



#### **CIVILITY PLEDGE**

*The way we govern ourselves is often as important as the positions we take. Our collective decisions will be better when differing views have had the opportunity to be fully vetted and considered. All people have the right to be treated with respect, courtesy and openness. We value all input. We commit to conduct ourselves at all times with civility and courtesy to each other.*

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

### **Planning Commission Meeting**

700 Doug Davis Drive  
Hapeville, GA 30354

September 10, 2024 6:00 PM

#### **AGENDA**

**1. Call to Order**

**2. Roll Call**

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

**3. Approval of Minutes**

3.I. Minutes of May 14, 2024

**Documents:**

1. Minutes - 05-14-2024\_draft

**4. New Business**

4.I. 609 - 627 College Street - Pod B Final Plat

**Background:**

Sharonda Rahming of D.R. Horton, Inc. is requesting final plat review for the properties located at 609 - 627 College Street, Parcel Identification Numbers 14-0098-0020-052-1, 14-0098-0020-038-0, 14-0098-0020-037-2, 14-0098-0020-036-4 for the purpose of constructing townhomes. The properties are zoned RMU, Residential Mixed Use.

**Documents:**

1. Application - 609-627 College Street\_Pod B\_Redacted
2. Plans - 609-627 College Street\_Pod B\_V1
3. Engineer's Report - 609-627 College Street\_Pod B
4. Planner's Report - 609-627 College Street\_Pod B\_Final Plat

4.II. Text Amendment Tree Preservation Trust Fund

**Background:**

Consideration of an amendment to the Code of Ordinances, Chapter 93 (Zoning), Section 93-29-13 (Tree preservation trust fund) for the purpose of amending the Code of Ordinances.

**Documents:**

1. Sec.\_93\_29\_13.\_\_\_Tree\_preservation\_trust\_fund Revision August 2024
2. Planner's Report - Text Amendment \_Tree Bank

5. **Next Meeting Date - October 8, 2024 at 6:00 PM**

6. **Adjourn**



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

**Planning Commission Meeting  
700 Doug Davis Drive  
Hapeville, Georgia 30354**

**May 14, 2024 6:00 PM**

**MINUTES**

**1. Called to Order at 6:01 PM.**

**2. Roll Call**

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

**3. Approval of Minutes**

3.I. Minutes of April 9, 2024

**MOTION ITEM:** Leah Davis made a motion to approve the minutes of April 9, 2024, as submitted. Lucy Dolan seconded the motion. Motion Carried: 4-0.

*Commissioner Thomas entered the meeting during discussion of the following item.*

**4. Old Business**

**4.I. 3558 Elm Street**

**Combination Plat Review (Revision)**

**Background:**

Santiago Patino on behalf of Terwilliger Pappas requested approval of a revised combination plat to combine 20 parcels into two (2) at 3558-3668 Elm St. (Parcel ID's: 14-0096-0005-002-7, 14-0096-0005-003-5, 14-0096-0005-023-3, 14-0096-0005-021-7, 14-0096-0005-006-8, 14-0096-0005-007-6, 14-0096-0005-017-5, 14-0096-0005-022-5), 522-540 Porsche Ave. (Henry Ford II Ave.), (Parcel ID's: 14-0095-0001-009-7, 14-0095-0001-027-9, 14-0095-0001-003-0 and 14-0095-0001-028-7), 543-573 College St. (Parcel ID's: 14-0095-0001-031-1, 14-0095-0001-015-4, 14-0095-0001-014-7, 14-0095-0001-013-9, 14-0095-0001-012-1) 3552-3560 Perkins St., and 3572 Perkins St., 0 Perkins St (Parcel ID's: 14-0095-0001-011-3, 14-0095-0001-018-8, 14-0095-0001-033-4) for the purpose of constructing a 305 apartments and 8,426 SF of retail space. The properties are zoned

RMU, Residential Mixed Use. *The Planning Commission approved this item on April 9, 2024.*

#### **FINDINGS**

The applicant has not yet addressed the comments from the last submission - add the zoning designation of adjacent parcels, address the 40' right of way on Elm Street (should be 50') and address any outstanding issues raised in the Engineer's report. Once the necessary revisions are made, the combination plat may be approved with the understanding the applicant shall comply with all other zoning rules, regulations, covenants, and easements of record.

Public Comment: None.

**MOTION ITEM: Miller Radford made a motion to approve the revised combination plat for 3558 Elm Street subject to the deficiencies outlined in the staff reports. Cliff Thomas seconded the motion. MOTION CARRIED: 5-0.**

#### **4.II. 3558 Elm Street                      Site Plan Review (Revision)**

##### **Background:**

Santiago Patino on behalf of Terwilliger Pappas requested review of a revised site plan at 3558-3668 Elm St. (Parcel ID's: 14-0096-0005-002-7, 14-0096-0005-003-5, 14-0096-0005-023-3, 14-0096-0005-021-7, 14-0096-0005-006-8, 14-0096-0005-007-6, 14-0096-0005-017-5, 14-0096-0005-022-5), 522-540 Porsche Ave. (Henry Ford II Ave.), (Parcel ID's: 14-0095-0001-009-7, 14-0095-0001-027-9, 14-0095-0001-003-0 and 14-0095-0001-028-7), 543-573 College St. (Parcel ID's: 14-0095-0001-031-1, 14-0095-0001-015-4, 14-0095-0001-014-7, 14-0095-0001-013-9, 14-0095-0001-012-1) 3552-3560 Perkins St., and 3572 Perkins St., 0 Perkins St. (Parcel ID's: 14-0095-0001-011-3, 14-0095-0001-018-8, 14-0095-0001-033-4) for the purpose of constructing a mixed-use, multifamily and retail development. The properties are zoned RMU, Residential Mixed Use. *The Planning Commission approved this item on April 9, 2024.*

The revised plan includes four (4) 4-story multi-family buildings, two (2) 3-story buildings, one (1) 4 story mixed use, and two single story garage buildings. The mixed-use building enfronting Porsche Ave includes 8,426 SF first floor retail.

A traffic study requested at the January 2023 Planning Commission meeting was completed and no turn lane was recommended.

#### **FINDINGS**

The development summary table should be updated to reflect the new acreage percentages. The site plan should reflect the correct building heights (Building 1000 is 60' 10 5/8" and exceed 60' max as indicated on the site plan) and stories.

Staff recommended approval of the site plan with the following conditions.

