protective screening, hours and manner of operation, lighting, signs and access to the property; and

Depending on the timing of the up to 12 adult day care arrivals, there could be a short-term adverse impact on traffic movement. The applicant mentioned special events and special circumstances for overflow parking needs but has not elaborated. As the use is primarily residential with 2 to 4 staff members attending to the needs of the residents, no buffers, protective screening, or additional lighting are recommended, nor are restrictions on the hours and manner of operation. Any proposed signs will need to comply with the city's sign ordinance.

- (6) Conformance of the special use to other requirements of the ordinance.

See below

Sec. 93-2-21. - Use regulations regarding personal care homes.

- (a) Personal care homes, as defined herein, may be permitted in any RMU, V, U-V, C-R, N-C, C-1 and C-R zone, subject to special use permit and the following conditions:

- (1) Any exterior modifications to an existing structure or construction of a new structure shall be consistent with the character of the surrounding area;

While the applicant intends to make extensive modifications to the interior of the structure, the exterior will remain unchanged. The structure is similar in appearance to a large single-family dwelling and is compatible in style with the adjacent structures.

- (2) The personal care home provides on-site parking and/or drop-off space adequate to meet the needs of the proposed facility;

Per the provided floor plan and site plan, the site has 10 off-street parking spaces. This is compliant with the requirements of the Arts District overlay for one parking space per dwelling unit. Further, per the applicant, the residents of the personal care home will generally not have their own vehicles, and the provided parking will mainly be used by staff, guests, and deliveries. See above discussion regarding parking concerns.

- (3) The personal care home provides to the Hapeville fire and police departments a current list of residents living in the facility who have disabilities, and information concerning special needs, so as to ensure each resident's safety and evacuation from the premises in the event of a fire or other emergency within the home; and

The applicant must furnish this information to the Hapeville fire and police departments with every new admission to the facility.

- (4) The personal care home has obtained all federal and/or state permits or licenses required for its operation.

The applicant must provide copies of all relevant federal and/or state permits to the Department of Community Services prior to obtaining a Certificate of Occupancy.

RECOMMENDATION

The proposed use of a personal care home is compatible with the Village Zoning District and poses no foreseeable conflict with the intent of the district. There are concerns regarding the number of overnight residents, parking,

and traffic movement during peak transition times. From a zoning compliance perspective, the special use application may be recommended by the Planning Commission and approved by the City Council with the following conditions:

1. The number of total residents must be restricted by the limits imposed by State law.
2. A shared parking agreement to accommodate overflow parking should be arranged with nearby property owners (within 400 ft) and approved by the Board of Appeals.
3. The applicant should demonstrate with a dimensioned site plan that drop-offs and pick-ups of adult day care clients will not impede access of the shared driveway.
4. The owner must furnish a list of all residents living in the facility with disabilities and special needs to the Hapeville Police and Fire Departments with every new admission to and patient permanent exit from the facility.
5. The owner must provide copies of all relevant federal and/or state permits to the Department of Community Services prior to obtaining a Certificate of Occupancy.

Adrienne Senter

From: Lynn Patterson <lpatterson@bcstudio.com>
Sent: Wednesday, April 8, 2020 6:41 PM
To: Adrienne Senter
Subject: FW: Number of caregivers to residents
Attachments: Screenshot_20200304-124833_Word.jpg; Screenshot_20200304-124618_Word.jpg

From: Claudette Eley <eleyclaudette@gmail.com>
Sent: Wednesday, March 4, 2020 1:12 PM
To: Michael Smith <msmith@hapeville.org>
Cc: Lynn Patterson <lpatterson@bcstudio.com>; Adrienne Senter <asenter@hapeville.org>
Subject: Re: Number of caregivers to residents

Hello Michael, Lynn, & Adrienne,

Attached please find Georgia's minimum requirements. However, Mary's House Senior Care will be staffed based on the acuity level of the residents. I will make sure the home is staffed adequately enough to meet the needs of the residents. Mary's House Senior Care will be staffed to serve residents and to manage and maintain the facility. The staff will primarily consist of a registered nurse or licensed practical nurse, certified nursing assistants, & cooks. Mary's House Senior Care day to day operations will be managed by a registered nurse or a licensed practical nurse. Certified nursing assistants will assist in providing daily care for residents, and cooks will assist in meal planning and preparing nutritionally balanced meals. Residents will have access to medical personnel 24/7. A registered nurse and/or medically trained staff member will be onsite in case of an emergency, to provide medication management and to supervise daily living activities. All medical staff will be CPR certified, and each staff member will meet all federal, state, and local educational and training requirements for the services they provide. The number of personnel will be proportional to the occupancy level of the home & acuity level of the residents. Visiting staff will be scheduled as needed, and optional services for residents. Staff will be full-time, part-time, PRN (as needed), and volunteer.

I hope this is helpful. Please let me know if there is anything else I can provide.

Thank you,

Claudette Eley
678-256-4913

On Wed, Mar 4, 2020, 12:13 PM Michael Smith <msmith@hapeville.org> wrote:

Hi Claudette,

I hope you're doing well. Could you please tell me how many people you expect to employ at the personal care home? How many would typically be present at a time?

Thanks,



Find...



			317-12 4110 317-200 61 564.
111-8-62-.10 Staffing		111-8-62-.10 Staffing (1) The home must maintain a minimum on-site staff to resident ratio of one awake direct care staff person per 15 residents during waking hours and one awake direct care staff person per 25 residents during non-waking hours where the residents have minimal care needs. However, the home must staff above these minimum on-site staff ratios to meet the specific residents' ongoing health,	Staffing outlined in this section is a minimum. Minimum staffing refers to staff who are directly involved in the provision of direct care to residents. The home may need to exceed these minimum requirements in order to provided needed protective care and watchful oversight to all residents. Sufficient staff must be physically present in the home at all times. Residents are present to implement the home's emergency disaster plan. The home must have the number of staff needed to meet the needs of the residents and provide for their health safety, and well-being at all times. The degree of oversight and care the particular residents in the home

Effective Date: 1/8/13

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where home-cooked meals will be prepared daily, and beautiful common areas with a variety of amenities for seniors to enjoy. The renovation should not take more than 4 months to complete.

The home will have approximately 8 full-time and 3 part-time employees. The max shift will have approximately 3 employees on the premises at one time.

As a proud resident of Hapeville, I love our small quaint city and feel that there's something here for everyone. However, our senior citizens need to have better and more senior care housing options within the community. Afterall, many of them helped shape and made Hapeville the thriving city it is today

About Mary's House Senior Care

Mary's House Senior Care will be the ideal choice for seniors who prefer an active community and want to maintain their independent lifestyle in a homelike setting. A variety of floor plans and levels of care will be offered allowing residents to customize services and amenities to meet their needs. The home will provide personal care, memory care, and daycare services twenty-four hours, seven days per week. It will serve ambulatory senior citizens that need assistance with activities of daily living such as eating, bathing, dressing, toileting, and medication management. Residents will be encouraged to participate in the many life enriching activities offered daily to keep residents stimulated and relaxed onsite and offsite. Onsite, the home will feature beautiful common areas including a front porch, activity/entertainment room, therapy/spa room, lounge, living room, dining room, and a kitchen. Offsite, a variety of outings will be scheduled. However, seniors can freely enjoy the many amenities the charming City of Hapeville has to offer including multiple newly renovated parks, a new senior center and library. There are also many restaurants and shops to explore. The home is conveniently located close to several churches, hospitals, MARTA bus line & train station, and Hartsfield-Jackson Atlanta International Airport. Mary's House will provide a loving and nurturing atmosphere by treating seniors with dignity and respect. Caring for and fulfilling the needs of senior residents will be top priority.

Mary's House Senior Care will be owned and operated by Claudette Eley. Claudette is a registered nurse with leadership and management skills. She has more than seventeen years experience in caring for the elderly in the nursing field and is a graduate of Georgia Baptist College of Nursing of Mercer University. As an experienced registered nurse at Atlanta Medical Center's Intensive Care Unit, Claudette currently works as a charge nurse and has had the opportunity to provide and direct nursing care for geriatric patients with some of the most critical diagnoses. For the past five years, Claudette has visited and volunteered at local senior care facilities to learn how to effectively run a successful senior care home. Prior to nursing as a county commissioner assistant, Claudette worked closely with the elderly through community-based organizations that assisted seniors with meals, home repair, and many other needs. Claudette is passionate about senior wellness and enjoys caring for the aging population. She has gained a wealth of knowledge, confidence and experience in running a senior care facility and has successfully helped manage a 7-24 bed senior care home through volunteering her services. Claudette will have ongoing training and education for herself as well as for her staff, and she will continue to utilize a consultant to assist her with the business. Claudette will use her experience and management skills to provide quality care and useful services to senior residents of Hapeville, Georgia and the surrounding area.

Mary's House Senior Care will be staffed to serve residents and to manage and maintain the facility. The staff will primarily consist of a registered nurse or licensed practical nurse, certified nursing assistants, and cooks. Mary's House Senior Care day to day operations will be managed by a registered nurse or a licensed practical nurse. Certified nursing assistants will assist in providing daily care for residents, and cooks will assist in meal planning and prepare nutritionally balanced meals. Residents will have access to medical personnel 24/7. A nurse and/or nursing assistant will be onsite in case of an emergency, to provide medication management and to supervise daily living activities. Background checks will be performed on all employees. All medical staff will be CPR certified, and each staff member will meet all federal, state, and local educational and training requirements for the services they provide. The number of personnel will be proportional to the occupancy level of the home and the acuity level of the residents and clients. Visiting staff will be scheduled as needed, and optional services for residents. Staff will be full-time, part-time, PRN (as needed), and volunteer.

Q&A

1. What experience/prior background do you have in this area?

(See About Mary's House Senior Care)

2. How many residents (overnight) versus day visitors?

There will be 9-15 residents at night at full capacity. At full capacity during the day, there will be 9-15 residents and 6 adult day care clients. When home is not at full capacity less than 9 residents during the day, there will be up to 12 adult day care clients.

3. How many dwelling units are there? There is conflicting information in the application stating 10 but the plan only shows 9.

There will be 9 residential units or dwellings.

4. Assuming peak capacity, how many staff will be on shift at time? Specifically what type of staff?

During the day 7A-7P at peak capacity (up to 21 residents/clients), there will be 1 RN (registered nurse) or LPN (licensed practical nurse), and 1-2 CNAs (certified nursing

assistants) depending on the acuity level of the residents and clients. There will also be 1 cook totaling 4 staff members. At night 7P-7A at peak capacity (up to 15 residents), there will be 1-2 medical staff (RN, LPN, CNA) depending on acuity level of the residents totaling 2 staff members.

5. How will resident parking be accommodated? How will visitor parking be accommodated?

Residents and visitors will utilize the level 2 parking lot.

Staff, visiting staff, drop-offs, deliveries, and emergency personnel will utilize the level 1 parking lot.

6. How will drop off work for day visitors?

Adult day care clients will be dropped off using level 1 entrance and parking lot. There is an entrance door located on the side of the building.

7. The driveways are single lane? Is there any shared parking with the neighbors next door on your property or theirs?

The driveway on level 1 is a single lane. However, the area was previously used for deliveries. I recently walked the property with Hapeville's Fire Marshall who observed that the lot on level 1, would provide adequate space for emergency personnel to enter and exit the building and lot safely in the case of an emergency.

There is not shared parking with the adjacent properties, but the entrance and exit driveway on the level 2 lot is shared and is a double lane.

8. What is your parking overflow plan?

Parking overflow plan includes utilizing any open parking spaces on either lot (level 1 or level 2). Otherwise, when one lot is full, the other lot can be used. After researching several senior care facilities in the area, I learned that seniors do not typically drive when they decide to live at senior care homes. (See attachment) I will also consult with nearby businesses with ample parking spaces to see if they will consider allowing parking for special events or special circumstances.

9. How will transportation be provided for those who do not drive?

Transportation services will provide residents with transportation who do not drive & can be scheduled by staff. The home will provide transportation for group outings.

10. What are the accommodations for memory care?

Individual care plans will be prepared for all residents. Staff will follow the Alzheimer's Association guidelines in caring for memory care residents. Accommodations for memory care residents include specialty installation of a wandering prevention system to protect and keep memory care residents safe. Cameras & alarm systems will be in place to protect all residents, visitors, & staff.

11. How will the residents access the various spaces within the building?

Residents will access various spaces within the building by walking or by the use of mobility aids. The home will have an elevator installed. Residents will primarily use the entrance on level 2 to enter and exit the building. There is a wheelchair ramp available & the home will be handicap accessible.

SENIOR CARE FACILITY DRIVERS

This list identifies senior care facilities in the surrounding area, the current number of residents, and the current number of drivers

Hapeville Manor Senior Care
601 Coleman St.
Hapeville, GA
404-767-5874
(0) 17

Arbor Terrace at Cascade
1001 Research Center
Atlanta, GA 30331
404-691-0304
(2) 70

Atria Buckhead
2848 Lenox Rd.
Atlanta, GA 30324
404-382-5480
(0) 40

Mitchell's Personal Care Home
684 Cascade Ave.
Atlanta, GA 30310
404-753-5030
(0) 11

Merry's Personal Care Home
4070 Janice Dr.
East Point, GA 30344
404-209-0110
(0) 10

20-PC-02-03

CITY OF HAPEVILLE
ECONOMIC DEVELOPMENT DEPARTMENT
SUBDIVISION APPLICATION

Name of Applicant Wilson Smith

Mailing Address 315 Millidge Ave Atlanta, GA 30312

Telephone [REDACTED] Mobile Same

Email Wilsonsmith@rocketmail.com

Property Owner (s) Wilson & Sally Smith

Mailing Address Same as above

Telephone _____ Mobile _____

Address/Location of Property:

3140 Dogwood Dr Hapeville, GA

Present Zoning Classification: R-5F

Present Land Use: House residential rental with vacant lot

Parcel ID #: 14 009400020055

I hereby make application to the City of Hapeville, Georgia for the above referenced property. I hereby 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 fully comply with all City of Hapeville Codes and Ordinances. I hereby acknowledge that all requirements of the City of Hapeville shall be met. I am able to read and write in English or this document has been read and explained to me and I have fully and voluntarily completed this application. I also understand that false statements or writings made to the City of Hapeville, Georgia are deemed a felony pursuant to O.C.G.A. 16-10-20 and I/we may be prosecuted for a violation thereof.

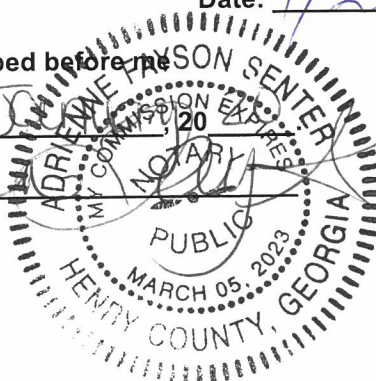
R. Wilson Smith
Applicant's signature

Date: 1/22/2020

Sworn to and subscribed before me

This 22nd day of January

[Signature]
Notary Public



CITY OF HAPEVILLE
ECONOMIC DEVELOPMENT DEPARTMENT
SUBDIVISION APPLICATION

WRITTEN SUMMARY

Provide a detailed summary of the proposed project in the space provided below:

Would like to subdivide vacant lot
for sale.

lot would be for single
family construction.

CITY OF HAPEVILLE
ECONOMIC DEVELOPMENT DEPARTMENT
SUBDIVISION APPLICATION

AUTHORIZATION OF PROPERTY OWNER

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

3140 Dogwood Dr Hapeville, GA 30354

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 THIS APPLICATION FOR PLANNING COMMISSION REVIEW.

Name of Applicant:

Wilson & Sally Smith

Address of Applicant:

315 Milledge Ave
Atlanta, GA 30312

Telephone of Applicant:



L. Wilson Smith

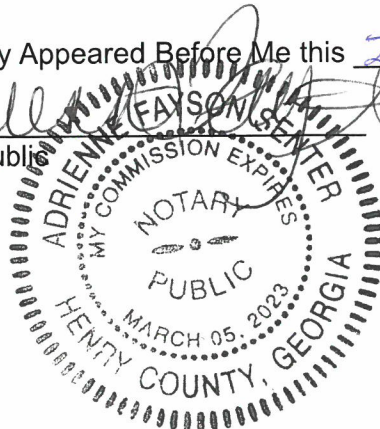
Signature of Owner

L. Wilson Smith

Print Name of Owner

Personally Appeared Before Me this 22 day of January, 2020

Notary Public



Final Plat Checklist

A Final Plat is a legal document, once approved and signed by the Hapeville Planning Commission, can be recorded with Fulton County Superior Court. Only a final plat legally subdivides a parcel. Filing with the County will establish the new deed for the property and assign tax parcel identification information. To be considered, a Final Plat must contain the following information:



The lines of all streets and roads, alley lines, lot lines, building setback lines, lots numbered in numerical order, house numbers, reservations, easements and any areas to be dedicated to public use or sites for other than residential use with notes stating their purpose and any limitations.



Sufficient data to determine readily and reproduce on the ground the location, bearing and length of every street line, lot line, boundary line, block line and building line, whether curved or straight, and including true north point. This shall include the radius, central angle and tangent distance for the centerline of curved streets and curved property lines that are not the boundary of curved streets.



All dimensions to the nearest 100th of a foot and angles to the nearest minutes.



Location and description of monuments.



The names and locations of adjoining subdivisions and streets and the location and ownership of adjoining unsubdivided property.

Date, title, name and location of subdivision, graphic scale and true north point.

Please initial each item on the list above certifying that all required information has been included on the plat. Sign and submit this form with your Final Plat application. Failure to include this form and information required herein may result in additional delays for the consideration of your application.

Supplemental Documents for Final Plat:

- Certification showing that the applicant is the landowner or legally authorized representative and dedicates streets, rights-of-way and any sites for public use.
- Certification by surveyor or engineer to accuracy of survey and plat and placement of monuments.
- Certification by the City Engineer that the subdivider has complied with one of the following alternatives:
 1. All improvements have been installed in accord with the requirements of the regulations; or
 2. A security bond has been posted in sufficient amount to ensure the completion of all required improvements.
- Certification of approval to be signed by the secretary of the Planning Commission following the approval of the final plat.

Once a Final Plat has been approved and signed by the Chair of the Hapeville Planning Commission, the applicant may pick up copies of the plat for filing with Fulton County Superior Court at 136 Pryor Street, Atlanta, GA 30303. Once filed and stamped by the recorder's office, a copy should be returned to the Hapeville Department of Economic Development to be held on file.

