

Mayor and Council Work Session

Videoconference

Join from a PC, Mac, iPad, iPhone or Android device using this URL:

<https://zoom.us/j/199302390>

Or Dial 888 788 0099 (Toll Free) Webinar ID: 199 302 390

April 21, 2020 6:00 PM

Agenda

1. Call to Order

2. Roll Call

Alan Hallman

Mike Rast

Travis Horsley

Mark Adams

Chloe Alexander

3. Welcome

4. Presentations

4.I. Fulton County District Attorney's Office Initiatives

Background:

Ms. Nikia Sellers is an Assistant District Attorney with Fulton County and has contacted the City to share judicial initiatives the County is working. They asked to have time with the City to get thoughts and suggestions as to how they can be of more benefit to our community

4.II. Audit Results Presentation By Doug Moses Of Mauldin & Jenkins, LLC

Background:

In February 2020, the audit firm, Mauldin & Jenkins completed the Fiscal 2019 audit for the City. The City again received a "clean" audit opinion. We asked Mauldin & Jenkins, led by engagement partner, Doug Moses, to provide a presentation to Council on the general condition of the City's financial position, highlight areas for improvement, and provide recommendations for the future.

Documents:

1. Hapeville Powerpoint Presentation 2019

5. Public Hearing –

Citizen comments must be emailed to the City Clerk at cepps@hapeville.org or called in at 404-766-3004 before the meeting. Please include name, address, the agenda item, and the comment for or against the item. Citizens will not have an opportunity to speak during the meeting. All comments will be read into the record as well as shared on the screen during the meeting.

5.I. Consideration and Action on Special Use Permit to Operate a Personal Care Home at 3234

Dogwood Drive

Background:

Claudette Eley is requesting approval of a special use permit to operate a personal care home within an existing structure located 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.

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 were concerns regarding parking and traffic movement during peak transition times.

The Planning Commission considered this item on April 14, 2020 and recommended the Mayor & Council grant the special use permit subject to the applicant providing a shared parking agreement to accommodate the overflow parking. Staff supported their recommendation and also recommended the City Council include the following conditions:

1. The number of total residents must be restricted by the limits imposed by State law.
2. 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.
3. 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.
4. 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.

Staff Comments:

Applicant Comments:

Public Comments:

Documents:

1. Application - 3234 Dogwood Drive, CUP_redacted
2. 3234 Dogwood Drive - Supplemental Information
3. Planners Report 3234 Dogwood Dr. SUP - Personal Care Home 4.8.20
4. Fire Marshal's Report - 3234 Dogwood Drive
5. LEGAL ADV - 04-21-2020, 3234 Dogwood Drive, Special Use Permit

5.II. Consideration and Action on Sherman Road Abandonment Request

Background:

Chick-fil-A, Inc. is requesting to abandon Sherman Road located in Land Lot 96 of the 14th District, Fulton County (City of Hapeville) adjacent to North Central Avenue and King Arnold Street for a proposal to reconstruct the existing Chick Fil A restaurant into a new Chick Fil A restaurant, common space, additional parking and a rerouted drive-through.

Staff Comments:

Applicant Comments:

Public Comments:

Documents:

1. Resolution to Abandon Road - Sherman Road (02422435xA0B3B)
2. Planner's Report Road Abandonment
3. Site Plan - Chick fil A_Road Abandonment Request
4. LEGAL ADV - 04-21-2020, Sherman Road Abandonment Request_Chick-fil-A

5.III. Consideration and Action on 3264 Spring Haven Avenue Rezoning**Background:**

Consideration and action on a rezoning request for a 4.17-acre parcel located at 3264 Spring Haven Avenue on land lot 98 of the 14th District, Fulton County (City of Hapeville), Parcel Identification 14-0098-0009-048-4 from V, Village to P-D, Planned Unit Development.

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.

The Planning Commission considered this item on April 14, 2020 and recommended the Mayor and Council approve the rezoning as requested. Staff supported their recommendation.

Staff Comments:

Applicant Comments:

Public Comments:

Documents:

1. 3264 Springhaven Avenue - Rezoning Application_Redacted
2. Planners Report 3264 Spring Haven Ave Rezoning FINAL
3. LEGAL ADV - 04-21-2020, 3264 Spring Haven Avenue_Rezoning
4. Public Comment 1 - Anne Newman, 811 North Avenue_Redacted
5. Public Comment 2 - Sharon Hope, 793 North Avenue
6. Public Comment 3 - Susan Bailey, Azalea Park NA President_Redacted

5.IV. Consideration on Text Amendment for the Purpose of Amending Residential Uses in the A-D Zone - 1st Reading**Background:**

Consideration of an amendment to the Code of Ordinances, City of Hapeville, Georgia Chapter 93 (Zoning), Article 28 (A-D Zone Arts District Overlay), Section 93-28-7.5 (Residential Uses) for the purpose of amending residential uses in the A-D Zone.

City Code currently prohibits any new residential construction unless it is part of a mixed-use development with a commercial use at the ground floor in the A-D, Arts District overlay. While ground floor commercial and retail uses are encouraged, this may preclude the development of medium to higher density residential uses such as townhomes and multi-family dwellings. A text amendment to permit residential uses with entrances at street level was reviewed by the Planning Commission and recommended for approval.

During their review of said text amendment, it came to the attention of the Planning

Commission that the Code currently allows for a specific type of “artist housing” that only permits residents who are “artists” as determined by a “Juried Commission,” a body the City does not currently have. The Planning Commission requested that this use be reviewed by the City’s attorney and, should the Code as written fail legal scrutiny, be replaced. The attorney determined the Code as written could not stand, and staff has prepared a replacement “live-work” housing use. Rather than relying on a juried commission to determine the credentials of an “artist,” this new use allows residents in possession of certain occupational tax certificates to occupy a live-work unit.

Staff Comments:

Applicant Comments:

Public Comments:

Documents:

1. Planner's Report Text Amendment A-D Residential CC
2. Ordinance - Text Amendment Live-Work Units (02402992xA0B3B)
3. LEGAL ADV - 04-21-2020, A-D Residential Uses and Live Work
4. MINUTES - 12-12-2019

5.V. Consideration on Text Amendment for Single Family Attached (SFA) Special Provisions - 1st Reading

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.

The 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.

The Planning Commission considered this item on April 14, 2020 and recommend the Mayor and Council approve the text amendment. Staff supported their recommendation.

Staff Comments:

Applicant Comments:

Public Comments:

Documents:

1. Ordinance - Text Amendment SFA Special Provisions (02421592xA0B3B)
2. Planner's Report Text Amendment SFA Construction Standards
3. LEGAL ADV - 04-21-2020, Single Family Attached Development_SFA_ Special Provisions

5.VI. Consideration on Text Amendment for Curb Breaks - 1st Reading

Background:

Consideration of an amendment to the Code of Ordinances, City of Hapeville, Georgia Chapter 93 (Zoning), Article 23 (Off-street parking and loading), Section 93-23-2 (Entrance and exit points) for the purpose of amending and updating the entrance and exit point regulations.

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.

The Planning Commission considered this item on April 14, 2020 and recommended the Mayor and Council approve the text amendment subject to a minor grammatical correction. Staff supported their recommendation.

Staff Comments:

Applicant Comments:

Public Comments:

Documents:

1. Ordinance - Text Amendment Curb Breaks (02403010xA0B3B)
2. Planner's Report Text Amendment Curb Breaks Upd. 4-8-20
3. LEGAL ADV - 04-21-2020, Entrance and Exit Points_Curb Breaks

6. Questions on Agenda Items

Members of the public wishing to ask a question on an agenda item during the video meeting/conference shall contact the City Clerk prior to the start of the meeting by sending an email to cepps@hapeville.org or calling 404-766-3004. Those wishing to ask a question must let the clerk know their name, address, the agenda item number, and the question. All questions will be read into the record as well as shared on the screen during the meeting.

7. Consent Agenda

7.I. Consideration and Action on Authorizing the Mayor to Sign a Letter of Support for HR6467 - The Coronavirus Community Relief Act

Background:

Georgia Municipal Association requests that cities prepare and send letters of support urging their Congressional Representative to support and cosponsor the Coronavirus Community Relief Act - HR6467. This bill will provide direct federal aid for local governments with a population of 500,000 or less to help face mounting challenges related to COVID-19.

Documents:

1. Letter of Support - HR6467 - Rep Lewis

7.II. Consideration and Action to Extend the Sign Ordinance Moratorium to May 19, 2020

Background:

Currently, there are legal concerns with the sign ordinance, therefore, staff is requesting another extension on the sign ordinance moratorium. The recommended extension date is May 19, 2020.

8. Old Business

9. New Business

9.I. Consideration on Text Amendment Regarding Monuments - 1st Reading

Background:

Consideration on a text amendment to update the dimensional requirements for subdivision monuments to reflect the most current standards used by the Surveying and Mapping Society of Georgia. The amendment makes no other changes to subdivision requirements.

Staff Comments:

Applicant Comments:

Public Comments:

Documents:

1. Planner's Report Text Amendment Subdivision Monuments
2. Ordinance - Amendment regarding Monuments (02421587xA0B3B)

9.II. Discussion on Tornado Siren Status

Background:

On Sunday, April 12th the South Fulton region experienced strong storms with high winds. The Hapeville storm warning siren failed to sound. Several residents voiced concerns that this warning failed to happen. On Monday April, 13th, the City had communications with our vendor regarding the siren. On Tuesday 14th, the City held a conference call with the vendor management team and on Thursday the 16th temporary fix was in place. Councilman Horsley asked this item be placed on the agenda for discussion

9.III. Discussion on COVID 19 Impacts to City Finances - End of Fiscal Year 2020 and Fiscal 2021

Background:

The COVID 19 outbreak and ensuing needs to shelter, limit contact, and limit movements is having a significant impact to the Hapeville residents and to City financials. Residents are experiencing reductions in hours, furloughs, and unemployment. Many businesses are closed and others have had a significant reduction in revenue. Statewide, there is a high volume of unemployment requests and the first wave of the national government's funding package for business is already accounted for. Locally, for the City, residents are looking for help and the City is looking at significant cashflow reductions. City Staff is working on the budget for FY 2021. This discussion is initiated by the City Manager to go over status, issues and to start the discussion on 2021 planning.

Documents:

1. FY 2021 Prelim Revenue Projection – GF
10. City Manager Report
11. Public Comments

Members of the public wishing to make a comment on an agenda item during the video meeting/conference shall contact the City Clerk prior to the start of the meeting by sending an email to cepps@hapeville.org or calling 404-766-3004. Those wishing to make a comment must let the clerk know their name, address, and the comment. All comments will be read into the record as well as shared on the screen during the meeting.
12. Mayor and Council Comments
13. Executive Session

When Executive Session is Required one will be called for the following issues: 1) Litigation O.C.G.A. §50-14-2; 2) Real Estate O.C.G.A. §50-14-3(b)(1); or 3) Personnel O.C.G.A. §50-14-3(b)(2).
14. Adjourn

Public involvement and citizen engagement is welcome as Hapeville operates a very open, accessible and transparent government. We do however remind our attendees/residents that there are times allocated for public comments on the agenda. In order for council to conduct their necessary business at each meeting, we respectfully ask that side-bar conversations and comments be reserved for the appropriate time during the meeting. This will allow the City Council to conduct the business at hand and afford our meeting attendees ample time for comments at the appropriate time during the meeting.



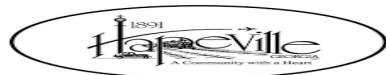
Presentation of 2019 Audit Results

City of Hapeville, Georgia



Agenda

- ☐ Engagement Team
- ☐ Results of the 2019 Audit
- ☐ Financial Trends
- ☐ Comments, Recommendations, and Other Issues
- ☐ Questions





Engagement Team

☐ Mauldin & Jenkins, LLC

- ☐ Founded in 1918 – **serving clients for 100 years!**
- ☐ Large regional firm serving the Southeastern United States.
- ☐ Offices located in Macon, Atlanta, Albany, Savannah, GA, Bradenton, FL, Chattanooga, TN, Columbia, SC and Birmingham, AL employing approximately 300 personnel.
- ☐ In addition to our governmental practice, we have large banking, healthcare, not-for-profit, benefit plan and tax practices.

☐ Mauldin & Jenkins, LLC; Governmental Sector

- ☐ Largest specific industry niche served by the Firm representing 28% of Firm practice.
- ☐ Serve more governmental entities in Georgia than any other certified public accounting firm requiring over 80,000 hours of service on an annual basis.
- ☐ Approximately 100 professional staff persons with current governmental experience.
- ☐ Current auditor for almost 400 total governments in the Southeast, including approximately:
 - ☐ 110 cities (including 9 of 10 largest cities in Georgia);
 - ☐ 50 counties (including 7 of the 10 largest in Georgia);
 - ☐ 50 school systems (8 of the 10 largest in Georgia);
 - ☐ 40 state entities; and,
 - ☐ 100 special purpose entities (stand-alone business type entities, libraries, etc).

☐ Engagement team leaders for the City of Hapeville

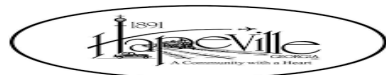
- ☐ Doug Moses, Engagement Partner
- ☐ Matt Hill, Quality Review Partner
- ☐ Josh Carroll, Engagement Director





Results of June 30, 2019 Audit

- ☐ Our Responsibility Under Auditing Standards Generally Accepted in the United States of America (GAAS) and Government Auditing Standards (GAS)
 - Our audit was performed in accordance with GAAS and GAS.
 - We considered the internal control structure for the purpose of expressing our opinion on the City's basic financial statements and not for the purpose of providing assurance on the internal control structure.
 - Our objective is to provide reasonable—not absolute—assurance that the basic financial statements are free from material misstatement.
 - The basic financial statements are the responsibility of the City's management.
- ☐ Report on 2019 Basic Financial Statements
 - Unmodified ("clean") opinion on basic financial statements.
 - Presented fairly in accordance with accounting principles generally accepted in the United States of America (GAAP).
 - Our responsibility does not extend beyond financial information contained in our report.
- ☐ Report in accordance with the Uniform Guidance ("Single Audit Report")
 - Unmodified ("clean") opinion for all direct and material compliance requirements.





Required Communications

☐ Significant Accounting Policies

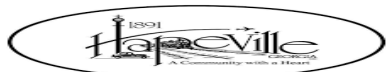
- The significant accounting policies used by the City are described in Note 1 to the basic financial statements.
- In considering the policies used by the City, we noted they are in accordance with generally accepted accounting principles and similar government organizations with no significant new policies or qualitative aspects of its policies. The City is not involved in any controversial or emerging issues for which guidance is not available.

☐ Management Judgment/Accounting Estimates

- The City uses various estimates as part of its financial reporting process – including valuation of accounts receivable (recording of allowance for uncollectible accounts) and actuarial assumptions.
- Management's estimates used in preparation of financial statements were deemed reasonable in relation to the financial statements taken as a whole. We considered this information and the qualitative aspects of management's calculations in evaluating the City's significant accounting estimates.

☐ Financial Statement Disclosures

- The footnote disclosures to the financial statements are also an integral part of the financial statements and the process used by management to accumulate the information included in the disclosures was the same process used in accumulating the statements. The overall neutrality, consistency, and clarity of the disclosures was considered as part our audit.





Required Communications (Continued)

☐ Relationship with Management

- We received full cooperation from the City's management, staff, and others.
- There were no disagreements with management on accounting issues or financial reporting matters.

☐ Audit Adjustments

- Audit adjustments were proposed to the records of the City and have been recorded in the City's financial statements.

☐ Passed Audit Adjustments

- There were no passed adjustments.

☐ Representation from Management

- We requested written representations from management relating to the accuracy of information included in the financial statements and the completeness and accuracy of various information requested by us, during the audit. Management provided those written representations without a problem.





Required Communications (Continued)

☐ Consultation with Other Accountants

- To the best of our knowledge, management has not consulted with, or obtained opinions from, other independent accountants during the year, nor did we face any issues requiring outside consultation.

☐ Significant Issues Discussed with Management

- There were no significant issues discussed with management related to business conditions, plans, or strategies that may have affected the risk of material misstatement of the financial statements.

☐ Information in Documents Containing Audited Financial Statements

- Our responsibility for other information in documents containing the City's basic financial statements and our report thereon does not extend beyond the information identified in our report. If the City intends to publish or otherwise reproduce the financial statements and make reference to our firm, we must be provided with printers' proof for our review and approval before printing. The City must also provide us with a copy of the final reproduced material for our approval before it is distributed.

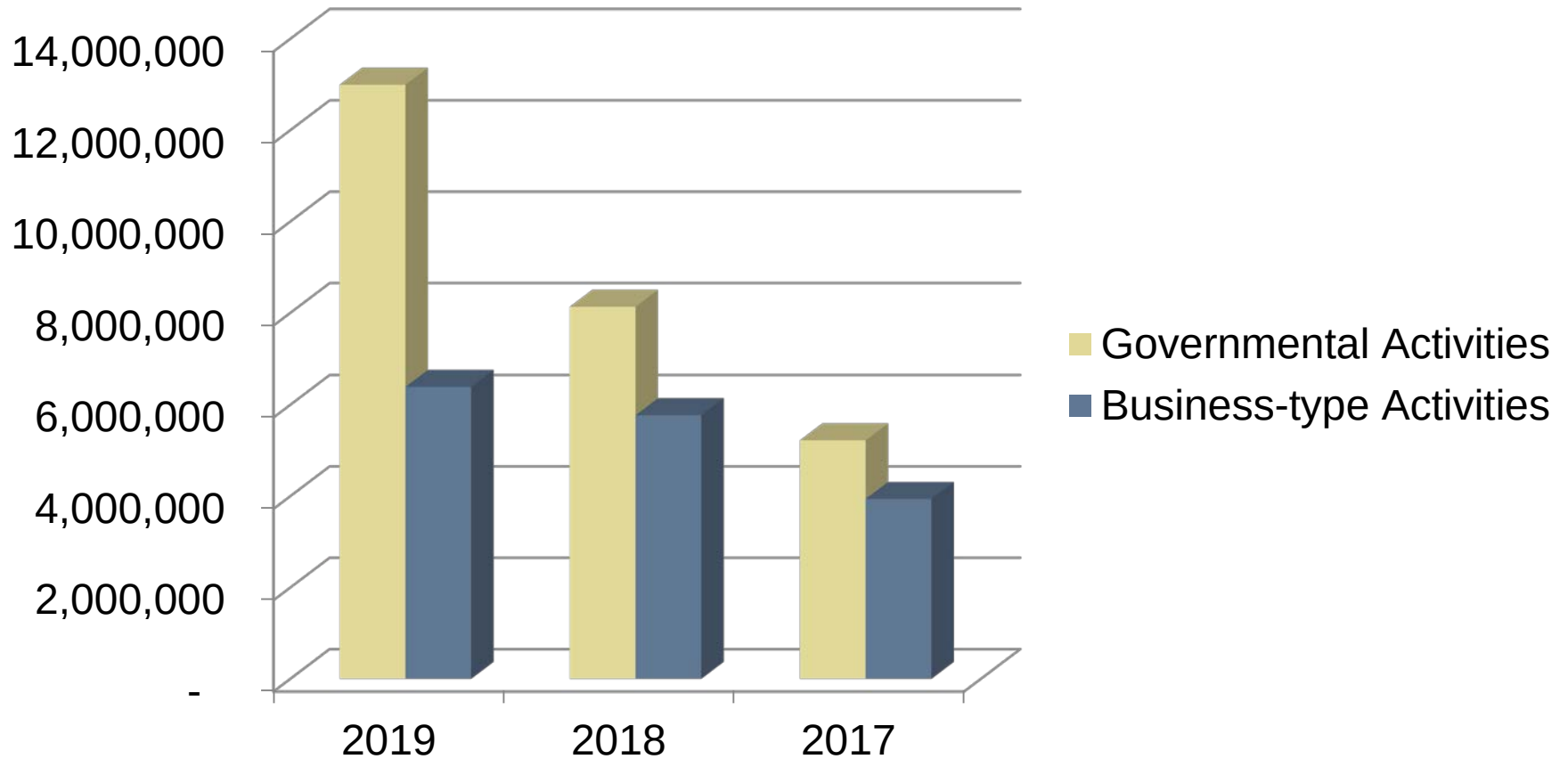
☐ Auditor Independence

- In accordance with AICPA professional standards, M&J is independent with regard to the City and its financial reporting process.
- There were no fees paid to M&J for management advisory services during 2019 that might effect our independence as auditors.