1. Provide dimensions for parking adjacent to right of way along Elm Street, Perkins Street, and College Street.
2. Address any outstanding issues with Tree Conservation Ordinance as per City Arborist report.
3. Address any outstanding issues in the Engineer's Report.

Staff recommended maintaining the following conditions approved with the previous site plan that did not include the additional acreage:

1. Increase in build-to line to accommodate transmission lines.
2. Waive street tree requirement along South Central/Porsche Ave.
3. Board of Appeals Variance for increased parking to 120% of on-site parking.
4. Board of Appeals Variance for reduced parking width of full-size spaces from 10' to 9'.

Any approval of the site plan requires the applicant shall comply with all other zoning rules, regulations, covenants, and easements of record.

Public Comment: None.

**MOTION ITEM: Cliff Thomas made a motion to approve the revised site plan at 3558 Elm Street subject to the deficiencies outlined in the staff reports. Lucy Dolan seconded the motion. MOTION CARRIED: 5-0.**

## **5. New Business**

### **5.I. Chestnut Street, South Fulton Ave., Georgia Ave. (Pod C) Final Plat Review**

#### **Background:**

Jason Braga of D.R. Horton, Inc. requested final plat review for the properties located at 3602 S. Fulton Avenue., 647-651 Chestnut Street, and 3617-3633 Georgia Avenue, Parcel Identification Numbers 14- 0098-0021-050-4, 14-0098-0021-048-8, 14-0098-0021-049-6, 14-0098-0021-051-2, 14-0098-0021-052-0 and 14-0098-0021-047-0 for the purpose of constructing townhomes. The properties are zoned RMU, Residential Mixed Use.

#### **Recommendation:**

Upon completion of the deficiencies outlined in the Planner's Report and from the City Engineer's Report, the Planning Commission may approve the final plat.

**MOTION ITEM: Jeanne Rast made a motion to approve the final plat at Chestnut Street, South Fulton Avenue and Georgia Avenue (Pod C), subject to the deficiencies outlined in the staff reports. Lucy Dolan seconded the motion. MOTION CARRIED: 5-0.**

## 5.II. 1155 Virginia Avenue, Suite L

## Conditional Use Permit

### **Background:**

Li Ying Jiang Lucas requested a Conditional Use Permit to operate a spa at 1155 Virginia Avenue, Suite L, Hapeville, Georgia 30354, Parcel Identification Number 14 0127 LL1198. The property is zoned U-V, Urban Village and is subject to the zoning regulations under Section 93-11.2-5 (Conditional uses) of the City of Hapeville Zoning Ordinance.

### **FINDINGS**

Per the application, the following services will be provided: Swedish, sports, lymphatic drainage, parental (*sic*) assuming prenatal, trigger point, Himalayan salt hot stone, cupping and foot reflexology massages along with skin polishing and body scrubbing. The space will include 7 treatment rooms, 2 break rooms, 2 small storage rooms, and 1 shower room.

The application indicates parking will be provided on the site and shared with the other businesses in the multi-tenant development. A previous tenant operating a day spa had previously been operating in the space.

### **Recommendation:**

Please update the application with the name of the business.

The proposed use of a massage spa is compatible with the U-V Zoning District and meets the intent of the district. The conditional use application is recommended for approval.

**MOTION ITEM: Leah Davis made a motion to give a favorable recommendation to Mayor & Council for the conditional use permit request to operate a spa at 1155 Virginia Avenue, Ste. L, provided the application is updated to include the business name. Lucy Dolan seconded the motion. MOTION CARRIED: 5-0.**

**6. Next Meeting Date: June 11, 2024 at 6:00 PM.**

### **7. Adjourn**

**MOTION ITEM: Lucy Dolan made a motion to adjourn the meeting at 6:35 p.m. The motion was seconded by Cliff Thomas. Motion Carried: 5-0.**

Respectfully submitted by,

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Brian Wismer, Chairman

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Adrienne Senter, Secretary

24-PC-09-10

CITY OF HAPEVILLE  
ECONOMIC DEVELOPMENT DEPARTMENT  
SUBDIVISION APPLICATION

Name of Applicant Dr Horton

Mailing Address 8800 Roswell Rd Building B Suite 100 Atlanta, GA 30350

Telephone [REDACTED] Mobile [REDACTED]

Email [REDACTED]

Property Owner (s) DR Horton

Mailing Address 8800 Roswell Rd Building B Suite 100 Atlanta, GA 30350

Telephone [REDACTED] Mobile [REDACTED]

Address/Location of Property:

College Street - Tax Parcels 14 0098002 00521, 00380, 00372 & 00364

Present Zoning Classification: RMU (Mixed Use)

Present Land Use: Townhouse Development

Parcel ID #: 14 0098002 00521, 00380, 00372 & 00364

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.

Applicant's signature [Signature]

Date: August 14, 2024

Sworn to and subscribed before me

This 14<sup>th</sup> day of AUGUST, 2024.

Kimberly M. Lucas  
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:**

Proposed 14 unit townhouse development with parking and subsurface infrastructure.

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

CITY OF HAPEVILLE  
ECONOMIC DEVELOPMENT DEPARTMENT  
SUBDIVISION APPLICATION

AUTHORIZATION OF PROPERTY OWNER

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

College Street - Tax Parcels 14 0098002 00521, 00380, 00372 & 00364

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:

DR Horton

Address of Applicant:

8800 Roswell Rd Building B Suite 100 Atlanta, GA 30350

Telephone of Applicant:



Signature of Owner

SHARONDA RATTNING

Print Name of Owner

Personally Appeared Before Me this 14<sup>th</sup> day of AUGUST, 2024.