Applicant Signature: 

Date

1/23/2020



DEPARTMENT OF PLANNING AND ZONING

PLANNER'S REPORT

DATE: March 5, 2020
TO: Adrienne Senter
FROM: Michael Smith
RE: **Subdivision/Final Plat for 3140 Dogwood Drive**

BACKGROUND

The City of Hapeville has received a Subdivision application from Wilson Smith to subdivide an existing lot located at 3140 Dogwood Drive (Parcel ID 14 009400020055) into two tracts of land. The overall tract is 0.28 acres (12,511 sq. ft.) in size and contains an existing two-story structure. The parcel is currently zoned R-SF, Residential Single-Family, and is within the A-D, Arts District overlay.

As proposed, Parcel 1 will be 0.17 acres (7,741 sq. ft.) and Parcel 2 will be 0.11 acres (4,769 sq. ft.). Parcel 1 will contain an existing single-family dwelling and detached garage, while Parcel 2 will be vacant and used for residential construction. Both parcels will be zoned R-SF and A-D.

CODE REQUIREMENTS

Sec. 90-1-1. - Purpose, authority and jurisdiction.

(g) Short-cut procedure. Subdivisions that do not involve the creation of new streets or installation or dedication of infrastructure may be submitted as final plats without the necessity of preliminary plat approval.

(h) Variances. Where the subdivider can show that a provision of these standards would cause unnecessary hardship if strictly adhered to, and where, because of topographical or other conditions peculiar to the site, in the opinion of the planning commission, a departure may be made without destroying the intent of these provisions, the planning commission may authorize a variance. Any variance thus authorized is to be stated in writing in the minutes of the planning commission with the reasoning on which the departure was justified set forth.

Sec. 90-1-2. - Procedure for plat approval.

(f) Final plat.

- (4) Approval of the final plat by the planning commission shall not constitute acceptance by the city of dedication of any streets, easements or other public way, ground or improvements.

The final plat shall show:

- a. The lines of all streets, roads, and allies, lot lines, building setback lines, lots numbered in numerical order, house numbers, reservations, easements and any areas to be dedicated to public use or sites for other than residential use with notes stating their purpose and any limitations.

Street numbers have not been provided for the new parcels.

- b. Sufficient data to readily determine and reproduce on the ground the location, bearing and length of every street line, lot line, boundary line, block line and building line, whether curved or straight, and including the true north point. This shall include the radius, central angle and tangent distance for the centerline of curved streets and curved property lines that are not the boundary of curved streets.

Setbacks for the existing structures have not been provided.

- c. All dimensions to the nearest 100th of a foot and angles to the nearest minute.

Compliant

- d. Location and description of monuments.

Compliant

- e. The names and locations of adjoining subdivisions and streets and the location and ownership of adjoining property.

Compliant

- f. Date, title, name and location of subdivision, graphic scale and true north point.

Compliant

- g. Location map showing site in relation to area.

Location map is not provided on the subdivision survey.

- h. Certification showing that the applicant is the landowner or legally authorized representative and dedicates streets, rights-of-way, improvements and any sites for public use.

Compliant

- **Street numbers have not been provided for the new parcels.**
- **Setbacks for the existing structures have not been provided.**
- **Location map is not provided on the subdivision survey.**

Short-cut procedure. Subdivisions that do not involve the creation of new streets or installation or dedication of infrastructure may be submitted as final plats without the necessity of preliminary plat approval.

Sec. 90-1-3. - General requirements and minimum standards of design.

- (a) Streets.
- (1) Conformity to the major street plan. The location and width of all streets and roads shall conform to the official major street plan.

- **No changes proposed.**

- (2) Relation to adjoining street systems. The proposed street system shall extend existing streets or projects at the same or greater width, but in no case less than the required minimum width.

- **No changes proposed.**

- (3) Street widths. The minimum width of right-of-way, measured from lot line to lot line, shall be as shown on the major street plan, or if not shown on that plan, shall be not less than as follows:
 - a. For major streets, 70 feet as may be required. Major streets are those regional roads to be used primarily for fast or heavy traffic and will be located on the major street plan.
 - b. For arterial streets, 60 feet. Arterial streets are those which carry traffic from minor streets to the major streets and include the principal streets utilized for local circulation.
 - c. For minor and collector residential streets, 50 feet. Minor streets are those which are used primarily for access to the abutting residential properties and designed to discourage their use by through traffic. Collector residential streets are those which carry traffic from residential streets to arterial streets.
 - d. For dead-end streets (culs-de-sac), 50 feet. Cul-de-sac are permanent dead-end streets or courts designed so that they cannot be extended in the future. "Hammerhead" turnarounds are also permitted on dead-end streets accessing low density neighborhoods.
 - e. For alleys, ten feet to 16 feet. Alleys are minor public ways used primarily for service access to the back or side of properties otherwise abutting on a street. In cases where topography or other typical physical conditions make a street of the required minimum width impracticable, the planning commission may modify the above requirements. Through proposed business areas the street widths shall be increased ten feet on each side if needed to provide parking without interference of normal passing traffic.

- **No changes proposed.**

- (4) Additional width on existing streets. Subdivisions that adjoin existing streets shall dedicate additional right-of-way to meet the above minimum street width requirements.
 - a. The entire right-of-way shall be provided where any part of the subdivision is on both sides of the existing street.
 - b. When the subdivision is located on only one side of an existing street, one-half of the required right-of-way, measured from the centerline of the existing roadway, shall be provided.

- **No changes proposed.**

- (5) Restriction of access. When a tract fronts on an arterial street or highway, the planning commission may require those lots to be provided with frontage on an access street.

- **Not applicable.**

- (6) Street grades. Grades on major streets shall not exceed seven percent. Grades on other streets may exceed seven percent but not ten percent.

- **Not applicable.**

- (7) Horizontal curves. Where a deflection angle of more than ten degrees in the alignment of a street occurs, a curve of reasonably long radius shall be introduced. On streets 60 feet or more in width, the centerline radius of curvature shall be not less than 300 feet; on other streets not less than 100 feet.
- **Not applicable.**
- (8) Vertical curves. All changes in grade shall be connected by vertical curves of minimum length in feet equal to 15 times the algebraic difference in rates of grade for major streets and one-half this minimum length for other streets. Profiles of all streets showing natural and finished grades drawn to a scale of not less than one-inch equals 100 feet horizontal, and one-inch equals 20 feet vertical, may be required by the planning commission.
- **Not applicable.**
- (9) Intersections.
 - a. Street intersections shall be as nearly at right angles as is possible, and no intersection shall be at an angle of less than 60 degrees.
- **Not applicable.**
- b. Property line radii at street intersections shall not be less than 20 feet and where the angle of street intersection is less than 75 degrees, the planning commission may require a greater curb radius. Wherever necessary to permit the construction of a curb having a desirable radius without curtailing the sidewalk at a street corner to less than normal width, the property line at such street corner shall be rounded or otherwise set back sufficiently to permit such construction.
- **Not applicable.**
- (10) Tangents. A tangent of at least 100 feet long shall be introduced between reverse curves on arterial and collector streets.
- **Not applicable.**
- (11) Street jogs. Street jogs with centerline offsets of less than 125 feet shall be prohibited.
- **Not applicable.**
- (12) Dead-end streets.
 - a. Minor terminal streets or courts designed to have one end permanently closed shall be no more than 400 feet long unless necessitated by topography. They shall be provided at the closed end with a turnaround having an outside roadway diameter of at least 80 feet and a street right-of-way diameter of at least 100 feet. "Hammerhead" turnarounds are also permitted on dead-end streets accessing low density neighborhoods.
 - b. Where, in the opinion of the planning commission, it is desirable to provide for street access to adjoining property, proposed streets shall be extended by dedication to the boundary of the property. These dead-end streets shall be provided with a temporary turnaround having a roadway diameter of at least 80 feet.
- **Not applicable.**

- (13) Private streets and reserve strips. There shall be no private streets platted in any subdivision. Every subdivided property shall be served from a publicly dedicated street. There shall be no reserve strips controlling access to streets, except where the control of such strips is definitely placed with the community under conditions approved by the planning commission.
- **Not applicable.**
- (14) Street names. Proposed streets in obvious alignment with others already existing and named shall bear the names of existing streets. In no case shall the name for proposed streets duplicate existing street names, irrespective of the use of the suffix street, avenue, boulevard, driveway, place or court.
- **Not applicable.**
- (15) Alleys. Alleys shall be provided to the rear of lots used for business purposes and shall not be provided in residential blocks except where the subdivider produces evidence satisfactory to the planning commission of the need for alleys.
- **Not applicable.**
- (b) Blocks.
 - (1) Length. Blocks shall not be less than 400 feet or more than 1,200 feet in length, except as the planning commission considers necessary to secure efficient use of land or desired features of street pattern. In blocks over 800 feet in length, the planning commission may require one or more public cross walks of not less than ten feet in width to extend entirely across the block and at locations deemed necessary.
 - **Not applicable.**
 - (2) Width. Blocks shall be wide enough to allow two tiers of lots of minimum depth, except where fronting on major streets or prevented by topographical conditions or size of the property, in which case the planning commission will approve a single tier of lots of minimum depth.
 - **Not applicable.**
- (c) Lots.
 - (1) Arrangement. Insofar as practical, side lot lines shall be at right angles to straight street lines or radial to curved street lines. Each lot shall have frontage on a public street.
 - **Complies.**
 - (2) Minimum size. The size, shape and orientation of lots shall be such as the planning commission deems appropriate for the type of development and use contemplated. Remnant lots, that is, parcels of land that would not comply with the minimum lot area or width following subdividing shall be prohibited. Such remnant parcels shall be added to adjacent lots rather than be platted as unusable parcels.
 - a. The size and widths of lots shall in no case be less than the minimum requirements of the zoning ordinance. No lot shall have a width greater than six times the lot depth at the building setback line without specific approval by the planning commission.
 - **Parcels in R-SF must have a minimum of 40' of street frontage. Parcels 1 and 2 would have 50.07' and 50.06'**

of street frontage, respectively, and are compliant.

- ***Parcels in R-SF must be a minimum of 4,000 sq. ft. Parcels 1 and 2 would have an area of 7,741 sq. ft. and 4,769 sq. ft., respectively, which is compliant.***

- b. Size of properties reserved or laid out for commercial or industrial properties shall be adequate to provide for the off-street service and parking facilities required by the type of use and development contemplated. Platting of individual lots should be avoided in favor of an overall design of the land to be used for such purposes.

- ***Not applicable.***

- (3) Minimum depth. The minimum depth of building setback lines from the right-of-way shall not be less than 30 feet and in the case of corner lots 15 feet from the side street right-of-way unless a lower standard is allowed by an existing zoning ordinance.

- ***The existing dwelling on Parcel 1 is set back less than 15' from the Oak Drive right-of-way, which is not compliant with the setback requirements for corner lots and will require a approval from the Planning Commission for a Variance during their review of the plans.***
- ***The setback lines for Parcel 2 will be compliant with R-SF zoning, with front and street-facing side setbacks of 15'.***

- (4) Corner lot dimension. Corner lots shall be sufficiently wider and larger to permit the additional side yard requirements of the zoning ordinance or building setback lines outlined above.

- ***See above.***

- (5) Lots on a curved street or cul-de-sac. All such lots shall comply with the minimum lot frontage at the building setback line. No lot shall have a lot width less than 35 feet at the street right-of-way.

- ***Not applicable.***

- (6) Lots in more than one municipality. No new lot created subsequent to the effective date of this chapter shall be divided by a city boundary line.

- ***Not applicable.***

- (7) Double frontage lots. No lot, other than a corner lot, shall have frontage on more than one street unless a reserve strip that would prohibit vehicle access is created.

- ***Not applicable.***

- (d) Public use and service areas. Due consideration shall be given to the allocation of areas suitably located and of adequate size for playgrounds and parks for local or neighborhood use as well as public service areas. Plats indicating dedication of park and playground areas to the city shall be approved conditionally subject to the written acceptance of the land by mayor and council.

- (1) Public open spaces. Where a school, neighborhood park or recreation area or public access to water frontage, shown on an official map or in a plan made and adopted by the planning commission, is located in whole or in part in the applicant's subdivision, the planning commission may require the dedication or reservation of such open space within

the subdivision up to a total of ten percent of the gross area or water frontage of the lot, for park, school or recreation purposes.

- **Not applicable.**

- (2) Easements for utilities. Except where alleys are permitted for the purpose, the planning commission may require easements, not less than ten feet in width, for wires, conduits, storm and sanitary sewers, gas, water and heat mains or other utility lines, along all rear lot lines, alongside lot lines if necessary, or if, in the opinion of the planning commission, advisable. Easements of the same or greater width may be required along the lines of or across lots, where necessary for the extension of existing or planned utilities. Easements greater than ten feet in width may be required where additional utilities, utilities larger in size or utilities greater than five feet in depth below grade are proposed in the easement.

- **Not applicable.**

- (3) Community assets. In all subdivisions, due regard shall be shown for all-natural features such as large trees, watercourses, historical resources and similar community assets which, if preserved, will add attractiveness and value to the property.

- **Not applicable.**

(e) Suitability of the land.

- (1) The planning commission shall not approve the subdivision of land if, from adequate investigations conducted by all public agencies concerned, it has been determined that in the best interest of the public the site is not suitable for platting and development purposes of the kind proposed.

- ***Parcel 2 would provide the minimum space per the requirements of the Code for viable new single-family construction. However, the applicant and the Planning Commission should be aware that any construction on this lot will be tightly constrained by zoning setback and lot coverage requirements.***

- (2) Land subject to flooding and land deemed to be topographically unsuitable shall not be platted for residential occupancy, or for any other uses as may increase danger to health, life or property or aggravate erosion or flood hazard. Such land within the plat shall be set aside for those uses as shall not be endangered by periodic or occasional inundation or shall not produce unsatisfactory living conditions.

- **Parcel 2 will be located in a Zone A (100-Year) Flood Hazard Area. The applicant may still construct a single-family dwelling on the property with a Variance granted by the Planning Commission during their review of the application but said construction must comply with FEMA requirements.**

- (f) Large tracts or parcels. When land is subdivided into larger parcels than ordinary building lots, those parcels shall be arranged so as to allow for the opening of future streets and logical further re-subdivision.

- **Not applicable.**

- (g) Group housing developments. A comprehensive group housing development, including single-family attached developments and the large-scale construction of housing units together with necessary drives and ways of access, may be approved by the planning commission although the design of the project

does not include standard street, lot and subdivision arrangements, if departure from the foregoing standards can be made without destroying their intent.

- **Not applicable.**

- (h) Variances. Where the subdivider can show that a provision of these standards would cause unnecessary hardship if strictly adhered to, and where, because of topographical or other conditions peculiar to the site, in the opinion of the planning commission, a departure may be made without destroying the intent of these provisions, the planning commission may authorize a variance. Any variance thus authorized is to be stated in writing in the minutes of the planning commission with the reasoning on which the departure was justified set forth.

- Although setbacks have not been provided, the existing garage may be less than 5' away from the proposed rear property line. If this is the case, staff cannot recommend approval of the subdivision plat.
- The existing dwelling on Parcel 1 is set back less than 15' from the Oak Drive right-of-way, which is not compliant with the setback requirements for corner lots and will require a the Planning Commission to authorize a Variance as part of their review.
- Although setbacks have not been provided, the existing garage appears to encroach on the minimum 5' setback required for accessory buildings from the north property line, which will require the Planning Commission to authorize a Variance as part of their review.
- Parcel 2 will be located in a Zone A (100-Year) Flood Hazard Area. The applicant may still construct a single-family dwelling on the property with a Variance granted by the Planning Commission as part of their review of the plan but said construction must comply with FEMA requirements.

- (i) Zoning or other regulations.

- (1) No final plat of land within the force and effect of an existing zoning ordinance will be approved unless it conforms to that ordinance.

- The existing dwelling and garage are not compliant with R-SF setback requirements. Variances granted by the Planning Commission as part of their review of the plan will be required separately for the south and north side setbacks (see above).

- (2) Whenever there is a discrepancy between minimum standards or dimensions noted herein and those contained in zoning regulations, the building code or other official regulations, the highest standard shall apply.

Sec. 90-1-4. - Development prerequisite to final approval.

- (a) Required improvements. Every subdivision developer shall be required to grade and improve streets and alleys, install curbs and sidewalks, monuments, sewers, stormwater inlets and water mains in accordance with specifications established by the city.

- (1) Monuments.

- a. Concrete monuments four inches in diameter or square, three feet long, with a flat top, shall be set at all street corners, at all points where the street lines intersect the exterior boundaries of the subdivision, and at angle points and points of curve in each street. The top of the monument shall have an indented cross to identify properly the location and shall be set flush with the finished grade.
- b. All other lot corners shall be marked with iron pipe not less than three-fourths inch in diameter and 24 inches long and driven so as to be flush with the finished grade.

- Concrete monuments four inches in diameter or square, three feet long, with a flat top, must be set at the

intersection of Dogwood Dr. and Oak Dr. to replace the iron pin.

- **All other lot corners shall, at a minimum, be marked with iron pipe not less than three-fourths inch in diameter and 24 inches long and driven so as to be flush with the finished grade.**

- (2) Grading. All streets, roads and alleys shall be graded to their full width by the subdivider so that pavements and sidewalks can be constructed on the same level plane. Due to special topographical conditions, deviation to the above will be allowed only with special approval of planning commission.
 - a. Preparation. Before grading is started, the entire right-of-way area shall be first cleared of all stumps, roots, brush and other objectionable materials and all trees not intended for preservation.
 - b. Cuts. All tree stumps, boulders and other obstructions shall be removed to a depth of two feet below the subgrade. Rock, when encountered, shall be scarified to a depth of 12 inches below the subgrade.
 - c. Fill. All suitable material from roadway cuts may be used in the construction of fills, approaches, or at other places as needed. Excess materials, including organic materials, soft clays, etc., shall be removed from the development site. The fill shall be spread in layers not to exceed 12 inches loose and compacted by a sheep's foot roller. The filling of utility trenches and other places not accessible to a roller shall be mechanically tamped, but where water is used to assist compaction the water content shall not exceed the optimum of moisture.

- **Not applicable.**

- (3) Storm drainage. An adequate drainage system, including necessary open ditches, pipes, culverts, intersectional drains, drop inlets, bridges, etc., shall be provided for the proper drainage of all surface water. Cross drains shall be provided to accommodate all-natural water flow, and shall be of sufficient length to permit full width roadway and the required slopes. The size openings to be provided shall be determined by Talbot's formula, but in no case shall the pipe be less than 12 inches. Cross drains shall be built on straight lines and grade, and shall be laid on a firm base but not on rock. Pipes shall be laid with the spigot end pointing in the direction of the flow and with the ends fitted and matched to provide tight joints and a smooth uniform invert. They shall be placed at a sufficient depth below the roadbed to avoid dangerous pressure of impact, and in no case shall the top of the pipe be less than one foot below the roadbed. In all cases, drainage improvement plans and the improvements themselves shall be approved by the city engineer.