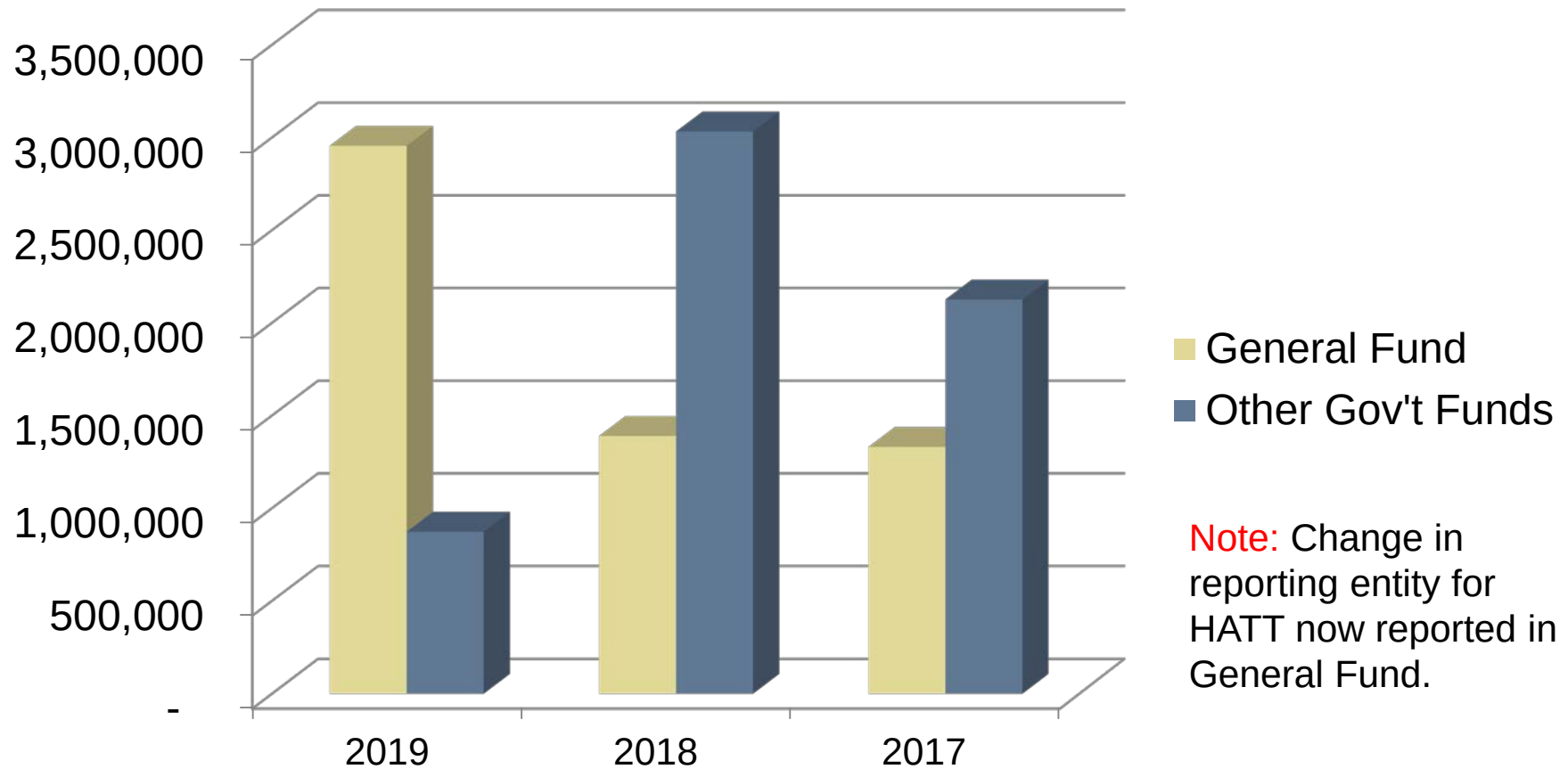


Government Wide Net Position

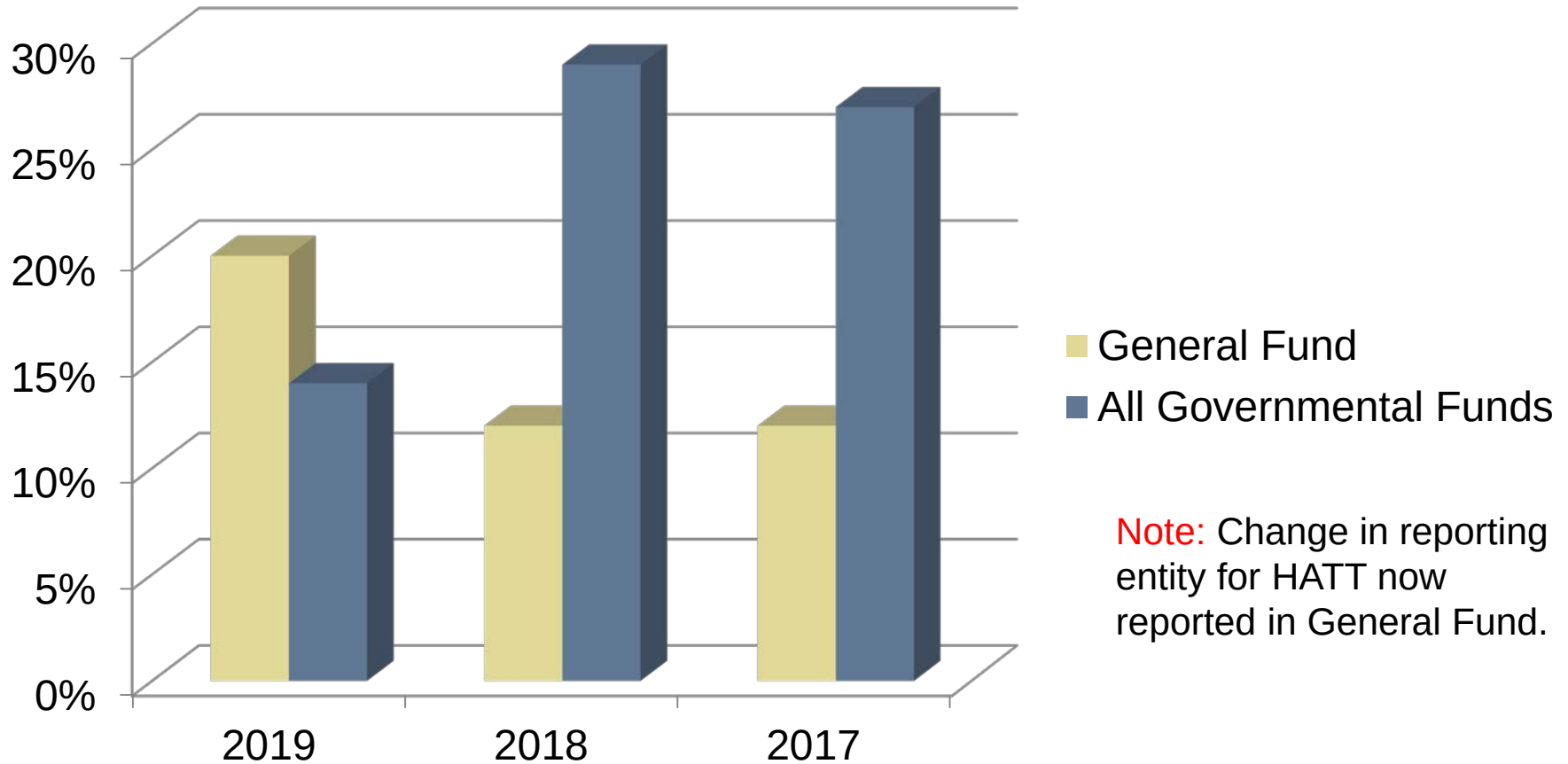




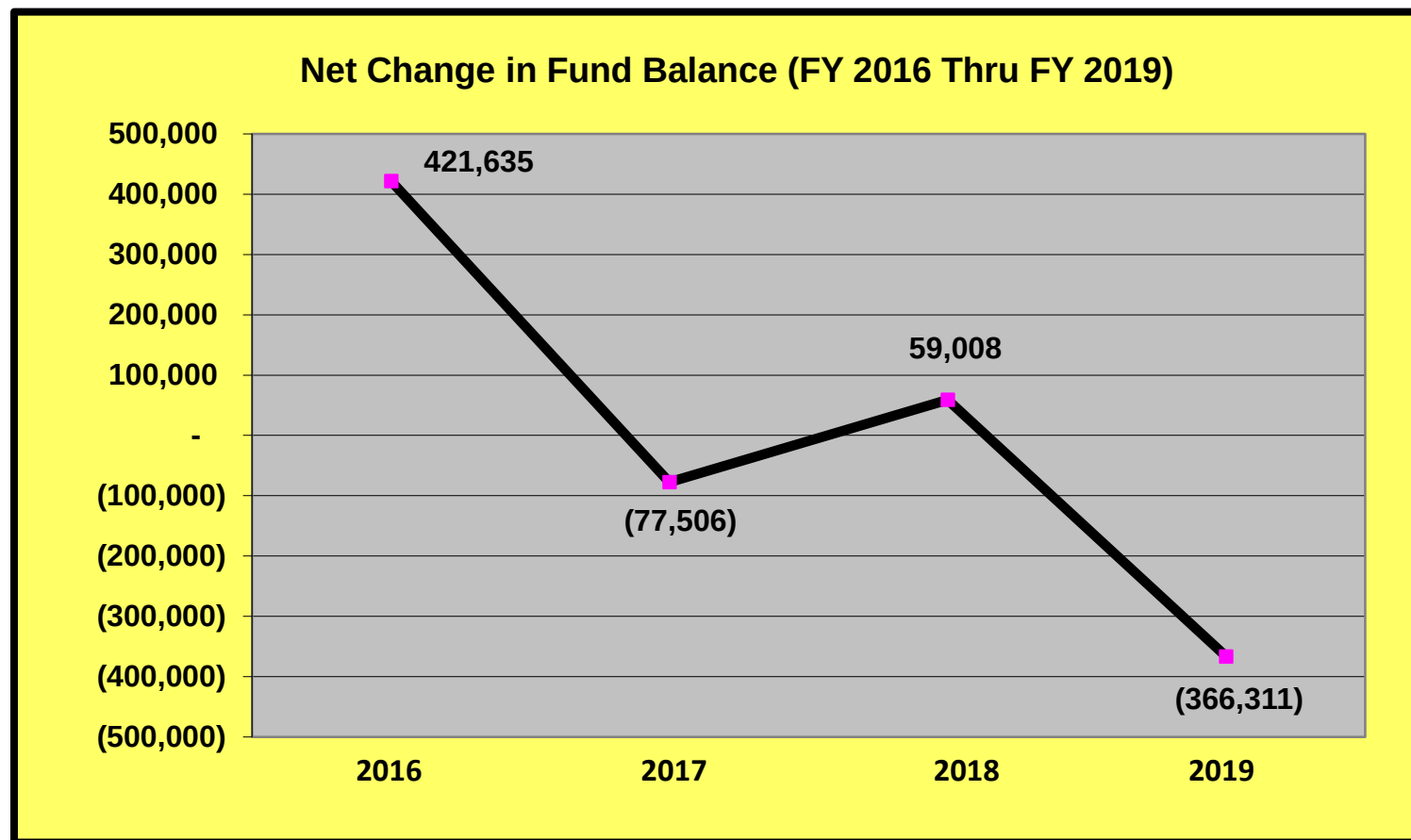
Fund Balance Comparison



Fund Balance as a Percentage of Total Expenditures



General Fund Change in Fund Balance



Comments, Recommendations, & Other Matters

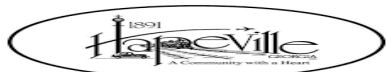


☐ Material Weakness

1. **Stormwater Revenue (Prior Period Adjustment)** – The City identified a prior period adjustment for stormwater revenues which were overstated in the prior year. A prior adjustment of \$80,809 was required and resulted in a material weakness.

☐ Management Recommendations for Improvement

1. **Cash Reconciliation and Reporting (Repeat)** - During our testing of cash, we noted two accounts totaling \$541.09 with Regions Bank which the City did not have recorded in its general ledger. We recommend management develop and implement procedures to ensure that all cash accounts are properly reconciled and recorded on a monthly basis.
2. **Credit Card Transactions (Repeat)**- During our review of the City's purchasing procedures, we noted that no written policy currently exists which governs the use of credit cards by employees of the City – although procedures are being followed related to this use. In accordance with a sound internal control environment and in order to enhance protections to the City from issues that may arise, we recommend a written policy be adopted and enforced regarding the usage of credit cards.
3. **Compensated Absence Liability** - During our testing of payroll and compensated absences, we noted the Stormwater Fund reported payroll expenses during the fiscal year but did not record compensated absence liability for those employees. Although the amount is immaterial, we recommend the City review all compensated absences and ensure a liability is recorded in the appropriate fund for all employees and departments.



Comments, Recommendations, & Other Matters (Continued)



☐ Management Recommendations for Improvement (continued)

4. **Bond Covenant-** During our testing of the City's bond covenants, we noted the City's outstanding bonds contain covenants requiring a sinking fund be established to set aside the next fiscal year principal and interest requirements. Although the City has established the required sinking funds, we noted the amounts in the sinking funds were insufficient to cover the annual principal and interest requirement by \$816,625. We recommend the City monitor these balances and ensure the sinking funds adequately cover the principal and interest requirement in order to comply with the bond covenant.

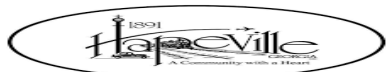


Comments, Recommendations, & Other Matters (Continued)



☐ New GASB Pronouncements for Future Years

- GASB Statement No. 84, *Fiduciary Activities*, This statement establishes criteria for identifying fiduciary activities with a focus on: 1) whether a government is controlling the assets of the fiduciary activity; and, 2) the beneficiaries with whom a fiduciary relationship exists. Applicable for June 30, 2020.
- GASB Statement No. 87, *Leases*, will require all lease agreements to be recorded as a liability under full accrual accounting. Many of these leases were previously considered operating leases and payments were expensed as incurred with no liability accrued. Applicable for June 30, 2021.
- GASB Statement No. 89, *Capitalized Interest*, requires that construction period interest no longer be capitalized for proprietary funds. This statements is only applied prospectively in the year implemented. Applicable for June 30, 2021.
- GASB Statement No. 90, *Majority Equity Interests*, will change the accounting for a government's investment in another entity in which it acquires a majority equity interest in that entity. Certain investments will be measured using the equity method, some at fair value, and some will result in the acquired entity be reported as a component unit. Applicable for June 30, 2020.
- GASB Statement No. 91, *Conduit Debt Obligations*, provides a single method for reporting conduit debt obligations by issuers and eliminates diversity in practice associated with (1) commitments extended by issuers, (2) arrangements associated with conduit debt obligations, and (3) related note disclosures. Applicable for June 30, 2022.



Comments, Recommendations, & Other Matters (Continued)



☐ Other Matters Currently Being Considered by GASB

- *Re-examination of the Financial Reporting Model*- GASB has added this project to its technical agenda to make improvements to the existing financial reporting model (established via GASB 34). Improvements are meant to enhance the effectiveness of the model in providing information for decision-making and assessing a government's accountability. GASB anticipates a final standard expected in early 2022.
- *Conceptual Framework*- A constant matter being looked at by GASB. Current measurement focus statements (for governmental funds) to change to near-term financial resources measurement. May dictate a period (such as 60 days) for revenue and expenditure recognition. May expense things such as supplies and prepaid assets at acquisition. Will look into which balances (at all statement levels) are measured at acquisition and which need to be re-measured at year-end. Project placed on hold for now.
- *Revenue and Expense Recognition* - Another long-term project where the GASB is working to develop a comprehensive application model for recognition of revenues and expenses from non-exchange, exchange, and exchange-like transactions. The final standard is expected in 2023.



Comments, Recommendations, & Other Matters (Continued)



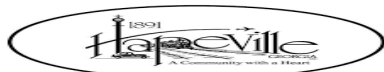
FREE QUARTERLY CONTINUING EDUCATION AND NEWSLETTERS

FOR GOVERNMENTAL CLIENTS

Free Continuing Education. We provide free quarterly continuing education for all of our governmental clients. Each quarter we pick a couple of significant topics tailored to be of interest to governmental entities. In an effort to accommodate our entire governmental client base, we offer the sessions several times per quarter at a variety of client provided locations resulting in greater networking among our governmental clients. Examples of subjects addressed in the past few quarters include:

- CAFR Preparation - GASB Updates - Grant Accounting Processes and Controls - GASB 68 (Pensions)
- Internal controls over revenue and cash receipting and accounts payable, payroll, and cash disbursements
- American Recovery & Reinvestment Act (ARRA) information, issues and updates - Single audits for auditees
- Collateralization of Deposits and Investments - Internal Controls over Accounts Payable, Payroll and Controls
- Policies and Procedures Manuals - Segregation of Duties – GASB 75 (OPEB) – GASB 87 (Leases)
- Data Security and General Information Technology Controls and Best Practices

Communication. In an effort to better communicate our free continuing education plans and newsletters, please email Paige Vercoe at pvercoe@mjcpa.com (send corresponding copy to dmoses@mjcpa.com, and provide to her individual names, mailing addresses, email addresses and phone numbers of anyone you wish to participate and be included in our database.



Conclusion



Comments and Questions?

We appreciate the opportunity to serve the City of Hapeville, Georgia and look forward to continuing to work with the City in upcoming years!



20-PC-D3-04

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**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.)

I am seeking approval of a special use permit to allow a personal care home at 3234 Dogwood Drive. The property is zoned village and requires approval by the Planning Commission and City Council. The Code of Ordinances Sec. 93-2-21 states, the home must provide on-site parking and/or drop off space adequate to meet the needs of the proposed facility, and Sec. 93-28-75 states, parking requirements for residential uses shall be one space for each dwelling unit. There are currently 10 parking spaces on the premises with 2 located in a garage.

The formal mortuary will be transformed into a beautiful home for active senior citizens. It will provide exceptional housing, a range of personalized care, memory care and daycare services 24/7. The home will serve up to 24 seniors and will offer assistance with activities of daily living such as eating, bathing, dressing, toileting, and medication management. The home will feature 8-10 units, 8 easily accessible restrooms, a kitchen 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.

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:

3234 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 Claudette Eley

Address of Applicant 3173 Oakdale Road
Hapeville, GA 30354

Telephone of Applicant [REDACTED]

[Signature]
Signature of Owner

Najarian Capital LLC
Print Name of Owner

Personally Appeared Before Me this 15 day of Jan., 2020.

Courtney Blake
Notary Public



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)

CE 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.

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

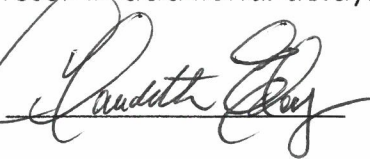
CE The locations, size (sf) and height (ft) of all existing and proposed structures on the site. Height should be assessed from the base of the foundation at grade to the peak of the tallest roofline.

CE 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).

- CE 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.
- CE 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.
- CE Existing and proposed grades at an interval of five (5) feet or less.
- CE 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).
- CE 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.
- CE 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.
- CE 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.
- CE 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.

- CE Provisions for both on-site and offsite storm-water drainage and detention related to the proposed development.
- CE Location and size of all signs. Detached single-family residential development may be exempt from this requirement.
- CE 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.
- CE Site area (square feet and acres).
- CE 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.
- CE Floor area in nonresidential use by category. Detached single-family residential development may be exempt from this requirement.
- CE Total floor area ratio and/or residential density distribution.
- CE Number of parking spaces and area of paved surface for parking and circulation
- CE 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: 

Date 2/14/2020

Deed Book 42541 Pg 487
Juanita Hicks
Clerk of Superior Court
Fulton County, Georgia

Exhibit A

All that tract or parcel of land lying and being in Land Lot 94, 14th District, Fulton County, Georgia, being more particularly shown on that survey for Atlanta Embalming Service, prepared by Solar Land Surveying Company, John W. Stanzlils, Jr., R.L.S. No. 2109, dated April 7, 2006, and being more particularly described as follows:

Beginning at a point located on the easterly right-of-way line of Dogwood Drive (f/k/a Stewart Avenue) (having a 50 foot right-of-way) 200 feet north along said easterly right-of-way from its intersection with the northerly right-of-way line of North Avenue (f/k/a Waters Road); thence running north 00° 45' 56" east along the easterly right-of-way line of Dogwood Drive 50 feet to an iron pin placed; thence running north 00° 45' 56" east along easterly right-of-way line 40 feet to an iron pin; thence running south 89° 02' 49" east 125 feet to an iron pin placed; thence running south 00° 45' 56" west 40 feet to a point; thence running south 00° 45' 56" west 50 feet to a point; thence running north 89° 02' 54" west 125 feet to the easterly right-of-way line of Dogwood Drive and the POINT OF BEGINNING;

Being the same property shown as Lots 9, 10 and 11, Block 1, Forest Hills Park as shown on plat recorded at Plat Book 7, pages 58 and 59, Fulton County, Georgia records, being incorporated herein by reference.



CONSULTANTS

MARY'S HOUSE SENIOR CARE
3234 DOGWOOD DR HAPEVILLE GA

stamps

PROJECT NO:
CAD DWG FILE:
DRAWN BY:
CHK'D BY:
COPYRIGHT:

SHEET TITLE

EXISTING FLOOR PLANS

SHEET

A-01





CONSULTANTS

MARY'S HOUSE SENIOR CARE
3234 DOGWOOD DR HAPEVILLE GA

3234 DOGWOOD DR HAPEVILLE GA

stamps

[illegible]

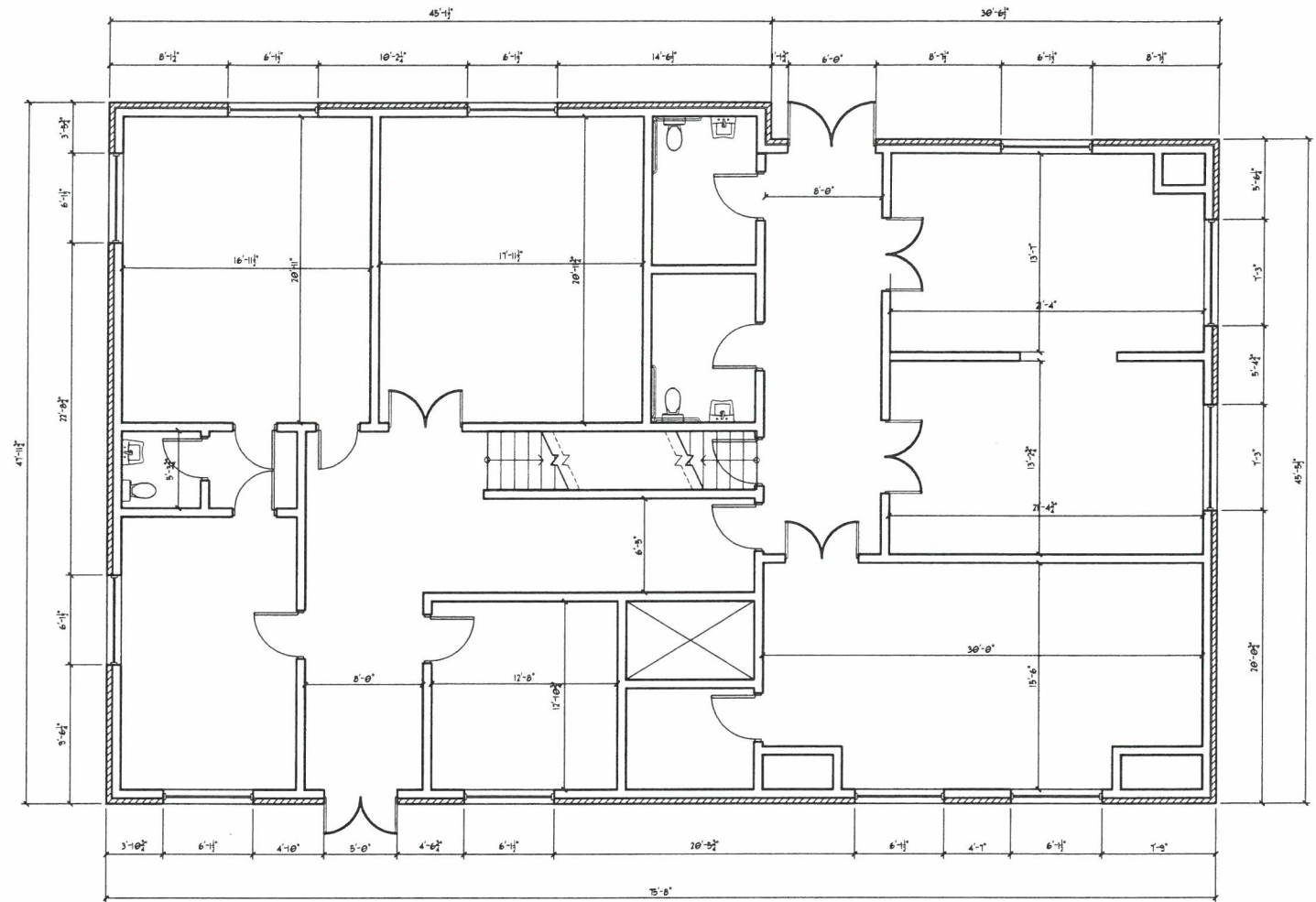
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CHK'D BY:
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SHEET TITLE