Kimberly M. Lucas  
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:

- X 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.
- X 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.
- X All dimensions to the nearest 100th of a foot and angles to the nearest minutes.
- X Location and description of monuments.
- X The names and locations of adjoining subdivisions and streets and the location and ownership of adjoining unsubdivided property.
- X 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

8/14/2024

TOWNES AT ASBURY  
POD B  
PROPERTY LINE DESCRIPTION

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

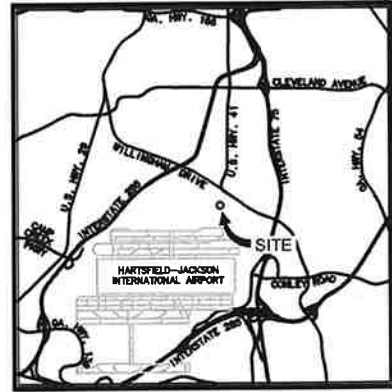
COMMENCING AT THE INTERSECTION OF THE RIGHT-OF-WAY OF COLLEGE STREET AND SOUTH FULTON STREET;  
THENCE ALONG THE NORTHEASTERLY RIGHT-OF-WAY OF COLLEGE STREET (40' R/W), 141.0 FEET TO A POINT;  
SAID POINT BEING THE TRUE POINT OF BEGINNING;

THENCE LEAVING SAID NORTHEASTERLY RIGHT-OF-WAY, NORTH 36 DEGREES 38 MINUTES 18 SECONDS EAST, 100.50 FEET TO AN IRON PIN FOUND;  
THENCE, SOUTH 50 DEGREES 54 MINUTES 22 SECONDS EAST, 8.40 FEET TO A POINT;  
THENCE, NORTH 35 DEGREES 25 MINUTES 38 SECONDS EAST, 99.90 FEET TO AN IRON PIN FOUND;  
THENCE, SOUTH 53 DEGREES 44 MINUTES 40 SECONDS EAST, 47.28 FEET TO AN IRON PIN FOUND;  
THENCE, SOUTH 51 DEGREES 44 MINUTES 52 SECONDS EAST, 62.03 FEET TO AN IRON PIN FOUND;  
THENCE, SOUTH 52 DEGREES 20 MINUTES 55 SECONDS EAST, 27.54 FEET TO AN IRON PIN FOUND;  
THENCE, SOUTH 55 DEGREES 02 MINUTES 28 SECONDS EAST, 32.31 FEET TO A POINT;  
THENCE, SOUTH 55 DEGREES 02 MINUTES 28 SECONDS EAST, 49.84 FEET TO A POINT;  
THENCE, SOUTH 36 DEGREES 32 MINUTES 54 SECONDS WEST, 201.81 FEET TO A POINT A POINT ON SAID NORTHEASTERLY RIGHT-OF-WAY;  
THENCE ALONG SAID NORTHEASTERLY RIGHT-OF-WAY, NORTH 53 DEGREES 01 MINUTES 36 SECONDS WEST, 225.54 FEET TO THE TRUE POINT OF BEGINNING;

SAID TRACT OR PARCEL CONTAINING 1.018 ACRES (44,362 SQUARE FEET)

# FINAL PLAT FOR TOWNES AT ASBURY POD B

COLLEGE STREET  
HAPEVILLE, FULTON COUNTY, GA  
TAX PARCELS: 14 0098002 00521, 00380, 00372, AND 00364



VICINITY MAP  
NOT TO SCALE

## OWNER'S ACKNOWLEDGEMENT & DEDICATION

(STATE OF GEORGIA)  
(FULTON COUNTY)  
THE OWNER OF THE LAND SHOWN ON THIS PLAT AND WHOSE NAME IS SUBSCRIBED THERETO, AND IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, ACKNOWLEDGES THAT THIS PLAT WAS MADE FROM AN ACTUAL SURVEY, AND DEDICATES BY THIS DECLARATION TO THE USE OF THE PUBLIC FOR EVER, ALL STREETS, EASEMENTS, SANITARY SEWERS AND APPURTENANCES, POTABLE WATER MAINS AND APPURTENANCES, STORM DRAINS AND APPURTENANCES, AND OTHER PUBLIC FACILITIES AND APPURTENANCES THEREON SHOWN.

SIGNATURE OF SUBDIVIDER \_\_\_\_\_ DATE SIGNED \_\_\_\_\_

PRINTED OR TYPED NAME OF SUBDIVIDER \_\_\_\_\_

SIGNATURE OF OWNER \_\_\_\_\_ DATE SIGNED \_\_\_\_\_

PRINTED OR TYPED NAME OF OWNER \_\_\_\_\_

CERTIFICATION BY THE LANDOWNER ACKNOWLEDGING THAT THE CITY ASSUMES NO RESPONSIBILITY FOR OVERFLOW OR EROSION OF NATURAL OR ARTIFICIAL DRAINS BEYOND THE EXTENT OF THE STREET RIGHT-OF-WAY, OR FOR THE EXTENSION OF CULVERTS BEYOND THE POINT SHOWN ON THE APPROVED AND RECORDED SUBDIVISION PLAT AND THAT THE CITY DOES NOT ASSUME RESPONSIBILITY FOR MAINTENANCE OF PIPES AND DRAINAGE DITCHES IN DRAINAGE EASEMENTS BEYOND THE CITY RIGHT-OF-WAY. STRUCTURES OTHER THAN STORM DRAINAGE STRUCTURES ARE NOT PERMITTED IN DRAINAGE EASEMENTS.

## FINAL SURVEYOR'S CERTIFICATE

IT IS HEREBY CERTIFIED THAT THIS PLAT IS TRUE AND CORRECT AS TO THE PROPERTY LINES; AND ALL IMPROVEMENTS SHOWN THEREON, AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE BY ME OR UNDER MY SUPERVISION THAT ALL MONUMENTS AND MARKERS SHOWN THEREON ACTUALLY EXIST, AND THEIR LOCATION, SIZE, TYPE AND MATERIAL ARE CORRECTLY SHOWN. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 26,025 FEET AND AN ANGULAR ERROR OF 4.5 SECONDS PER ANGLE POINT, AND WAS ADJUSTED USING THE COMPASS METHOD. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 131,455 FEET AND THE PROPERTY SHOWN CONTAINS A TOTAL OF 1.01 ACRES. THE EQUIPMENT USED TO OBTAIN THE LINEAR AND ANGULAR MEASUREMENTS HEREIN WAS TRIMBLE S6 ROBOTIC TOTAL STATION.

BY: \_\_\_\_\_ DATE \_\_\_\_\_

REGISTERED GEORGIA LAND SURVEYOR NO. 2659

DATE OF EXPIRATION \_\_\_\_\_

## SURVEYOR'S CERTIFICATION

AS REQUIRED BY SUBSECTION (D) OF O.C.G.A. SECTION 15-6-67, THIS PLAT HAS BEEN PREPARED BY A LAND SURVEYOR AND APPROVED BY ALL APPLICABLE LOCAL JURISDICTIONS FOR RECORDING AS EVIDENCED BY APPROVAL CERTIFICATES, SIGNATURES, STAMPS, OR STATEMENTS HEREON. SUCH APPROVALS OR AFFIRMATIONS SHOULD BE CONFIRMED WITH THE APPROPRIATE GOVERNMENTAL BODIES BY ANY PURCHASER OR USER OF THIS PLAT AS TO INTENDED USE OF ANY PARCEL. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AS SET FORTH IN O.C.G.A. SECTION 15-6-67.