Drainage system design shall be in accordance with the Georgia Stormwater Management Manual published by ARC, latest update, unless approved otherwise. Drainage systems shall also comply with all other applicable city ordinances and regulations, including the floodplain management ordinance, post development stormwater management regulations and the erosion and sediment control ordinance. Drainage construction shall comply with the state department of transportation standard specifications unless approved otherwise. Storm drain pipe material within city street rights-of-way shall be reinforced concrete pipe in accordance with state department of transportation specifications.

- **Not applicable.**

- (4) Roadway surfacing. After preparation of the subgrade, the roadbed shall be surfaced with material required by local standards, but of no lower classification than crushed rock, stone or gravel. The size of the crushed rock or stone shall be that generally known as crushed rock stone from two and one-half inches down including dust. Spreading of the stone shall be done uniformly over the area to be covered by means of appropriate spreading devices and shall not

be dumped in piles. After spreading, the stone shall be rolled until thoroughly compacted. The compacted thickness of the stone roadway shall be no less than six inches.

Following application of a crushed stone base having a minimum thickness of six inches, contractor shall provide surface paving of local and minor residential streets consisting of two inches of 19 mm Superpave asphalt. Upon issuance of a certificate of occupancy for 90 percent of the dwellings served by the street have been built, or prior to the end of the one-year maintenance period (but after the 11th month), whichever occurs first, contractor shall provide a final wearing course of one and one-half inch of 12.5 mm Superpave asphalt paving. All paving materials shall meet the requirements of the state department of transportation standard specifications.

- ***Not applicable.***

- (5) Minimum pavement widths. Due to the diversity of development in the city, required pavement widths will necessarily vary with the character of building development and the amount of traffic encountered. Minimum pavement widths between curbs shall be as follows:
 - a. For minor residential streets, 30 feet. Most minor streets in residential developments.
 - b. For collector streets, 36 feet. Including minor streets which in the opinion of the planning commission will involve sufficient traffic and/or parking to justify the width.
 - c. For arterial streets and highways, as may be required.

- ***Not applicable.***

- (6) Curbs and gutters. Except on rural streets, the subdivider shall provide permanent six-inch concrete curbs with 24-inch integral concrete gutters or standard rolled curb and gutters.

- ***Not applicable.***

- (7) Sidewalks.
 - a. For the safety of pedestrians and of children at play, installation by the developer of sidewalks on both sides of streets will normally be required. The commission may waive the requirements of sidewalks along streets where a park, railroad or other use on one side of a street makes a sidewalk nonessential.
 - b. Sidewalks shall be located not less than one foot from the property line to prevent interference or encroachment by fencing, walls, hedges or other planting or structures placed on the property line at a later date. In single-family residential areas and multifamily or group housing developments, concrete sidewalks shall be five feet wide and four inches thick. Sidewalks in commercial areas shall be five feet wide and ten feet wide as dictated by adjoining sidewalk widths.

- ***Sidewalks are existing.***

- (8) Installation of utilities. After grading is completed and approved and before any base is applied, all of the work for underground utilities including water mains, gas mains, electrical lines, etc., and all service connections shall be installed completely and approved throughout the length of the road and across the flat section. All driveways for houses to be built by the developer shall be cut and drained.

- ***The only utilities shown on plat are overhead utility lines.***

- (9) Water supply system.

- a. Water mains properly connected with the city water supply system shall be constructed in such a manner as to adequately serve all lots shown on the subdivision plat for both domestic use and fire protection. Water mains shall be located on public property and not private property.
 - b. The sizes of water mains, the location and types of valves and hydrants, the amount of soil cover over the pipes and other features of the installation shall be approved by the city engineer and fire chief.
- **No existing or proposed water supply system service connections are provided on plat.**
 - (10) Sanitary sewers. Sanitary sewers shall be installed in such a manner as to serve adequately all lots with connection to the public system, according to plans approved by the city engineer.
- **No sanitary sewer main or service connections are provided on plat.**
 - (b) Recommended improvements. The planting of street trees and installation of street name signs is considered a duty of the subdivider as well as good business practice.
 - (1) Street trees.
 - a. Trees adjacent to the sidewalk, in supplemental areas and in landscape strips between the sidewalk and the curb, are a protection against excessive heat and glare and enhance the attractiveness and value of abutting property. All tree plantings shall conform to the requirements of Chapter 93 (Zoning), Article 29 (Tree Conservation Ordinance).
 - b. It is recommended that trees be planted inside the property lines where they are less subject to injury, decrease the chance of motor accidents and enjoy more favorable conditions for growth. If trees are to be planted within a planting strip in the right-of-way, their proposed locations and species to be used must be submitted for the Community Services Department's approval since the public inherits the care and maintenance of such trees.
- ***Any new development on Parcel 2 must comply with the requirements of the City's new Tree Conservation Ordinance. Should the existing tree in the supplemental area of Parcel 2 be removed during construction, it must be replaced with a suitable street tree.***
- (c) Guarantees in lieu of completed improvements. No final subdivision plat shall be approved by the planning commission or accepted for record by the clerk of the superior court until the improvements listed shall be constructed in satisfactory manner and approved by the city engineer, or in lieu of such prior construction, the planning commission may accept a security bond in an amount equal to the estimated cost of installation of the required improvements, whereby improvements may be made and utilities installed without cost to the city in the event of default by the subdivider.
- ***Not applicable.***

RECOMMENDATION

The applicant has not included any building setbacks and the distance between the existing garage on proposed Parcel 1 and the new property line cannot be determined. Accessory buildings must be set back at least 5' from rear property lines; if the proposed property line is fewer than 5' away from the existing garage, then staff cannot recommend the subdivision plat as proposed. The applicant **must** provide individual building setbacks.

The proposed Parcel 2, which would be used to develop a new single-family dwelling, would provide the minimum space per the requirements of the Code for viable new single-family construction. However, the applicant and the Planning Commission should be aware that any construction on this lot will be tightly constrained by zoning setback and lot coverage requirements.

In addition, the following items have been found to be deficient and must be addressed:

1. Street numbers have not been provided for the new parcels.
2. Setbacks for the existing structures have not been provided.
3. A location map is not provided on the subdivision survey.
4. **The existing dwelling on Parcel 1 is set back less than 15' from the Oak Drive right-of-way, which is not compliant with the setback requirements for corner lots and will require the Planning Commission to grant a Variance as part of their review of this application..**
5. **Although setbacks have not been provided, the existing garage appears to encroach on the minimum 5' setback required for accessory buildings from the north property line, which will require the Planning Commission to grant a Variance as part of their review of this application**
6. **Parcel 2 will be located in a Zone A (100-Year) Flood Hazard Area. The applicant may still construct a single-family dwelling on the property with a Variance granted by the Planning Commission as part of their review of the application but said construction must comply with FEMA requirements.**
7. Concrete monuments four inches in diameter or square, three feet long, with a flat top, must be set at the intersection of Dogwood Dr. and Oak Dr. to replace the iron pin. All other lot corners shall, at a minimum, be marked with iron pipe not less than three-fourths inch in diameter and 24 inches long and driven so as to be flush with the finished grade.
8. The only utilities shown on plat are overhead utility lines. Water supply, sanitary sewer mains, any gas lines, and all connections both existing and proposed must be shown on the plans.

Due to the outstanding number of issues with the submitted subdivision plat, Staff cannot recommend approval of the subdivision application at this time.

Map Location



3140 Dogwood Drive

February 27, 2020

Ms. Adrienne Senter
Planning & Development Coordinator
City of Hapeville
3468 N. Fulton Avenue
P.O. Box 82311
Hapeville, Georgia 30354

Re: 3140 Dogwood Drive Subdivision Plat
Final Plat Review No. 1
K&W Ref. No. 201051.00

Dear Ms. Senter:

As requested, I have reviewed the Final Plat of the subdivision at 3140 Dogwood Drive for compliance with the City's Final Plat requirements of the City of Hapeville. The submittal was received electronically on February 19, 2020, and consists of a property subdivision to the overall 0.28 acre parcel (into Parcel 1 of 0.17 acre and Parcel 2 of 0.11 acre) within an R-SF Zoning District. The Final Plat was prepared by David L. Garrison Land Surveying, under the Surveying seal of David L. Garrison. My comments are as follows:

1. The existing accessory structure for parcel 1 encroaches on the minimum 5 feet rear and side setback line for the R-SF zoning criteria.
2. The existing main structure for parcel 1 encroaches on the 15 feet front setback line for the R-SF zoning criteria.
3. The Subdivision Plat submitted did not include a statement as the accuracy of the survey and placement of monuments (Form 2) per Section 90-1-2(f)(4)(j.) of the Code of Ordinances.
4. The Subdivision Plat submitted did not include a certification from the landowner or legally authorized representative and dedication of streets, rights of way, and sites for public use (Form 1) per Section 90-1-2(f)(4)(h.) of the Code of Ordinances.
5. Location sketch map showing site in relation to the area is not shown.
6. The lot numbers and street addresses for the parcels should be shown.
7. The Final Plat does not indicate size or location of water mains, fire hydrants, or valves and the size of the sanitary sewer is not shown. Provisions for proposed water and sanitary sewer service for both lots should be shown.
8. The Owner's name, signature, and date as well as the subdivider signature and date should be shown on the plat.
9. The Subdivision Plat submitted did not include a certification from the landowner that the City assumes no responsibility for overflow or erosion of natural or artificial drains per Section 90-1-2(f)(4)(i.) of the Code of Ordinances.
10. Zoning of adjacent properties should be shown.
11. The Subdivision Plat submitted did not include a final plat approval certification and spaces for signatures and dates by City representatives per Section 90-1-2(f)(4)(k.) of the Code of Ordinances.

Ms. Adrienne Senter
3140 Dogwood Dr Subdivision Plat

February 27, 2020
Page 2

I have retained one copy of the plat provided for review in the event there are questions. The petitioner should be made aware that the review does not constitute a waiver of City Ordinance requirements or assumption of responsibility for full review of City Ordinance requirements. Deviations from Ordinance requirements may be noted at any time during the review, permitting or construction processes. Re-submittals should include a narrative indicating how and where the review comments were addressed.

Very truly yours,

KECK & WOOD, INC.



Michael J. Moffitt, P.E.
Enclosures



**Department of Planning and Zoning
Planner's Report**

DATE: January 13, 2020
TO: Adrienne Senter
FROM: Lynn Patterson, Consulting Planner for City of Hapeville
RE: **Text Amendment – Off-Street Parking Entrance & Exit Points**

BACKGROUND

The following text amendment updates the requirements for curb breaks at entrance and exit points for off-street parking access. The proposed changes would eliminate minimum curb break requirements, allow exceptions to maximum widths without the need for a Variance from the Board of Appeals, address three lane entrances and exits, and add safety protections for crossing pedestrians.

CODE

Sec. 93-23-2. - Entrance and exit points.

Change:

Except in districts zoned R-0, R-1, R-2 and R-3, curb breaks shall not be more than 30 feet in width, nor less than 25 feet in width. In no case shall there be less than 50 feet from the closest sides of any two-driveway curblines. Curb breaks shall be located at least 25 feet from the nearest intersection of two curblines as measured along one of the curblines. Business establishments on contiguous lots are encouraged to consolidate entrance and exit points. Suitable provisions, including a five-foot-wide planted buffer strip between the right-of-way and parking area shall be made to prevent entrance or exit from other than at designated entrance or exit points.

To:

1. Curb breaks shall not be more than 20 feet for one-way entrances, 24 feet for two way entrances or shared driveways, or 36 feet for entrances with three lanes, unless otherwise permitted by the City of Hapeville Community Services department. Aprons may be flared up to an additional two feet on either side.
2. Sidewalks shall be clearly continued across any intervening. Such effect may be accomplished by continuing sidewalk paving materials, the use of brick pavers, paint, or any other similar high contrast material (see figures 1 and 2 for examples). Other than on driveways serving single-family

detached or two-family dwellings, a corresponding interior sign or painted bar on the driveway shall be provided adjacent to the sidewalk paving as it intersects the driveway which shall communicate that vehicles must stop or yield for the intervening sidewalk.



Figure 1 – Continuous sidewalk material



Figure 2 – Brick pavers across a driveway

3. In no case shall there be less than 50 feet from the closest sides of any two-driveway curblines.
4. Curb breaks shall be located at least 25 feet from the nearest intersection of two curblines as measured along one of the curblines.
5. Business establishments on contiguous lots are encouraged to consolidate entrance and exit points.
6. Suitable provisions, including a five-foot-wide planted buffer strip between the right-of-way and parking area shall be made to prevent entrance or exit from other than at designated entrance or exit points.

DRAFT

1 **STATE OF GEORGIA**
2 **CITY OF HAPEVILLE**

3
4 **ORDINANCE NO.** _____
5

6 **AN ORDINANCE TO AMEND CHAPTER 93 (“ZONING”), ARTICLE 23 (“OFF-**
7 **STREET PARKING AND LOADING”), SECTION 93-23-2 (“ENTRANCE AND EXIT**
8 **POINTS”) OF THE CODE OF ORDINANCES, CITY OF HAPEVILLE, GEORGIA; TO**
9 **PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO**
10 **PROVIDE AN EFFECTIVE DATE; AND TO PROVIDE FOR OTHER LAWFUL**
11 **PURPOSES.**

12
13 **WHEREAS**, the Mayor and Council shall have full power and authority to provide for the
14 execution of all powers, functions, rights, privileges, duties and immunities of the city, its officers,
15 agencies, or employees granted by the City of Hapeville’s Charter or by state law; and,
16

17 **WHEREAS**, the municipal government of the City of Hapeville (hereinafter “City”) and
18 all powers of the City shall be vested in the Mayor and Council. The Mayor and Council shall be
19 the legislative body of the City; and,
20

21 **WHEREAS**, amendments to any of the provisions of the City’s Code may be made by
22 amending such provisions by specific reference to the section number of the City’s Code; and,
23

24 **WHEREAS**, existing ordinances, resolutions, rules and regulations of the City and its
25 agencies now lawfully in effect not inconsistent with the provisions of the City’s charter shall
26 remain effective until they have been repealed, modified or amended; and,
27

28 **WHEREAS**, every official act of the Mayor and Council which is to become law shall be
29 by ordinance; and,
30

31 **WHEREAS**, the procedures required for amending the City’s zoning ordinance have been
32 satisfied, including, but not limited to, notice and public hearings; and,
33

34 **WHEREAS**, the governing authority of the City finds it desirable to amend and update the
35 entrance and exit point regulations.
36

37 **BE IT, AND IT IS HEREBY ORDAINED BY THE MAYOR AND COUNCIL OF**
38 **THE CITY OF HAPEVILLE, GEORGIA THAT:**
39

40 **Section One.** Chapter 93 (Zoning), Article 23 (Off-Street Parking and Loading), Section
41 93-23-2 (Entrance and Exit Points) of the City Code of Ordinances is hereby amended by striking
42 the section in its entirety and inserting in lieu thereof the following language:
43

- 44 1. Curb breaks shall not be more than 20 feet for one-way entrances, 24 feet for two way
45 entrances or shared driveways, or 36 feet for entrances with three lanes, unless otherwise

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permitted by the City of Hapeville Community Services department. Aprons may be flared up to an additional two feet on either side.

2. All sidewalk paving materials shall be continued across any intervening driveway at the same prevailing grade and cross slope as on the adjacent sidewalk clear area. Other than on driveways serving single-family detached or two-family dwellings, a corresponding interior sign or painted bar on the driveway shall be provided adjacent to the sidewalk paving as it intersects the driveway which shall communicate that vehicles must stop or yield for the intervening sidewalk.
3. In no case shall there be less than 50 feet from the closest sides of any two-driveway curblines.
4. Curb breaks shall be located at least 25 feet from the nearest intersection of two curblines as measured along one of the curblines.
5. Business establishments on contiguous lots are encouraged to consolidate entrance and exit points.
6. Suitable provisions, including a five-foot-wide planted buffer strip between the right-of-way and parking area shall be made to prevent entrance or exit from other than at designated entrance or exit points.

Section Two. Codification and Certify. This Ordinance adopted hereby shall be codified and certified in a manner consistent with the laws of the State of Georgia and the City.

Section Three. Severability.

(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

DRAFT

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 Four. Repeal of Conflicting Ordinances. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

Section Five. Effective Date. The effective date of this Ordinance shall be the date of adoption unless otherwise stated herein.

ORDAINED this _____ day of _____, 2020.

CITY OF HAPEVILLE, GEORGIA

Alan Hallman, Mayor

ATTEST:

Crystal Griggs-Epps, City Clerk

APPROVED BY:

City Attorney

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

Name of Applicant Epic Development - Alex Popham

Mailing Address 430 Plasters Ave NE, Suite 100, Atlanta, GA 30324-3912

Telephone 404-500-6017 Mobile# [REDACTED]

Email Alex@EpicDevelopment.com

Property Owner (s) W. E. Norton, Sr

Mailing Address _____

Telephone _____ Mobile# _____

Address/Location of Property: 3264 Spring Haven Ave., Hapeville, GA 30349

Parcel ID #: 14-0098-0009-048-4

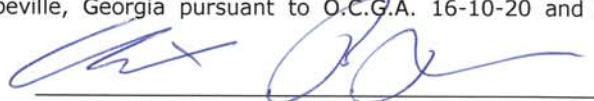
Square Foot of Property 181,645 Acres 4.17

Present Zoning Classification V-Village Proposed Zoning Classification PUD

Present Land Use Vacant Land

Proposed Land Use New Residential Subdivision

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.

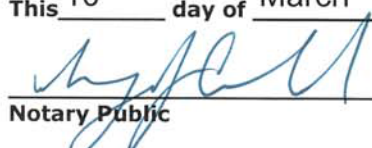


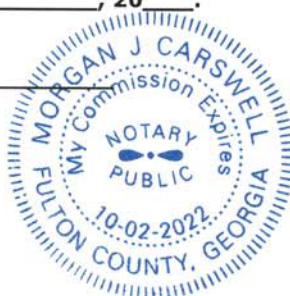
Applicant's signature

Date: 3/10/20

Sworn to and subscribed before me

This 10 day of March, 2020.


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.

New planned residential community with predominately single family homes. The current configuration includes 62 homes with a common amenity that may include a pool or other recreational improvements and gathering areas.

The design will have front doors facing the public streets or common greens, parking/garages will be rear loaded off the alleys. Sidewalks will be throughout the development on both sides of the interior streets and on the perimeter public streets.

Guest parking will be along the public streets. Landscaping and a diverse color palette will be used to create a village feel for the community.

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

The Village zoning would require numerous variances sought at the individual home level. The PUD zoning will allow the design to be reviewed and approved as a planned community. No variances are anticipated once approved.

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?