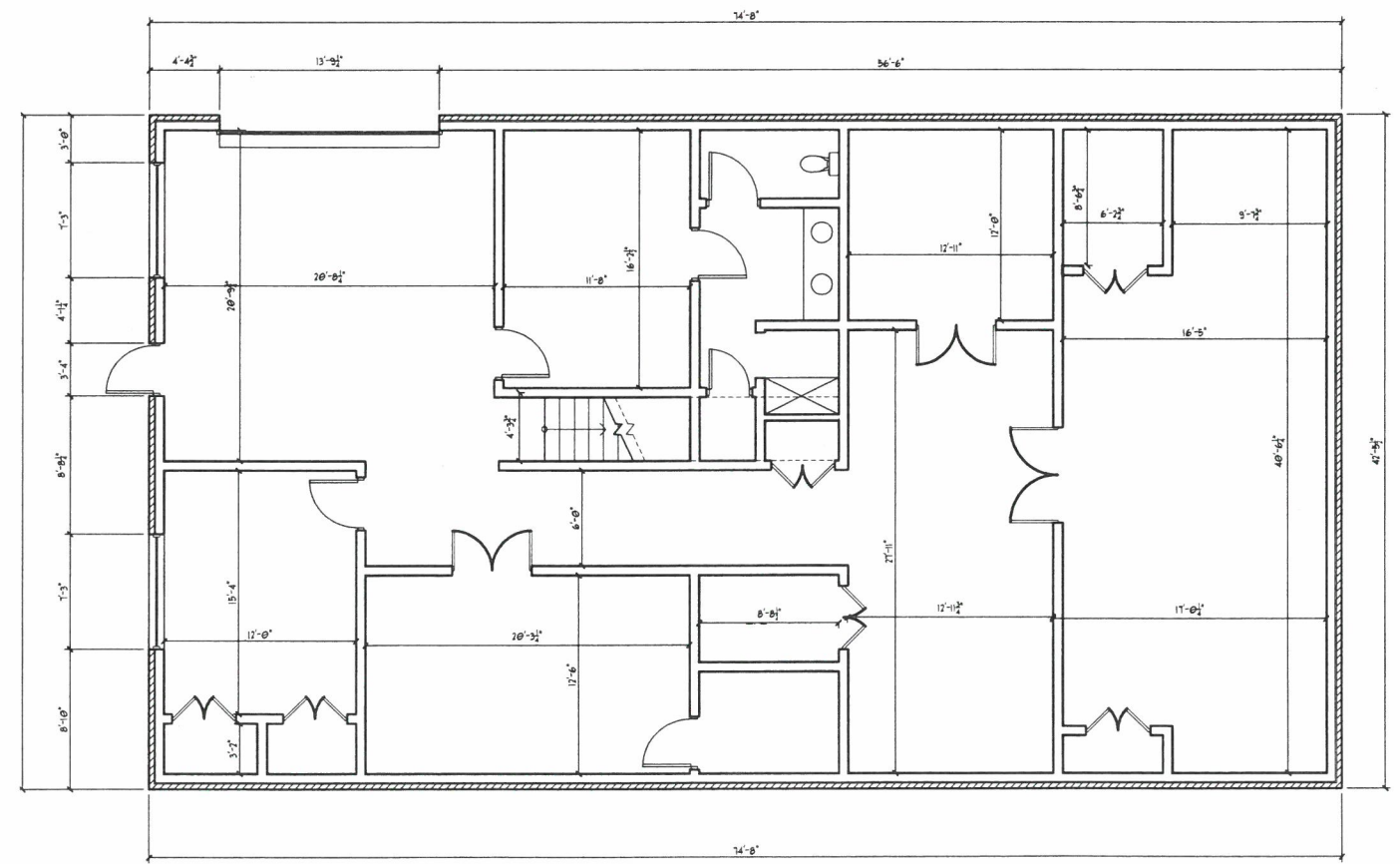
EXISTING FLOOR PLANS

SHEET

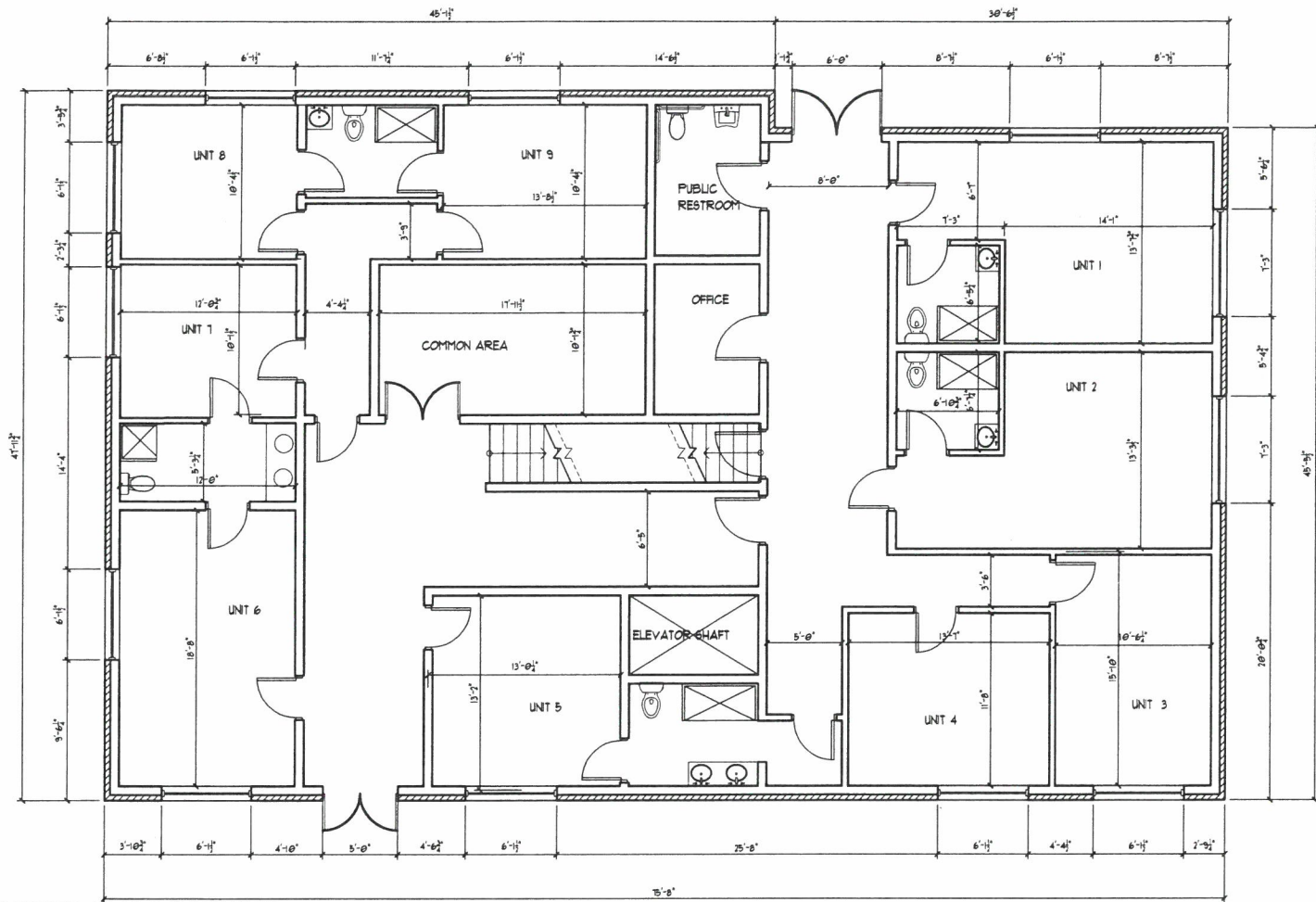
A-01



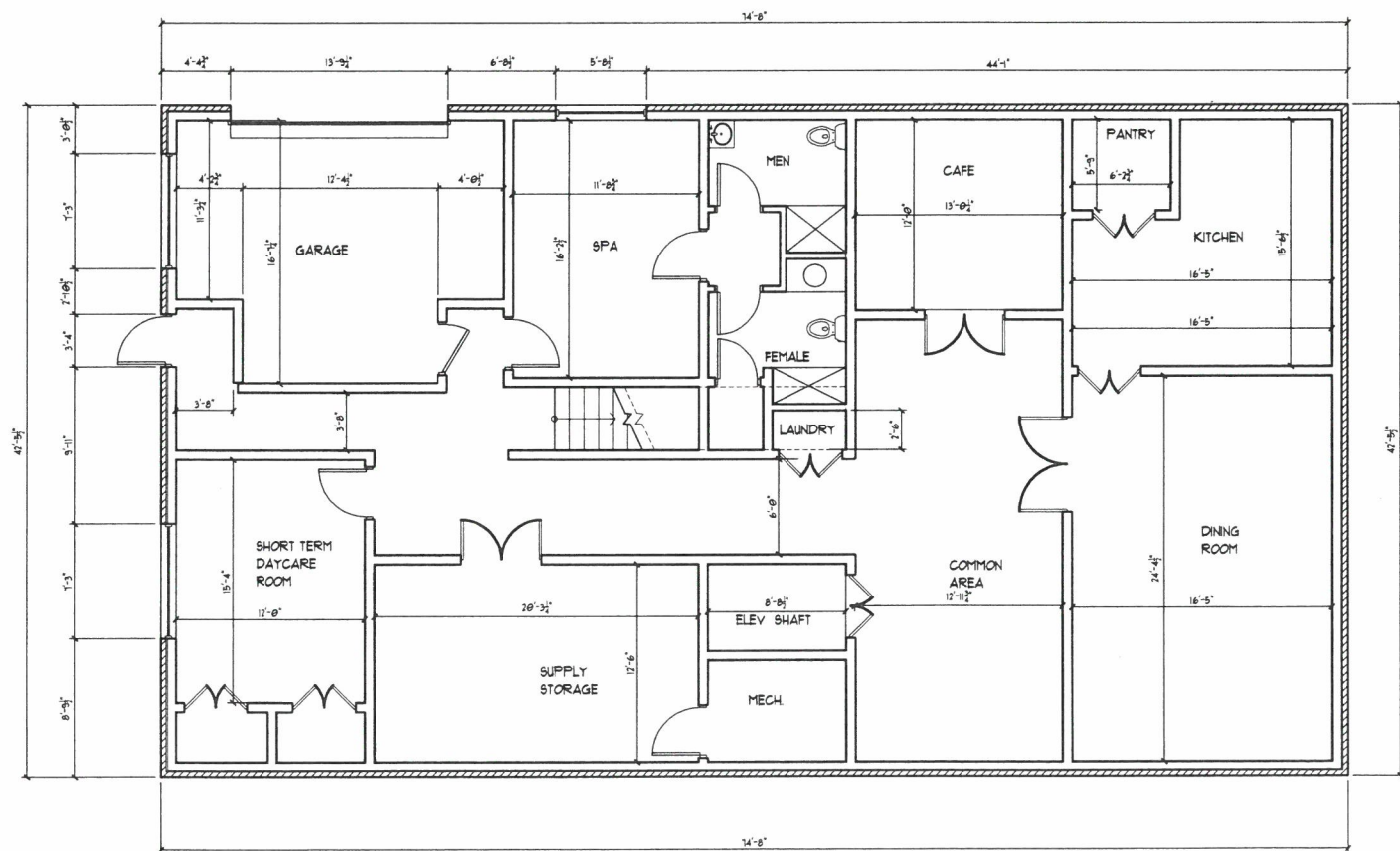
1 EXISTING MAIN LEVEL 2 FLOOR PLAN
3/16" = 1' - 0"



1 EXISTING LEVEL 1 FLOOR PLAN
3/16"=1'-0"



1 PROPOSED LEVEL 2 FLOOR PLAN
30'-6" x 41'-0"



1 PROPOSED LEVEL 1 FLOOR PLAN
30'-6" x 41'-0"



3050 FIVE FORKS TRUCKUM
LILBURN, GA 30047
phone: (404) 725-6731

CONSULTANTS

MARY'S HOUSE SENIOR CARE

3234 DOGWOOD DR HAPEVILLE GA

stamps

MARK DATE DESCRIPTION

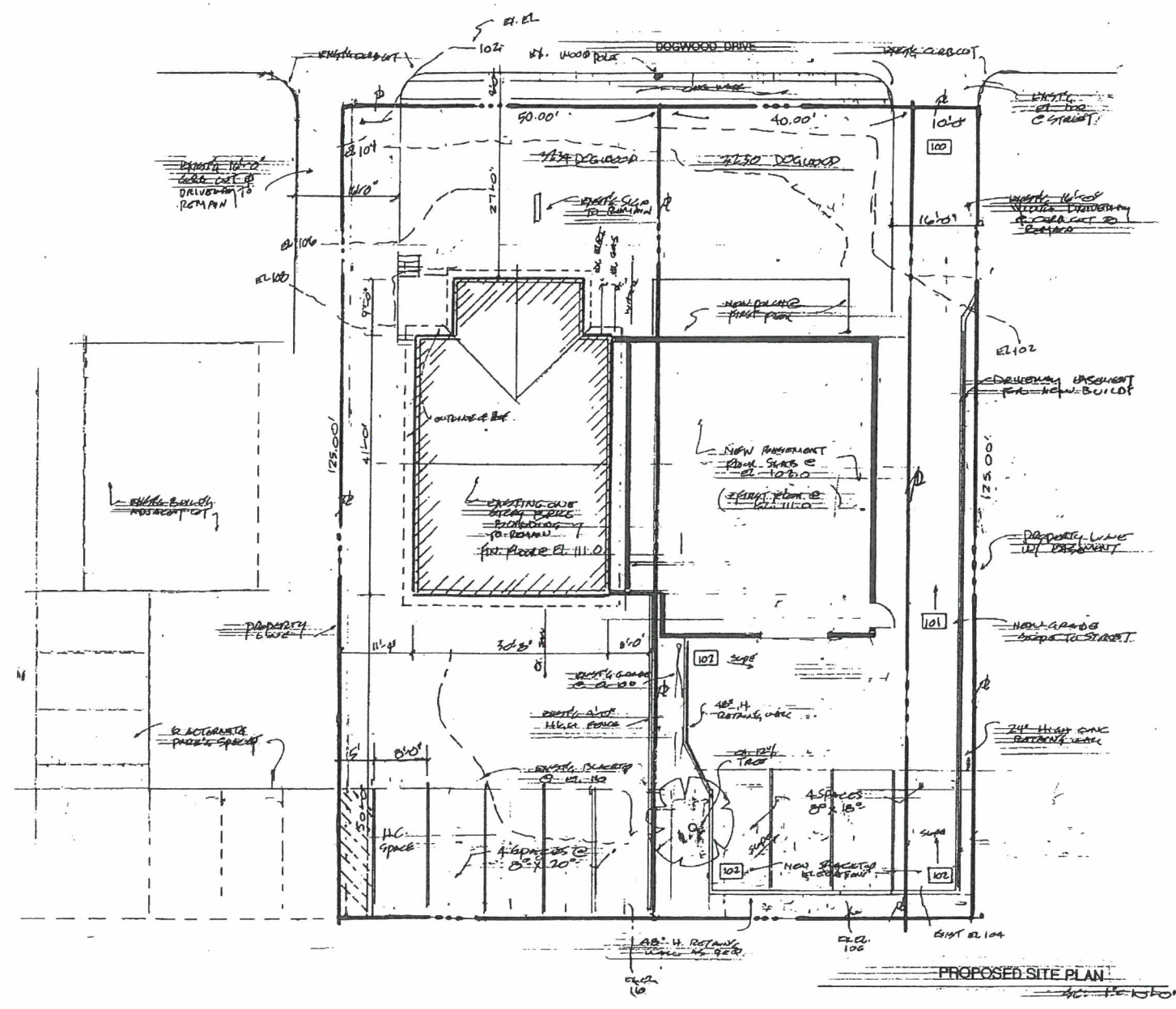
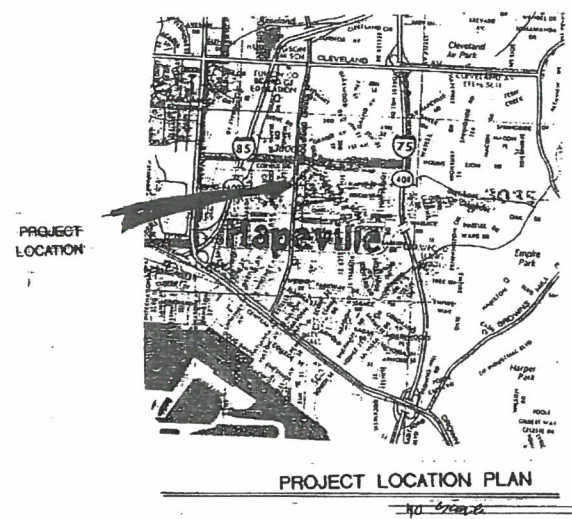
PROJECT NO:
CAD DWG FILE:
DRAWN BY:
CHK'D BY:
COPYRIGHT:

SHEET TITLE

PROPOSED
FLOOR PLANS

SHEET

A-02



PRELIM-2

REVISIONS	BY

Edgar Allen Paul, AIA
Funeral Home Architects
130 Old Farm Road, Marietta, Georgia
404-575-8722 Fax: 770-575-3179

ADDITION FOR
ATLANTA EMBALMING SERVICE
3234 DOGWOOD DRIVE
HAPEVILLE, GEORGIA

DRAWN
CHECKED
DATE
SCALE
JOB NO.
SHEET
OF SHEETS

LEGEND

IPS	IRON PIN SET	CMF	CONCRETE MONUMENT FOUND
IPF	IRON PIN FOUND	SMH	SEWER MAN HOLE
OT	OPEN TOP PIN	MHT	MAN HOLE TELEPHONE
CT	CRIMP TOP PIN	CB	CATCH BASIN
RB	REINFORCING BAR	JB	JUNCTION BOX
CL	CENTERLINE	DI	DROP INLET
R/W	RIGHT-OF-WAY	LL	LAND LOT LINE
LL	LAND LOT	HW	HEAD WALL
L	LINE	CMP	CORRUGATED METAL PIPE
R	RADIUS	RCP	REINFORCED CONCRETE PIPE
CONC	CONCRETE	CD	CROSS DRAIN
C	CURVE	SSE	SANITARY SEWER EASEMENT
PP	POWER POLE	DE	DRAINAGE EASEMENT
GV	GAS VALVE	FW	FIRE HYDRANT
GM	GAS METER	WM	WATER VALVE
LP	LAMP POLE	WM	WATER METER
SS	SANITARY SEWER	POB	POINT OF BEGINNING
TP	TELEPHONE	POC	POINT OF COMMENCEMENT
-X-X-	FENCE	PI	POINT OF INTERSECTION

GENERAL NOTES

1. INFORMATION REGARDING THE REPUTED PRESENCE, SIZE, CHARACTER, AND LOCATION OF EXISTING UNDERGROUND UTILITIES AND STRUCTURES IS SHOWN HEREON. THERE IS NO CERTAINTY OF THE ACCURACY OF THIS INFORMATION AND IT SHALL BE CONSIDERED IN THAT LIGHT BY THOSE USING THIS DRAWING. THE LOCATION AND ARRANGEMENT OF UNDERGROUND UTILITIES AND STRUCTURES NOT SHOWN HEREON MAY BE ENCOUNTERED. THE OWNER, HIS EMPLOYEES, HIS CONSULTANTS, HIS CONTRACTORS, AND/OR HIS AGENTS SHALL HEREBY DISTINGUISHLY UNDERSTAND THAT THE SURVEYOR IS NOT RESPONSIBLE FOR THE CORRECTNESS OR SUFFICIENCY OF THIS INFORMATION SHOWN HEREON AS TO SUCH UNDERGROUND INFORMATION.
2. RIGHT-OF-WAYS ARE BASED ON CENTERLINES OF EXISTING PATHS OF TRAVEL, UNLESS NOTED OTHERWISE.
3. ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED.
4. NO VISIBLE EVIDENCE OF A CEMETERY FOUND.
5. BEARINGS BASED ON MAGNETIC NORTH OBSERVATIONS AS NOTED IN DEED BOOK 32969 - PAGE 564-567.
6. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT POLICY; THEREFORE EXCEPTION IS MADE HEREIN TO ANY EASEMENTS, RESERVATIONS, RIGHTS OF WAY AND RESTRICTIONS OF RECORD WHICH MAY EXIST.
7. FIELD CLOSURE: AN ELECTRONIC TOTAL STATION AND A 100' CHAIN WERE USED TO GATHER THE INFORMATION USED IN THE PREPARATION OF THIS PLAT. THE FIELD TRAVERSE WAS CALCULATED FOR CLOSURE BY LATITUDES AND DEPARTURES AND FOUND TO HAVE UNADJUSTED FIELD CLOSURE PRECISION THAT EXCEEDS 1' IN 10,000' AND WAS ADJUSTED BY THE LEAST SQUARES METHOD.
8. PLAT CLOSURE: THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND HAS BEEN FOUND TO HAVE A PRECISION OF CLOSURE IN EXCESS OF 1' IN 100,000'.
9. NO STATE PLANE COORDINATE MONUMENT WAS FOUND WITHIN 500' OF THIS PROPERTY.
10. THESE LOTS WERE ORIGINALLY DEEDED AS MULTIPLE PARCELS.
11. NO WATERS OF THE STATE EXIST WITHIN 200 FEET OF THIS PROPERTY. SUBJECT PROPERTY IS NOT SUBJECT TO 75' STREAM BUFFER REQUIREMENT.
12. NO EASEMENTS EXIST ON SUBJECT PROPERTY.
13. SUBJECT PROPERTY CURRENTLY ZONED "C-R" (COMMERCIAL/RESIDENTIAL) CITY OF HAPEVILLE ZONING DEPARTMENT - CHRIS MONTESINOS (404) 669-8269
BUILDING SETBACKS:
FRONT: 15'
SIDE: 15'
REAR: 25'
MINIMUM LOT FRONTAGE: 100'
MINIMUM LOT AREA: 8,500 SQ.FT.
MAXIMUM BUILDING HEIGHT: 40'
MINIMUM PARKING REQUIRED: 1 SPACE FOR EVERY 200' ENCLOSED COMMERCIAL FLOOR AREA.

LEGAL DESCRIPTION TOTAL TRACT

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 94 OF THE 14TH DISTRICT OF FULTON COUNTY, GEORGIA, AND BEING ALL OF LOTS 9, 10 AND 11 OF THE FOREST HILLS PARK SUBDIVISION, BLOCK 1, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO FIND THE TRUE POINT OF BEGINNING, COMMENCE AT THE INTERSECTION FORMED BY THE NORTHERN RIGHT OF WAY LINE OF DOGWOOD ROAD (F.K.A. WATERS ROAD) AND THE EASTERN RIGHT OF WAY LINE OF DOGWOOD ROAD (F.K.A. STEWART AVENUE) (50' R/W); THENCE RUN IN A NORTH EASTERLY DIRECTION ALONG SAID EASTERN RIGHT OF WAY LINE OF DOGWOOD DRIVE A DISTANCE OF 200.00 FEET TO A RAILROAD SPIKE FOUND AND THE TRUE POINT OF BEGINNING.