FOR REVIEW

CLYDE R. ELDRIDGE DATE \_\_\_\_\_  
GEORGIA REGISTERED LAND SURVEYOR REGISTRATION NUMBER 2659

THIS BOX RESERVED FOR THE CLERK OF THE  
SUPERIOR COURT FILING INFORMATION

## SURVEY NOTES

- THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS, OR ENTITY NAMED HEREON; THIS PLAT DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS OR ENTITY WITHOUT EXPRESS WRITTEN CERTIFICATION BY THE SURVEYOR NAMING SAID PERSON, PERSONS, OR ENTITY.
- EASEMENTS AND RIGHTS OF WAY OF WHICH THE SURVEYOR HAS KNOWLEDGE OF ARE SHOWN HEREON; OTHERS MAY EXIST OF WHICH THE SURVEYOR HAS NO KNOWLEDGE OF AND OF WHICH THERE IS NO OBSERVABLE EVIDENCE. THE PROPERTY SHOWN HEREON IS SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD BOTH WRITTEN AND UNWRITTEN.
- NORTH ARROW AND BEARINGS SHOWN HEREON ARE BASED ON GEORGIA WEST ZONE - NAD 83 ADJUSTED 2011, USING GLOBAL POSITIONAL SYSTEM (GPS) AND OBTAINED BY RTK OBSERVATIONS ON 6/28/2019 USING THE TRIMBLE VRS SYSTEM. ALL DISTANCES ARE HORIZONTAL GROUND MEASUREMENTS EXPRESSED IN U.S. SURVEY FEET.
- FIELD CLOSURE:** THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 19943 FEET AND AN ANGULAR ERROR OF 1 SECOND PER ANGLE POINT AND WAS ADJUSTED USING THE COMPASS RULE METHOD METHOD.
- PLAT CLOSURE:** THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 431,421 FEET.
- EQUIPMENT USED FOR MEASUREMENT: ANGULAR/LINEAR: TRIMBLE S6 ROBOTIC TOTAL STATION TRIMBLE R10 GPS RECEIVER.
- FLOOD NOTE:** ACCORDING TO THE FLOOD INSURANCE RATE MAP (FIRM) FOR FULTON COUNTY, GEORGIA, COMMUNITY PANEL NUMBER 13121C0366F, DATED 9/15/2013, NO PORTION OF THE SUBJECT PROPERTY IS IN A FLOOD HAZARD ZONE AND LIES WITHIN A SPECIAL FLOOD HAZARD AREA SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD EVENT.

## SITE DATA

POD B 1.01 AC  
POD B IMPERVIOUS AREA 0.71 AC (70.2%)  
POD B PERVIOUS AREA 0.30 AC (29.8%)  
POD B OPEN SPACE REQD N/A  
POD B DENSITY 14 UN (14 UN/AC)  
PRODUCT TYPE 20'W X 54'D (TOWNHOME)  
PROPOSED BUILDING HEIGHT 44'

- NOTE:
- ALL UNITS WILL UTILIZE ROLL OUT TRASH BINS.
  - PROPOSED DEVELOPMENT WILL UTILIZE A CENTRAL MAIL KIOSK.

## ZONING CLASSIFICATION

JURISDICTION: CITY OF HAPEVILLE  
ZONING: RNU (MIXED USE)  
ADJACENT ZONING: RNU (MIXED USE)

## BUILDING REQUIREMENTS

FRONT 0' MIN / 15' MAX  
SIDE 0'  
REAR 0'  
MAX BUILDING HT 3-STORIES / 45 FT  
PROPOSED BUILDING SIZE 20'W X 54'D (TOWNHOME)

## PARKING SUMMARY

PARKING REQUIREMENTS 1 SPACES PER UNIT  
PARKING PROVIDED 2 SPACES PER UNIT

## LEGEND

BENCHMARK  
FOUND MONUMENT  
FOUND BOUNDARY MARKER  
IRON PIN SET  
CONCRETE RW MONUMENT  
SUBJECT BOUNDARY LINE  
ADJACENT BOUNDARY LINE  
RIGHT OF WAY LINE  
LAND LOT LINE  
EASEMENT LINE  
EXISTING FENCE  
SANITARY MANHOLE  
SANITARY CLEAN OUT  
SANITARY SEWER  
DOUBLE WING CATCH BASIN  
SINGLE WING CATCH BASIN  
JUNCTION BOX  
DROP INLET  
HEADWALL  
RIP RAP  
STORM SEWER  
CONCRETE PAVEMENT  
SIGN  
UTILITY POLE  
GUY ANCHOR  
OVERHEAD UTILITY  
UNDERGROUND WATER  
FIRE HYDRANT  
WATER METER  
WATER VALVE  
FIRE DEP. CONN.  
IRRIGATION CONTROL VALVE

## ABBREVIATIONS

CB \* CHORD BEARING  
CD \* CHORD DISTANCE  
CMP \* CORRUGATED METAL PIPE  
CONC \* CONCRETE  
CPP \* CORRUGATED PLASTIC PIPE  
DB \* DEED BOOK  
DIP \* DUCTILE IRON PIPE  
DP \* DEED PAGE  
EL \* ELEVATION  
EX \* EXISTING  
FDC \* FIRE DEPARTMENT CONNECTION  
FIP \* FOUND IRON PIPE  
FIR \* FOUND IRON ROD  
HDPE \* HIGH DENSITY POLYETHYLENE  
HYD \* HYDRANT  
INV \* INVERT  
IPB \* IRON PIN SET  
M \* MEASURED  
MH \* MANHOLE  
N \* NOW OR FORMERLY  
NAD \* NORTH AMERICAN DATUM  
NAV \* NORTH AMERICAN VERTICAL DATUM  
PB \* PLAT BOOK  
PG \* PAGE  
PID \* PARCEL IDENTIFICATION NUMBER  
POB \* POINT OF BEGINNING  
POC \* POINT OF COMMENCEMENT  
PVC \* POLYVINYL CHLORIDE  
R \* RECORD  
RCP \* REINFORCED CONCRETE PIPE  
RLS \* REGISTERED LAND SURVEYOR  
RTK \* REAL-TIME KINEMATIC  
RW \* RIGHT-OF-WAY  
SQ FT \* SQUARE FEET  
VRS \* VIRTUAL REFERENCE STATION  
W \* WITH