The majority of existing uses are single family residential. The exception is the extended stay hotel that fronts North Central Avenue. The PUD zoning is aligned with the current Village Zoning and it creates a transition between dense commercial on North Central Avenue and the single family homes to the north and east of the property.

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

The development will bring additional homes to the area. Discussions with city departments indicate the existing sewer and water services are adequate to accommodate the development.

What environmental impacts would the proposed project have?

The majority of the site is open, grassed ground. There are a few large specimen trees and the developer took these into consideration in the site design.

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

The new development will add additional families in close proximity to the City's retail and commercial core. Layout of the homes along the public road frontages is in a manner consistent with the existing homes on Stillwood Dr and North Ave. The addition of new sidewalks will enhance the walkability for all residents and the addition of new housing stock will have positive influences on property values.

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.

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)

The attached layout of the subdivision is conceptual and a guide for the detailed plan approved by the Planning Commission and Design Review Commission.

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

AUTHORIZATION OF PROPERTY OWNER

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

3264 Spring Haven Ave, Hapeville, GA 30354

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 Epic Development - Alex Popham

Address of Applicant 430 Plasters Ave NE, Atlanta, GA 30324

Telephone of Applicant 404-500-6017

WE Norton, Jr

Signature of Owner

WE. Norton, Jr

Print Name of Owner

Personally Appeared Before Me this 6TH day of March, 2020.

Kevin R. Sudduth

Notary Public



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

Date

N/A

AUTHORIZATION OF ATTORNEY

**THIS SERVES TO CERTIFY THAT AS AN ATTORNEY-AT-LAW, I HAVE BEEN
AUTHORIZED BY THE OWNER(S) TO FILE THE ATTACHED APPLICATION
FOR REZONING OF THE PROPERTY LOCATED AT:**

City of Hapeville, County of Fulton, State of Georgia

Name of Attorney

Bar No.

Address

Telephone

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

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS & GIFTS

Application filed on March 10, 2020 for action by the City Council on the following requested rezoning:
PUD - Planned UNit Development

Address to be rezoned: 3247 Spring Haven Ave., Hapeville, GA 30349

All individuals, business entities or other organizations having a property or other interest in said property that is subject of this application are as follows:

W.E. Norton, SR

The undersigned below, making application for Rezoning, has complied with the Official Code of Georgia Section 36-67A-1, et. Seq., Conflict of Interest in Zoning Actions, and has submitted or attached the required information on this form as provided.

Have you as applicant or anyone associated with this application or property, within the two (2) years immediately preceding the filing of this application, made campaign contributions aggregating \$250 or more to a member of the Hapeville City Council? Yes ☒ No

If YES, please complete the following section (attach additional sheets if necessary):

Name and Official Position of Government Official	Contributions (List all which aggregate to \$250 or more)	Date of Contribution (Within last 2 years)
None		

I do hereby certify the information provided herein is both complete and accurate to the best of my knowledge.

[Signature]
Signature of Applicant

Alex Popham

Type or Print Name and Title

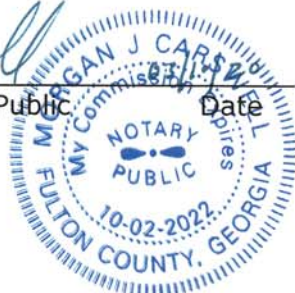
Signature of Applicant's Representative

Type or Print Name and Title

[Signature]
Signature of Notary Public

03/11/20
Date

(Affix Raised Seal Here)



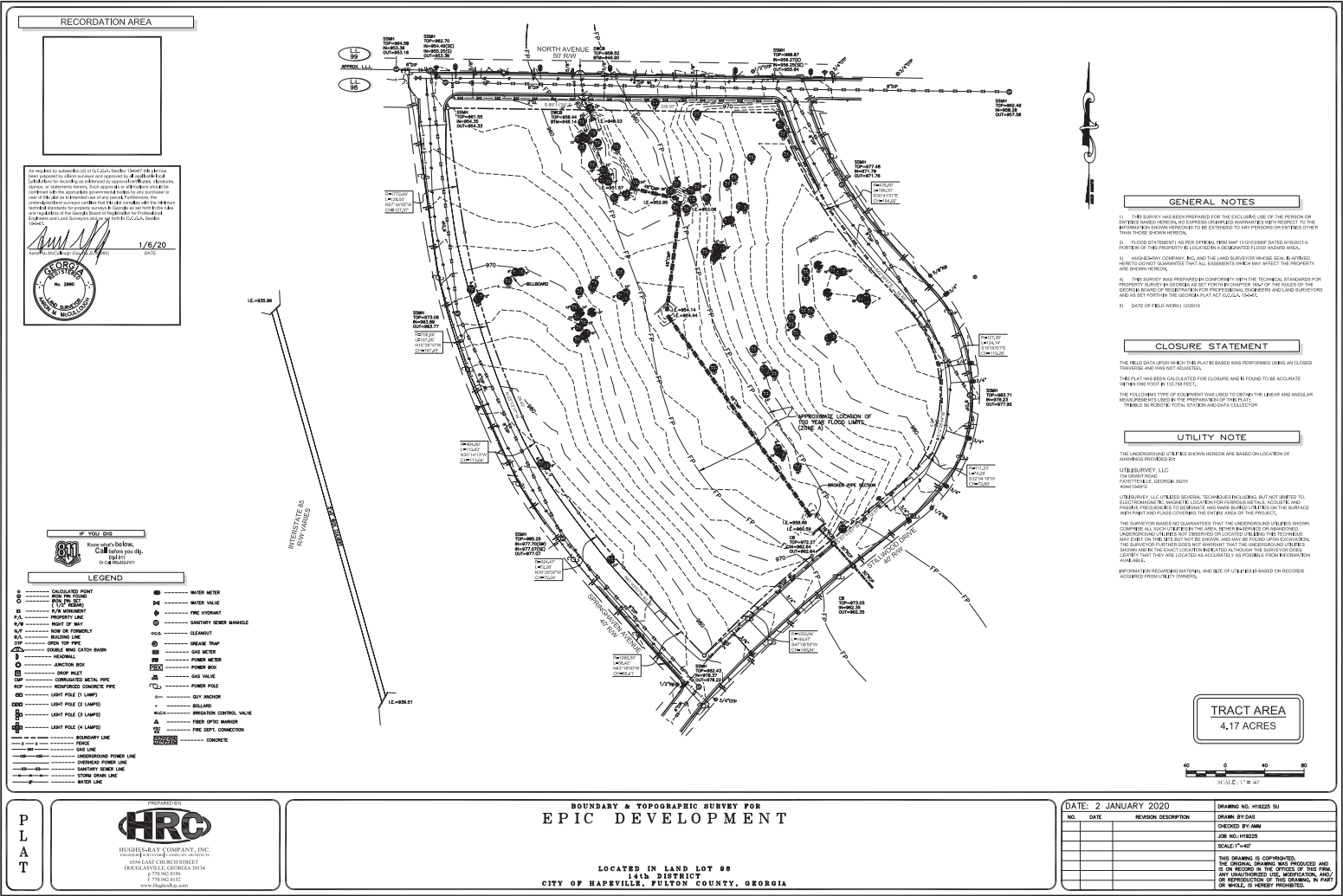
EPIC HAPEVILLE TRACT LEGAL

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 98 OF THE 14TH DISTRICT, CITY OF HAPEVILLE, FULTON COUNTY, GEORGIA AND FURTHER DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF SOUTHERLY RIGHT OF WAY OF NORTH AVENUE (50 FOOT RIGHT OF WAY) AND THE EASTERLY RIGHT OF WAY OF SPRINGHAVEN AVENUE (40 FOOT RIGHT OF WAY) AT AN IRON PIN SET; THENCE, SOUTH 89 DEGREES 11 MINUTES 20 SECONDS EAST, ALONG THE SOUTHERLY RIGHT OF WAY OF NORTH AVENUE, 335.97 FEET TO AN IRON PIN SET ON THE WESTERLY RIGHT OF WAY OF STILLWOOD DRIVE (40 FOOT RIGHT OF WAY) ; THENCE, PROCEED ALONG THE WESTERLY RIGHT OF WAY OF STILLWOOD DRIVE THE FOLLOWING COURSES AND DISTANCES: ALONG A CURVE HAVING A RADIUS OF 435.80 FEET AND AN ARC LENGTH OF 186.33 FEET, SUBTENDE BY A CHORD BEARING SOUTH 30 DEGREES 41 MINUTES 51 SECONDS EAST AND A CHORD DISTANCE OF 184.92 FEET TO A POINT; THENCE, SOUTH 42 DEGREES 56 MINUTES 47 SECONDS EAST, A DISTANCE OF 54.68 FEET TO A POINT; THENCE, ALONG A CURVE HAVING A RADIUS OF 127.26 FEET AND AN ARC DISTANCE OF 124.14 FEET, SUBTENDE BY A CHORD BEARING SOUTH 15 DEGREES 00 MINUTES 01 SECONDS EAST, A CHORD DISTANCE OF 119.28 FEET TO A POINT; THENCE, SOUTH 12 DEGREES 56 MINUTES 44 SECONDS WEST, 4.91 FEET TO A POINT; THENCE, ALONG A CURVE HAVING A RADIUS OF 111.23 FEET AND AN ARC LENGTH OF 74.26 FEET, SUBTENDE BY A CHORD BEARING SOUTH 32 DEGREES 04 MINUTES 18 SECONDS WEST AND A CHORD DISTANCE OF 72.89 FEET TO A POINT; THENCE, SOUTH 51 DEGREES 11 MINUTES 51 SECONDS WEST, 112.57 FEET TO A POINT; THENCE, ALONG A CURVE HAVING A RADIUS OF 1052.04 FEET AND AN ARC DISTANCE OF 149.97 FEET, SUBTENDE BY A CHORD BEARING SOUTH 47 DEGREES 06 MINUTES 50 SECONDS WEST AND A CHORD DISTANCE OF 149.84 FEET TO AN IRON PIN SET ON THE EASTERLY RIGHT OF WAY OF SPRINGHAVEN AVENUE (40 FOOT RIGHT OF WAY); THENCE, PROCEED ALONG THE EASTERLY RIGHT OF WAY OF SPRINGHAVEN AVENUE THE FOLLOWING COURSES AND DISTANCES: ALONG A CURVE HAVING A RADIUS OF 1066.50 FEET AND AN ARC DISTANCE OF 58.42 FEET, SUBTENDE BY A CHORD BEARING NORTH 43 DEGREES 18 MINUTES 00 SECONDS WEST AND A CHORD DISTANCE OF 58.41 FEET TO A POINT; THENCE, NORTH 41 DEGREES 43 MINUTES 51 SECONDS WEST, 63.25 FEET TO A POINT; THENCE, ALONG A CURVE HAVING A RADIUS OF 924.47 FEET AND AN ARC DISTANCE OF 72.26 FEET, SUBTENDE BY A CHORD BEARING NORTH 39 DEGREES 29 MINUTES 30 SECONDS WEST AND A CHORD DISTANCE OF 72.24 FEET TO A POINT; THENCE, ALONG A CURVE HAVING A RADIUS OF 464.80 FEET AND AN ARC DISTANCE OF 113.83 FEET, SUBTENDE BY A CHORD BEARING NORTH 30 DEGREES 14 MINUTES 13 SECONDS WEST AND A CHORD DISTANCE OF 113.54 FEET TO A POINT; THENCE, NORTH 23 DEGREES 13 MINUTES 17 SECONDS WEST, 29.43 FEET TO A POINT; THENCE, ALONG A CURVE HAVING A RADIUS OF 708.66 FEET AND AN ARC DISTANCE OF 167.85 FEET, SUBTENDE BY A CHORD BEARING NORTH 16 DEGREES 26 MINUTES 10 SECONDS WEST AND A CHORD DISTANCE OF

167.45 FEET TO A POINT; THENCE, ALONG A CURVE HAVING A RADIUS OF 1772.49 FEET AND AN ARC DISTANCE OF 128.00 FEET, SUBTENDED BY A CHORD BEARING NORTH 07 DEGREES 34 MINUTES 55 SECONDS WEST AND A CHORD DISTANCE OF 127.97 FEET TO AN IRON PIN SET ON THE SOUTHERLY RIGHT OF WAY OF NORTH AVENUE (50 FOOT RIGHT OF WAY) AND THE POINT OF BEGINNING.

SAID TRACT OR PARCEL OF LAND CONTAINS 4.17 ACRES.





1 SITE PLAN
SCALE: 1" = 20'

Fawcett Design, Inc.
 10000 Fawcett Drive, Suite 100
 Dallas, TX 75243
 Phone: (214) 343-1111
 Fax: (214) 343-1112
 Email: info@fawcett.com

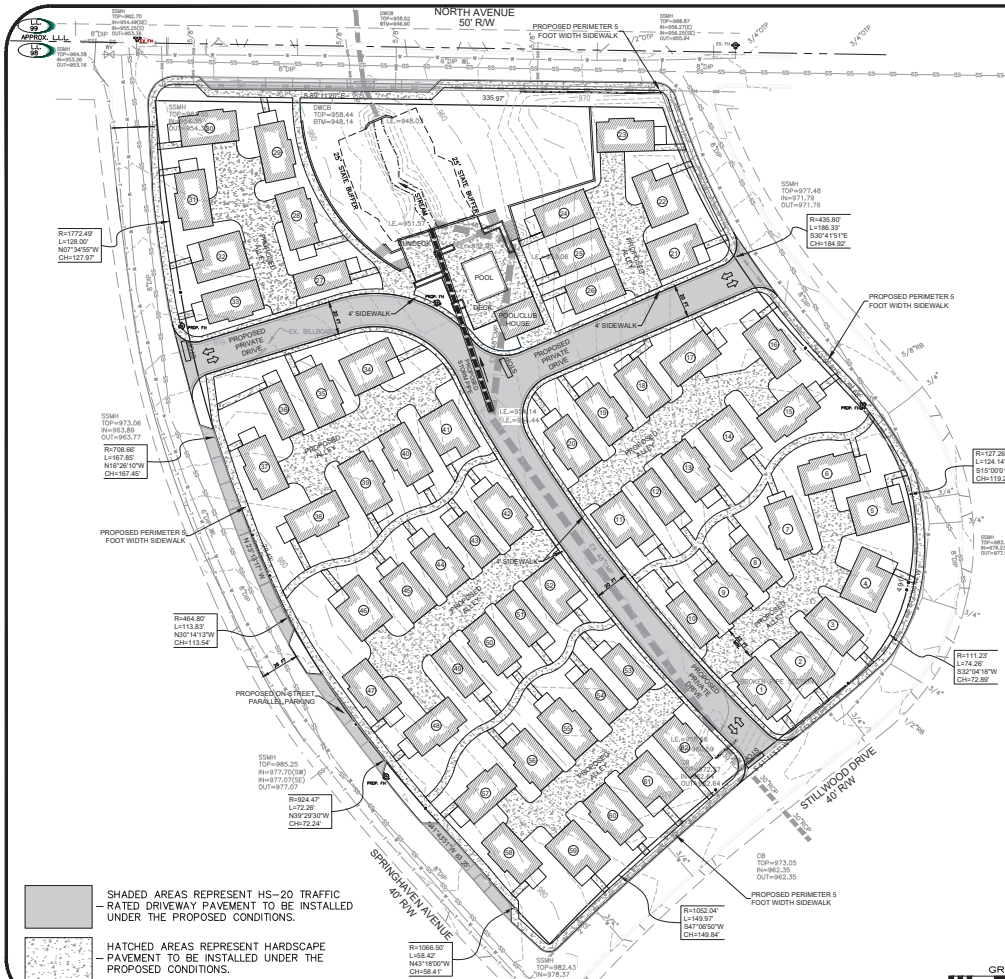
PRELIMINARY HCD
 RELEASED FOR
 CONSTRUCTION

Project Number:
8701

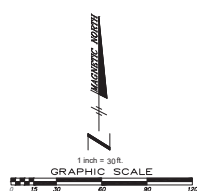
#Project Name
 #Site Address
 #Site City, #Site State, #Site Pincode
 #Client Full Name

Drawing Description:
Site Plan

A-1.2



- SITE DATA:**
- SITE ADDRESS:**
3254 SPRINGHAVEN AVENUE
HAPEVILLE, GA 30354
 - SITE ZONING:**
-EXISTING ZONING: "V" (VILLAGE)
-PROPOSED ZONING: PUD (SITE SPECIFIC PLAN)
-PROPOSED DENSITY: 42 UNITS / 4.17 ACRES = 14.87 UNITS/AC
 - TOTAL SITE ACREAGE:** 4.17 ACRES
 - OPEN SPACE SUMMARY:**
-PROVIDED OPEN SPACE: 0.45 ACRES = 10.0%
-AREA "B" (NATURAL/CONSERVATION PRESERVED AREA): 0.30 ACRES
-AREA "C" (COMMON AMENITY AREA): 0.15 ACRES
-TOTAL OPEN SPACE: 0.45 AC.
 - PARKING SUMMARY:**
-PROVIDED PARKING: (1.5 PARKING SPACES / UNIT) + (0.39 / UNIT GUEST)
= 117 PARKING SPACES MINIMUM / UNIT (INCLUDES 24 ON-STREET)
 - BUILDING SQUARE FOOTAGES:**
-TYPICAL DWELLING UNIT SIZE: 1,200SF - 2,000SF (APPROXIMATE)
 - PROPOSED INDIVIDUAL UNIT FEE SIMPLE LOTS LINES TO BE BASED UPON ASBESTOS FOUNDATION LOCATIONS AS CONSTRUCTION PROCEEDS. UNIT DIMENSIONS AND FOOTPRINTS SHOWN IN THIS PLAN ARE CONCEPTUAL AND FOR PRELIMINARY PLANNING PURPOSES ONLY.**
 - PROPOSED STORMWATER AND UTILITY INFRASTRUCTURE IMPROVEMENTS TO COMPLY WITH ALL APPLICABLE CITY OF HAPEVILLE REQUIREMENTS AND SPECIFICATIONS.**



ENGINEER CONTACT:
JONATHAN HICKS, P.E.
JVG CIVIL ENGINEERING, INC.
1309 ARNOLD AVENUE, NE
ATLANTA, GA 30324
PH: 770-402-3471
FAX: 404-487-8982

ZONING PLAN

FOR THE

SPRINGHAVEN AVE. COMMUNITY

LAND LOT 98, 14TH DISTRICT
THE CITY OF HAPEVILLE, FULTON COUNTY, GA

No.	Revision/Issue	Date
1	ISSUED FOR REVIEW	5/1/20

JVG
Civil Engineering
1309 Arnold Avenue, NE
Atlanta, GA 30324
770-402-3471

OWNER/DEVELOPER:

CONTACT:

Project	Sheet
190916	C3
Date	9/16/2019
Scale	1"=30'



TO: Adrienne Senter
FROM: Lynn Patterson
RE: Rezoning for Parcel ID 14 009800090484
DATE: April 1, 2020

BACKGROUND

The City of Hapeville has received a rezoning application from Epic Development to rezone a 4.17-acre parcel located at 3264 Spring Haven Avenue (Parcel ID 14 009800090484) from V, Village (Figure 1) to P-D, Planned Unit Development. The property is currently vacant.