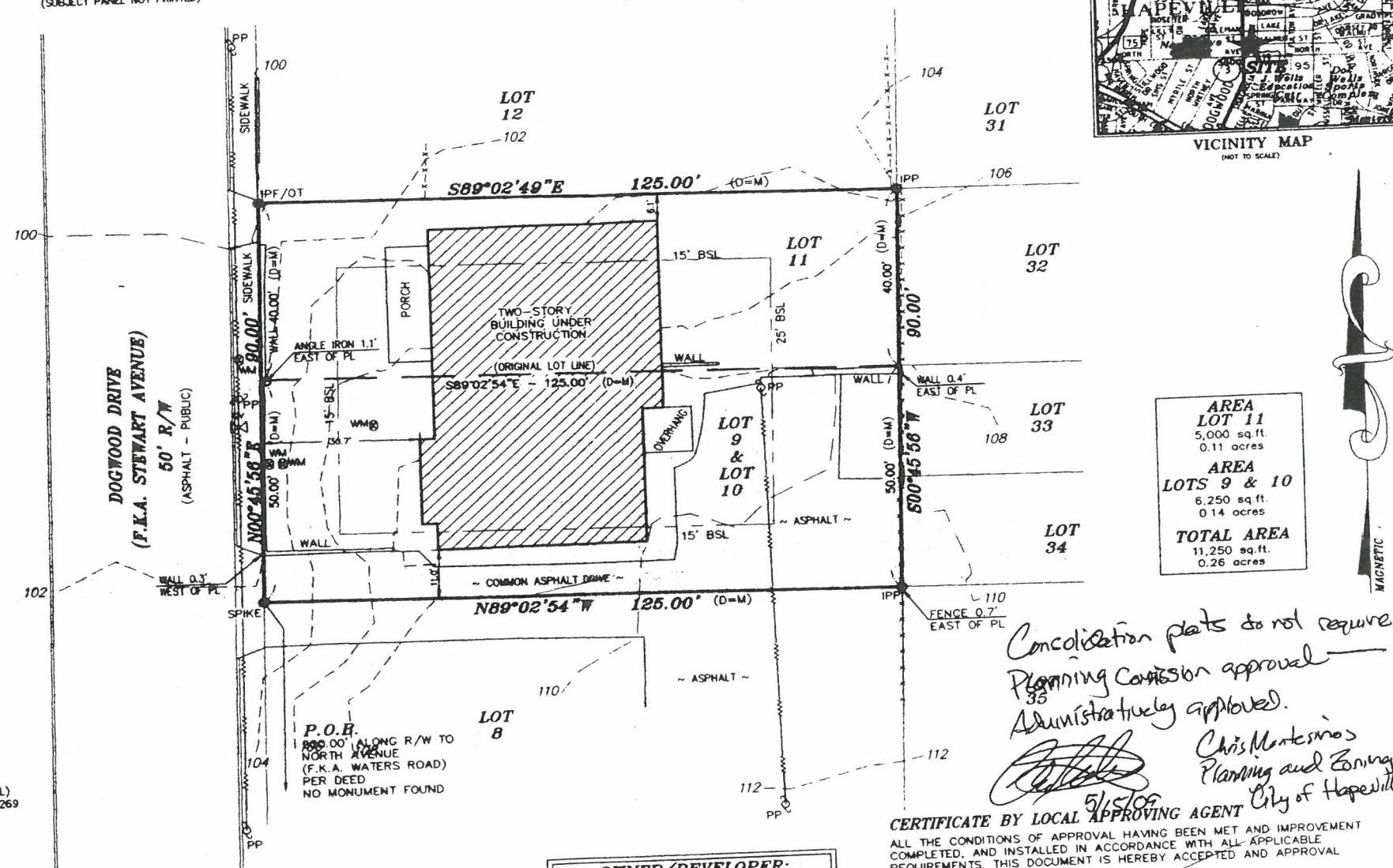
THENCE FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED AND CONTINUING ALONG THE EASTERN RIGHT OF WAY LINE OF DOGWOOD DRIVE NORTH 00 DEGREES 45 MINUTES 56 SECONDS EAST A DISTANCE OF 90.00 FEET TO AN OPEN TOP PIPE FOUND; THENCE LEAVING SAID EASTERN RIGHT OF WAY LINE OF DOGWOOD DRIVE RUN SOUTH 89 DEGREES 02 MINUTES 49 SECONDS EAST A DISTANCE OF 125.00 FEET TO A POINT; THENCE SOUTH 00 DEGREES 45 MINUTES 56 SECONDS WEST A DISTANCE OF 90.00 FEET TO A POINT; THENCE NORTH 89 DEGREES 02 MINUTES 54 SECONDS WEST A DISTANCE OF 125.00 FEET TO THE TRUE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS 11,250 SQUARE FEET.

FLOOD STATEMENT

BY FIELD LOCATION, THE SUBJECT PROPERTY DOES NOT FALL WITHIN A 100 YEAR FEDERALLY DESIGNATED FLOOD HAZARD AREA. THE SUBJECT PROPERTY FALLS IN ZONE "X" OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 131210366 E - EFFECTIVE DATE OF JUNE 22, 1996, ZONE "X", AS DESCRIBED BY SAID MAP BEING "AREAS DETERMINED TO BE OUTSIDE THE 500-YEAR FLOOD PLAIN." (SUBJECT PANEL NOT PRINTED)

LOT CONSOLIDATION PLAT FOR 3234 DOGWOOD DRIVE LOCATED IN LAND LOT 94 14th DISTRICT FULTON COUNTY, GEORGIA (CITY OF HAPEVILLE)



AREA	LOT 11
5,000 sq. ft.	0.11 acres
AREA	LOTS 9 & 10
6,250 sq. ft.	0.14 acres
TOTAL AREA	11,250 sq. ft.
	0.26 acres

Consolidation plats do not require
Planning Commission approval
Administratively approved.
Chris Montesinos
Planning and Zoning Manager
City of Hapeville
5/1/09

CERTIFICATE BY LOCAL APPROVING AGENT
ALL THE CONDITIONS OF APPROVAL HAVING BEEN MET AND IMPROVEMENT COMPLETED, AND INSTALLED IN ACCORDANCE WITH ALL APPLICABLE REQUIREMENTS, THIS DOCUMENT IS HEREBY ACCEPTED AND APPROVAL OF IMPROVEMENTS GRANTED.

BY: _____ DATE _____
DIRECTOR OF COMMUNITY SERVICES

CERTIFICATE OF APPROVAL OF THE PLANNING COMMISSION
THIS IS TO CERTIFY THAT THIS REPLATING HAS BEEN APPROVED BY THE PLANNING COMMISSION OF THE CITY OF HAPEVILLE.

CHAIRMAN/SECRETARY _____ DATE _____
CITY OF HAPEVILLE PLANNING COMMISSION

CERTIFICATE OF OWNERSHIP "STATE OF GEORGIA" (CITY OF HAPEVILLE)

THE OWNER OF THE LAND SHOWN ON THIS PLAT AND WHOSE NAME IS SUBSCRIBED THERETO, AND IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, HEREBY DEDICATES TO THE CITY OF HAPEVILLE, THE COMPLETE OWNERSHIP AND USE OF ALL WATER AND SEWER IMPROVEMENTS CONSTRUCTED OR TO BE CONSTRUCTED IN ACCORDANCE WITH THIS PLAT, AND DEDICATES TO THE USE OF THE PUBLIC FOREVER, ALL STREETS, DRAINS, EASEMENTS, PARKS AND OPEN SPACES.

OWNER OF RECORD _____

DATE _____

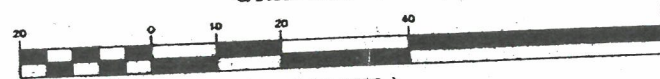
CERTIFICATE BY SURVEYOR

I HEREBY CERTIFY THAT THIS FINAL PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE BY ME OR UNDER MY SUPERVISION AND THAT ALL CORNERS ARE ACCURATELY MARKED BY A 1/2 INCH IRON ROD.

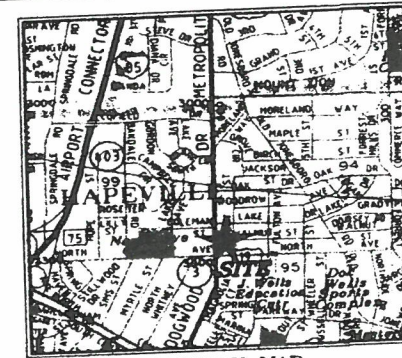
BY: John N. Stanzilla, Jr. DATE 7-15-09
GEORGIA REGISTERED LAND SURVEYOR NO. 2109



GRAPHIC SCALE



(IN FEET)
1 inch = 20 ft.



VICINITY MAP
(NOT TO SCALE)

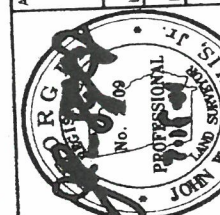
SOLAR LAND SURVEYING COMPANY

P.O. BOX 723993 ATLANTA, GEORGIA 31139-0993
TELEPHONE (770) 794-9055 / FAX (770) 794-9052

THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITY NAMED HEREON. THIS PLAT DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS, OR ENTITY WITHOUT EXPRESS REIFICATION BY THE SURVEYOR NAMING SAID PERSON, PERSONS, OR ENTITY.

ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED

DATE	07/16/06	SCALE	1" = 20'
REVISION		SECTION	FULTON COUNTY, GEORGIA
UNIT		LOT	LOT 9, 10 & 11
SUBDIVISION	FOREST HILLS PARK	DRAFTED	
SURVEYED		DISC #	
PLOTTED		APPROVED	
DEED BOOK	32969	PAGE	567
JOB #	06-7174	PLAT BOOK	7



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 <[REDACTED]>
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
[REDACTED]

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

Page 44 of 144

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



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.



DAVID BLOODWORTH
FIRE CHIEF

To: Adrienne Senter

From: Brian Eskew, Fire Marshal

Re: Mary's House
3234 Dogwood Dr.

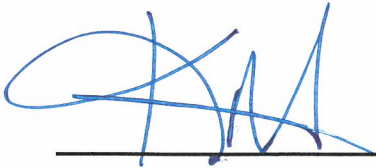
Date: April 7, 2020

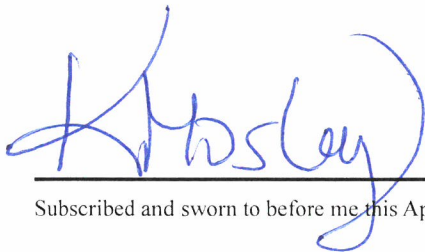
I do not see this project having a negative impact on the Fire Department since it was agreed that a elevator would be installed to meet ADA requirements. If you should need any more information, please let me know. Thanks.

PUBLISHER'S AFFIDAVIT

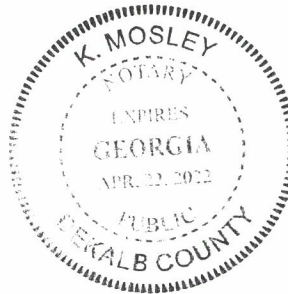
STATE OF GEORGIA
COUNTY OF FULTON

Before me, the undersigned, a Notary Public, this day personally came the undersigned who, being duly sworn, according to law, says she is an agent of ALM Media, LLC., publishers of the **Daily Report**, the official newspaper published in Atlanta, GA, in said county and state, and that the publication, of which the annexed is a true copy, was published in said newspaper as provided by law on the following dates: 04/06/2020.





Subscribed and sworn to before me this April 6, 2020



NOTICE
City of Hapeville

The Mayor and Council of the City of Hapeville will hold a Public Hearing at **6:00 p.m. on Tuesday, April 21, 2020** via teleconference/videoconference per O.C.G.A § 50-14-1(g) at <http://zoom.us/j/199302390>, or by dialing 1-312-626-6799, Webinar ID: 199 302 390 to consider the following application:

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 regulations under Sec. 93-1.1-5 of the City of Hapeville Zoning Ordinance.

Please contact the Department of Planning and Zoning at (404) 669-8269 if you have any questions accessing the virtual meeting.

#0000466516:4/06-1AS

RESOLUTION NO. _____

A RESOLUTION TO DECLARE AND CERTIFY ABANDONED SHERMAN ROAD; TO AUTHORIZE RECORDATION OF THIS RESOLUTION AND ACCOMPANYING EXHIBIT(S) IN THE CITY MINUTES; TO AUTHORIZE THE CITY ATTORNEY TO PREPARE DOCUMENTS FOR THE DISPOSAL OF SAID PROPERTY; TO AUTHORIZE DELETION OF SAID PROPERTY FROM ANY OFFICIAL RECORDS REFLECTING THE CURRENT CITY STREET SYSTEM; TO REPEAL INCONSISTENT PROVISIONS; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Hapeville (the "City") is vested with the power and responsibility under state law to protect the health, safety, and welfare of its residents, to promote economic development, provide for the transportation needs of the public, and ensure that natural areas be maintained in a manner designed to maintain a desirable community; and

WHEREAS, the City has shown on plats a road running between North Central Avenue and King Arnold Street names Sherman Road, said road being more particularly described in Exhibit "A" which is attached hereto and incorporated herein by referenced (the "Property"); and

WHEREAS, the City has determined that more substantial public purpose would be served by abandoning the Property; and

WHEREAS, the City notified all adjacent landowners of the City's intent to abandon the Property; and

WHEREAS, the Mayor and City Council have held a hearing regarding the abandonment of the Property at a regularly scheduled meeting; and

WHEREAS, the City determined that the Property was not located in an Urban Redevelopment Area as that term is defined in O.C.G.A. § 36-61-10; and

WHEREAS, the Mayor and Council of the City, in the exercise of their sound judgment and discretion, after giving thorough consideration to all the implications involved, and keeping in mind the public interest and welfare of the citizens of the City, have determined that abandoning the Property would be advantageous to and would best benefit the citizens of the City; and

WHEREAS, the City now wishes to declare the Property abandoned; to direct the City Clerk to record this Resolution and accompanying exhibit(s) in the City's minutes; to authorize the City Manager to proceed with the disposal of the Property in accordance with O.C.G.A. § 32-7-4; and to authorize the City Clerk to remove all references to the Property from any City records reflecting the City's street system.

NOW THEREFORE, IT IS HEREBY RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF HAPEVILLE:

1. **No Public Purpose Certification.** The City Council hereby certifies that no substantial public purpose will be served by maintaining the Property as a public road.
2. **Declaration That Property Is Abandoned.** The City hereby declares the Property to be formally abandoned. The rights of the public in and to the Property as a public road shall cease immediately.
3. **Disposal of Abandoned Property.** The Mayor is authorized to dispose of the Property in accordance with O.C.G.A. § 32-7-4. The disposal price shall be no less than the amount paid for the Property, in today's dollars, when purchased for a public road.
4. **Recordation.** The City Clerk is hereby directed to record this Resolution, declaration, certification, and accompanying exhibit(s), including a plat or sketch of the Property, in the official minutes of the City.
5. **Deletion from City Records.** The City Clerk is hereby authorized to delete all references to the Property as City property from City records reflecting the current City street system.
6. **Severability.** To the extent any portion of this Resolution is declared to be invalid, unenforceable, or nonbinding, that shall not affect the remaining portions of this Resolution.
7. **Repeal of Conflicting Provisions.** All City resolutions are hereby repealed to the extent they are inconsistent with this Resolution.
8. **Effective Date.** This Resolution shall take effect immediately.

RESOLVED this ____ day of _____, 2020.

CITY OF HAPEVILLE, GEORGIA

Alan Hallman, Mayor

ATTEST:

City Clerk

EXHIBIT "A"

Plat/Sketch and Legal Description of Property to be Abandoned

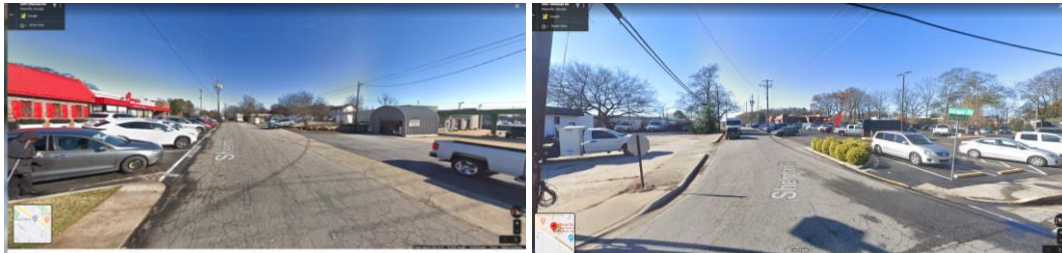


DATE: April 15, 2020
TO: Adrienne Senter
FROM: Lynn Patterson, Consulting Planner for City of Hapeville
RE: **Sherman Road, Road abandonment**

BACKGROUND

The City of Hapeville has received a proposal from Chick Fil A Inc. for a new consolidated site plan to reconstruct the existing Chick Fil A restaurant into a new Chick Fil A restaurant, common space, additional parking and a rerouted drive-through. The proposed land assemblage would involve 6 tracts: 461 N Central Ave (Tax ID 14 009500030152), 466 King Arnold Street (Tax ID 14 009500030301) 3580 Sherman Road (Tax ID 14 009600030276 & 14 000960003268), 436 King Arnold Street (Tax ID 14 009600030128), 451 N Central Ave (Tax ID 14 009600030219), and 440-448 King Arnold Street (Tax ID 14 009600030250 & 14 00009600030243). These properties are located across Sherman Road along North Central and King Arnold (see attached survey and proposed plat). As a result, the proposed site plan would require the abandonment of Sherman Road, a minor street (see Official Major Street Plan of City of Hapeville, Georgia), and the offer of sale of the property to interested adjoining land owners. The City would retain a utility easement for existing underground utilities on the site.

Sherman Road is approximately 400 feet long connecting N Central Ave to King Arnold Drive. The majority lacks curb and gutter with asphalt and/or concrete continuing from adjoining properties. There are no contiguous sidewalks. There are underground utilities beneath the road.



RECOMMENDATION

The closing and resultant abandonment of Sherman Road would create one contiguous block along N Central Avenue, a major commercial and pedestrian thoroughfare in the City. The potential redevelopment opportunity associated with the proposed site plan would have a significant impact on further establishing Hapeville as the home of Chick-Fil A entrepreneurship, attracting tourists while still serving local citizens. Sherman Road is primarily used for Chick Fil A traffic and as a cut-through to King Arnold. Streets that will continue to connect N Central to King Arnold include of Lavista Drive and Sunset Avenue to the east, and Samuel Hape Plaza, N Fulton and Dogwood Drive. Considering Sherman Road is a minor street connecting N Central and King Arnold, the condition of Sherman Road, and the potential redevelopment opportunity associated with the abandonment, staff supports the closing and abandonment of Sherman Road.

**OFFICIAL MAJOR STREET PLAN OF
CITY OF HAPEVILLE, GEORGIA**

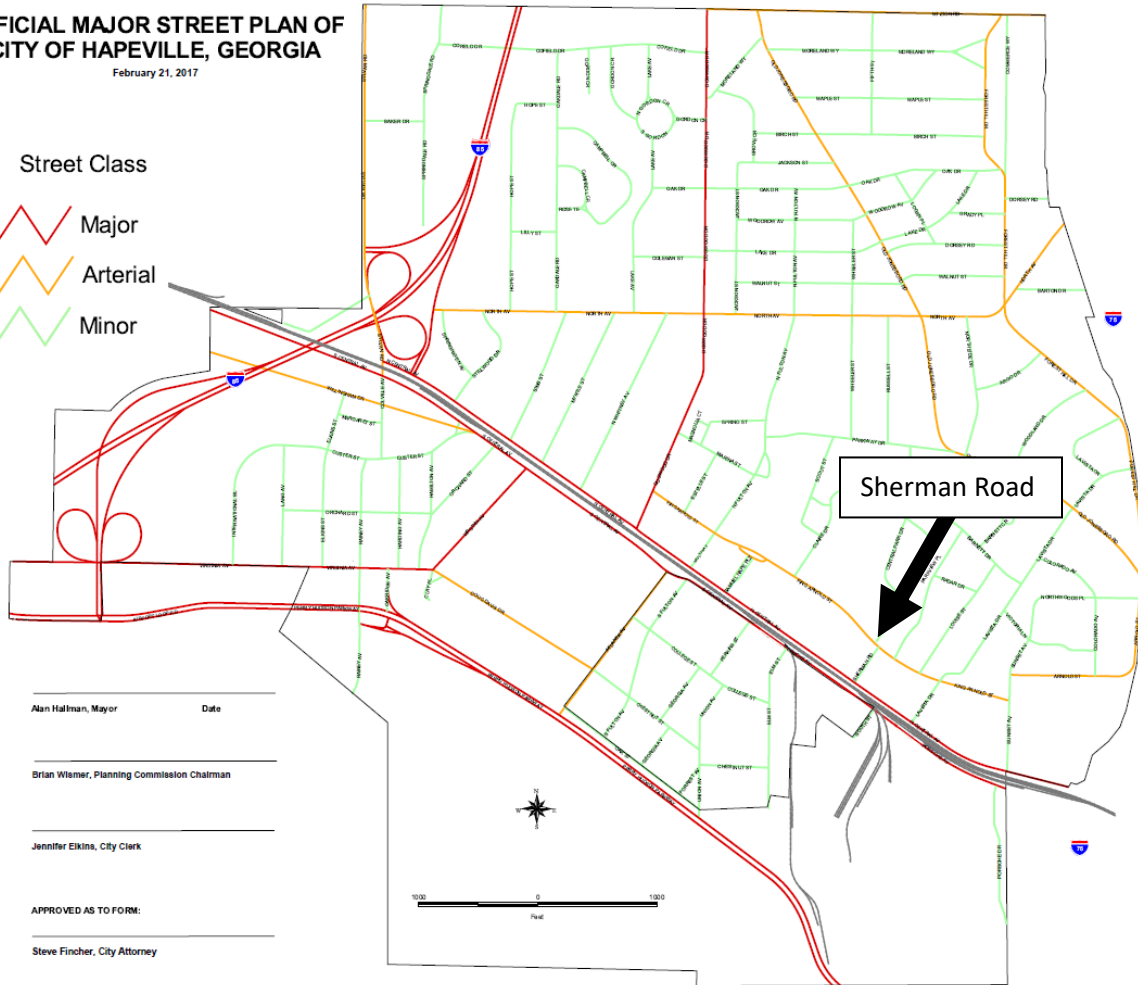
February 21, 2017

Street Class

Major

Arterial

Minor



Alan Hallman, Mayor

Date

Brian Wisner, Planning Commission Chairman

Jennifer Elkins, City Clerk

APPROVED AS TO FORM:

Steve Fincher, City Attorney

EXISTING

TRAFFIC CONTROL ARROW

PROPOSED

TRAFFIC CONTROL ARROW

EXISTING

CURB & GUTTER

PROPOSED

CURB & GUTTER

EXISTING

STANDARD PARKING QUANTITY

PROPOSED

STANDARD PARKING QUANTITY

EXISTING

ACCESSIBLE PARKING SPACE

PROPOSED

ACCESSIBLE PARKING SPACE

EXISTING

STRIPED ISLAND

PROPOSED

STRIPED ISLAND

EXISTING

CURBED ISLAND

PROPOSED

CURBED ISLAND

EXISTING

CONCRETE SURFACE

PROPOSED

CONCRETE SURFACE

EXISTING

CONCRETE PARKING SURFACE

PROPOSED

CONCRETE PARKING SURFACE

EXISTING

4" SWSL - 4" WIDE SINGLE WHITE SOLID LINE

PROPOSED

4" SWSL - 4" WIDE SINGLE WHITE SOLID LINE

EXISTING

LIGHT POLE

PROPOSED

LIGHT POLE

EXISTING

PROPERTY LINE

PROPOSED

PROPERTY LINE

AREA SUMMARY

EXISTING AREA TABULATION:

IMPERVIOUS AREA

BUILDING PAD,
ASPHALT PAVEMENT,
CONCRETE, GRAVEL

139746.62 SF : 3.21 ACRES (91.2)

PERVIOUS AREA

GRASS/LANDSCAPE

13504.92 SF: 0.31 ACRES (8.8%)

TOTAL AREA

153251.54 SF: 3.52 ACRES (100%)

PROPOSED AREA TABULATION:

IMPERVIOUS AREA

BUILDING, PAVEMENT,
CONCRETE

127388.86 SF: 2.92 ACRES (83%)

PERVIOUS AREA

GRASS/LANDSCAPE

25862.68 SF: 0.59 ACRES (17%)

TOTAL AREA

153251.54 SF: 3.52 ACRES (100%)

PARKING REQUIREMENTS

PARKING RATIO = 3 SPACES PER 1000 SF

TOTAL SPACE INSIDE = 11,324 SF

PATIO SPACE = 818

PARKING SPACES REQUIRED = 36

TOTAL SPACES PROVIDED = 121

DEVELOPMENT DATA

SITE ZONING: U-V-c

SETBACKS

BUILDING

LANDSCAPE

EAST -

0 FEET

0 FEET

SOUTH -

0-15 FEET

5 FEET

NORTH -

0-15 FEET

5 FEET

WEST -

15 FEET

5 FEET

SITE PLAN DESIGN NOTES & KEY PLAN

1 DIRECTIONAL ARROW

2 DRIVE-THRU GRAPHICS

3 STOP LINE GRAPHIC

4 PAINTED ACCESSIBILITY SYMBOL

5 STANDARD PARKING STALL & STRIPING DETAIL, NEUTRAL AREAS SHALL BE MARKED WITH 4" WIDE STRIPES AT 48" O.C. UNLESS NOTED OTHERWISE.