## DEVELOPMENT TEAM

**OWNER**  
D.R. HORTON  
8800 ROSWELL ROAD  
BLDG. B, STE. 100  
ATLANTA, GA 30350  
PHONE: 470-771-0829  
CONTACT: JASON BRAGA

**CIVIL ENGINEER**  
ATWELL, LLC  
1850 PARKWAY PLACE  
SUITE 650  
MARIETTA, GA 30067  
PHONE: (770) 423-0807  
CONTACT: DAN GIBBS

**SURVEYOR**  
ATWELL, LLC  
1850 PARKWAY PLACE  
SUITE 650  
MARIETTA, GA 30067  
PHONE: (770) 423-0807  
CONTACT: KEVIN KOZLOWICZ

## GOVERNING AGENCIES AND UTILITY CONTACTS

**ZONING**  
CITY OF HAPEVILLE  
3468 NORTH FULTON AVENUE  
HAPEVILLE, GA 30354  
PHONE: (404)-205-0123  
CONTACT: LYNN PATTERSON

**WATER**  
CITY OF HAPEVILLE  
3474 NORTH FULTON AVENUE  
HAPEVILLE, GA 30354  
PHONE: (404) 669-2122  
CONTACT: LEMUEL EUBANKS

**WATER**  
FULTON COUNTY WATER  
9750 SPRULL ROAD  
ALPHARETTA, GA 30022  
PHONE: (404) 612-7518  
CONTACT: ABDUL AKBAR

**POWER**  
GEORGIA POWER COMPANY  
823 JEFFERSON STREET  
ATLANTA, GA 30318  
PHONE: (404) 506-4569  
CONTACT: IKE COLLINS

**GAS**  
SOUTHERN COMPANY GAS  
10 PEACHTREE STREET NE  
ATLANTA, GA 30309  
PHONE: (404)-584-3474  
CONTACT: REGGIE TERRELL

**COMMUNICATION**  
AT&T  
208 S. AKARD STREET  
DALLAS, TX 75202  
PHONE: (305)-409-1542  
CONTACT: ANGELO HINES

**COMMUNICATION**  
CENTURYLINK  
100 CENTURYLINK DRIVE  
MONROE, LA 71203  
PHONE: (808)-723-8010

## CERTIFICATION OF FINAL PLAT APPROVAL

THIS SUBDIVISION PLAT HAS BEEN REVIEWED BY THE PLANNING COMMISSION AND THE CITY ENGINEER AND FOUND TO BE IN COMPLIANCE WITH ZONING ORDINANCE, CONDITIONS OF ZONING APPROVAL, CITY OF HAPEVILLE DEVELOPMENT REGULATIONS AND SUBDIVISION REGULATIONS, AS AMENDED, AND THAT IT HAS BEEN APPROVED BY ALL OTHER AFFECTED CITY AND COUNTY DEPARTMENTS, AS APPROPRIATE. THE MAYOR AND CITY COUNCIL HEREBY APPROVE THIS FINAL PLAT, SUBJECT TO THE PROVISIONS AND REQUIREMENTS OF THE CITY'S REGULATIONS AND THE PROVISIONS AND REQUIREMENTS OF THE DEVELOPMENT PERFORMANCE AND MAINTENANCE AGREEMENT EXECUTED FOR THIS DEVELOPMENT BETWEEN THE OWNER AND THE CITY OF HAPEVILLE.

CITY CLERK - ON BEHALF OF MAYOR AND COUNCIL DATE \_\_\_\_\_

CHAIRMAN, PLANNING COMMISSION DATE \_\_\_\_\_

CITY ENGINEER DATE \_\_\_\_\_

811

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LOCATED IN  
LAND LOT 98  
14TH DISTRICT  
CITY OF HAPEVILLE  
FULTON COUNTY, GEORGIA

D.R. HORTON  
FINAL PLAT  
OF  
TOWNES AT ASBURY  
POD B

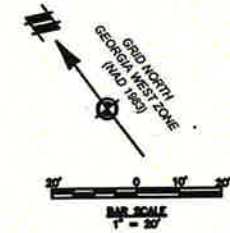
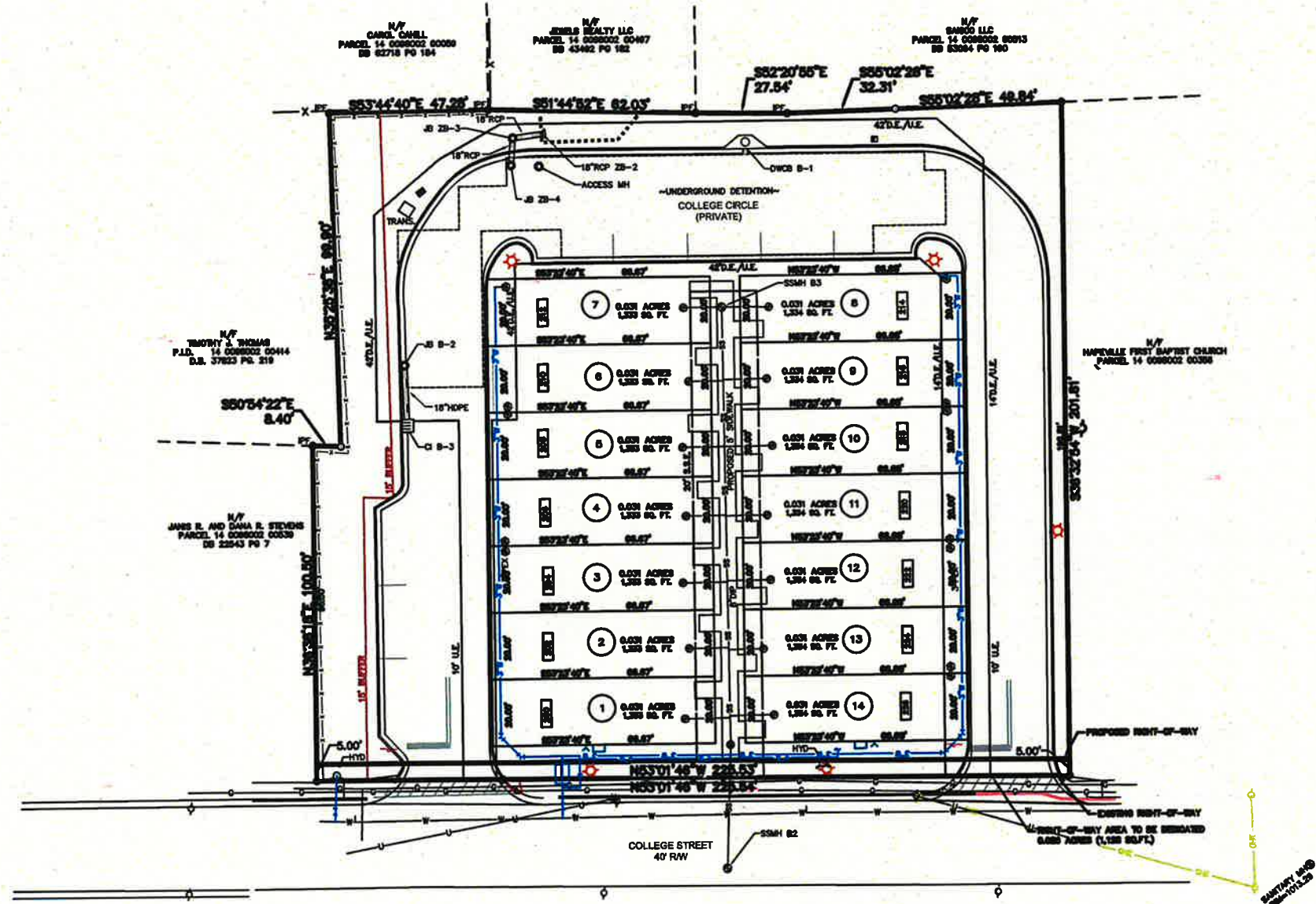
DATE 7/25/2024