Per the application, the proposed land use is a planned residential community consisting primarily of approximately 62 single-family homes, arranged around shared amenities and with pedestrian access to public streets and shared greenspaces.

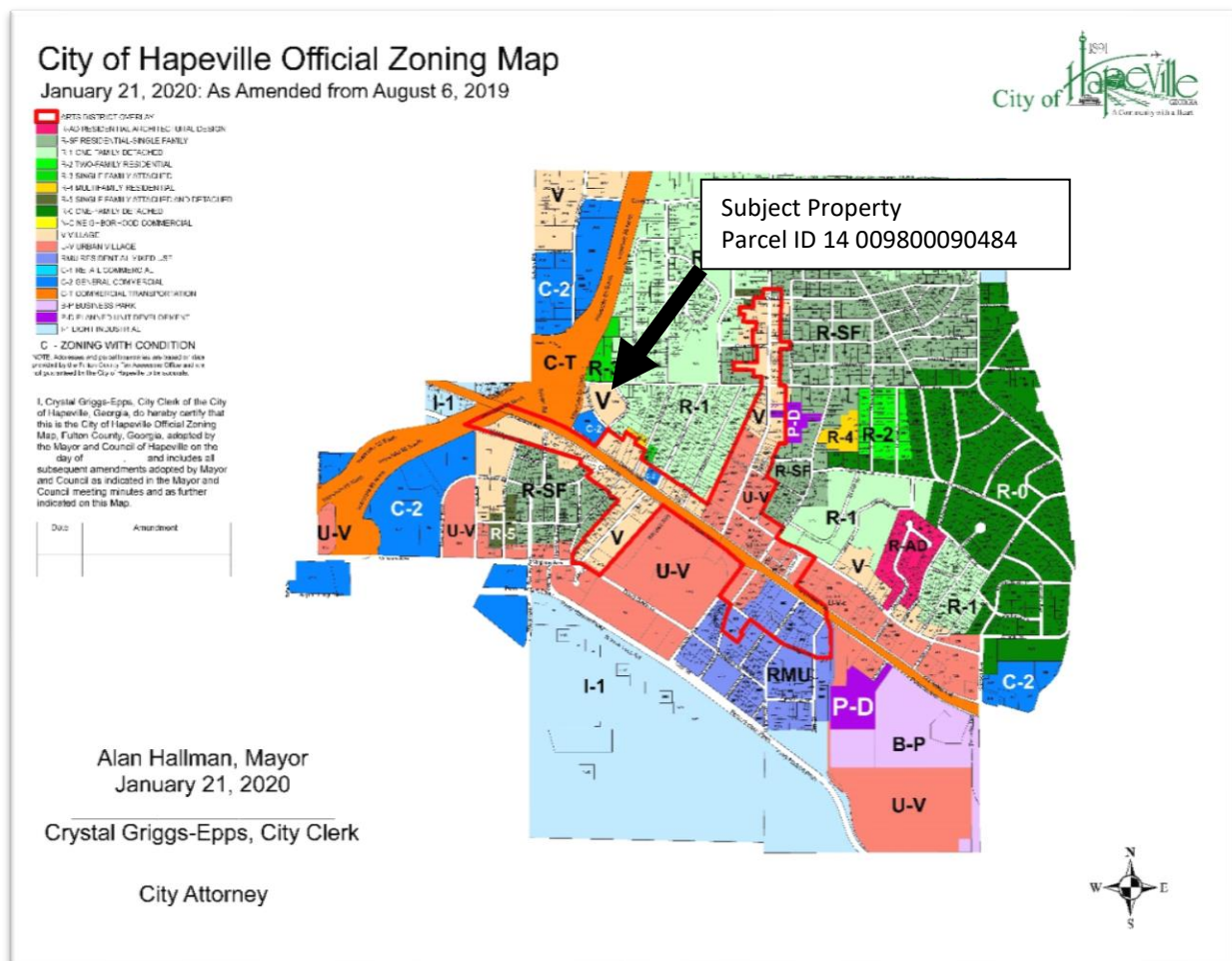


Figure 1

According to the City of Hapeville Future Land Use Map (Figure 2), the property is identified as Residential.

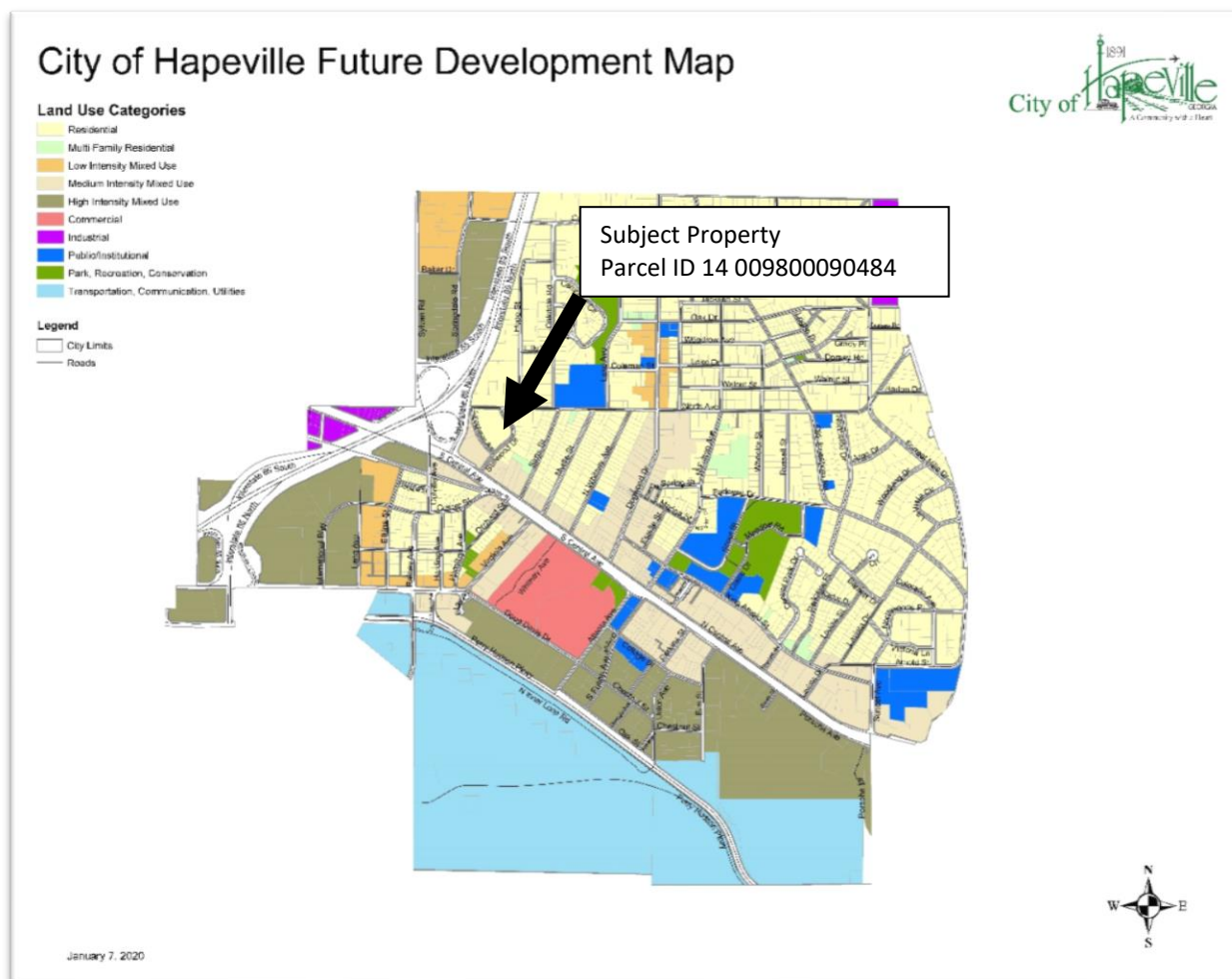


Figure 2

REVIEW OF APPLICATION

(1) The existing land use pattern;

The property itself is vacant. It is bordered to the north and east by single-family and two-family neighborhoods, and an extended-stay hotel to the southwest.

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

As proposed, the P-D zone would be used to create a single-family community in line and integrated with the adjacent R-3 and R-1 districts to the north and east, respectively.

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

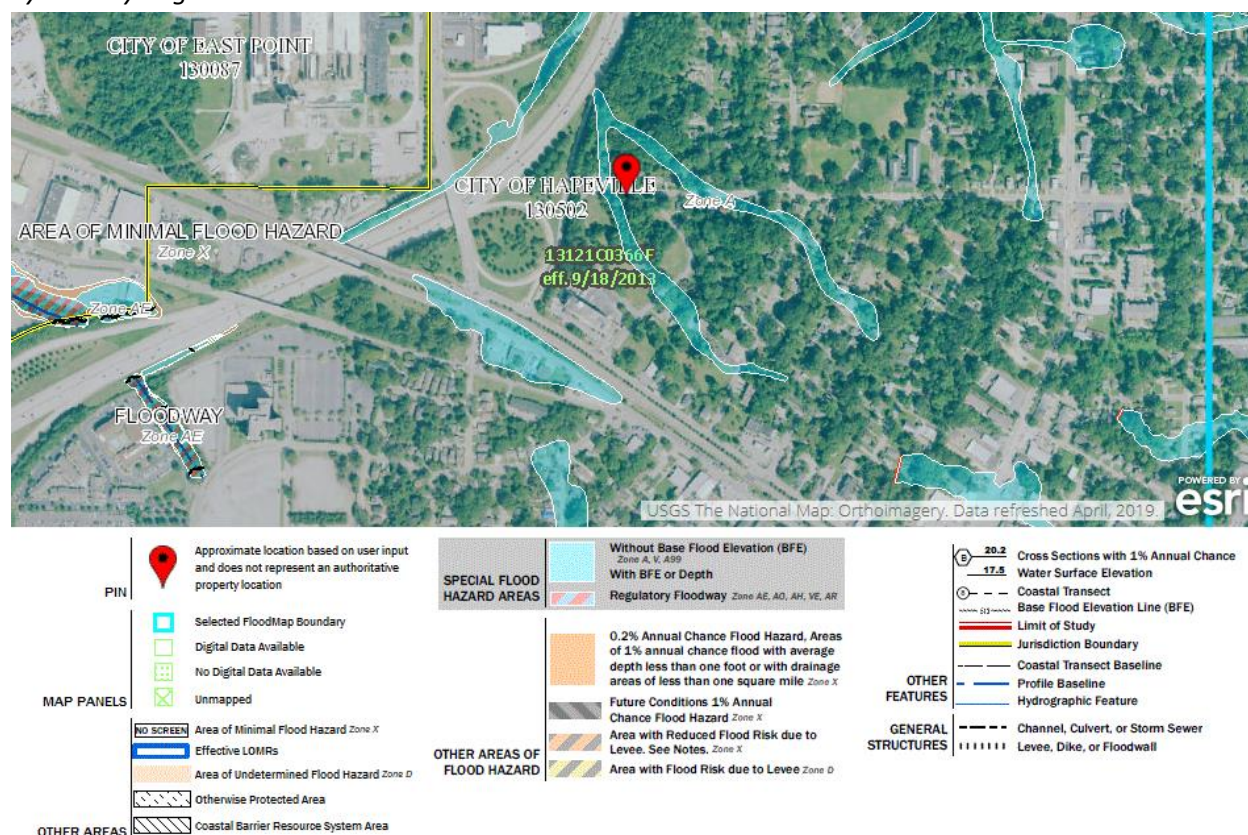
There is no foreseeable significant increase on public facilities such as schools, utilities or streets for the use proposed. The City's Community Services Department has indicated the City's sewer and water service capacity is sufficient to accommodate the new developments.

(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. The section between Spring Haven Avenue and North Avenue would need to be reopened which will require City investment as will improvements along Spring Haven Ave.

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

There is a piped creek running northwest to southeast through the middle of the parcel, bisecting it. Accordingly, there is a Zone A flood hazard present and the project will require mitigation to be approved by the City Engineer.



(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;

The change in zoning is not a deterrent to the value or improvement of adjacent property. To the contrary, the proposed development of a large vacant lot into 62 new single-family homes will address existing issues with homeless encampments and improve the overall stability of the neighborhood.

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

Achieving the developer's vision within the V district of a medium-density walkable development with shared amenities would not allow for this density of development and could not accommodate the character of the neighborhood or its layout. The P-D zone provides a much higher level of creative

freedom while still retaining a single-family residential character consistent with the surrounding neighborhood.

(8) The aesthetic effect of existing and future use of the property as it relates to the surrounding area;
The creation of a single-family development will be consistent with neighboring properties.

(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 residential. The 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 proposed development with the P-D zoning would have a higher density, however, it would allow for a smaller dwelling footprint and arguably address a gap in the lower price point for new housing. The site layout is designed to increase social interaction and walkability and would strength the character of the area.

(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 support the purpose of the zoning regulations and zoning scheme of the neighborhood.

(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 specific site plan has been provided. While it is conceptual, it demonstrates the intent to preserve the existing zoning scheme of neighborhood scale development.

(13) The consideration of the preservation of the integrity of residential neighborhoods shall be considered to carry great weight;
The integrity of the adjacent residential neighborhoods would be preserved with the proposed use.

(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.

N/A

RECOMMENDATION

Staff recommends this application for approval. Per the City Code, the Design Review Committee will establish setbacks and other site requirements for the project.



**Department of Planning and Zoning
Planner's Report**

DATE: March 4, 2020
TO: Adrienne Senter
FROM: Lynn Patterson, Consulting Planner for City of Hapeville
RE: **Single-Family Attached Code Requirements**

BACKGROUND

Sec. 93-2-10. – *Single-family attached developments (SFA), special provisions* of the zoning code places special requirements on the development of townhomes in the City of Hapeville. Specifically, subsection (3), which is concerned with building and site regulations, is out of date.

Sec. 93-2-10(a)(3)a. requires all townhomes to have “an enclosure wall six feet in height of suitable materials for visual and acoustical privacy, which shall completely enclose all rear and side yard areas of each unit.” This restrictive construction standard has been superseded by the Architectural Design Standards, which have their own screening requirements for yards, and by individual zoning district codes. In addition, the current language, dating back to 1981, does not reflect contemporary trends in townhome design that favor openness and inclusivity with surrounding neighborhoods and businesses.

Sec. 93-2-10(a)(3)b. requires a masonry firewall to be built between each unit, up to a height of three feet above the roofline. This section cites nonexistent building code and, per the city’s building code consultant SafeBuilt, is obsolete. As such, in practice, the City follows current building code regulations and does not use the untenable standard in the zoning code.

The following text amendment would remove Sec. 93-2-10(3) in its entirety and allow site design and building construction to instead be regulated by our Architectural Design Standards and the International Residential Code, respectively.

CODE

ARTICLE 2 – GENERAL PROVISIONS

Sec. 93-2-10. - Single-family attached developments (SFA), special provisions.

Change to the following:

- (a) No building permit or certificate of occupancy shall be issued for single-family attached units unless:
 - (1) The regulations and procedures of the city's subdivision regulations have been met including final approval of the subdivision plat.
 - (2) The book and page in which any covenants and restrictions are recorded shall be shown on the final plat of the subdivision.

20-PC-04-07

**CITY OF HAPEVILLE
ECONOMIC DEVELOPMENT DEPARTMENT
PLANNING COMMISSION APPLICATION**

Name of Applicant Kenneth Ellsworth

Mailing Address: 1631 S Gordon St SW Atlanta GA 30310

Telephone [REDACTED] Mobile # [REDACTED] Email kenny@studiosogo.com

Property Owner (s) Improp, LLC, managed by Alexandra French

Mailing Address 554 East Ave, NE Atlanta GA 30312

Telephone 404-310-1164 Mobile #

Address/Location of Property: 3571, 3581, 0 South Fulton Avenue, Hapeville GA 30354

Parcel I.D. # **(INFORMATION MUST BE PROVIDED):** 3571 = 14 009800210744
3581 = 14 009800210751

Present Zoning Classification: RMU Size of Tract: 3571 = 0.15 ac
3581 = 0.11 ac
0 = 0.078 ac acre(s)
Total = 0.338 acres

Present Land Use: Vacant

Please check the following as it applies to this application

☒ Site Plan Review
☐ Conditional Use Permit
☐ Temporary Use Permit
Other (Please State)

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. 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.

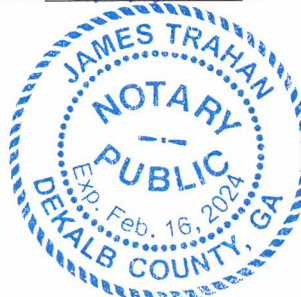
[Signature]
Applicant's signature

Date: 3/9/2020

Sworn to and subscribed before me

This 9th day of March, 2020

[Signature]
Notary Public



**CITY OF HAPEVILLE
ECONOMIC DEVELOPMENT DEPARTMENT
PLANNING COMMISSION APPLICATION**

AUTHORIZATION OF PROPERTY OWNER

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

3571, 3581, and 0 South Fulton Ave

Hapeville, GA 30354

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 THIS APPLICATION FOR PLANNING COMMISSION REVIEW.

Name of Applicant Kenneth Ellsworth

Address of Applicant
1631 S Gordon St SW Atlanta GA 30310

Telephone of Applicant
[REDACTED]

[Signature]

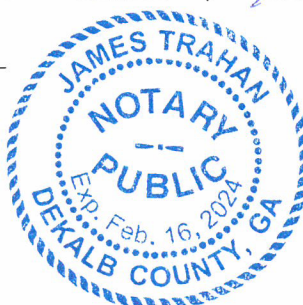
Signature of Owner

Imp 2p LLC (Alexandra French)

Print Name of Owner

Personally Appeared Before Me this 9 day of March, 2020.

[Signature]
Notary Public



CITY OF HAPEVILLE
ECONOMIC DEVELOPMENT DEPARTMENT
PLANNING COMMISSION APPLICATION

WRITTEN SUMMARY

In detail, provide a summary of the proposed project in the space provided below. (Please type or print legibly.)

2 new townhouse buildings. Each building has 4 units. Each unit is 3 story with garage. ^{2 CAR}
Each unit floor is 756 sf, for a total unit size of 2,268 sf, and a total project size of 18,144 sf.

Site Plan Checklist – Please include with your application.