6 DIRECTIONAL SIGNAGE (REFER TO SIGN PACKAGE FOR MORE DETAILS AND DETAILS 5-8 ON C9.0)

7 SIDEWALK ACCESSIBLE RAMP

8 CURB RAMP w/ FLARED SIDES

9 NOT USED

10 TRUNCATED DOMES

11 TYPICAL CONCRETE SIDEWALK

12 SIDEWALK WITH CURB & GUTTER SECTION

13 DRIVE-THRU PLAN VIEW

14 DRIVE-THRU ISOMETRIC VIEW

15 SOLID PLASTIC WHEEL STOP (NOT USED)

16 LANDSCAPE & IRRIGATION PROTECTOR

17 24" CONCRETE CURB & GUTTER - CATCHING & SPILLING

18 EXPANSION JOINT

19 REFUSE ENCLOSURE FOUNDATION PLAN

19A REFUSE ENCLOSURE FOUNDATION PLAN (ALT)

19B REFUSE ENCLOSURE ALTERNATE DRAINAGE PLAN

20 CONCRETE BOLLARD

21 TYPICAL PAVEMENT SECTION

21A PAVEMENT EDGE DETAIL

22 TRANSVERSE & LONGITUDINAL CONTRACTION JOINT

23 TRANSVERSE & LONGITUDINAL DOWELED CONSTRUCTION JOINT

24 CONCRETE APRON @ TRASH ENCLOSURE

25 CONCRETE PAVING @ DRIVE THRU LANE

26 ALUMINUM HANDRAIL (SEE ARCH. PATIO PLAN)

27 TYPICAL ADA RAMP AND HANDRAIL

28 CONTRACTION JOINT

29 KEYED CONSTRUCTION JOINT

30 LONGITUDINAL BUTT JOINT

30A BUTT JOINT

31 EXPANSION JOINT

32 MULTI-ORDER POINT DIRECTIONAL ARROW DETAILS

33 CROSSWALK

34 DRIVE-THRU ORDER POINT ISLAND CURB

35 MENU BOARD LOOP DETECTION SYSTEM

36 ENTRY DOOR FROST SLAB DETAIL

37 SAN. C.O. OUTSIDE BUILDING

38 BUILDING DOWNSPOUT CONNECTION DETAIL

39 TYPICAL SECTION AT INLET/CATCH BASIN DETAIL

40 STORM WEEP HOLE DETAIL

41 CHICK-FIL-A SIGN (REFER TO SIGN PACKAGE)

42 PRE-SELL MENU BOARD (NOT USED)

43 MENU BOARD & CANOPY ORDERING STATION (REFER TO SIGN AND CANOPY PLANS)

44 CHICK-FIL-A "ENTER" SIGN (NOT USED)

45 CHICK-FIL-A "EXIT" SIGN (NOT USED)

46 20' FLAG POLE (REFER TO SIGN PACKAGE)

47 CLEARANCE BARS

48 LIGHT POLE & BASE

49 BITUMASTIC EXPANSION JOINT, TYP. INSTALL EXPANSION JOINT BETWEEN ALL CONCRETE PAVEMENT INTERFACE WITH BUILDINGS, CURB & GUTTER, AND OTHER CONSTRAINED OBJECTS, TYPICAL.

50 SITE CONTRACTOR SHALL REFER TO ARCHITECT PLANS FOR THE EXACT DIMENSIONS OF THE BUILDING AND THE LOCATION OF DOORWAYS, UTILITIES, ETC.

51 GATES TO BE INSTALLED BY BUILDING CONTRACTOR WITH DUMPSTER STRUCTURE, COORDINATE WITH PAVEMENT INSTALLATION

52 SAWCUT EXISTING CURB & GUTTER AS NECESSARY TO COMPLETE NEW CURB & GUTTER CONNECTION, PROVIDE EXPANSION JOINT BETWEEN INTERFACE.

53 THE CONTRACTOR SHALL INSTALL NECESSARY TRAFFIC CONTROL, SAFETY BARRICADES, LIGHTING AND OTHER REQUIRED CONTROL MEASURES TO SECURE THE WORK AREA FROM EXISTING TRAFFIC AND TO ENSURE PUBLIC SAFETY.

54 TRANSFORMER PAD

55 SINGLE YELLOW LINE

56 BIKE RACK

57 SMALL RETAINING WALL TO BE DESIGN/BUILT BY CONTRACTOR (NOT USED)

1 C-9.0

2 C-9.0

2 C-9.0

1 C-9.0

38A C-9.0

5-8 C-9.0

3 C-9.1

2 C-9.1

1 C-9.1

4 C-9.1

9 C-9.0

10 C-9.0

8 C-9.3

9 C-9.3

5 C-9.1

11 C-9.0

6 C-9.1

2 C-9.3

3 C-9.3

4 C-9.3

5 C-9.2

3 C-9.2

11 C-9.1

10 C-9.1

7 C-9.1

12 C-9.1

2 C-9.2

8 C-9.2

9 C-9.1

8 C-9.1

1 C-9.2

4 C-9.2

6 C-9.1

6 C-9.2

7 C-9.2

7 C-9.3

58A C-9.3

1 C-9.3

11 C-9.2

10 C-9.2

12 C-9.2

10 C-9.3

6A STOP SIGN (R1-1 36"X36")

6B HANDICAP SIGN

6C MOBILE ORDERING SIGN

6D NO LEFT TURN SIGN

6E ONE WAY SIGN (R6-1 OR R6-2)

6F RIGHT TURN ONLY

6G PEDESTRIANS CROSSING

6H CIRCLE BUILDING FOR DRIVE THRU

6I DO NOT ENTER SIGN (R5-1)

6J LANES MERGE SIGN

6K D/T ARROW SIGNS

50 SITE CONTRACTOR SHALL REFER TO ARCHITECT PLANS FOR THE EXACT DIMENSIONS OF THE BUILDING AND THE LOCATION OF DOORWAYS, UTILITIES, ETC.

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55 SINGLE YELLOW LINE

56 BIKE RACK

57 SMALL RETAINING WALL TO BE DESIGN/BUILT BY CONTRACTOR (NOT USED)

Chick-fil-A

5200 Buffington Road

Atlanta, Georgia 30349-2998

Seal

GEORGIA

REGISTERED PROFESSIONAL ENGINEER

No. 22286

TODD M. ROGERS

11-8-19

GREYDEN

ENGINEERING • PLANNING

125 Townpark Dr., Suite 300

Kennesaw, GA 30144

PH: 770-573-4801 FAX: 678-302-6362

CHICK-FIL-A

461 N Central Ave.

Hapeville, GA 30354

FSU# 70001

REVISION SCHEDULE

NO.

DATE

DESCRIPTION

GREYDEN PROJECT # 19-064

PRINTED FOR

DATE

DRAWN BY

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SHEET

SITE PLAN

SHEET NUMBER

C-2.0

NOT FOR CONSTRUCTION, PERMITTING, OR REGULATORY APPROVAL

Page 58 of 116

THIS PLAT IS A RETRACEMENT OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT SUBDIVIDE OR CREATE A NEW PARCEL OR MAKE ANY CHANGES TO ANY REAL PROPERTY BOUNDARIES. THE RECORDING INFORMATION OF THE DOCUMENTS, MAPS, PLATS, OR OTHER INSTRUMENTS WHICH CREATED THE PARCEL OR PARCELS ARE STATED HEREON. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES 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 AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67.

SURVEYOR CERTIFICATION:

TO: DWARF HOUSE GROUP, LLC AND FIDELITY NATIONAL TITLE INSURANCE COMPANY

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 8, 13 & 16. THE FIELD WORK WAS COMPLETED ON MAY 22, 2019.

SIGNED: *Daniel F. Conner*
DATE: 5/25/19
REGISTRATION NO: 2350

CURVE	ARC LENGTH	RADIUS	CHORD BEARING	CHORD LENGTH
C1	97.95'	1160.17'	S 45°28'37" E	97.93'
C2	14.43'	10.00'	S 06°33'38" E	13.21'

LAND DESCRIPTION OF TRACT 6

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING LOCATED IN LAND LOT 95 OF THE 14TH DISTRICT AND BEING IN THE CITY OF HAPEVILLE GEORGIA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE SOUTHWESTERLY RIGHT-OF-WAY OF KING ARNOLD STREET (50' RIGHT-OF-WAY) AND SOUTHEASTERLY RIGHT-OF-WAY OF SHERMAN ROAD (40' RIGHT-OF-WAY); THENCE S54°04'18"E ALONG THE SOUTHWESTERLY RIGHT-OF-WAY OF KING ARNOLD STREET A DISTANCE OF 162.46 FEET TO A 1/2" REBAR WITH CAP SET AT THE TRUE POINT OF BEGINNING; THENCE LEAVING SAID RIGHT-OF-WAY S33°59'19"W A DISTANCE OF 196.06 FEET TO A X-CUT IN PVC PIPE SET; THENCE N54°15'22"W A DISTANCE OF 64.08 FEET TO A MAG NAIL SET; THENCE N34°21'48"E A DISTANCE OF 50.00' TO A 1/2" REBAR WITH CAP FOUND; THENCE N55°04'51"W A DISTANCE OF 100.00 FEET TO A 1/2" REBAR WITH CAP FOUND IN THE SOUTHEASTERLY RIGHT-OF-WAY OF SHERMAN ROAD (40' RIGHT-OF-WAY); THENCE ALONG SAID RIGHT-OF-WAY N34°00'22"E A DISTANCE OF 130.13 FEET TO A POINT; THENCE ALONG A CURVE TO THE RIGHT 22.14 FEET HAVING A RADIUS OF 14.00 FEET SUBTENDED BY A CHORD OF N79°18'55"E A DISTANCE OF 19.91 FEET TO A POINT IN THE SOUTHWESTERLY RIGHT-OF-WAY OF KING ARNOLD STREET (50' RIGHT-OF-WAY); THENCE ALONG SAID RIGHT-OF-WAY S55°22'32"E A DISTANCE OF 149.53 FEET TO THE POINT OF BEGINNING. HAVING AN AREA OF 26.868 SQUARE FEET OR 0.617 ACRES.

SITE

LOCATION MAP

NOTES

- BY GRAPHIC PLOTTING ONLY, THE PROPERTY SHOWN HEREON IS IN ZONE X OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 13121C0367F & 13121C0369F, WHICH BEARS AN EFFECTIVE DATE OF SEPTEMBER 18, 2013 AND IT IS IN A AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD.
 - THE BASIS OF BEARINGS FOR THIS SURVEY IS THE GEORGIA STATE PLANE COORDINATE SYSTEM, WEST ZONE.
 - EQUIPMENT USED FOR MEASUREMENTS IS AS FOLLOWS: TRIMBLE R6 GPS UNIT, TRIMBLE S6 ROBOTIC TOTAL STATION AND A TSC3 RANGER DATA COLLECTOR.
 - THE HORIZONTAL DATUM FOR THIS SURVEY IS NAD83 AND THE VERTICAL DATUM IS NAVD88.
 - THE FIELD DATA COLLECTED TO SUPPORT THIS PLAT WAS COMPLETED ON 03/12/2018.
 - THE INITIAL CONTROL POINTS FOR THIS SURVEY WERE LOCATED UTILIZING GPS. THE EQUIPMENT USED WAS A TRIMBLE R6 DUAL FREQUENCY RECEIVER WITH A TRIMBLE TSC3 DATA COLLECTOR NETWORK CORRECTIONS WERE RECEIVED VIA A CELLULAR MODEM. THE TYPE OF SURVEY NETWORK RTK UTILIZING THE TRIMBLE VRS REALTIME NETWORK OPERATED BY eGPS SOLUTIONS, INC.
 - THE CERTIFICATE OF AUTHORIZATION NUMBER FOR COLUMBIA ENGINEERING IS LSF000902.
 - THERE IS NO OBSERVED EVIDENCE OF EARTHMOVING WORK ALONG ROAD FRONTS/AGES OF SUBJECT PROPERTY.
 - THERE IS NO OBSERVED EVIDENCE OF WASTE DUMP, SUMP, OR SANITARY LANDFILL ON SUBJECT PROPERTY.
 - THE UNDERGROUND UTILITIES (EXCEPT THE LOCATION OF EXISTING DRAINAGE, SEWER AND IRRIGATION UTILITIES AS WELL AS UNDERGROUND STORAGE TANKS) WERE LOCATED BY THE PUBLIC UTILITY COMPANIES SERVING THIS AREA AND ARE SHOWN HEREON AS THEY WERE PAINTED AND/OR MARKED ACCORDINGLY.
- THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN-SERVICE OR ABANDONED. UNDERGROUND UTILITIES NOT LOCATED OR LOCATED UTILIZING THIS AS EVIDENCE MAY EXIST ON THIS SITE BUT NOT BE SHOWN, AND MAY BE FOUND UPON EXCAVATION.
- THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH THE SURVEYOR DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE.
- INFORMATION REGARDING MATERIAL AND SIZE OF UTILITIES IS BASED ON RECORDS ACQUIRED FROM THE UTILITY OWNERS.

LAND DESCRIPTION OF COMBINED TRACTS 1 & 2

ALL THAT TRACT OR PARCEL OF LAND LYING OR BEING IN LAND LOTS 95 & 96, 14TH DISTRICT, CITY OF HAPEVILLE, FULTON COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A MAG NAIL SET AT THE EXTENDED INTERSECTION OF SOUTHWESTERLY RIGHT-OF-WAY OF KING ARNOLD STREET (50' RIGHT-OF-WAY) AND NORTHWESTERLY RIGHT-OF-WAY OF SHERMAN ROAD (40' RIGHT-OF-WAY); THENCE SOUTH 34°46'29" WEST, ALONG NORTHWESTERLY RIGHT-OF-WAY OF SHERMAN ROAD, A DISTANCE OF 126.59 FEET TO A POINT; THENCE SOUTH 34°07'47" WEST, ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 215.19 FEET TO A MAG NAIL SET ON THE INTERSECTION OF SAID NORTHWESTERLY RIGHT-OF-WAY OF SHERMAN ROAD AND NORTHWESTERLY RIGHT-OF-WAY OF NORTH CENTRAL AVENUE; THENCE LEAVING NORTHWESTERLY RIGHT-OF-WAY OF SHERMAN ROAD, NORTH 54°53'19" WEST, ALONG NORTHWESTERLY RIGHT-OF-WAY OF NORTH CENTRAL AVENUE A DISTANCE OF 149.85 FEET TO A 1" ROD FOUND; THENCE LEAVING NORTHWESTERLY RIGHT-OF-WAY OF NORTH CENTRAL AVENUE NORTH 34°39'31" EAST, ALONG PROPERTY LINE OF DWARF HOUSE GROUP, LLC, RECORDED IN DEED BOOK 56214, PAGE 54, A DISTANCE OF 192.59 FEET TO A 1/2" REBAR SET; THENCE NORTH 58°44'13" WEST, ALONG SAID PROPERTY LINE, A DISTANCE OF 50.00 FEET TO A 1/2" REBAR FOUND (REBAR 0.19 FEET SOUTH EAST FROM TRUE CORNER); THENCE LEAVING SAID PROPERTY LINE NORTH 35°00'29" EAST, ALONG PROPERTY LINE OF SOUNG THACH AND LAI THI KIM RECORDED IN DEED BOOK 48602, PAGE 90, A DISTANCE OF 199.00 FEET TO A 1/2" REBAR WITH CAP SET ON THE SOUTHWESTERLY RIGHT-OF-WAY OF KING ARNOLD STREET; THENCE SOUTH 42°14'20" EAST, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 94.08 FEET TO A POINT; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY, ALONG A CURVE TO THE LEFT A DISTANCE OF 97.95 FEET, HAVING A RADIUS OF 1160.17 FEET AND BEING SUBTENDED BY A CHORD WHICH BEARS SOUTH 45°28'37" EAST, FOR A DISTANCE OF 97.93 FEET, TO A POINT; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY OF KING ARNOLD STREET AND SHERMAN ROAD, ALONG A CURVE TO THE RIGHT A DISTANCE OF 14.43 FEET, HAVING A RADIUS OF 10.00 FEET AND BEING SUBTENDED BY A CHORD WHICH BEARS SOUTH 06°33'38" EAST, FOR A DISTANCE OF 13.21 FEET, TO THE POINT OF BEGINNING.

CONTAINING 63,266 SQUARE FEET OR 1.452 ACRES, MORE OR LESS.

LAND DESCRIPTION OF TRACT 3

ALL THAT TRACT OR PARCEL OF LAND LYING OR BEING IN LAND LOT 95 & 96, 14TH DISTRICT, CITY OF HAPEVILLE, GEORGIA, FULTON COUNTY, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A MAG NAIL SET AT THE INTERSECTION OF SOUTHEASTERLY RIGHT-OF-WAY OF SHERMAN ROAD (40' RIGHT-OF-WAY) AND NORTHWESTERLY RIGHT-OF-WAY OF NORTH CENTRAL AVENUE; THENCE NORTH 34°21'48" EAST, ALONG SOUTHEASTERLY RIGHT-OF-WAY OF SHERMAN ROAD, A DISTANCE OF 75.00 FEET TO A MAG NAIL SET, SAID THE POINT BEING THE POINT OF BEGINNING; THENCE NORTH 34°21'48" EAST, ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 125.00 FEET TO A 1/2" REBAR WITH CAP SET; THENCE LEAVING SAID RIGHT-OF-WAY SOUTH 55°04'51" EAST, ALONG PROPERTY LINE OF RICHARD E. BUICE, A DISTANCE OF 100.00 FEET TO A 1/2" REBAR WITH CAP SET; THENCE SOUTH 34°21'48" WEST, ALONG SAID PROPERTY LINE AND PROPERTY LINE OF DWARF HOUSE PROPERTY CO., INC., A DISTANCE OF 125.00 FEET TO A POINT; THENCE NORTH 55°04'51" WEST, ALONG SAID PROPERTY LINE OF DWARF HOUSE PROPERTY CO., INC., A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 12,499 SQUARE FEET OR 0.287 ACRES, MORE OR LESS.

LAND DESCRIPTION OF TRACT 4

ALL THAT TRACT OR PARCEL OF LAND LYING OR BEING IN LAND LOT 96, 14TH DISTRICT, CITY OF HAPEVILLE, GEORGIA, FULTON COUNTY, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A MAG NAIL SET AT THE INTERSECTION OF SOUTHEASTERLY RIGHT-OF-WAY OF SHERMAN ROAD (40' RIGHT-OF-WAY) AND NORTHWESTERLY RIGHT-OF-WAY OF NORTH CENTRAL AVENUE; THENCE NORTH 34°21'48" EAST, ALONG SOUTHEASTERLY RIGHT-OF-WAY OF SHERMAN ROAD, A DISTANCE OF 75.00 FEET TO A MAG NAIL SET; THENCE LEAVING SOUTHEASTERLY RIGHT-OF-WAY OF SHERMAN ROAD SOUTH 55°04'51" EAST, ALONG PROPERTY LINE OF DWARF HOUSE PROPERTY CO., INC., RECORDED IN DEED BOOK 56214, PAGE 54, A DISTANCE OF 100.00 FEET TO A POINT; THENCE NORTH 34°21'48" EAST, ALONG SAID PROPERTY LINE, A DISTANCE OF 75.00 FEET TO A POINT TO A MAG NAIL SET; THENCE LEAVING SAID PROPERTY LINE SOUTH 54°15'22" EAST, ALONG PROPERTY LINE OF RICHARD E. BUICE, A DISTANCE OF 64.08 FEET TO AN X-CUT IN PVC PIPE SET; THENCE LEAVING SAID PROPERTY LINE SOUTH 56°03'38" EAST, ALONG PROPERTY LINE OF JOHN MARTIN HOLDER, JR., A DISTANCE OF 50.00 FEET TO A 1/2" REBAR WITH CAP SET; THENCE LEAVING SAID PROPERTY LINE SOUTH 33°59'19" WEST, ALONG PROPERTY LINE OF N & N COIN LAUNDRY, LLC, A DISTANCE OF 15.47 FEET TO A 1/2" REBAR FOUND; THENCE SOUTH 34°33'18" WEST, ALONG SAID PROPERTY LINE, A DISTANCE OF 149.98 FEET TO A 1/2" REBAR FOUND ON THE NORTHWESTERLY RIGHT-OF-WAY OF NORTH CENTRAL AVENUE; THENCE LEAVING SAID PROPERTY LINE NORTH 33°59'19" WEST, ALONG PROPERTY LINE OF RICHARD E. BUICE, A DISTANCE OF 196.06 FEET TO THE POINT OF BEGINNING.

CONTAINING 26,851 SQUARE FEET OR 0.616 ACRES, MORE OR LESS.