REVISIONS

DRAWN BY: CLYDE R. ELDRIDGE  
CHECKED BY: CLYDE R. ELDRIDGE  
DATE: 7/25/2024  
JOB NO: 21002729  
SHEET NO: 1 OF 2



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THE SUPERIOR COURT  
OF FULTON COUNTY,  
GEORGIA.

ATWELL

800.450.4500 [www.atwell.com](http://www.atwell.com)  
1800 PARKWAY PLACE, SUITE 600  
MARIETTA, GEORGIA 30067  
770.427.1515

LOCATED IN

LAND LOT 98

14TH DISTRICT

CITY OF MARIETTA

FULTON COUNTY, GEORGIA

CLIENT

D.R. HORTON

FINAL PLAT  
OF  
TOWN OF ASBURY

DATE

7/25/2024

REVISIONS

DRAWN BY

DAS

CHECKED BY

GL

DATE

7/25/2024

JOB NO.

21002729

SHEET NO.

2 OF 2

September 5, 2024

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 Pod B Final Plat  
Final Plat Review No. 1  
K&W Ref. No. 24009

Dear Ms. Senter:

As requested, I have reviewed the Final Plat for the Hapeville Townhomes Pod B Site to be located on College Street, within a RMU Zoning District. This review is for compliance with the Final Plat requirements of Chapter 90-1-2 of the City ordinances. My comments are as follows:

1. The text is not legible. Applicant should revise the boldness of the text.
2. The text is not legible on the provided PDF, however it appears the drainage easement dimensions do not match those on the approved construction plans. The sewer easement dimensions are not clear.
3. It is not clear if the monuments (concrete monuments three inches in diameter or square, 18 inches long, with a flat top) per Section 90-1-4.(a)(1)a. of the Code of Hapeville have been placed at all points where the street line intersects the exterior boundaries of the property and at angle points along each street.
4. The Final plat should include the size and material of the water lines and location of appurtenances. It is not clear if this has been provided at each corner as the text is not legible.
5. If final plat approval is requested before all improvements have been installed in accordance with the requirements of the regulations, the owner shall post a security bond in an amount determined by the city to be sufficient to ensure the completion of all required improvements. Security bond language and bond provider shall satisfy all requirements of the city. It is not clear if all improvements have been installed. If they have, this comment can be considered addressed.

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.

Sincerely,  
**KECK & WOOD, INC.**



Aaron Humphrey, P.E.

Project Engineer

C.C. Greg Sistrunk (Keck+Wood)



## PLANNER'S REPORT

**DATE:** September 5, 2024  
**TO:** Adrienne Senter  
**FROM:** Lynn Patterson  
**RE:** Subdivision Review for Hapeville Townhomes Pod B (609-628 College Street)

### BACKGROUND

D. R. Horton, Inc. submitted a final subdivision plat application for Hapeville Townhomes Pod B, a consolidated parcel located on College Street between South Fulton and Perkins Street (609 College Street, 613 College Street, 623 College Street, and 627 College Street) comprised of Tax Parcels 14 0098002 00364, 14 0098002 00372, 14 0098002 00380, 14 0098002 005-2. The property is located in the RMU, Residential Mixed Use zoning district.

Please note the text is very blurry on the plat and not legible. It must be re-sent with clear text.

### CODE REQUIREMENTS

#### Chapter 90 SUBDIVISIONS

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

(a) Purpose.

(1) Land subdivision is the first step in the process of community development. Once land has been divided into streets, lots and blocks and publicly recorded, the correction of defects is costly and difficult. Subdivision of land sooner or later becomes a public responsibility, in that roads and streets must be maintained and various public services customary to urban areas must be provided. The welfare of the entire community is thereby affected in many important respects. It is therefore to the interest of the public, the developer and the future owners that subdivisions be conceived, designed and developed in accordance with sound rules and proper minimum standards.

(2) The major street plan, of which certified copies were filed in the office of the city clerk and the following standards guiding the planning commission are designed to provide for the harmonious development of the area; to secure a coordinated layout and adequate provisions for traffic; and also to secure adequate provision for light, air, recreation, transportation, water, drainage, sewer and other sanitary facilities.

(b) Authority. These subdivision regulations are adopted under the authority granted by the laws of the state. The planning commission has fulfilled the requirements set forth in state law as prerequisites to the adoption of these regulations.