A site plan is used to determine the practical ability to develop a particular property within the City of Hapeville. Information relating to environmental condition, zoning, development impact, consistency with the Hapeville Comprehensive Plan and relevant town master plans will be considered in the decision process. To be considered, a site plan **must** contain the following information:

(Please **initial** each item on the list above certifying the all required information has been included on the site plan)

VE A brief project report shall be provided to include an explanation of the character of the proposed development, verification of the applicant's ownership and/or contractual interest in the subject site, and the anticipated development schedule. Please complete and submit all forms contained within the application for site plan review.

VE Site plans shall be submitted indicating project name, applicant's name, adjoining streets, scale, north arrow and date drawn.

VE The locations, size (sf) and height (ft) of all existing and proposed structures on the site. Height should be assessed from the base of the foundation at grade to the peak of the tallest roofline.

VE Site plans shall include the footprint/outline of existing structures on adjoining properties. For detached single-family residential infill development, the front yard setback shall be assessed based on the average setback of existing structures on adjoining lots. Where practical, new construction shall not deviate more than ten (10) feet from the average front yard setback of the primary residential structure on an adjoining lot. Exemption from this requirement due to unnecessary hardship or great practical difficulty can be approved at the discretion of the Planning Commission. To be considered for an exemption, the applicant must submit a "Request for Relief" in writing with their site plan application, including the conditions that necessitate relief (i.e. floodplain, wetland encroachment, excessive slope, unusual lot configuration, legally nonconforming lot size, unconventional sitting of adjoining structures, etc.).

<u>KE</u>	The location and general design cross-section characteristics of all driveways, curb cuts and sidewalks including connections to building entrances. A walkway from the primary entrance directly to the public sidewalk is required for all single-family residential development.
<u>KE</u>	The locations, area and number of proposed parking spaces. Please refer to Article 22.1 Chart of Dimensional Requirements to determine the correct number of parking spaces for your particular type of development.
<u>KE</u>	Existing and proposed grades at an interval of five (5) feet or less.
<u>KE</u>	The location and general type of all existing trees over six (6) inch caliper and, in addition, an identification of those to be retained. Requirements for the tree protection plan are available in Code Section 93-2-14(f). Please refer to Sec. 93-2-14(y) to determine the required tree density for your lot(s).
<u>KE</u>	A Landscape Plan: The location and approximate size of all proposed plant material to be used in landscaping, by type such as hardwood deciduous trees, evergreen trees, flowering trees and shrub masses, and types of ground cover (grass, ivies, etc.). Planting in parking areas should be included, as required in Section 93-23-18.
<u>KE</u>	The proposed general use and development of the site, including all recreational and open space areas, plazas and major landscape areas by function, and the general location and description of all proposed, outdoor furniture (seating, lighting, telephones, etc.). Detached single-family residential development may be exempt from this requirement.
<u>KE</u>	The location of all retaining walls, fences (including privacy fences around patios, etc.) and earth berms. Detached single-family residential development may be exempt from this requirement.
N/A <u>KE</u>	The identification and location of all refuse collection facilities, including screening to be provided. Detached single-family residential development may be exempt from this requirement.

- KE Provisions for both on-site and offsite storm-water drainage and detention related to the proposed development.
- N/A KE Location and size of all signs. Detached single-family residential development may be exempt from this requirement.
- KE Typical elevations of proposed building provided at a reasonable scale (1/8" = 1'0") and include the identification of proposed exterior building materials. Exterior elevations should show all sides of a proposed building.
- KE Site area (square feet and acres).
- KE Allocation of site area by building coverage, parking, loading and driveways, and open space areas, including total open space, recreation areas, landscaped areas and others. Total dwelling units and floor area distributed generally by dwelling unit type (one-bedroom, two-bedroom, etc.) where applicable.
- N/A KE Floor area in nonresidential use by category. Detached single-family residential development may be exempt from this requirement.
- KE Total floor area ratio and/or residential density distribution.
- KE Number of parking spaces and area of paved surface for parking and circulation
- N/A KE At the discretion of the planning commission, analyses by qualified technical personnel or consultants may be required as to the market and financial feasibility, traffic impact, environmental impact, storm water and erosion control, etc. of the proposed development.

Please initial each item on the list above certifying the all required information has been included on the site plan, sign and submit this form with your site plan application. Failure to include this form and information required herein may result in additional delays for the consideration of your application.

Applicant Signature: 7577462
 Date 3/10/2020

PROJECT REPORT

THIS PROJECT CONSISTS OF 2 NEW 3 STORY TOWNHOUSE BUILDINGS ON A VACANT LOT. EACH BUILDING HAS 4 UNITS. EACH UNIT HAS 3 BEDROOMS, 3.5 BATHS, AND A 2 CAR GARAGE. THE PROJECT IS DESIGNED ACCORDING TO THE "NEIGHBORHOOD CONSERVATION" STANDARDS AS DEFINED IN THE ARCHITECTURAL DESIGN STANDARDS.

THE APPLICANT IS KENNETH ELLSWORTH OF STUDIO SOGO ARCHITECTURE AND DESIGN ON BEHALF OF THE PROPERTY OWNER, IMPROP, LLC, MANAGED BY ALEXANDRA FRENCH.

THE DEVELOPMENT SCHEDULE IS BASED ON AN ASSUMED PERMIT ISSUANCE DATE OF MAY 1, 2020, AND A CONSTRUCTION TIMELINE OF 180 DAYS, FOR AN ESTIMATED DATE OF COMPLETION OF NOVEMBER 1, 2020.

THE DEVELOPMENT SCHEDULE IS BASED ON AN ASSUMED PERMIT ISSUANCE DATE OF MAY 1, 2020, AND A CONSTRUCTION TIMELINE OF 180 DAYS, FOR AN ESTIMATED DATE OF COMPLETION OF NOVEMBER 1, 2020.

EXTERIOR MATERIALS SCHEDULE					
TAG	MATERIAL	FINISH/MFR	DESCRIPTION	LOCATION	CONTACT
PAINT					
B-1	PAINTED BRICK	CHEROKEE / SHERWIN WILLIAMS	MODULAR BRICK PAINTED SW 7634 PEDIMENT	SEE ELEVS	ROBBIE HINES 404-597-5804
B-2	BRICK	CHEROKEE / SHERWIN WILLIAMS	MODULAR BRICK PAINTED SW 7019 GAUNTLET GRAY	SEE ELEVS	ROBBIE HINES 404-597-5804
LS-1	LAP SIDING, 4" EXPOSURE	JAMES HARDIE / SHERWIN WILLIAMS	LAP SIDING PAINTED SW 7634 PEDIMENT	SEE ELEVS	-
PT-1	PANEL AND TRIM	JAMES HARDIE / SHERWIN WILLIAMS	PANEL AND VERTICAL TRIM PAINTED SW 7004 EIDER WHITE	SEE ELEVS	-
T-1	PAINTED TRIM	JAMES HARDIE / SHERWIN WILLIAMS	TRIM PAINTED SW 7004 SNOWBOUND	SEE ELEVS	-

TAG	MATERIAL	FINISH/MFR	DESCRIPTION	LOCATION	CONTACT
PAINT					
B-1	PAINTED BRICK	CHEROKEE / SHERWIN WILLIAMS	MODULAR BRICK PAINTED SW 7634 PEDIMENT	SEE ELEVS	ROBBIE HINES 404-597-5804
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T-1	PAINTED TRIM	JAMES HARDIE / SHERWIN WILLIAMS	TRIM PAINTED SW 7004 SNOWBOUND	SEE ELEVS	-



HAPEVILLE TOWNHOUSES
3571 & 3581 SOUTH FULTON AVENUE
HAPEVILLE, GA 30354

page 63 of 86

EXTERIOR MATERIALS SCHEDULE					
TAG	MATERIAL	FINISH/MFR	DESCRIPTION	LOCATION	CONTACT
PAINT					
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T-1	PAINTED TRIM	JAMES HARDIE / SHERWIN WILLIAMS	TRIM PAINTED SW 7004 SNOWBOUND	SEE ELEV	-

HAPEVILLE TOWNHOUSES
3571 & 3581 SOUTH FULTON AVENUE
HAPEVILLE, GA 30354

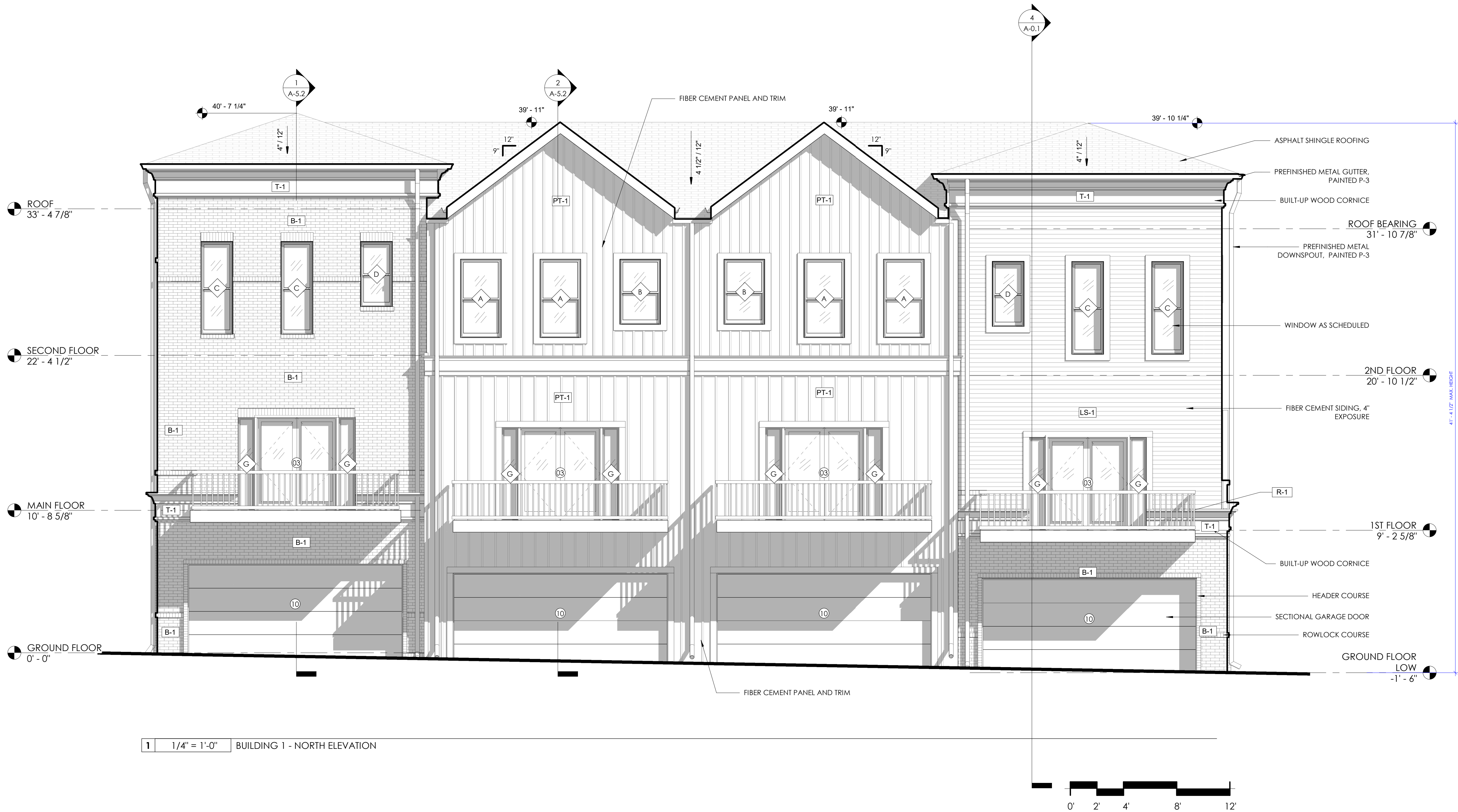
ISSUANCE SCHEDULE

REVISION SCHEDULE		
MARK	DATE	DESCRIPTION

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Drawn By	kte, cel
Checked By	kte
Sheet Title	

ELEVATIONS

Drawing No.	A-3.2
Paper Size:	24" x 36"



EXTERIOR MATERIALS SCHEDULE					
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PAINT					
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T-1	PAINTED TRIM	JAMES HARDIE / SHERWIN WILLIAMS	TRIM PAINTED SW 7004 SNOWBOUND	SEE ELEV	-



2 1/4" = 1'-0" BUILDING 1 - EAST ELEVATION



1 1/4" = 1'-0" BUILDING 1 - WEST ELEVATION



HAPEVILLE TOWNHOUSES
3571 & 3581 SOUTH FULTON AVENUE
HAPEVILLE, GA 30354

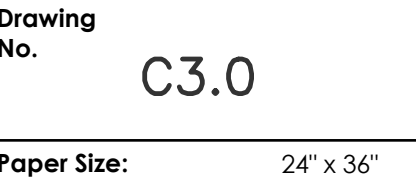
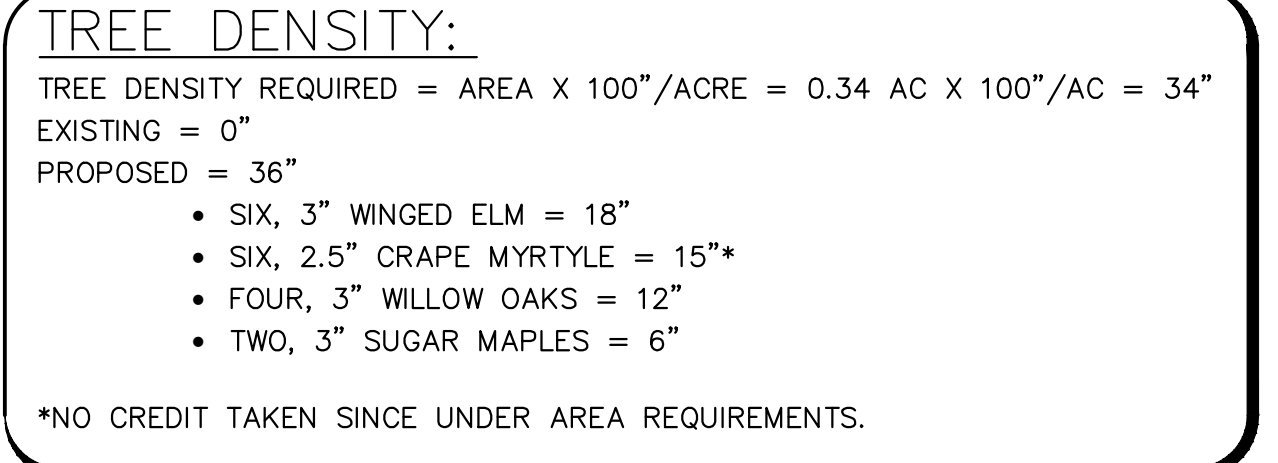
ISSUANCE SCHEDULE

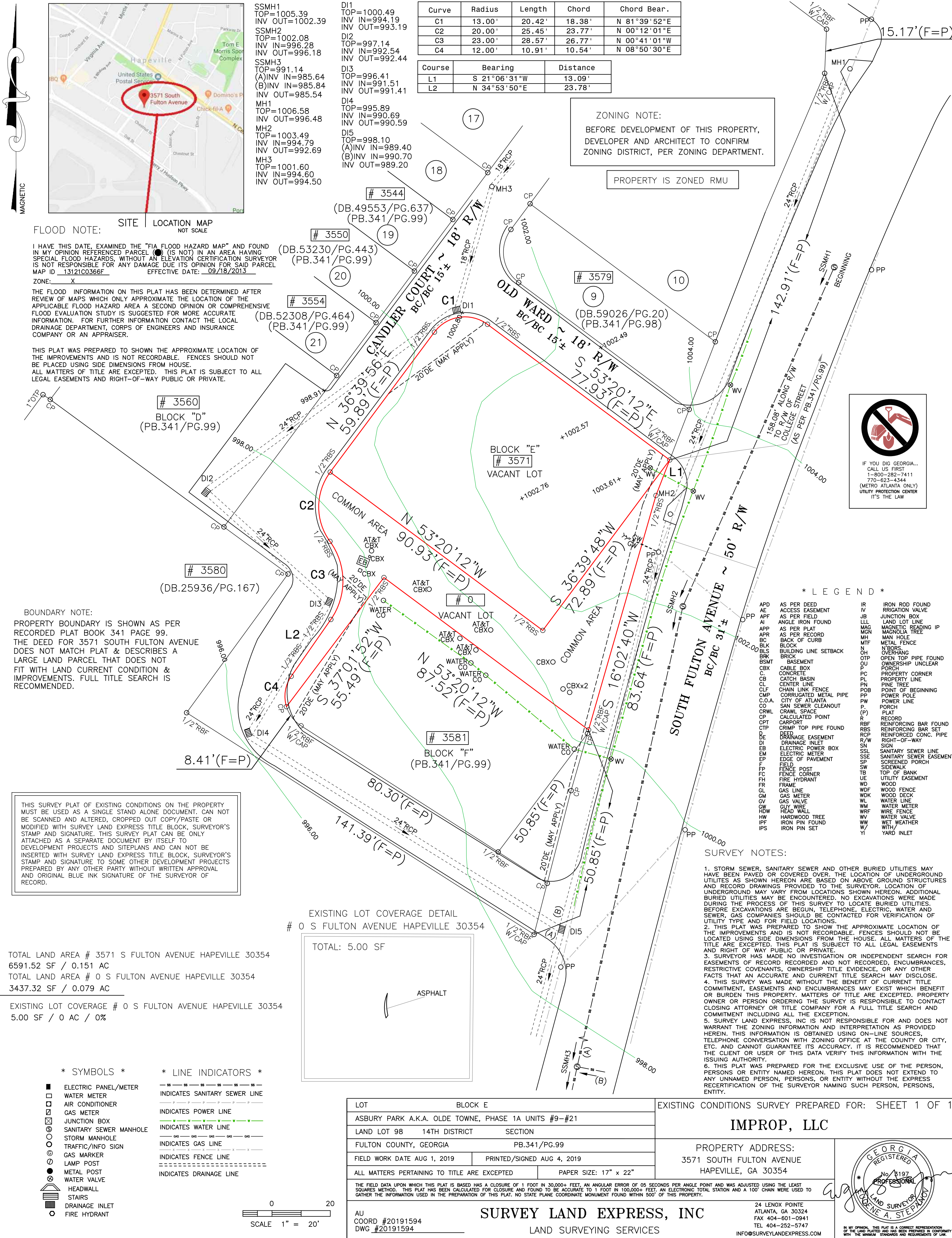
REVISION SCHEDULE		
MARK	DATE	DESCRIPTION

Project ID	1926
Drawn By	kte, cel
Checked By	kte
Sheet Title	

ELEVATIONS

Drawing No.	A-3.3
Paper Size:	24" x 36"







DEPARTMENT OF PLANNING AND ZONING

PLANNER'S REPORT

DATE: April 1, 2020
TO: Adrienne Senter
FROM: Michael Smith
RE: **Site Plan Review – 3571, 3581, 0 South Fulton Avenue Townhomes**

BACKGROUND

The City of Hapeville has received an application for site plan review from Kenneth Ellsworth for a new eight townhome development to be located in two buildings at 3571 and 3581 South Fulton Avenue. A third parcel, 0 South Fulton Avenue, would provide a common greenspace and walking paths. Each townhome will be approximately 2,268 square feet large and 41'-6" (three stories) high. All three parcels are currently vacant and cleared, having been intended for townhome development in the past.