CIVIL ENGINEERS * LAND PLANNERS

* LANDSCAPE ARCHITECTS * SURVEYORS

COLUMBIA ENGINEERING
2862 BUFORD HIGHWAY
SUITE 200
DULUTH, GEORGIA 30096
(770) 925-0357



FOR THE FIRM COLUMBIA ENGINEERING LSF#000902

ALTANSPS SURVEY FOR
DWARF HOUSE GROUP, LLC & FIDELITY NATIONAL TITLE INSURANCE COMPANY
451, 461 NORTH CENTRAL AVENUE, 3580 SHERMAN ROAD, 436, 440, 448 KING ARNOLD STREET
LAND LOTS 95 AND 96 OF THE 14TH DISTRICT, CITY OF HAPEVILLE, FULTON COUNTY, GEORGIA

REVISIONS	DATE
RAILROAD CROSSING	05/09/18
ADDED BUICE TRACK	05/30/19

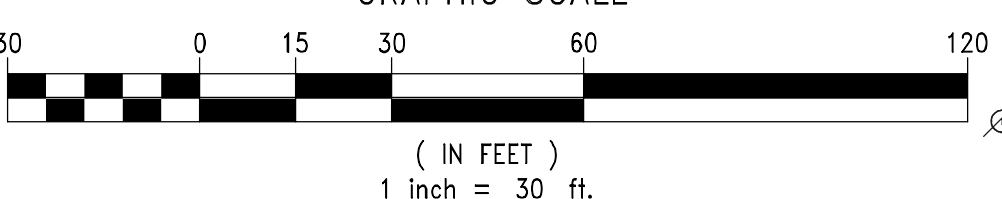
DRAWING TITLE

ALTANSPS SURVEY

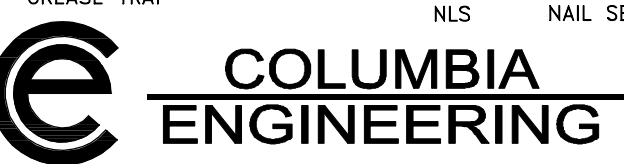
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DRAWN BY: SJ	
PROJECT NO: 5041.00	
FIELD DATE: 05/22/19	1 OF 1
PLAT DATE: 04/05/18	
SCALE: 1"=30'	

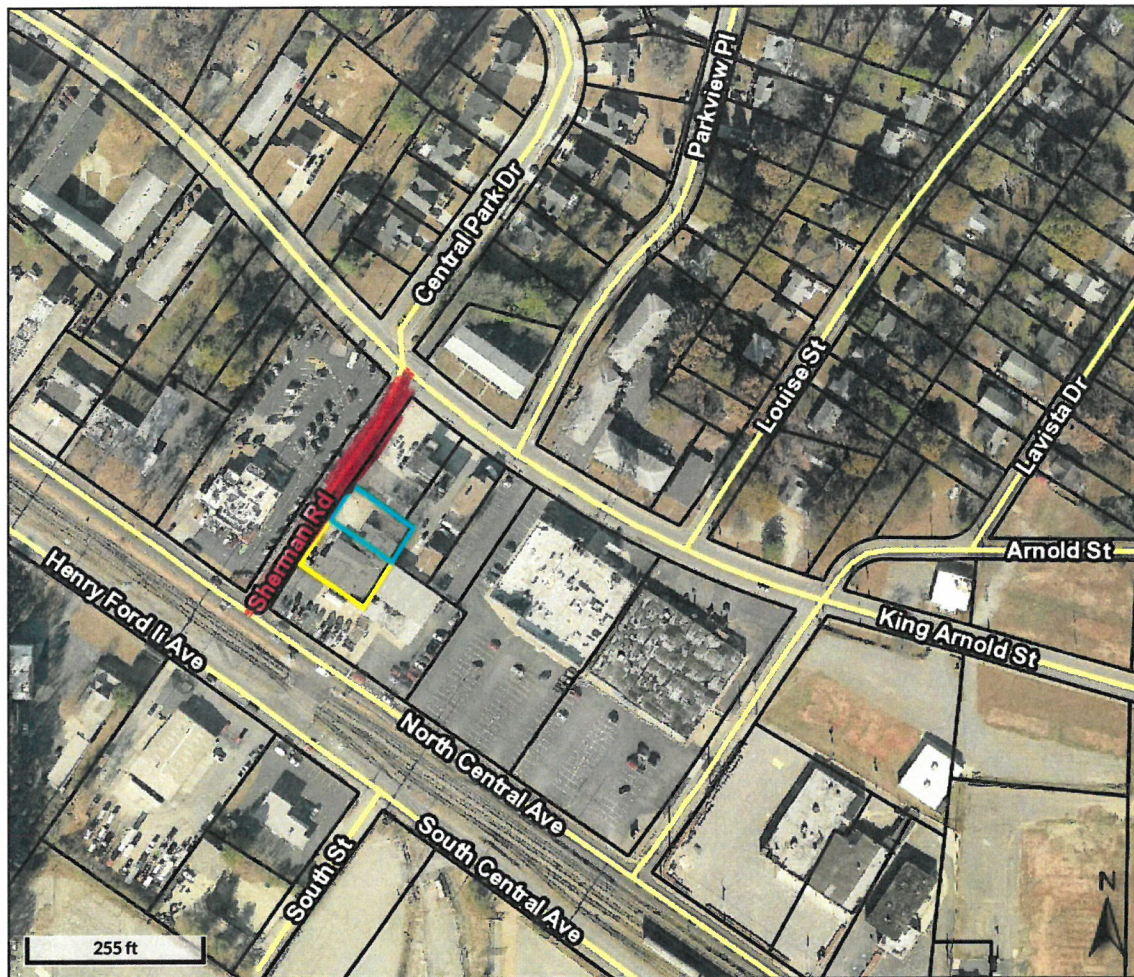
- LEGEND**
- PROPERTY CORNER FOUND
 - SWCB
 - SINGLE WING CATCH BASIN
 - DOUBLE WING CATCH BASIN
 - STORM MANHOLE
 - DROP INLET
 - SEWER MANHOLE
 - CURB INLET
 - GAS VALVE
 - BOLLARD
 - POWER POLE
 - AC UNIT
 - TELEPHONE MANHOLE
 - TELEPHONE PEDestal
 - CLEANOUT
 - GUY ANCHOR
 - SIGN
 - FIRE HYDRANT
 - WATER VALVE
 - WATER METER
 - TELEPHONE POLE
 - GREASE TRAP
 - PROPERTY CORNER SET
 - LIGHT POLE
 - ELECTRIC BOX
 - NUMBER OF PARKING SPACES
 - DECORATIVE TREE
 - OVERHEAD UTILITY LINE
 - LANDSCAPED AREA
 - FENCE
 - SANITARY SEWER LINE
 - GAS LINE
 - WATER LINE
 - UNDERGROUND ELECTRIC LINE
 - STORM LINE
 - R/W RIGHT OF WAY
 - N/F NOW OR FORMERLY
 - DEED BOOK
 - PAGE
 - P.O.C. POINT OF COMMENCEMENT
 - R.C.P. REINFORCED CONCRETE PIPE
 - C.M.P. CORRUGATED METAL PIPE
 - P.V.C. POLYVINYL PLASTIC PIPE
 - N.L.S. NAIL SET

GRAPHIC SCALE



N/F
DWARF HOUSE PROPERTY CO., INC.
TAX ID: 14 009600030276 &
14 009600030288
DB 56271 PG 86
ADDRESS: 3580 SHERMAN ROAD
AREA: 12.499 SQ. FT. (0.287 ACRES)





Overview



Legend

-  Parcels
-  Roads

Parcel ID	14	Physical Address	SHERMAN RD	Last 2 Sales			
	009600030268	Owner	DWARF HOUSE PROPERTY CO	Date	Price	Reason	Qual
Class Code	C3		INC	12/1/2015	0	Sale Includes Multiple	U
Taxing	30					Parcels	
District			5200 BUFFINGTON RD	10/4/2012	0	Sale Includes Multiple	U
Acres	0.1148		ATLANTA GA 30349			Parcels	
		Assessed Value	\$82,200				

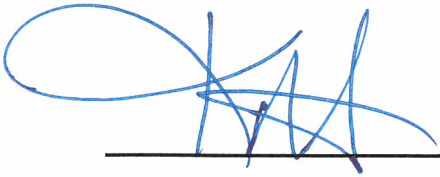
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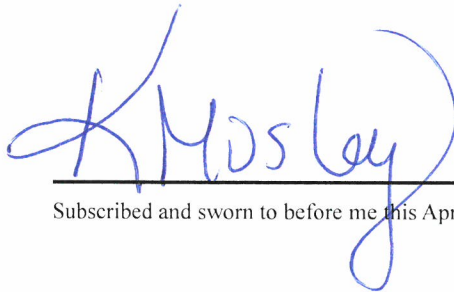
Developed by  **Schneider**
GEOSPATIAL

PUBLISHER'S AFFIDAVIT

STATE OF GEORGIA
COUNTY OF FULTON

Before me, the undersigned, a Notary Public, this day personally came the undersigned who, being duly sworn, according to law, says she is an agent of ALM Media, LLC., publishers of the **Daily Report**, the official newspaper published in Atlanta, GA, in said county and state, and that the publication, of which the annexed is a true copy, was published in said newspaper as provided by law on the following dates: 04/06/2020.





Subscribed and sworn to before me this April 6, 2020



NOTICE
City of Hapeville

The Mayor and Council of the City of Hapeville will hold a Public Hearing at **6:00 p.m. on Tuesday, April 21, 2020** via teleconference/videoconference per O.C.G.A § 50-14-1(g) at <http://zoom.us/j/199302390>, or by dialing 1-312-626-6799, Webinar ID: 199 302 390 to consider the following request:

Consideration of a request to abandon Sherman Road located in Land Lot 96 of the 14th District, Fulton County (City of Hapeville) adjacent to North Central Avenue and King Arnold Street.

Applicant: Chick-fil-A, Inc.

Please contact the Department of Planning and Zoning at (404) 669-8269 if you have any questions accessing the virtual meeting.

#0000466511:4/06-1AS

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.

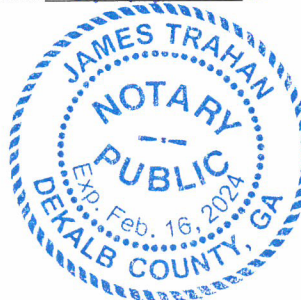
[Signature]
Applicant's signature

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]

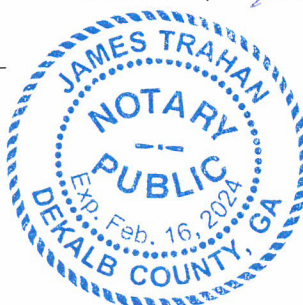
Signature of Owner

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.

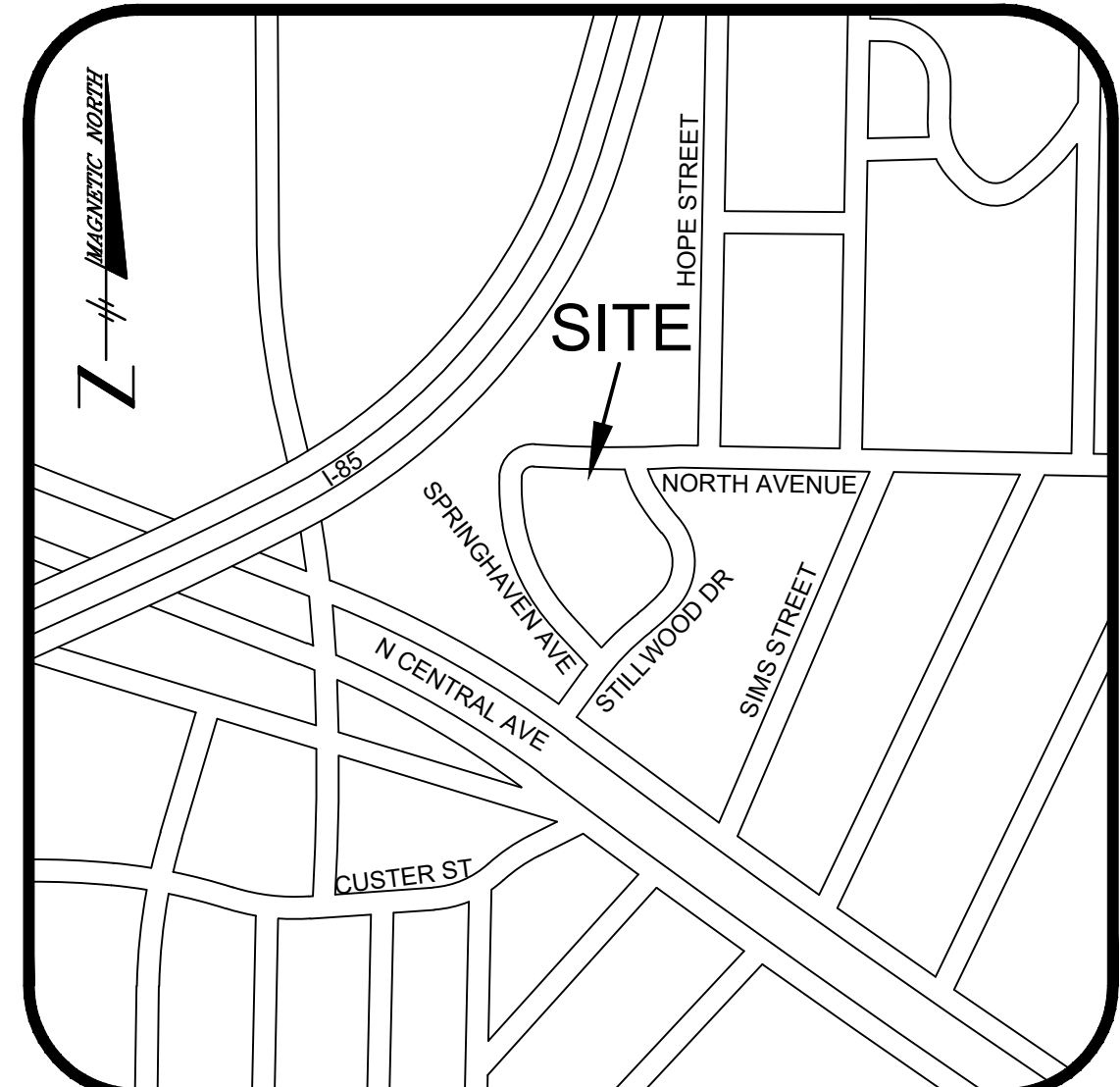
VE Site plans shall include the footprint/outline of existing structures on adjoining properties. For detached single-family residential infill development, the front yard setback shall be assessed based on the average setback of existing structures on adjoining lots. Where practical, new construction 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.

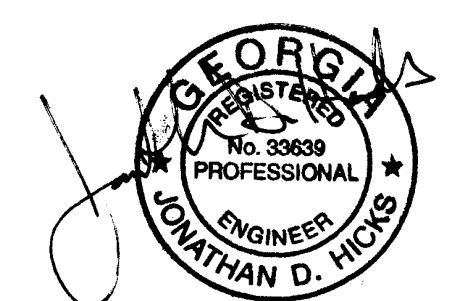
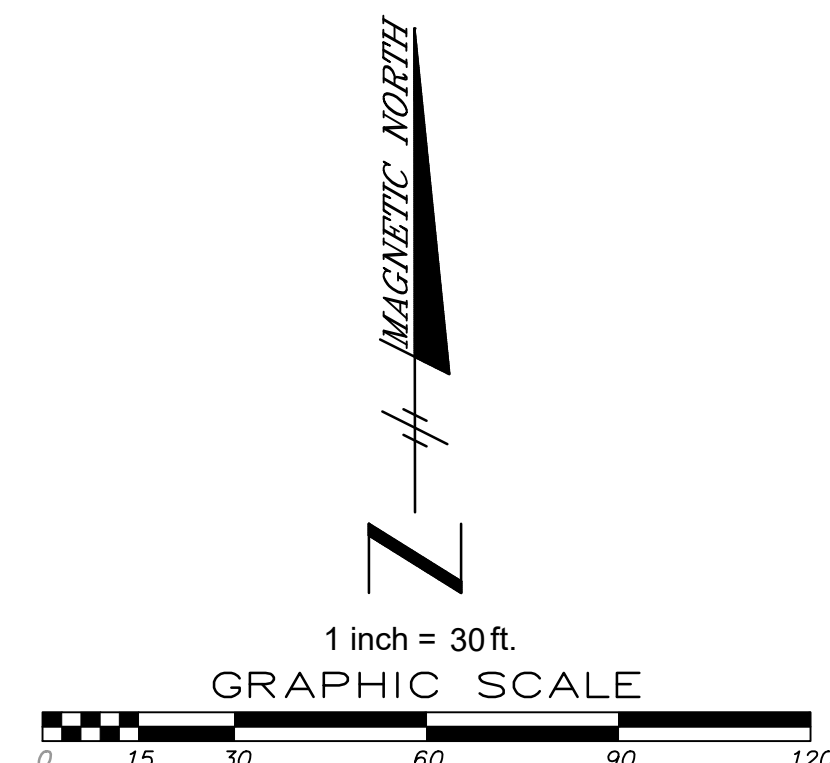
- KE Provisions for both on-site and offsite storm-water drainage and detention related to the proposed development.
- N/A KE Location and size of all signs. Detached single-family residential development may be exempt from this requirement.
- KE Typical elevations of proposed building provided at a 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



- SITE DATA:**
- SITE ADDRESS:**
3264 SPRINGHAVEN AVENUE
HAPEVILLE, GA 30354
 - SITE ZONING:**
-EXISTING ZONING: "V" (VILLAGE)
-PROPOSED ZONING: PUD (SITE SPECIFIC PLAN)
-PROPOSED DENSITY: 62 UNITS / 4.17 ACRES = 14.87 UNITS/AC
 - TOTAL SITE ACREAGE:** 4.17 ACRES
 - OPEN SPACE SUMMARY:**
-PROVIDED OPEN SPACE: 0.45 ACRES = 10.8%
AREA 'B1' (NATURAL/CONSERVATION PRESERVED AREA): 0.30 ACRES
AREA 'B2' (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 ONSTREET)
 - BUILDING SQUARE FOOTAGES:**
-TYPICAL DWELLING UNIT SIZE: 1,200SF - 2,000SF (APPROXIMATE)
 - PROPOSED INDIVIDUAL UNIT FEE SIMPLE LOTS** LINES TO BE BASED UPON ASBUILT 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

1	ISSUED FOR REVIEW	3/10/20
No.	Revision/Issue	Date

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

OWNER/DEVELOPER:

CONTACT:

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

RECORDATION AREA

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 complies 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 and as set forth in O.C.G.A. Section 15-6-67.

Aaron M. McCullough (Ga. L.S. #2990)

1/6/20
DATE

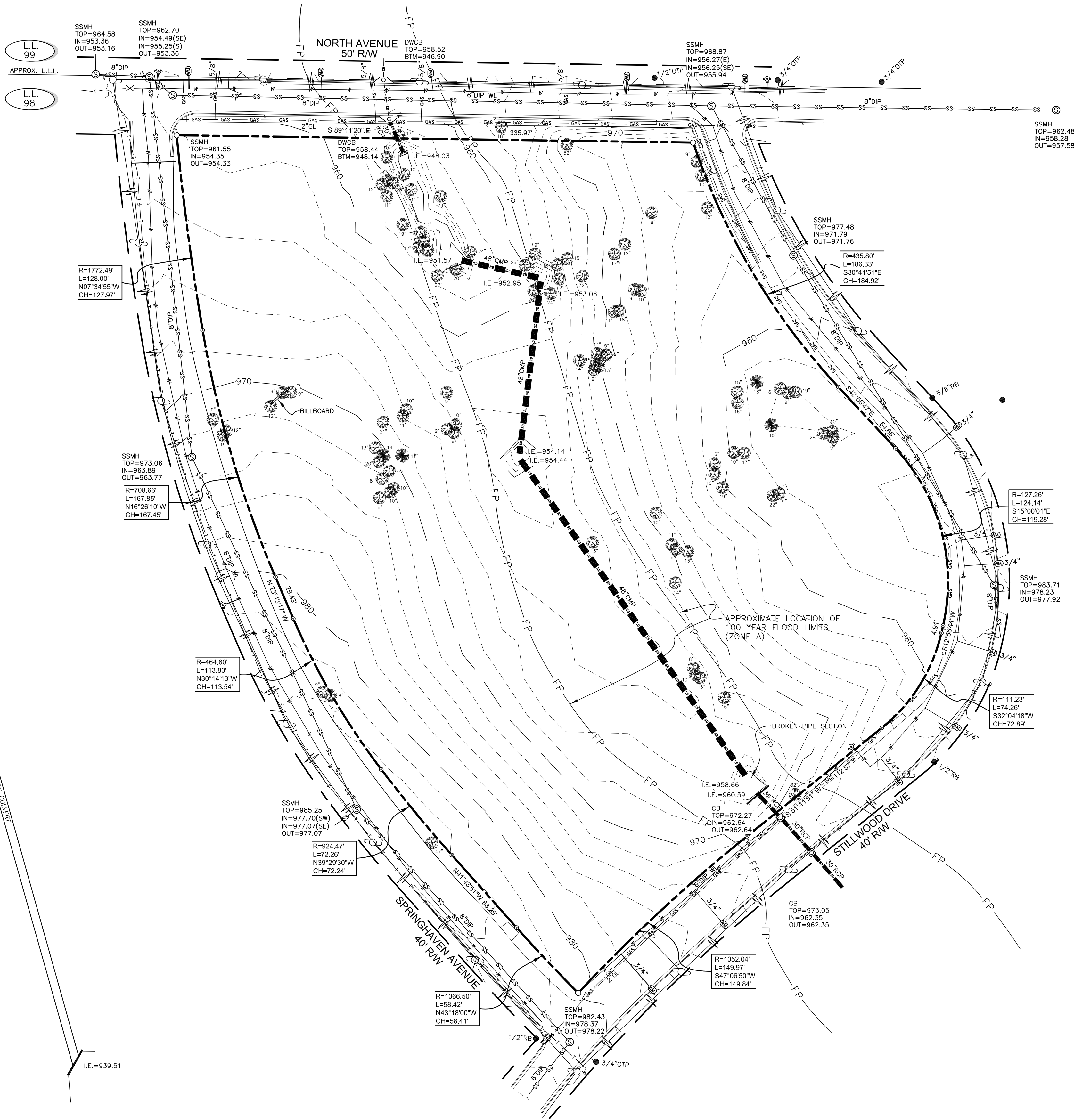


IF YOU DIG
Know what's below.
Call before you dig.
Dial 811
Or Call 800-282-7411

LEGEND

- CALCULATED POINT
- IRON PIN FOUND
- IRON PIN SET (1/2" REBAR)
- R/W MONUMENT
- P/L PROPERTY LINE
- R/W RIGHT OF WAY
- N/F NOW OR FORMERLY
- B/L BUILDING LINE
- OTP OPEN TOP PIPE
- DOUBLE WING CATCH BASIN
- HEADWALL
- JUNCTION BOX
- DROP INLET
- CMP CORRUGATED METAL PIPE
- RCP REINFORCED CONCRETE PIPE
- LIGHT POLE (1 LAMP)
- LIGHT POLE (2 LAMPS)
- LIGHT POLE (3 LAMPS)
- LIGHT POLE (4 LAMPS)
- BOUNDARY LINE
- X-X- FENCE
- GAS- GAS LINE
- U-G-U- UNDERGROUND POWER LINE
- SS-SS- OVERHEAD POWER LINE
- SS-SS- SANITARY SEWER LINE
- SD-SD- STORM DRAIN LINE
- W-W- WATER LINE
- WATER METER
- WATER VALVE
- FIRE HYDRANT
- SANITARY SEWER MANHOLE
- CLEANOUT
- GREASE TRAP
- GAS METER
- POWER METER
- POWER BOX
- GAS VALVE
- POWER POLE
- GUY ANCHOR
- BOLLARD
- I.R.C.V. IRRIGATION CONTROL VALVE
- FIBER OPTIC MARKER
- FIRE DEPT. CONNECTION
- CONCRETE

INTERSTATE 85
RW VARIES



GENERAL NOTES

- THIS SURVEY HAS BEEN PREPARED FOR THE EXCLUSIVE USE OF THE PERSON OR ENTITIES NAMED HEREON. NO EXPRESS OR IMPLIED WARRANTIES WITH RESPECT TO THE INFORMATION SHOWN HEREON IS TO BE EXTENDED TO ANY PERSONS OR ENTITIES OTHER THAN THOSE SHOWN HEREON.
- FLOOD STATEMENT: AS PER OFFICIAL FIRM MAP 13121C0366F DATED 9/18/2013 A PORTION OF THIS PROPERTY IS LOCATED IN A DESIGNATED FLOOD HAZARD AREA.
- HUGHES-RAY COMPANY, INC. AND THE LAND SURVEYOR WHOSE SEAL IS AFFIXED HERETO DO NOT GUARANTEE THAT ALL EASEMENTS WHICH MAY AFFECT THE PROPERTY ARE SHOWN HEREON.
- THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEY IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67.
- DATE OF FIELD WORK : 12/20/19

CLOSURE STATEMENT

THE FIELD DATA UPON WHICH THIS PLAT IS BASED WAS PERFORMED USING AN CLOSED TRAVERSE AND WAS NOT ADJUSTED.

THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 133,758 FEET.