(c) Jurisdiction. These regulations shall govern all consolidations and subdivisions of land within the corporate limits of the city as now or hereafter established. A subdivision is the division of a lot into two or more lots, the consolidation of two or more lots, or a change in the boundary of one or more lots. The term subdivision includes subdivision, resubdivision, and lot consolidation for the purpose, whether immediate or future, of sale or building development. Any owner of land within this area wishing to consolidate or subdivide land shall submit to the planning commission a plat of the proposed subdivision according to the procedures outlined in section 90-1-2, which plat shall conform to the minimum requirements set forth in section 90-1-3.

Improvements shall be installed as required by section 90-1-4 of these regulations.

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

- (a) Preliminary plat preparation and submission. The procedure for review and approval of a consolidation or subdivision plat consists of the preparation and submittal of a preliminary plat of the proposed consolidation or subdivision to the planning commission.
- (b) Final plat preparation and submission. A final plat, including the required certificates, may be submitted to planning commission following approval of a preliminary plat. The final plat becomes the instrument to be recorded in the office of the clerk of superior court when duly signed by the secretary of the planning commission.
- (c) Consultation/technical advisory. The subdivider should consult city staff for advice and assistance before preparing the preliminary plat and its formal application for approval. This will enable the subdivider to become thoroughly familiar with these regulations, the major street plan and other official plans for public improvements which might affect the area. Such informal review should minimize unnecessary delays and costly revisions.
- (d) General.
  - (1) Any owner of land lying within the city wishing to subdivide land shall submit a preliminary plat of the proposed subdivision to the planning commission for approval and shall obtain approval prior to the filing of a final subdivision plat. Any such plat of subdivision shall conform to the minimum standards of design for the subdivision of land as set forth in section 90-1-3 of these regulations and shall be presented in the manner specified in this chapter. No subdivision plat shall be recognized as a legally formed plat by the City unless it is filed or recorded by the Clerk of the Superior Court of Fulton County after the subdivision plat is approved and certified by the planning commission as specified herein.
  - (2) In order to secure review and approval of the planning commission of a proposed subdivision, the prospective subdivider shall, prior to the making of any street improvements or installations of utilities, submit to the planning commission a preliminary plat as provided in subsection (e) below. Upon approval of the preliminary plat, the subdivider may proceed with preparation of the final plat and other required documents as specified in subsection (f) and the improvements set forth in section 90-1-4.
- (f) Final plat.
  - (1) The final plat shall conform substantially to the preliminary plat as approved, and, if desired by the subdivider, may constitute only that portion of the approved preliminary plat proposed for recording and development at the time; provided, however, that any portion conforms to all requirements of these regulations.
    - a. A minimum of five days prior to the planning commission meeting at which it is to be considered, the subdivider shall submit an electronic file and the original drawing in black ink and three copies (black and white prints), together with any street profiles or other plans that may be required by planning commission.
    - b. The plat shall be drawn to a scale of one-inch equals 100 feet on sheets not larger than 22 inches by 34 inches or an approved size to correspond to local plat book dimensions. When more than one sheet is required, an index sheet of the same size shall be filed showing the entire subdivision with the sheets lettered in alphabetical order as a key.

c. When the plat has been approved by the planning commission, one copy will be returned to the subdivider, with the approval of the planning commission certified thereon, for filing with the clerk of superior court as the official plat of record. One copy containing the certification of the planning commission will be returned to the subdivider and the planning commission secretary shall retain the other two copies.

(2) 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.

**Engineer's Report**

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.

**Engineer's Report**

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

**Compliant**

d. Location and description of monuments.

**Engineer's Report**

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.

**Compliant**

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. Certification form must comply with the following:

Owner's Acknowledgement and Dedication:

(STATE OF GEORGIA)

(FULTON COUNTY)

The owner of the land shown on this plat and whose name is subscribed thereto, and in person or through a duly authorized agent, acknowledges that this plat was made from an actual

survey, and dedicates by this Declaration to the use of the public forever all streets, easements, sanitary sewers and appurtenances, potable water mains and appurtenances, storm drains and appurtenances, and other public facilities and appurtenances thereon shown.

\_\_\_\_\_  
Signature of Subdivider Date Signed

\_\_\_\_\_  
Printed or Typed Name of Subdivider

\_\_\_\_\_  
Signature of Owner Date Signed

\_\_\_\_\_  
Printed or Typed Name of Owner

**Compliant**

h. Certification by the landowner acknowledging that the city assumes no responsibility for overflow or erosion of natural or artificial drains beyond the extent of the street right-of-way, or for the extension of culverts beyond the point shown on the approved and recorded subdivision plat and that the city does not assume responsibility for maintenance of pipes and drainage ditches in drainage easements beyond the city right-of-way. Structures other than storm drainage structures are not permitted in drainage easements.

j. Certification by land surveyor or engineer to accuracy of survey and plat and placement of monuments. Certification form must comply with the following:

Final Surveyor's Certificate:

It is hereby certified that this plat is true and correct as to the property lines and all improvements shown thereon, and was prepared from an actual survey of the property made by me or under my supervision; that all monuments and markers shown thereon actually exist, and their location, size, type and material are correctly shown. The field data upon which this plat is based has a closure precision of one foot in \_\_\_\_\_ feet and an angular error of \_\_\_\_\_ per angle point, and was adjusted using the \_\_\_\_\_ rule. This plat has been calculated for closure and is found to be accurate within one foot in \_\_\_\_\_ feet and the property shown contains a total of \_\_\_\_\_ acres. The equipment used to obtain the linear and angular measurements herein was \_\_\_\_\_.

By: \_\_\_\_\_

Date

Registered Georgia Land Surveyor No. \_\_\_\_\_

Date of Expiration \_\_\_\_\_

**Compliant**

k. Certification of Final Plat Approval containing the following statement:

Final Plat Approval:

This subdivision plat has been reviewed by the Planning Commission and the City Engineer and found to be in compliance with Zoning Ordinance, Conditions of Zoning Approval, City of Hapeville Development Regulations and Subdivision Regulations, as amended, and that it has been approved by all other affected City and County Departments, as appropriate. The Mayor and City Council hereby approve this Final Plat, subject to the provisions and requirements of the City's regulations and the provisions and requirements of the Development Performance and Maintenance Agreement executed for this development between the Owner and the City of Hapeville.