The property is zoned RMU, Residential Mixed-Use.

CODE

ARTICLE 11.5. - RMU ZONE (RESIDENTIAL MIXED USE)

Sec. 93-11.5-1. - Intent.

The RMU district is established in order to:

- (1) Ensure development that is consistent with neo-traditional planning practices, which are often defined by pedestrian-oriented buildings, interconnected streets, a mix of uses and housing types, and a compact walkable scale.
- (2) Help create a compact, dense, and distinguishable core area;
- (3) Provide for an urban form allowing mid-rise structures;
- (4) Encourage multiple uses within the same structure; and
- (5) Include street oriented activity and pedestrian amenities at the street level of structures.

Sec. 93-11.5-3. - Permitted uses.

The following are permitted within the RMU zone:

(10) Single-family attached dwellings with at least two units attached, but no more than 12, and subject to the density restrictions in subsection (16).

(16) Residential density limitations shall be as follows:

a. The maximum permitted residential density of a master planned development zoned RMU shall not exceed:

(i) Twenty units/acre for single-family detached;

(ii) Thirty-six units/acre for single-family attached patio/townhomes and live-work units;

(iii) Fifty units/acre for multifamily.

In no case shall the maximum combined residential density exceed 75 units per acre, calculated based on the total acreage of the project, including multiple parcels or city blocks.

b. The residential density of individual parcels or blocks within a master planned development may be greater or less than 75 units per acre, provided the project's combined average maximum permitted residential density shall not exceed a combined total of 75 units per acre as calculated based on the sum of all residential uses and the total acreage of the project, including multiple parcels or city blocks, but not rail lines, public streets, or other areas not owned by the applicant; and

c. Any changes to an approved site plan shall require approval of the city planning commission and shall be reviewed based on the geographic extent of the original approved site plan, shall not exceed maximum density requirements of the original application, and shall indicate all built or planned improvements.

Sec. 93-22.1-1. - Chart of dimensional requirements. [RMU]

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		
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.

a. Single-family attached patio/townhomes cannot have more than eight units per building and no less than four units attached.

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

m. Reference subsection 93-11.5-3(18) Residential density limitations.

REVIEW

ARTICLE 2. – GENERAL PROVISIONS

Sec. 93-2-16. - Site plan review.

(a) *Intent and purpose.* The site plan review procedures are intended to ensure adequate review and consideration of potential impacts of proposed development upon surrounding uses and

activities, and to encourage a high standard of site planning and design resulting in quality development in the city.

- (b) *Application.* An application for site plan review may be filed by the owner, or agent for the owner, of any property to be developed according to the plan. All applications for site plan review shall be filed with the building official for transmission to the planning commission. Site plan review requirements are applicable for all proposed development in all zones within the city and all property submitted for annexation.
- (c) *Submission requirements.* Applications for site plan review shall contain the following information and any additional information the planning commission may prescribe by officially adopted administrative regulations; ten copies of the application shall be submitted:

- (1) *Site and landscape plan.* Maps and site plans shall be submitted (minimum scale of 1" = 50' or larger, e.g., 1" = 40', 1" = 30', etc.) indicating project name, applicant's name, adjoining streets, scale, north arrow and date drawn, showing:

- ***A site and landscape plan including date, project name, north arrow, adjoining streets, and scale has been provided.***

a. The locations, size and height of all existing and proposed structures on the site.

- ***The site is currently vacant. The proposed development will contain 8 2,268 SF, split into two buildings on separate parcels. The townhomes will be 3 stories or 41'-6" high, which is compliant with RMU zoning.***
- ***No setbacks or build-to lines have been provided. RMU has maximum build-to lines rather than minimum setbacks.***

b. The location and general design cross section characteristics of all driveways, curb cuts and sidewalks including connections to building entrances.

- ***The plans include design cross sections of driveways, curb cuts and sidewalks.***
- ***Sidewalk and driveway standards will be reviewed by the Design Review Committee for compliance.***

c. The locations, area and number of proposed parking spaces.

- ***Each townhouse will have an attached two car garage, accessed via private drives.***

d. Existing and proposed grades at an interval of five feet or less.

- ***Existing and proposed grading is shown at two-foot intervals.***

e. The location and approximate size of all proposed plant material to be used in landscaping, by type such as hardwood deciduous trees, evergreen trees, flowering trees and shrub masses, and types of ground cover (grass, ivies, etc.). Planting in parking areas should be included, as required in section 93-23-18.

- ***A landscape plan has been provided showing multiple trees and grass landscaping strips. Section 93-23-18 is only applicable to commercial developments. The landscape plan should provide the type of groundcover to be used in the common area.***

f. The proposed general use and development of the site, including all recreational and open space areas, plazas and major landscape areas by function, and the

general location and description of all proposed outdoor furniture (seating, lighting, telephones, etc.).

- ***The site plan includes 8 townhomes and a common greenspace area planted with trees.***
 - g. The location of all retaining walls, fences (including privacy fences around patios, etc.) and earth berms.
- ***No retaining walls, earth berms, or fences are shown on the plans.***
 - h. The identification and location of all refuse collection facilities, including screening to be provided.
- ***No dumpster or other refuse collection facilities are identified in the plans. The applicant should specify how refuse will be collected and disposed of.***
 - i. Provisions for both on-site and off-site stormwater drainage and detention related to the proposed development.
- ***A stormwater retention and drainage plan has been provided. See engineer's comments.***
 - j. Location and size of all signs.
- ***No signs are specified on the plans.***
 - (2) *Tree Conservation and/or Replacement Plan.* A plan describing all trees over three (3) inch caliper on the site to be retained as well as those to be planted, as required by Chapter 93 (Zoning), Article 29 (Tree Conservation Ordinance). When feasible, this plan may be incorporated into the site and landscape plans so long as all required information is present.
- ***Please see attached Tree Conservation Checklist. The provided tree conservation plan meets the intent of the Tree Conservation Ordinance but is missing several details.***
 - (3) *Site and building sections.* Schematic or illustrative sections shall be drawn to scale of 1" = 8' or larger, necessary to understand the relationship of internal building elevations to adjacent site elevations.
- ***Building elevations will be reviewed by the Design Review Committee.***
 - (4) *Typical elevations.* Typical elevations of proposed building shall be provided at a reasonable scale (1/8" = 1'0") and shall include the identification of proposed exterior building materials.
- ***Building elevations will be reviewed by the Design Review Committee.***
 - (5) *Project data.*
 - a. Site area (square feet and acres).
- ***The site plan lists the site as 0.34 acres, or 14,810 SF.***

- b. Allocation of site area by building coverage, parking, loading and driveways, and open space areas, including total open space, recreation areas, landscaped areas and others.
- ***The site plan lists total impervious area as 6,048 SF of building surface area and 3,485 SF of driveway and sidewalk area for a total lot coverage of 9,533 SF. Maximum allowable is 100%. Total per site plan is 64.3%, which is compliant.***
- c. Total dwelling units and floor area distributed generally by dwelling unit type (one-bedroom, two-bedroom, etc.) where applicable.
- ***Each townhome building will have four 2,268 sq. ft. townhomes, each with 3 bedrooms and 3 bathrooms.***
- d. Floor area in nonresidential use by category.
- ***Not applicable***
- e. Total floor area ratio and/or residential density distribution.
- ***Residential minimum is 1,000 SF. Proposed dwellings are 2,268 SF, which is compliant.***
- ***Residential density for townhomes is limited to 36 units per acre. The site is 0.34 acres, which establishes a maximum density of 12 townhomes for the project. The proposed 8 townhomes are compliant.***
- f. Number of parking spaces and area of paved surface for parking and circulation.
- ***Each townhouse will have an attached two car garage, accessed by a pre-existing private drive. Each garage will be served by a short 16' wide driveway.***
- (6) ***Project report.*** A brief project report shall be provided to include an explanation of the character of the proposed development, verification of the applicant's ownership and/or contractual interest in the subject site, and the anticipated development schedule. At the discretion of the planning commission, analyses by qualified technical personnel or consultants may be required as to the market and financial feasibility, traffic impact, environmental impact, stormwater and erosion control, etc. of the proposed development.
- ***A brief project report describing the construction of two buildings of four single-family attached residences, each 2,268 sq. ft., has been provided.***
- ***Proof of ownership has been provided.***
- ***The applicant should provide a development schedule.***

ARTICLE 11.5. - RMU ZONE (RESIDENTIAL MIXED USE) [Further Requirements of RMU Zoning]

Sec. 93-11.5-6. - Area, placement, and buffering requirements.

All buildings or structures erected, converted or structurally altered shall hereafter comply with the following lot area, yard, and building coverage requirements:

- (1) *Lot area and width.* The minimum area shall be established by the restriction governing lot coverage, setbacks, height, and parking requirement as found in article 22.1 and set forth herein. Generally, no lot shall have a minimum frontage of less than 20 feet; however, single-family residential lots shall have a minimum frontage of 30 feet.
 - ***Compliant***
- (2) *Front yard.* See subsection (3) below.
- (3) *Build-to line.* The minimum build-to line shall be zero feet and the maximum shall be 15 feet, provided that the maximum build-to line may be increased as determined to be necessary and advisable by the city planning commission in the course of its site plan review process. In determining such increase, the city planning commission shall consider the size and configuration of the proposed buildings, their relationship to the existing and proposed thoroughfares, their relationship to existing and proposed parks and plazas, the location of existing mature trees, and the supplemental area of adjacent structures. Where the build-to line is modified to provide parks and plazas, said facilities shall be directly accessible to the public during normal city park hours.
 - ***Build-to line/setbacks have not been provided***
- (4) *Side yards.* There shall be no minimum side yard requirement except as required by subsection (9) for residential zone buffers.
- (5) *Rear yards.* There shall be no minimum rear yard requirements except as required by subsection (9) for residential zone buffers.
- (6) *Distance between buildings.* The minimum distance between two buildings on a single lot or on contiguous property shall only be limited by applicable public safety and fire codes.
 - ***The distance between the two buildings has not been provided.***
- (7) *Height regulations.* For those structures zoned RMU, the maximum permitted height shall not exceed the lesser of six stories or 96 feet.
 - ***Compliant***
- (8) *Sprinkling standards.* All proposed development shall meet applicable sprinkling standards set forth by the National Fire Protection Association (NFPA) and all state and city codes and ordinances.
- (9) *Residential buffer.* Where any use other than a single-family detached use in this district adjoins a residential zone, all applicable new developments must provide an attractive physical barrier between different zones as necessary to minimize disruptive light, noise, odor, dust, unsightly appearances and intrusive activity relative to the residential zone. A smooth transition to adjacent residential zones shall be ensured by the provision of:
 - A minimum 15-foot landscaped buffer located within the U-V zone along the district line. Said buffer shall comply with the requirements Chapter 93 (Zoning), Article 29 (Tree Conservation Ordinance). Shrubs, flowers or grasses shall also be provided and maintained to visually screen non-residential areas and provide an attractive boundary that encourages continued investment in the adjacent residential zones.
 - A permanent opaque wall between six and eight feet in height and faced in wood, stacked stone, brick or hard-coat true stucco. Said wall may be located anywhere within the required landscaped buffer.
 - The tree spacing and wall placement requirements of subsections a. and b. above may be adjusted by the planning and zoning manager where the applicant wishes to preserve existing specimen

trees within the required buffer. This may include alternative arrangements that minimize the impacts of the screening requirements on the health of existing trees.

- ***Not applicable***

Sec. 93-11.5-7. - Supplemental area requirements.

Supplemental areas shall meet the following requirements:

- (1) The following may not be located in the supplemental area:

- a. Recreational areas and facilities such as swimming pools or tennis courts;
- b. Fences and walls, except up to four feet in height for outdoor dining;
- c. Service elements such as dumpsters, loading docks and similar elements; and
- d. Mechanical features.

- ***The applicant should indicate mechanical features on the plans***

- (2) Adjacent to ground floor retail or restaurant uses the supplemental area:

- a. Shall be at the same grade, slope, and cross slope as the adjacent required sidewalk;
- b. Shall be hardscaped for a minimum of 80 percent of its horizontal area with decorative pavers, brick, slate, or stamped or colored concrete, but not asphalt;
- c. Shall be accessible to the general public and may be used for pedestrian amenity elements such as benches, trees, lighting, outdoor dining, merchandise display and potted plants.
- d. Eating places shall be permitted to have an outdoor dining area subject to compliance with the following provisions:
 - (i) The outdoor dining area shall not be located in the sidewalk clear area nor shall it obstruct pedestrian movement, fire lanes, access to any business, or areas designated for access by the physically impaired. Outdoor dining within the public right-of-way may not be surrounded by fences or walls and shall utilize movable tables and chairs.
 - (ii) The number of seats in the outdoor dining area shall not exceed fifty (50) percent of the number of indoor seats within the eating place.
 - (iii) Compliance with applicable state and county health regulations.

- ***Not applicable***

- (3) This section shall not be deemed to permit signage or structural alterations such as canopies or walls regulated elsewhere in this chapter.

- ***Not applicable***

- (4) Adjacent to ground-floor dwelling units, excluding live-work dwellings, the supplemental area:

- a. Shall be landscaped, except for area used for stoops, porches, wheelchair ramps, or walkways;
- b. Shall be planted with canopy trees, as established in Chapter 93 (Zoning), Article 29 (Tree Conservation Ordinance), an average of 30 feet on-center measured parallel to the front lot line.
- c. Shall be differentiated from the adjacent sidewalk by a continuous wall, fence, hedge, or retaining wall between six and 30 inches in height.

- ***Trees must be planted in an average of 30' on center along the front lot line. The applicant should provide the distance between the proposed trees enfronting the development.***

- **The property should be differentiated from the sidewalk by a continuous wall, fence, hedge, or retaining wall.**
- (5) The supplemental area, when adjacent to ground-floor live-work dwellings or other uses, or when not adjacent to a building, shall be subject to subsections (2) and (4).
- ***Not applicable***

Sec. 93-11.5-8. - Sidewalk requirements.

Public sidewalks shall be located along all existing and new public and private streets, excluding private alleys. Sidewalks shall be of the widths indicated below and shall consist of two areas: a landscape area and a clear area. The following regulations shall apply to all required sidewalks:

(1) *Sidewalk landscape area requirements.*

- a. The landscape area shall have a minimum width of five feet and shall be located adjacent to the curb.
- **The applicant should indicate the width of the sidewalk landscape area on the plans, ensuring it is at least 5'**
- b. The landscape area may be paved adjacent to on-street parking when located adjacent to ground floor retail, and shall be landscaped in all other areas.
- ***Compliant***
- c. Street trees shall be planted an average of 30 feet on center, spaced equal distance between streetlights, and in line with stripes of parallel parking spaces. All newly planted trees shall comply with the requirements of Chapter 93 (Zoning), Article 29 (Tree Conservation Ordinance), shall be limbed up to a minimum height of seven feet, and shall be of an appropriate Street Tree species found in Appendix A (City of Hapeville Tree Species List) of Chapter 93 (Zoning), Article 29 (Tree Conservation Ordinance). The city planning commission may approve an alternate street tree plan subject to constraints such as overhead or underground utilities or underground utility easements.
- **Street trees are required along S. Fulton Ave. With Planning Commission approval, such trees may be understory trees to account for the overhead power lines.**
- d. The landscape area is also intended for the placement of street furniture, including utility poles, waste receptacles, fire hydrants, traffic signs, bus shelters, bicycle racks, public kiosks and similar elements in a manner that does not obstruct pedestrian access or motorist visibility as determined by the city.
- ***No furniture is proposed.***
- e. The landscape area shall be maintained by the adjacent property owner.
- f. Where tree grates are provided they may encroach into the sidewalk clear area a maximum depth of two feet and the landscape area may be reduced by a corresponding depth.

(2) *Sidewalk clear area requirements.*

- a. The clear area shall be the portion of the sidewalk reserved for pedestrian passage and unobstructed by permanent objects to a height of eight feet, including, but not limited to, steps and stoops, traffic control boxes, traffic signs, awnings, canopies, and utility structures. The sidewalk clear area shall have a consistent cross slope not exceeding two percent.
- ***Compliant***
- b. No awning or canopy shall extend more than five feet over the clear area.
- ***Compliant***

- c. The sidewalk clear area shall comply with the standards established in chapter 81 (City of Hapeville Architectural Design Standards), section 81-1-6 of the Hapeville Code of Ordinances.
 - **Compliant**
 - d. Where property within the district abuts a residential zone without an intervening street, the sidewalk area within 20 feet of such district shall taper when necessary to provide a smooth transition to the existing residential zone sidewalk. In the event that the abutting residential zone has no existing sidewalk, the sidewalk shall taper to a width of six feet, measured from the street curb, or as approved by the city planning commission.
 - **Not applicable**
- (3) *Paving materials to remain continuous.* Any paving materials, including concrete, special pavers, or decorative paving within the landscape area or clear area shall continue across any intervening driveway.

Sec. 93-11.5-9. - Parking and curb cut requirements.