THE FOLLOWING TYPE OF EQUIPMENT WAS USED TO OBTAIN THE LINEAR AND ANGULAR MEASUREMENTS USED IN THE PREPARATION OF THIS PLAT:
TRIMBLE S6 ROBOTIC TOTAL STATION AND DATA COLLECTOR

UTILITY NOTE

THE UNDERGROUND UTILITIES SHOWN HEREON ARE BASED ON LOCATION OF MARKINGS PROVIDED BY:

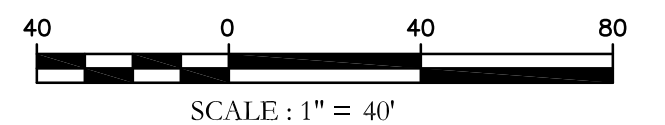
UTILISURVEY, LLC
154 GRANT ROAD
FAYETTEVILLE, GEORGIA 30215
404-312-6912

UTILISURVEY, LLC UTILIZED SEVERAL TECHNIQUES INCLUDING, BUT NOT LIMITED TO, ELECTROMAGNETIC, MAGNETIC LOCATION FOR FERROUS METALS, ACOUSTIC AND PASSIVE FREQUENCIES TO DESIGNATE AND MARK BURIED UTILITIES ON THE SURFACE WITH PAINT AND FLAGS COVERING THE ENTIRE AREA OF THE PROJECT.

THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN-SERVICE OR ABANDONED. UNDERGROUND UTILITIES NOT OBSERVED OR LOCATED UTILIZING THIS TECHNIQUE MAY EXIST ON THIS SITE BUT NOT BE SHOWN, AND MAY BE FOUND UPON EXCAVATION. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH THE SURVEYOR DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE.

INFORMATION REGARDING MATERIAL AND SIZE OF UTILITIES IS BASED ON RECORDS ACQUIRED FROM UTILITY OWNERS.

TRACT AREA
4.17 ACRES



PLAT

PREPARED BY:
HRC
HUGHES-RAY COMPANY, INC.
ENGINEERS | SURVEYORS | LANDSCAPE ARCHITECTS
6554 EAST CHURCH STREET
DOUGLASVILLE, GEORGIA 30134
p 770.942.0196
f 770.942.0152
www.HughesRay.com

BOUNDARY & TOPOGRAPHIC SURVEY FOR EPIC DEVELOPMENT

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

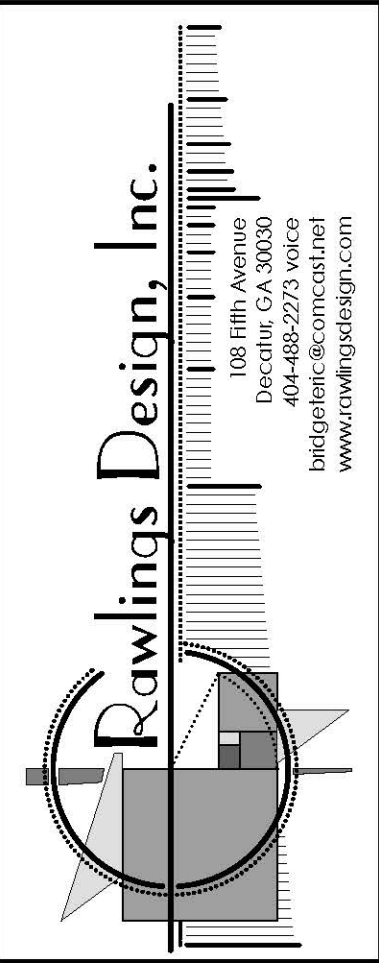
DATE: 2 JANUARY 2020

NO.	DATE	REVISION DESCRIPTION	DRAWN BY: DAS
			CHECKED BY: AMM
			JOB NO.: H19225
			SCALE: 1"=40'
			THIS DRAWING IS COPYRIGHTED. THE ORIGINAL DRAWING WAS PRODUCED AND IS ON RECORD IN THE OFFICES OF THIS FIRM. ANY UNAUTHORIZED USE, MODIFICATION, AND/OR REPRODUCTION OF THIS DRAWING, IN PART OR WHOLE, IS HEREBY PROHIBITED.

DRAWING NO. H19225 SU



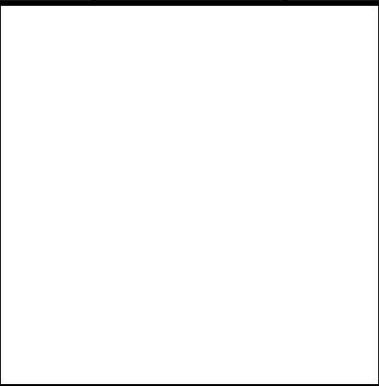
1 SITE PLAN
SCALE: 1" = 30'



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Revisions

Drawing Date:
#Date of Issue



PRELIMINARY NOT
RELEASED FOR
CONSTRUCTION

Project Number:
#Pin

#Project Name
#Site Address1
#Site City, #Site State #Site Postcode
#Client Full Name

Drawing Description:
Site Plan

A-1.2



PLANNER'S REPORT

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.

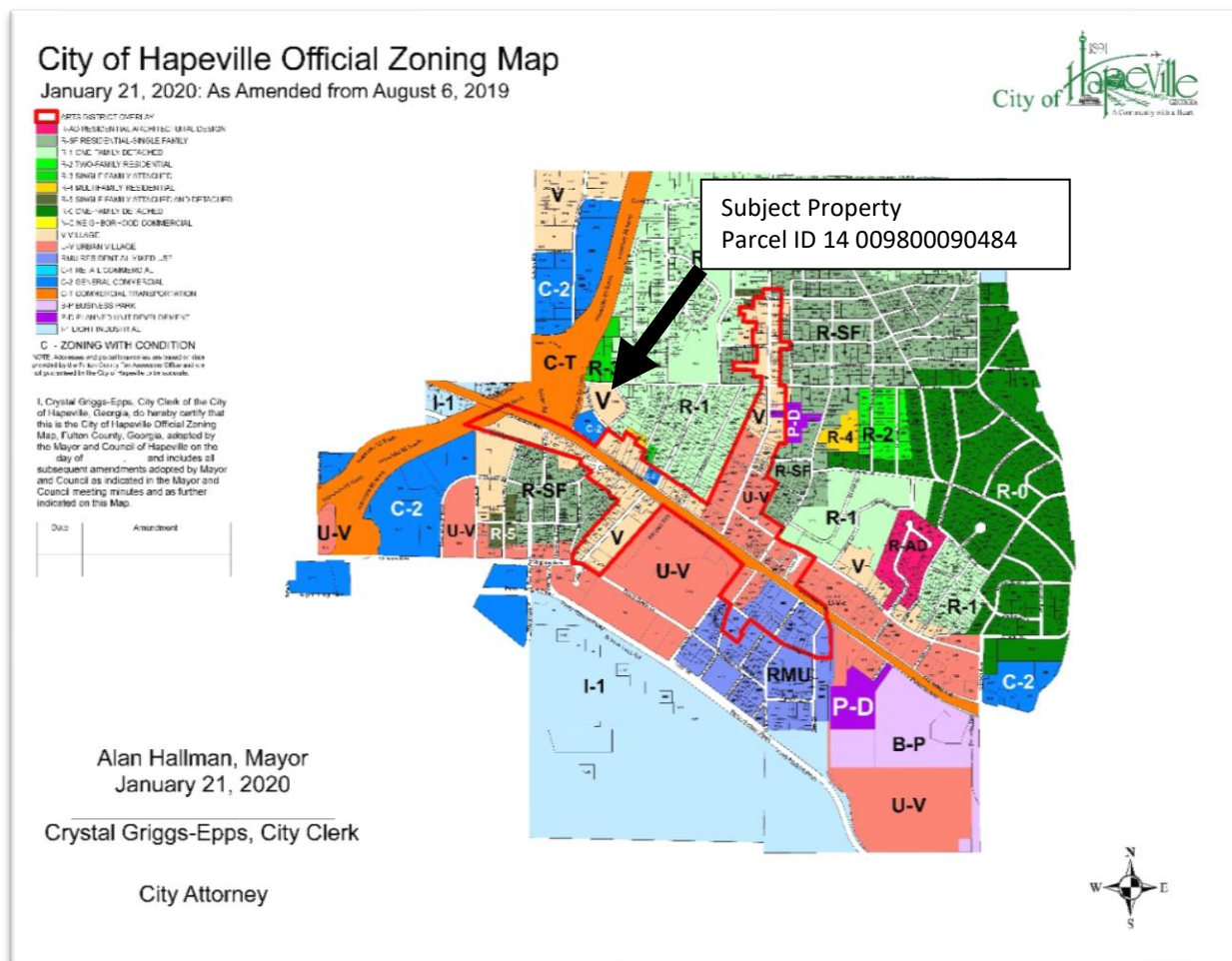


Figure 1

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

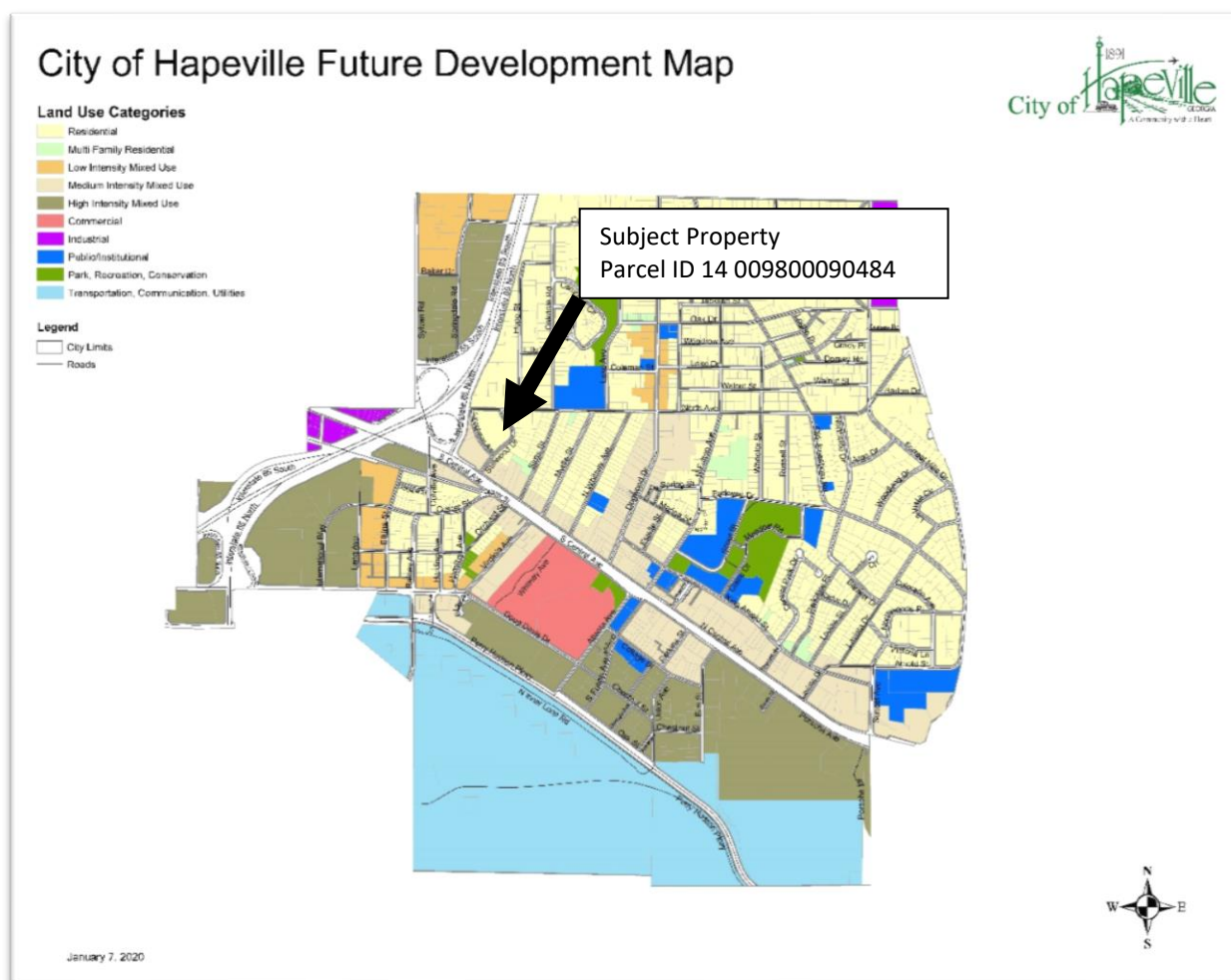


Figure 2

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;

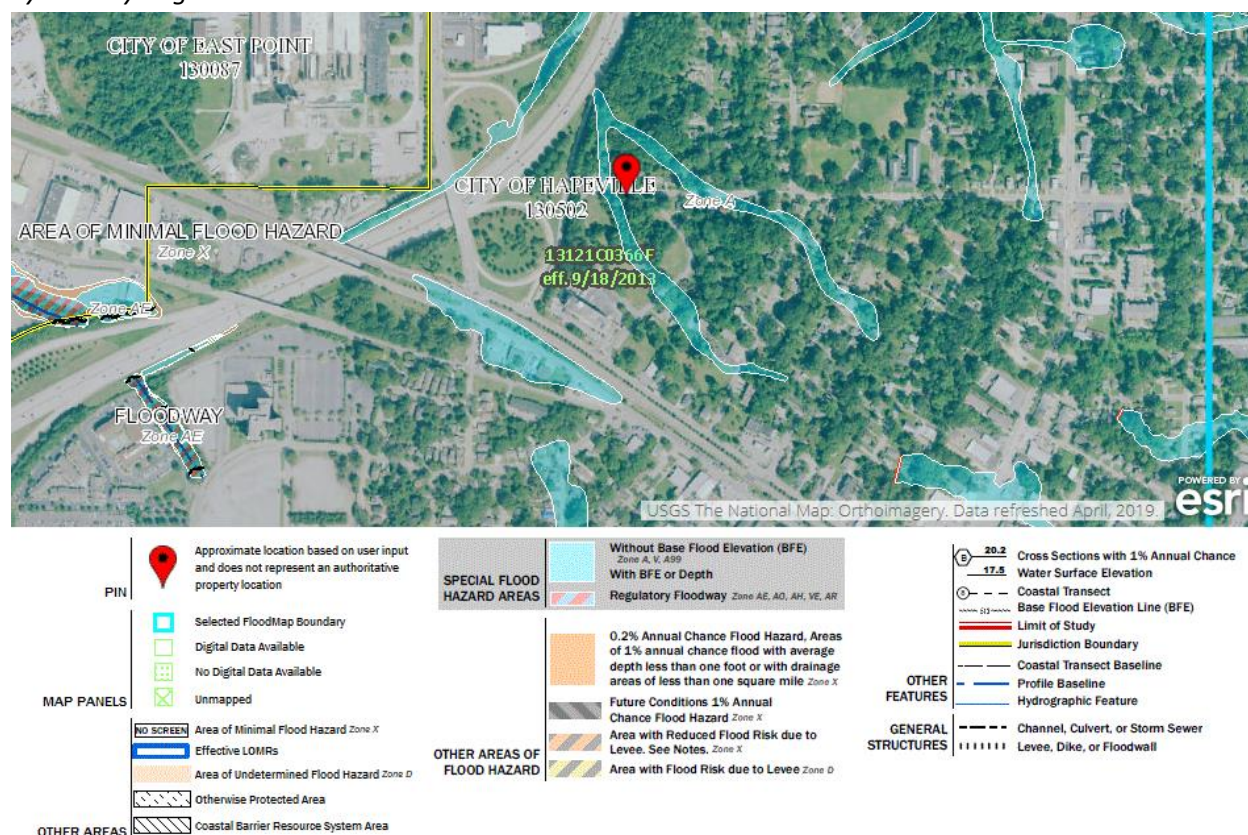
There is no foreseeable significant increase on public facilities such as schools, utilities or streets for the use proposed. The City's Community Services Department has indicated the City's sewer and water service capacity is sufficient to accommodate the new developments.

(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

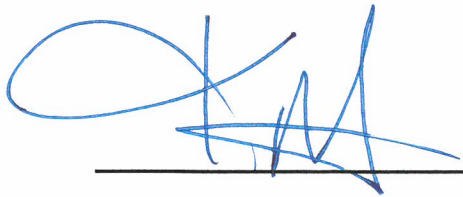
RECOMMENDATION

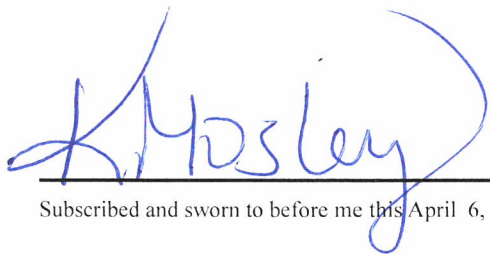
Staff recommends this application for approval. Per the City Code, the Design Review Committee will establish setbacks and other site requirements for the project.

PUBLISHER'S AFFIDAVIT

STATE OF GEORGIA
COUNTY OF FULTON

Before me, the undersigned, a Notary Public, this day personally came the undersigned who, being duly sworn, according to law, says she is an agent of ALM Media, LLC., publishers of the **Daily Report**, the official newspaper published in Atlanta, GA, in said county and state, and that the publication, of which the annexed is a true copy, was published in said newspaper as provided by law on the following dates: 04/06/2020.





Subscribed and sworn to before me this April 6, 2020



NOTICE
City of Hapeville

A Public Hearing will be held by the City of Hapeville Mayor and Council on **Tuesday, April 21, 2020 at 6:00 p.m. via teleconference/videoconference** per O.C.G.A § 50-14-1(g) at <http://zoom.us/j/199302390>, or by dialing 1-312-626-6799, Webinar ID: 199 302 390 to consider the following:

Rezoning request for the property located at 3264 Spring Haven Avenue on land lot 98 of the 14th District, Fulton County (City of Hapeville), Parcel Identification 14-0098-0009-048-4 from V, Village to P-D, Planned Unit Development for the purpose of constructing a residential subdivision.
Applicant: Epic Development – Alex Popham

Please contact the Department of Planning and Zoning at (404) 669-8269 if you have any questions accessing the virtual meeting.
#0000466518:4/06-1AS

April 13,2020

Dear Planning Commissioners,

I am the Personal Representative for the estate containing 811 North Ave. This home is across the street from the proposed Springdale Development. This is the home I grew up in. It belonged to my mother, Melba Ray, for over 65 years. Mother cut the grass and gardened in this empty lot for years until the trees became so tall that they blocked the sunlight. I have family that wishes to live in that home. Below you will find my concerns regarding the request for rezoning of the block across the street.

I ask you to please consider my concerns regarding the request to rezone this block prior to recommending a zoning change.

Springdale Development Concerns

Zoning change concerns

Limited notification of change

- No neighbors that I talked to were aware of a possible zoning change
- I learned of it from a random Facebook post
- Single little sign on one corner of a 4.17 acre lot is insufficient due to 'social distancing' and 'stay at home order'. At minimum there should have been a letter sent to adjacent properties and a sign at the corner of North Ave and Stillwood.

Change from Village/Residential to P-D (planned development)

- How do you insure residential once it's zoned P-D?
- Could applicant or a different developer decide to develop into Non-residential based on the P-D zoning?

Conditional Zoning Change ?

- Is the proposed zoning change to P-D conditional to the submitted conceptual site plan?
- Is this proposed 'single family' or 'predominantly single family'?
 - Application reflects 'predominantly single family' while Hapeville memorandum reflects 'single family'
- Which government committee approves the final home design and ensures standards are maintained?
- How are neighbors notified of the design and final approval?
- Is this conditional on resolution to issues and neighborhood concerns with the site plan?

Conceptual Site Plan Concerns

Below are high level concerns that I have with the conceptual site plan.

Too Many Houses Too Little Parking

Not enough parking for number of homes (1.5 spaces per house)

Conceptual Design Reflects On Street (safety, crime, looks bad)

Water Run Off

Impact of increased water flow to downstream homes and lands because of paving and dense home building.

Sewer Capacity

Historical issue with sewage from hotel backing up into downhill home on North Ave.

Traffic / Speeding

Increased density will create additional traffic and should require traffic calming measures

Service accessibility for homes with only alley access

Fire and Safety

Garbage trucks

Mail carriers

Entry level / Affordable vs Quality

What does conceptual home look like?

Average square feet

Average lot size

Additional Short Term Rentals

Creation of Home Owners Association (HOA) should prevent short term rental of properties

Density

Too many homes for too small of a space

Thank you for considering my concerns regarding this proposed development

Sincerely,

Anne Newman

[REDACTED]

Sharron Hope
793 North Avenue

Rather than building this area on/around Springhaven, perhaps consideration could be given to preserve our greenspace. There is no need, in my humble opinion, to build on every blade of grass we have left. Let's not do this.

Thank you

I just learned this project is coming before the Planning Commission tonight. As President of Azalea Park Neighborhood Association, I met with the developers in late January and am fully supportive of this project. The developers wanted to meet with the neighborhood association members and I had reserved the Scout Hut for a meeting April 27, so they could present their project and answer questions from residents of the area. That meeting had to be cancelled. Please convey this information to the PC members if you feel appropriate.

Thanks.

Susan Bailey
[REDACTED]



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

DATE: March 12, 2020
TO: Adrienne Senter
FROM: Lynn Patterson, Consulting Planner for City of Hapeville
RE: **Text Amendment – Changes to Residential Uses in the Arts District**

BACKGROUND

City Code currently prohibits any new residential construction unless it is part of a mixed-use development with a commercial use at the ground floor in the A-D, Arts District overlay. While ground floor commercial and retail uses are encouraged, this may preclude the development of medium to higher density residential uses such as townhomes and multi-family dwellings. A text amendment to permit residential uses with entrances at street level was reviewed by the Planning Commission and recommended for approval.

During their review of said text amendment, it came to the attention of the Planning Commission that the Code currently allows for a specific type of “artist housing” that only permits residents who are “artists” as determined by a “Juried Commission,” a body the City does not currently have. The Planning Commission requested that this use be reviewed by the City’s attorney and, should the Code as written fail legal scrutiny, be replaced. The attorney determined the Code as written could not stand, and staff has prepared a replacement “live-work” housing use. Rather than relying on a juried commission to determine the credentials of an “artist,” this new use allows residents in possession of certain occupational tax certificates to occupy a live-work unit.

The following text amendment thus makes two changes to one section of the Code:

1. Permits residential development with entrances at street level, as originally recommended by the Planning Commission.
2. Replaces the artists housing use and standards currently in the Code with a new live-work housing use that uses clearer guidelines for acceptable residents and unit standards.

CODE

Sec. 93-28-2. – Definitions.

Add

Live-work unit. A unit configured for both residential and non-residential use in which the primary activity is the non-residential use and the residential use is ancillary to the primary activity; which contains essential living facilities including a sleeping area, cooking facilities, and sanitary facilities; and in which the living and working areas have separate entrances and are shown as separate areas on the floor plan. The live-work unit shall be the primary dwelling of the occupant.

Remove “Juried commission”

Sec. 93-28-7.5. – Residential uses.