\_\_\_\_\_  
City Clerk - On Behalf of Mayor and Council Date

\_\_\_\_\_  
Chairman, Planning Commission Date

\_\_\_\_\_  
City Engineer Date

**Compliant**

- l. If final plat approval is requested before all improvements have been installed in accordance with the requirements of the regulations, the owner shall post a security bond in an amount determined by the city to be sufficient to ensure the completion of all required improvements. Security bond language and bond provider shall satisfy all requirements of the city.
- m. All other notes or notations as may be required by the city.

**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, boundary markers, sewers, stormwater inlets and water mains in accordance with specifications established by the city.

(1) Boundary Markers.

- a. Concrete monuments three inches in diameter or square, 18 inches long, with a flat top indented with a cross and set flush with the finished grade and or iron rods with a minimum cross section of 0.2 inches, 18 inches long, and driven so as to be flush with the finished grade 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.
- b. All other lot corners shall be marked with an iron rod with a minimum cross section of 0.2 inches, 18 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.

(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.

(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.

(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.

(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.

(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.

(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.

(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.

(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.

(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, article 29.
- 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.

(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.

#### **Sec. 90-1-5. Enforcement and penalties for violations.**

(a) Any person, firm or corporation violating any of the provisions of these regulations shall be deemed guilty of an offense and, upon conviction thereof, shall be punished as provided in the City Charter. Each day's continuance of a violation shall be considered a separate offense. The owner of any lands or parts thereof, where anything in violation of these regulations shall be placed or shall exist, or any builder, contractor or agent of the owner who may have assisted in the commission of any violation, shall be guilty of a separate offense.

(b) In any violation in which any land is or is proposed to be used in violation of these regulations or amendment thereto adopted by the mayor and council, the legal counsel of the city or any owner of real estate therein may, in addition to other remedies provided by law, institute injunction, abatement or any appropriate action or actions, proceeding or proceedings to prevent, enjoin or abate such unlawful use.

#### **RECOMMENDATION**

Upon completion of the deficiencies outlined in this Planner's Report and from the City Engineer's Report, the Planning Commission may approve the final plat.

#### **Deficiencies:**

- Blurry text
- Show monuments
- Address Engineer's comments

---

### Sec. 93-29-13. Tree preservation trust fund.

This article hereby establishes the city tree bank. The tree bank may be used to purchase, install, and maintain trees throughout the city's public areas, including parks, green spaces, right-of-way, and government building sites. At the discretion of the community services director, tree bank funds may also be used to support partnerships with non-profit or not for profit organizations for tree planting programs in the City.

- (1) Occasionally a project site does not have the capacity or will not bear the required 100 inches per acre of trees. If a property owner or developer cannot meet the minimum site density requirement for tree replacement and/or landmark tree recompense, and with planning commission approval, a mitigation fee for each tree required by this article but not planted will be paid to the tree bank. A schedule of mitigation fees is presented below:

| Replacement                                                 | Mitigation fee    |
|-------------------------------------------------------------|-------------------|
| Non-recompense (inches per acre)                            | \$150.00 per inch |
| Non-recompense (inches per acre) outside the buildable area | \$175.00 per inch |
| Recompense (landmark tree inches)                           | \$200.00 per inch |

Example for non-recompense mitigation fee:

.5 acres x 100 inches = 50 inches required  
45 inches planted or preserved  
Five remaining inches paid to tree bank  
5 x \$150.00 = \$750.00 paid to tree bank

Example for landmark tree recompense mitigation fee:

Two 30" specimen trees in good condition removed (assume inches per acre is met)  
20 inches = five 4" caliper trees planted  
Ten remaining inches paid to tree bank  
10 x \$200.00 = \$2,000.00 paid to tree bank

- (2) A fine for each protected tree or landmark tree removed without a permit issued by the city will be paid to the tree bank. Fine amounts will be based on the fee schedule shown above.

\*From time to time the mitigation fees shown above may be updated based on market values.

(Ord. No. 2020-3 , § 2, 1-7-2020)



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

DATE: September 3, 2024  
TO: Adrienne Senter  
FROM: Lynn Patterson  
RE: **Text Amendments**

**BACKGROUND**

City Council and Staff have been researching avenues to increase the tree canopy throughout Hapeville. The City's Tree Preservation Ordinance allows developers who cannot in good faith meet the Tree Preservation Ordinance required replanting/tree save requirements to contribute to the Tree Preservation Trust Fund (a.k.a tree bank). Per Code, these funds are to be used to purchase, install and maintain trees throughout the city's public areas. With limited opportunities for planting in public spaces, Staff has identified opportunities to partner with non-profits to increase the tree canopy with yard tree programs. The Code requires an amendment allowing the City to enter into an agreement with approved non-profits to utilize tree bank funds for this purpose.

**CURRENT RELEVANT CODE SECTIONS**

**Sec. 93-29-13. Tree preservation trust fund.**

This article hereby establishes the city tree bank. The tree bank will be used exclusively to purchase, install, and maintain trees throughout the city's public areas, including parks, green spaces, right-of-way, and government building sites and, at the direction of the community services director to improve the city's parks and/or green spaces.

- (1) Occasionally a project site does not have the capacity or will not bear the required 100 inches per acre of trees. If a property owner or developer cannot meet the minimum site density requirement for tree replacement and/or landmark tree recompense, and with planning commission approval, a mitigation fee for each tree required by this article but not planted will be paid to the tree bank. A schedule of mitigation fees is presented below:

| Replacement                                                 | Mitigation fee    |
|-------------------------------------------------------------|-------------------|
| Non-recompense (inches per acre)                            | \$150.00 per inch |
| Non-recompense (inches per acre) outside the buildable area | \$175.00 per inch |
| Recompense (landmark tree inches)                           | \$200.00 per inch |

Example for non-recompense mitigation fee:

.5 acres x 100 inches = 50 inches required  
45 inches planted or preserved

Five remaining inches paid to tree bank  
5 x \$150.00 = \$750.00 paid to tree bank

Example for landmark tree recompense mitigation fee:

Two 30" specimen trees in good condition removed (assume inches per acre is met)

20 inches = five 4" caliper trees planted

Ten remaining inches paid to tree bank

10 x \$200.00 = \$2,000.00 paid to tree bank

- (2) A fine for each protected tree or landmark tree removed without a permit issued by the city will be paid to the tree bank. Fine amounts will be based on the fee schedule shown above.

\*From time to time the mitigation fees shown above may be updated based on market values.

### **RECOMMENDATION**

Staff recommends approval of the text amendment.