In addition to the requirements of article 23 of this chapter, off-street parking and loading, the following requirements shall apply within the RMU district:

- (1) See article 22.1 for minimum parking space requirements.
 - **Compliant**
- (2) See section 93-23-7 of the Hapeville Code of Ordinances for mixed-use developments, which may be reduced as authorized by the board of appeals subject to a shared parking arrangement under the following criteria:
 - a. The minimum number of parking spaces for a project where shared parking is proposed shall be determined by a study prepared by the applicant following the procedures of the Urban Land Institute (ULI) Shared Parking Report or Institute of Transportation Engineers (ITE) Shared Parking Guidelines. The actual number of parking spaces required shall be based on well-recognized sources of parking data such as the ULI or ITE reports. If standard rates are limited or not available, the applicant may collect data at similar sites to establish local parking demand rates. If the shared parking plan assumes the use of an existing parking facility, then field surveys shall be conducted to determine actual parking accumulation.
 - b. An applicant shall submit the following information as part of an application to reduce parking requirements and avoid conflicting parking demands:
 - (i) A to-scale map indicating location of proposed parking spaces;
 - (ii) Hours of business operation of nonresidential parking users;
 - (iii) Copies of the legal instrument that authorizes the use of shared parking facilities, which shall be filed with the department of economic development.
 - c. Where authorized shared parking exists, and a change affecting the shared use occurs, the applicant shall have up to 30 calendar days to provide the city planning and zoning manager with a valid legal instrument reflecting the modified parking arrangements.
 - d. A change to any of the conditions identified in this subsection, except as identified in subsection (2)c. above, shall terminate authorization for shared parking. A shared parking arrangement shall be deemed a condition of the zoning and any modification will require a new site plan, parking plan, and zoning approval.
 - **Not applicable.**

- (3) Developments are permitted a maximum of two driveway curb cuts per block face. For the purposes of this Section, two curb cuts serving two one-way driveways shall only be counted as one curb cut.
 - ***Development is using private drives to access parking. No new curb cuts are proposed on city streets.***
- (4) No curb cuts, driveways or circular drives shall be permitted on South Central Avenue or Atlanta Avenue where access can be provided from a side or rear street.
 - ***Not applicable.***
- (5) Rear alleys or rear drives shall be provided to access attached single-family garages, detached single-family dwelling garages, and commercial loading and service areas.
 - ***Compliant.***
- (6) Carports shall be prohibited.
 - ***Compliant.***
- (7) Garages shall not face adjacent streets except where alley or rear drive access is not feasible, in which case such garages shall be set back a minimum of 25 feet from the build-to line. All garage materials shall match those of the principal structure.
 - ***All garages are to be accessed by private drives.***
- (8) Parking structures shall conceal automobiles from view, shall have the appearance of a horizontal storied building on all levels, shall be faced in brick, stacked stone, cast stone, poured-in-place rubbed concrete, or pre-cast concrete faced in or having the appearance of brick or stacked stone. Parking structures adjacent to the supplemental area shall also meet the requirements of subsection 81-1-6(e) of the Hapeville Code of Ordinances.
 - ***Not applicable***
- (9) Bicycle or moped parking spaces are required as follows: All nonresidential uses shall provide one such space for every 20 automobile spaces and condominium and apartment uses shall provide one such space for every five units provided that no such uses shall have fewer than two such spaces or be required to exceed 30 spaces. Such spaces shall be located within the sidewalk landscape area a maximum distance of 100 feet from the primary pedestrian entrance, or within the supplemental area and at least as close as the closest automobile space, except for handicapped parking spaces. Bicycle parking spaces shall include a bike rack with a metal anchor sufficient to secure the bicycle frame when used in conjunction with a user-supplied lock.
 - ***Not applicable***
- (10) Dumpsters shall be entirely screened from view of any street with vertically enclosed opaque walls matching the materials of the principal structure. Dumpsters shall not be permitted between a primary building and a public street.
 - ***No dumpsters proposed.***

Sec. 93-11.5-10. - Greenspace and open space requirements.

In addition to the requirements of Chapter 93 (Zoning), Article 29 (Tree Conservation Ordinance), and 93-23-18, Landscape requirements for vehicular use areas, of the Hapeville Code of Ordinances, master planned developments in excess of two acres shall be required to provide and maintain a minimum of 20 percent greenspace/open space. Calculations for greenspace/open space shall exclude required sidewalks and landscape strips along streets, but may include the following:

- (1) Parks;
- (2) Playgrounds;
- (3) Trails;
- (4) Gardens;
- (5) Undeveloped space designated for habitat restoration and preservation;
- (6) Plazas improved for pedestrian use shall also be considered greenspace when finished in brick or stone pavers and planted with at least One canopy tree per 2,500 square feet of area, with a minimum of one hundred (100) square feet of unpaved planting area around each tree.

- ***Not applicable.***

ARTICLE 23. - OFF-STREET PARKING AND LOADING

Sec. 93-23-1. - Purpose and intent.

The purpose of this article is to ensure the reasonable provision of off-street parking and loading facilities within the city. The requirements contained herein are minimum standards only, and are intended to protect and promote the health, safety and welfare of the present and future inhabitants of the city.

Sec. 93-23-2. - Entrance and exit points.

Except in districts zoned R-0, R-1, R-2 and R-3, curb breaks shall not be more than 30 feet in width, nor less than 25 feet in width. In no case shall there be less than 50 feet from the closest sides of any two-driveway curblines. Curb breaks shall be located at least 25 feet from the nearest intersection of two curblines as measured along one of the curblines. Business establishments on contiguous lots are encouraged to consolidate entrance and exit points. Suitable provisions, including a five-foot-wide planted buffer strip between the right-of-way and parking area shall be made to prevent entrance or exit from other than at designated entrance or exit points.

- ***No new curb breaks are proposed, and all driveways will be accessed via private drive.***

Sec. 93-23-3. - Setbacks from property lines.

Off-street parking and loading spaces and their respective maneuvering areas shall be set back not less than five feet from all property lines, except where those spaces and areas for adjacent properties abut, or are in contiguous use, there need not be any setback.

- ***Not applicable***

Sec. 93-23-4. - Maneuvering areas.

All off-street parking and loading spaces shall be provided with adequate off-street maneuvering areas.

- ***Each driveway will be 16 feet wide.***

Sec. 93-23-5. - Surfacing and maintenance.

- (a) *Nonresidential.* All driveways, off-street parking and loading facilities required, pursuant to the provisions of this chapter, shall be hard surfaced pavement, drained, lighted and maintained by the owner in accordance with specifications of the city. Parking areas that are in excess of the parking requirements of this chapter may consist of pervious materials provided the total number of parking spaces does not exceed 110 percent of the requirement.
- (b) *Residential.* Single-family residential development may utilize porous concrete, asphalt or other permeable pavements in driveway construction.

- *See Engineer's report*

Sec. 93-23-6. - Reduction in area and number of parking spaces.

No open area in an off-street parking area shall be encroached upon by buildings, storage or any other use; nor shall the number of parking spaces and/or off-street loading spaces be reduced except upon approval of the board of appeals, and then only after proof that, by reason of diminution in floor area, seating area, number of employees or change in other factors controlling the regulation of the number of parking spaces, the proposed reduction is reasonable and consistent with the intent of this chapter.

- *Not applicable*

Sec. 93-23-7. - Mixed uses.

In the case of mixed uses, the total requirements for off-street parking and off-street loading space shall be the sum of the requirements of the various uses computed separately as specified herein. Off-street parking and off-street loading space for one use shall not be considered as providing the required off-street parking or off-street loading space for any other use.

- *Not applicable*

Sec. 93-23-8. - Uses not specifically mentioned.

In the case of a use not specifically mentioned herein, the requirements for off-street parking space and off-street loading space for a use which is so mentioned, and to which that use is most similar, shall apply.

Sec. 93-23-9. - Issuance of certificate of occupancy.

No certificate of occupancy shall be issued for any building or group of buildings unless and until all required off-street parking and loading facilities are in place and ready to use.

Sec. 93-23-10. - Off-street parking requirements according to district and uses.

At the time of the erection of any building or structure hereinafter listed, or at the time any such building or structure is enlarged or increased in capacity by adding dwelling units, guestrooms, floor area, seats, beds, members or employees, there shall be provided for such new construction, enlargement or increased capacity only, off-street automobile parking space and off-street loading spaces in accordance with the minimum requirements established for each zone. The maximum number of off-street automobile parking spaces shall be 110 percent of the requirement for uses proposed at the time of development approval.

- *The minimum off-street parking for each townhome is one space, and the maximum is two. Each townhome will provide a two-car garage, which is compliant.*

Sec. 93-23-11. - Size of off-street parking spaces, including parking spaces for compact automobiles, and parking spaces for automobiles of the physically handicapped.

- (a) Of the total number of parking spaces required for any nonresidential use having 20 or more off-street parking spaces, a maximum of 70 percent shall be "full-size" as described in the table below, and a minimum of 30 percent shall be "compact size" as described in the table below:

Minimum Full-Size Space Dimensions

Type of Space	Width of Space	Length of Space
Parallel at curb to angle of 29 degrees	8.5 feet	22 feet
Angle of 30 degrees to 60 degrees	9 feet	18 feet
Angle of 61 degrees to 90 degrees	10 feet	18 feet

*Minimum Compact-Size Parking Space
Dimensions*

Type of Space	Width of Space (feet)	Length of Space (feet)
Parallel at curb to angle of 29 degrees	8	19
Angle of 30 degrees to 60 degrees	8.5	15
Angle of 61 degrees to 90 degrees	9	15

- **Not applicable.**

Sec. 93-23-11. - Size of off-street parking spaces, including parking spaces for compact automobiles, and parking spaces for automobiles of the physically handicapped.

- (b) There shall be adequate interior passageways, drives and maneuver areas, as determined by the building official, to accommodate each space and to connect each space with a public street.

- **Compliant.**

- (c) In addition to the above-stated requirements, parking space for automobiles of the physically handicapped shall be provided in accordance with the following standards.

- (1) Access to buildings generally.

- a. Accessibility to such building shall be provided from rights-of-way in parking areas by means of a pathway leading to at least one entrance generally used by the public. Such pathway shall have been cleared of all obstructions relating to construction activity, prior to the opening of the building to the general public. Where curbs exist along such pathway, as between a parking lot surface and a sidewalk surface, inclined curb approaches or curb cuts having a gradient of not more than one foot in 12 feet and a width of not less than four feet shall be provided for access by wheelchairs.

- **Not applicable to single-family development.**

- b. A parking lot servicing each entrance pathway shall have a number of level parking spaces as set forth in the following table, identified by above grade signs as being reserved for physically handicapped persons. Each parking space so reserved shall be not less than 12 feet in width.

Parking Spaces for Handicapped

Total Spaces and Lot	Required No. of Reserved Spaces
Up to 25	1
26 to 50	2
51 to 75	3
75 to 100	4
100 to 150	5
150 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2% of total

Over 1,000	20, plus 1 for each 100 over 1,000
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- ***Not applicable to single family development.***

- (2) Location. Parking spaces for the physically handicapped shall be located as close as possible to elevators, ramps, walkways and entrances.

- ***Not applicable to single family development.***

Sec. 93-23-12. - Location.

If the required off-street parking spaces cannot reasonably be provided on the same lot as the building it serves, the board of appeals may permit that space to be provided on other off-street property. That property shall be within 400 feet of the premises to which it is appurtenant, as measured along the nearest pedestrian walkway.

- ***Not applicable at this time.***

Sec. 93-23-13. - Joint use of required off-street parking spaces.

No part of an off-street parking area required for any building or use for the purpose of complying with the provisions of this chapter shall be included as a part of an off-street parking area similarly required for another building or use unless the type of structure indicates that the periods of usage of that structure will not be simultaneous with each other, as determined by the board of appeals.

- ***Not applicable.***

Sec. 93-23-14. - Size of off-street loading spaces.

Each off-street loading space shall have minimum dimensions of 15 feet in height, 15 feet in width, and 60 feet in length. However, upon sufficient demonstration in a specific instance that a particular loading space will be used exclusively by shorter or lower trucks, the board of appeals may reduce the minimum length or height.

- ***Not applicable.***

Sec. 93-23-15. - Location of off-street loading spaces.

All required off-street loading spaces shall be located on the same lot as the building which they are intended to serve, or on an adjacent lot when shared with the use occupying the lot.

- ***Not applicable.***

Sec. 93-23-16. - Drive-in establishments.

There shall be no drive-in establishments in which customers are served while located on a public right-of-way. In the case of a drive-in establishment where customers are served while occupying automobiles parked off a public right-of-way, that establishment shall provide on the premises sufficient parking space which, in the judgment of the building official, the chief of police and the city engineer will accommodate the largest number of automobiles being served or waiting to be served at any one time. This required space shall be appropriately arranged for the purpose and in no case shall it be less than the minimum space as specified in this chapter.

- ***Not applicable.***

Sec. 93-23-17. - Continuing character of obligation.

The schedule of requirements for off-street parking space and off-street loading space applicable to newly erected or altered structures shall be a continuing obligation of the owner of the real estate on which any such structure is located, so long as the structure is in existence and its use requiring vehicle parking or vehicle loading facilities continues, and it shall be unlawful for an owner of any building affected by this chapter to discontinue,

change or dispense with, or to cause the discontinuance or change of the required vehicle parking or loading space apart from the discontinuance, sale or transfer of the structure, without establishing alternative vehicle parking or loading space which meets the requirements of and is in compliance with this chapter, or for any person, firm or corporation to use that building without acquiring the land for vehicle parking or loading space which meets the requirements of and is in compliance with this chapter.

Sec. 93-23-18. - Landscape requirements for vehicular use areas.

- (a) *Intent.* The objective of this section is to provide space for the use of landscape beautification and natural plant growth for developments where off-street parking and open lot sales, displays, and service areas are provided. The intent is to improve and protect the appearance, environmental and ecological condition, character, design, and value of the total urban area, thereby promoting the public health, safety, and welfare.
- (b) *Areas subject to the requirements of this section.* Vehicular use areas, except those less than 10 parking spaces, parking garages, and public rights-of-way shall conform to the minimum landscaping requirements hereinafter provided.

Not applicable.

RECOMMENDATION

Upon review of the information submitted by the applicant, staff has identified numerous deficiencies that must be addressed prior to final approval:

1. The applicant should provide building setbacks/build-to line, ensuring the development is no further than 15' from the property line.
2. The applicant should provide the distance between the townhome buildings for review by the fire marshal.
3. The landscape plan should be updated to provide the ground cover of the common area.
4. The applicant should provide a development schedule.
5. The applicant should indicate mechanical features on the plans.
6. Trees must be planted in an average of 30' on center along the front lot line. The applicant should provide the distance between the proposed trees enfronting the development.
7. The property should be differentiated from the sidewalk by a continuous wall, fence, hedge, or retaining wall.
8. The applicant should indicate the width of the sidewalk landscape area on the plans, ensuring it is at least 5 feet wide.
9. Street trees are required along S. Fulton Ave. With Planning Commission approval, such trees may be understory trees to account for the overhead power lines.

In addition, the applicant should review the attached Tree Conservation Checklist, as there are a number of changes that must be made prior to approval of the Tree Replacement Plan.

Further, it should be understood that the site plan and building elevations will be reviewed for compliance by the Design Review Committee, which may require further changes.

Once these items and any other concerns raised by the Planning Commission are addressed, staff recommends approval of the site plan.



Location Map – 3571, 3581, 0 S. Fulton Ave.

March 25, 2020

Ms. Adrienne Senter
Planning & Development Coordinator
Department of Economic Development
City of Hapeville
3468 N. Fulton Avenue
P.O. Box 82311
Hapeville, Georgia 30354

Re: Hapeville Townhomes
3571 & 3581 South Fulton Avenue
Concept Site Plan Review No. 1
K&W Ref. No. 201051.10

Dear Ms. Senter:

As requested, I have reviewed the concept site plan for the Hapeville Townhomes to be located at 3571 and 3581 South Fulton Avenue on a combined total area of 0.338 acres, within a RMU Zoning District. The initial submittal was received on March 23, 2020. The plans were prepared by Studio Sogo Architecture and Design, with no design professional seal. My comments are as follows:

1. All drawings should be sealed by the design professional of record.
2. Building setback line distances should be noted or shown on the site plan lots concurrent with criteria of the RMU zoning district.
3. The lot and property boundary lines should be shown on the site plan to verify setback distances and location of the buildings on the lots.
4. The site plan shows a common area and the ownership of the common area and the two address lots is not clear. Will the townhomes be individually owned and new lot lines for each townhome be provided or will the 4 unit townhome unit on each lot be owned by one entity? If new lot lines for the townhome units are proposed, the development will need to meet the preliminary and final subdivision plat requirements of the City.
5. The entity responsible for operation and maintenance of common use areas, utilities, and site improvements should be described on the drawings. If a proposed homeowners association is responsible, details of the formation and description of the association should be provided.
6. Existing adjacent roadways for Candler Court and Old Ward show right of way widths less than City requirements. If the road right of way widths are to remain as shown, the City's fire chief should review the road alignments and radii to be sure emergency vehicle access is available for all necessary sides of the properties.
7. The townhome units show vehicle access coming from Candler Court and Old Ward where the existing pavement width is not more than 14 feet (15 feet from back of curb to back of curb). Since the paved roadway is less than 20 feet, no parking should be allowed on either street in accordance with Section 41-5-1. In addition, the streets should be designated as one way only since minimum pavement widths of 20 feet or greater are required for two way traffic and the 14 feet width will not physically allow two vehicles to safely pass side by side. One way traffic signs should be posted along such roadways.
8. Provisions for providing water service and sanitary sewer service to the Townhome units should be shown on the drawings.
9. Construction plans for the townhome units must comply with Section 93-2-10 special provisions for single-family attached developments.

10. Sidewalks consisting of 5 feet wide landscape area and 5 feet clear area for sidewalk should be shown along South Fulton Avenue, Candler Court and Old Ward in accordance with Sections 81-1-6 and 93-11.5-8.
11. Drainage easements at least 10 feet wide each side of the pipe centerline should be shown for existing storm drain pipes where the easement encroaches onto private property.
12. Several trees proposed along the Candler Court right of way seem to encroach onto storm drainage easement areas and are not permitted to be counted for the tree area credit of 100 inches per acre per Section 5.7 of the City's Tree Conservation Ordinance.
13. A Grading and Drainage Plan indicating existing and proposed ground contour elevations (tied to mean sea-level) should be included for the site to address Section 93-2-13 of the Zoning Ordinance during Land Development Permitting.
14. While this submittal review is for concept site plan approval only, the applicant should be aware that submittal and review of detailed site construction drawings will still be necessary prior to land development permitting. Since the site appears to disturb less than one acre of disturbance area, a land disturbance permit is not required.
15. A stormwater management report and related components for addressing the post development stormwater management ordinance should be provided.
16. Detectable warning strips and ADA ramps per US DOT and Department of Justice standards should be shown for all ADA ramps at sidewalks intersecting driveways and streets.

I have retained one copy of the plans provided for review in the event there are questions. The applicant should be made aware that the review does not constitute a waiver of City Ordinance requirements or assumption of responsibility for full review of City Ordinance requirements. Deviations from Ordinance requirements may be noted at any time during the review, permitting or construction processes. Re-submittals should include a narrative indicating how and where the review comments were addressed.

Very truly yours,

KECK & WOOD, INC.



Michael J. Moffitt, P.E.



DAVID BLOODWORTH
FIRE CHIEF

To: Adrienne Senter

From: Brian Eskew, Fire Marshal

Re: 3581 South Fulton Ave.

Date: April 7, 2020

I do not see this project having a negative impact on the Fire Department since it was agreed that a Fire Sprinkler System would be installed. If you should need an more information, please let me know. Thanks.