Remove “Live-work and artist housing...” and replace with:

Live-work units, subject to the following stipulations

- (1) The residential portion of a live-work unit shall contain sleeping areas, cooking facilities, and complete sanitary facilities.
- (2) The residential occupancy of a live-work unit shall include, at a minimum, one person who possesses an Occupational Tax Certificate for one of the following:
 - a. Artist studios.
 - b. Architecture studios.
 - c. Fashion, graphic, interior and other design studios.
 - d. Arts related businesses and services such as craft shops, galleries and studios within which is conducted the preparation, display, or sale of art products such as antiques, collectibles, custom apparel, jewelry, paintings, photography, picture framing, pottery, sculpture, stained glass and similar arts, crafts merchandise, and activities such as set design and restoration of artwork.
 - e. Craftsman or artisan shops.
 - f. Photographic studio.
 - g. Video and audio recording studios, provided appropriate soundproofing is installed.
 - h. One-on-one instruction, such as art lessons and training studios.
 - i. Hair stylists, tailors, and other personal services.
- (3) In addition to the permitted uses above, the City Planner may authorize other uses using reasonable discretion, as long as such other uses are not otherwise precluded by law.
- (4) The non-residential portion of a live-work unit shall be limited to two employees per shift, including the person living in the unit that is associated with the business. The non-residential space must be occupied by the tenant of the residential space, and no portion of the live-work unit may be rented or sold separately.
- (5) The minimum floor area of a live-work unit shall be 500 square feet. A minimum of fifty percent (50%) of a unit must be for non-residential purposes. Each unit must contain a minimum residential floor area of 250 square feet. Sanitary facilities may be considered residential or non-residential.

- (6) One off-street parking space is required per live-work unit. Additional parking shall be provided as required by underlying zoning based on the use and square footage of the non-residential space.

Change:

No residential use shall front on a public street, sidewalk or alley at the ground floor or street level. All ground level uses fronting on a public street, sidewalk or alley shall be non-residential uses.

To:

Ground level uses fronting on a public street, sidewalk, or alley are encouraged as non-residential uses.

DRAFT

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

3
4 **ORDINANCE NO. _____**
5

6 **AN ORDINANCE TO AMEND CHAPTER 93 (“ZONING”), ARTICLE 28 (“A-D ZONE**
7 **(ARTS DISTRICT OVERLAY)”), SECTION 93-28-2 (“DEFINITIONS”) AND SECTION**
8 **93-28-7.5 (“RESIDENTIAL USES”) OF THE CODE OF ORDINANCES, CITY OF**
9 **HAPEVILLE, GEORGIA; TO PROVIDE FOR SEVERABILITY; TO REPEAL**
10 **CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND TO**
11 **PROVIDE FOR OTHER LAWFUL 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 live-work unit regulations in the A-D Zone.
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 28 (A-D Zone (Arts District Overlay)), Section
41 93-28-2 (Definitions) of the City Code of Ordinances is hereby amended by adding the definition
42 of “Live-work unit,” which shall state as follows:
43

44 *Live-work unit.* A unit configured for both residential and non-residential use in which the
45 primary activity is the non-residential use and the residential use is ancillary to the primary activity;
46 which contains essential living facilities including a sleeping area, cooking facilities, and sanitary

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facilities; and in which the living and working areas have separate entrances and are shown as separate areas on the floor plan. The live-work unit shall be the primary dwelling of the occupant.

Section Two. Chapter 93 (Zoning), Article 28 (A-D Zone (Arts District Overlay)), Section 93-28-2 (Definitions) of the City Code of Ordinances is hereby amended by deleting the definition of “Juried Commission,” which shall state as follows:

Juried commission. The commission that determines whether individual(s) are eligible to occupy live-work and artist housing unit(s) in the arts district overlay. The juried commission will consist of five members. Three of these members must be an artist, architect, landscape architect, arts educator, or gallery owner. Lay persons with sufficient knowledge, experience, and judgment who have an interest in public art shall make up the balance of the juried commission. The members of the juried commission shall each be appointed by the mayor and council of the city. Three of the initial five members shall be appointed for a term of two years, and two of the initial five members shall be appointed for a term of three years. Thereafter, each new member shall be appointed for a term of two years.

Section Three. Chapter 93 (Zoning), Article 28 (A-D Zone (Arts District Overlay)), Section 93-28-7.5 (Residential Uses) of the City Code of Ordinances is hereby amended by striking the section in its entirety and inserting in lieu thereof the following language:

(a) Live-work units, subject to the following stipulations:

- (1) The residential portion of a live-work unit shall contain sleeping areas, cooking facilities, and complete sanitary facilities.
- (2) The residential occupancy of a live-work unit shall include, at a minimum, one person who possesses an Occupational Tax Certificate for one of the following:
 - a. Artist studios.
 - b. Architecture studios.
 - c. Fashion, graphic, interior and other design studios.
 - d. Arts related businesses and services such as craft shops, galleries and studios within which is conducted the preparation, display, or sale of art products such as antiques, collectibles, custom apparel, jewelry, paintings, photography, picture framing, pottery, sculpture, stained glass and similar arts, crafts merchandise, and activities such as set design and restoration of artwork.
 - e. Craftsman or artisan shops.
 - f. Photographic studio.
 - g. Video and audio recording studios, provided appropriate soundproofing is installed.
 - h. One-on-one instruction, such as art lessons and training studios.
 - i. Hair stylists, tailors, and other personal services.
- (3) In addition to the permitted uses above, the City Planner may authorize other uses using reasonable discretion, as long as such other uses are not otherwise precluded by law.

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- (4) The non-residential portion of a live-work unit shall be limited to two employees per shift, including the person living in the unit that is associated with the business. The non-residential space must be occupied by the tenant of the residential space, and no portion of the live-work unit may be rented or sold separately.
- (5) The minimum floor area of a live-work unit shall be 500 square feet. A minimum of fifty percent (50%) of a unit must be for non-residential purposes. Each unit must contain a minimum residential floor area of 250 square feet. Sanitary facilities may be considered residential or non-residential.
- (6) One off-street parking space is required per live-work unit. Additional parking shall be provided as required by underlying zoning based on the use and square footage of the non-residential space.

(b) 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.

(c) Ground level uses fronting on a public street, sidewalk, or alley are encouraged as non-residential uses.

(d) Single-family detached units, duplexes and triplexes are prohibited as incompatible with such higher density settings in recognition of the urban character of the arts district overlay and the need to preserve land for arts and entertainment uses.

(e) Nothing contained in this section is intended to remove or restrict the potential of other residential uses for property within the arts district overlay that may be permitted or authorized pursuant to the city's zoning code.

Section Four. 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 Five. 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.

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

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

Section Seven. 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

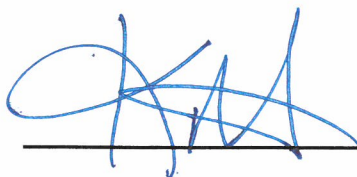
APPROVED BY:

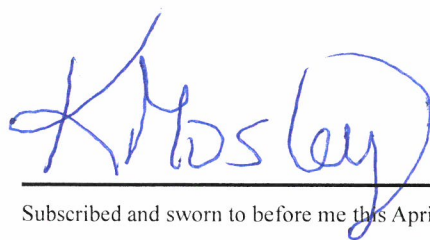
City Attorney

PUBLISHER'S AFFIDAVIT

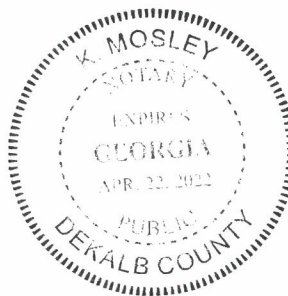
STATE OF GEORGIA
COUNTY OF FULTON

Before me, the undersigned, a Notary Public, this day personally came the undersigned who, being duly sworn, according to law, says she is an agent of ALM Media, LLC., publishers of the **Daily Report**, the official newspaper published in Atlanta, GA, in said county and state, and that the publication, of which the annexed is a true copy, was published in said newspaper as provided by law on the following dates: 04/06/2020.





Subscribed and sworn to before me this April 6, 2020



NOTICE

The City of Hapeville, Georgia will be considering an amendment to the Code of Ordinances, City of Hapeville, Georgia Chapter 93 (Zoning), Article 28 (A-D Zone Arts District Overlay), Section 93-28-7.5 (Residential Uses) for the purpose of amending residential uses in the A-D Zone on **April 21, 2020 at 6:00 p.m.** via teleconference/videoconference per O.C.G.A. § 50-14-1(g) at <http://zoom.us/j/199302390>, or by dialing 1-312-626-6799, Webinar ID: 199 302 390.

Please contact the Department of Planning and Zoning at (404) 669-8269 if you have any questions accessing the virtual meeting.

#0000466522:4/06-1AS

Planning Commission Meeting

**700 Doug Davis Drive
Hapeville, Georgia 30354**

December 14, 2019 6:00PM

1. Welcome and Introduction

Vice Chairman Jeanne Rast called the meeting to order at 6:00 p.m. in the City of Hapeville Municipal Annex located at 700 Doug Davis Drive, Hapeville, Georgia 30354. Members in attendance included Leah Davis, Larry Martin and Cliff Thomas. City Planner Lynn Patterson and Secretary Adrienne Senter were also present.

Chairman Brian Wismer and Commissioners Lucy Dolan and Charlotte Rentz were unable to attend the meeting.

2. Approval of Minutes

2.I. November 12, 2019

MOTION ITEM: Larry Martin made a motion, Cliff Thomas seconded to approve the minutes of November 12, 2019 as submitted. Motion Carried: 3-0.

3. New Business

3.I. Future Land Use Map Update

Consideration of a resolution to adopt an update to the Future Land Use Map.

Summary

The purpose of the FLUM is to define areas within the City that are suitable for various land use activities. In 2018, City Council amended the FLUM to change a portion of Hapeville on the northwest edge of the City from High Intensity Mixed-Use to Residential. Council did this to accommodate a small number of single-family detached residences still in the area. However, the area remains primarily commercial in nature, and is currently zoned C-1, Retail Commercial. To reconcile these uses, and to encourage the existing residential community to remain while fostering the uses recommended by the Comprehensive Plan, staff proposes a change to the FLUM for this area from Residential to Low Intensity Mixed-Use.

Public Comment: None.

MOTION ITEM: Larry Martin made a motion, Cliff Thomas seconded to recommend the Mayor and Council approve the Future Land Use Map update to change the northwest edge of the City from Residential to Low Intensity Mixed-Use. Motion Carried: 3-0.

3.II. Zoning Map Amendment

Text Amendment

Consideration of a text amendment to update the zoning map.

Summary

The City is initiating a zoning map amendment for parcels currently zoned C-1, Retail Commercial in the City and are located north of Baker Drive and Cofield Drive, between Sylvan Road and Interstate 85.

The proposed area slated for rezoning is located within a greater mixed-use residential and commercial region, with general commercial uses to the south in the City of Hapeville and a mix of residences and retail commercial uses to the north in the City of East Point and the City of Atlanta. In recognition of the desired redevelopment of this area of Hapeville and in keeping with the vision outlined in the Hapeville Comprehensive Plan (2017), the Future Land Use Map is being updated to identify these parcels as Low-Intensity Mixed-Use. The proposed rezoning will allow single-family development as a permitted use, thus returning the existing residential properties to conformity with zoning.

Public Comment: None.

MOTION ITEM: Cliff Thomas made a motion, Larry Martin seconded to recommend the Mayor and Council approve the Zoning Map Amendment for the properties located at the northwest edge of the City from C-1, Retail Commercial to V, Village. Motion Carried: 3-0.

3.III. Arts District Overlay (Food Trucks)

Text Amendment

Consideration of a Text Amendment to amend Article 28 (A-D, Arts District Overlay) for the purpose of updating the food truck regulations within the A-D Zone.

Summary

The proposed text amendment would re-structure the food truck court section of the Code to better reflect contemporary trends in food truck courts and, more broadly, outdoor public events. The new regulations would make operating food truck courts simpler by removing a layer of bureaucracy while still ensuring such operations are safe and compatible with neighboring uses. They would also allow food truck courts as a primary use requiring a Special Use Permit on any private commercial lot.

Public Comment: None.

MOTION ITEM: Leah Davis made a motion, Larry Martin seconded to recommend the Mayor and Council approve the Arts District Overlay amendment as it relates to food trucks. Motion Carried: 3-0.

3.IV. Arts District Overlay (Residential Uses)

Text Amendment

Consideration of a text amendment to amend Article 28 (A-D, Arts District Overlay), Section 93-28-7.5 (Residential Uses).

Summary

City Code currently prohibits any new residential construction unless it is part of a mixed-use development with a commercial use at the ground floor in the A-D, Arts District overlay. While ground floor commercial and retail uses are encouraged, this may preclude the development of medium to higher density residential uses such as townhomes and multi-family dwellings. The following text permits residential development with entrances at street level:

Code:

Sec. 93-28-7.5. – Residential uses.

Change: No residential use shall front on a public street, sidewalk or alley at the ground floor or street level. All ground level uses fronting on a public street, sidewalk or alley shall be non-residential uses.

To: Ground level uses fronting on a public street, sidewalk, or alley are encouraged as non-residential uses.

In addition, staff addressed concerns regarding the language in Sec. 93-28-7.5, lines 45-64, as it relates to limiting occupancy to “artist” occupancy only. Staff is working with legal to revise this language.

Public Comment: None.

MOTION ITEM: Larry Martin made a motion, Cliff Thomas seconded to recommend the Mayor and Council approve the Arts District overlay text amendment in Sec. 93-28-7.5 by striking “*No residential use shall front on a public street, sidewalk or alley at the ground floor or street level. All ground level uses fronting on a public street, sidewalk or alley shall be non-residential uses*” and replace it with “*Ground level uses fronting on a public street, sidewalk, or alley are encouraged as non-residential uses.*” In addition, the Planning Commission advised staff to revisit the language outlined in Sec. 93-28-7.5, lines 45-64 that relates to limiting occupancy to “artist” housing as this language may be discriminatory. Motion Carried: 3-0.

3.V. Administrative Variance

Text Amendment

Consideration of a text amendment to create Section 93-1-3.1 (Administrative Variances) for the purpose of allowing the City Planner to grant Administrative Variances.

Summary

In an effort to provide applicants in the city be given another route to obtaining minor and routine variances, limited administrative variance powers may streamline the process without adversely affecting the intent of the Code. The text amendment would introduce the power for the City Planner to grant Administrative Variances of up to 20% of the stated dimensional requirements for a use or structure, or 10% of stated dimensional requirements for a sign. Such decisions shall follow a rigorous set of standards and any given decision will be given in the form of a detailed report explaining the Planner's rationale. Should an applicant disagree with the decision, they may appeal to the Board of Appeals for a traditional variance.

Commissioner Martin expressed concern regarding the percentage amount for administrative variances and the process for public notification.

After further discussion, the Planning Commission advised staff to consider implementing a process for notification to the public for administrative variances.

Staff requested this item be tabled to consult with legal for guidance on procedures for public notification.

MOTION ITEM: Larry Martin made a motion, Cliff Thomas seconded to table this item until next meeting on January 14, 2020. MOTION CARRIED: 3-0.

4. Old Business

4.1. Meeting Packet Delivery Discussion

Summary

Open discussion regarding changing to an electronic meeting packet delivery and discontinue the delivery of printed meeting materials.

This discussion was postponed at the November 12, 2019 meeting.

Discussion ensued regarding the process for electronic delivery of meeting materials. Commissioners were in support of keeping the current process and elected to continue receiving printed packets.

No action was taken.

5. Next Meeting Date

5.1. Tuesday, January 14, 2020 at 6:00 p.m.

6. Adjourn

MOTION ITEM: Leah Davis made a motion, Larry Martin seconded to adjourn the meeting at 7:23 p.m. Motion Carried: 3-0.

Respectfully submitted by,

Jeanne Rast, Vice Chairman

Adrienne Senter, Secretary

DRAFT

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

3
4 **ORDINANCE NO. _____**
5

6 **AN ORDINANCE TO AMEND CHAPTER 93 (“ZONING”), ARTICLE 2 (“GENERAL**
7 **PROVISIONS”), SECTION 93-2-10 (“SINGLE-FAMILY ATTACHED DEVELOPMENTS**
8 **(SFA), SPECIAL PROVISIONS”) OF THE CODE OF ORDINANCES, CITY OF**
9 **HAPEVILLE, GEORGIA; TO PROVIDE FOR SEVERABILITY; TO REPEAL**
10 **CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND TO**
11 **PROVIDE FOR OTHER LAWFUL 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 the special
35 provisions for single-family attached developments.
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 2 (General Provisions), Section 93-2-10
41 (Single-family attached developments (SFA), special provisions) of the City Code of Ordinances
42 is hereby amended by striking the entirety of the section, and replacing it with the following
43 language:
44

45 (a) No building permit or certificate of occupancy shall be issued for single-family attached
46 units unless:

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- (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.

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 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

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ATTEST:

Crystal Griggs-Epps, City Clerk

APPROVED BY:

City Attorney



**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.

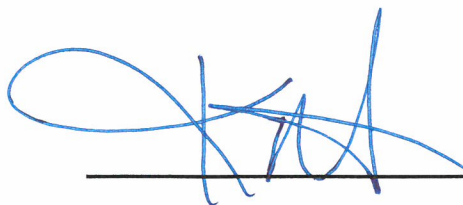
Change to the following:

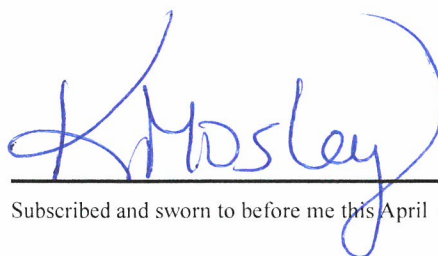
- (a) No building permit or certificate of occupancy shall be issued for single-family attached units unless:
 - (1) The regulations and procedures of the city's subdivision regulations have been met including final approval of the subdivision plat.
 - (2) The book and page in which any covenants and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

PUBLISHER'S AFFIDAVIT

STATE OF GEORGIA
COUNTY OF FULTON

Before me, the undersigned, a Notary Public, this day personally came the undersigned who, being duly sworn, according to law, says she is an agent of ALM Media, LLC., publishers of the **Daily Report**, the official newspaper published in Atlanta, GA, in said county and state, and that the publication, of which the annexed is a true copy, was published in said newspaper as provided by law on the following dates: 04/06/2020.





Subscribed and sworn to before me this April 6, 2020



NOTICE

The City of Hapeville, Georgia will be considering an amendment to the Code of Ordinances, City of Hapeville, Georgia Chapter 93 (Zoning), Article 2 (General Provisions), Section 93-2-10 (Single-family Attached Developments (SFA), Special Provisions) for the purpose of amending the special provisions for single-family attached developments on **April 21, 2020 at 6:00 p.m.** via teleconference/videoconference per O.C.G.A. § 50-14-1(g) at <http://zoom.us/j/199302390>, or by dialing 1-312-626-6799, Webinar ID: 199 302 390. Please contact the Department of Planning and Zoning at (404) 669-8269 if you have any questions accessing the virtual meeting.
#0000466515:4/06-1AS

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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. Sidewalks shall be clearly continued across any intervening driveway. Such effect may be accomplished by continuing sidewalk paving materials, the use of brick pavers, paint, or any other similar high contrast material (examples are on file with Planning Commission staff). Other than on driveways serving single-family detached or two-family dwellings, a corresponding interior sign or painted bar or 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 intervening sidewalks.
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

DRAFT

of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

Section 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



**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



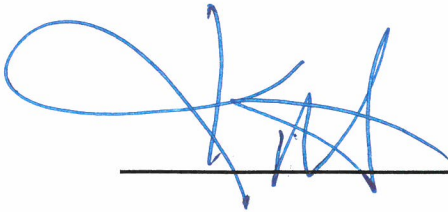
Figure 2 – Brick pavers across a driveway

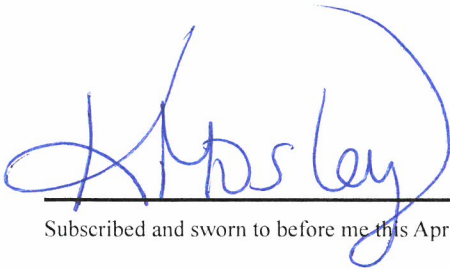
3. In no case shall there be less than 50 feet from the closest sides of any two-driveway curblines.
4. Curb breaks shall be located at least 25 feet from the nearest intersection of two curblines as measured along one of the curblines.
5. Business establishments on contiguous lots are encouraged to 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.

PUBLISHER'S AFFIDAVIT

STATE OF GEORGIA
COUNTY OF FULTON

Before me, the undersigned, a Notary Public, this day personally came the undersigned who, being duly sworn, according to law, says she is an agent of ALM Media, LLC., publishers of the **Daily Report**, the official newspaper published in Atlanta, GA, in said county and state, and that the publication, of which the annexed is a true copy, was published in said newspaper as provided by law on the following dates: 04/06/2020.





Subscribed and sworn to before me this April 6, 2020



NOTICE

The City of Hapeville, Georgia will be considering an amendment to the Code of Ordinances, City of Hapeville, Georgia Chapter 93 (Zoning), Article 23 (Off-street parking and loading), Section 93-23-2 (Entrance and exit points) for the purpose of amending and updating the entrance and exit point regulations on **April 21, 2020 at 6:00 p.m.** via teleconference/videoconference per O.C.G.A. § 50-14-1(g) at <http://zoom.us/j/199302390>, or by dialing 1-312-626-6799, Webinar ID: 199 302 390. Please contact the Department of Planning and Zoning at (404) 669-8269 if you have any questions accessing the virtual meeting.
#0000466512:4/06-1AS



April 21, 2020

ALAN HALLMAN
MAYOR

MIKE RAST
ALDERMAN AT LARGE

TRAVIS HORSLEY
COUNCILMAN AT LARGE

MARK ADAMS
COUNCILMAN WARD I

CHLOE ALEXANDER
COUNCILMAN WARD II

Honorable Representative John Lewis
District Office
100 Peachtree Street NW
Suite 1920
Atlanta, GA 30303

Dear Representative Lewis:

As a city leader and a constituent, I am writing on behalf of Hapeville to express our support for [H.R. 6467](#), the *Coronavirus Community Relief Act*, and to urge you to cosponsor this bill. This bill would create a coronavirus relief fund for units of local government with a population of 500,000 or less.

Cities are on the front lines of responding to the COVID-19 public health crisis and desperately need direct financial support from the federal government. Cities are anticipating loss of revenue, resulting in cuts to critical public services. The federal government must ensure every city, town and village has direct access to emergency funding.

The virus is also taking a toll on first responders, utility workers, and sanitation workers who are out in the community every day putting their own lives at risk to protect the public's health and safety. Without federal support, the cities working so hard to provide these critical services, particularly small cities, will struggle to survive. So far, small cities have been left behind in federal legislation to address the coronavirus. Immediate action is needed to support these communities.

The Hapeville revenue stream is particularly impacted by the travel industry with Hotel Motel Tax representing our third largest cashflow stream. Over the next 12 months, we modestly expect to experience a \$2.4M reduction from a \$3.6M run rate, and an entire general fund budget of \$14M. With reductions in Sales Tax, Alcohol Excise taxes, and Occupational taxes, we can expect over 20% revenue drop off while maintaining the same level of service to our residents and businesses.

On behalf of the residents, families, and businesses in Hapeville, I urge you to support and cosponsor H.R. 6467 to provide direct federal aid for local governments with a population of 500,000 or less to help us face mounting challenges related to COVID-19.

If you have any questions about H.R. 6467 or you would like to cosponsor, please contact Bo Morris with the office of Congressman Joe Neguse at bo.morris@mail.house.gov or 202-225-2161.

Sincerely,

Alan Hallman,
Mayor

3468 North Fulton Avenue, Hapeville, Georgia 30354
City Hall 404.669.2100 www.hapeville.org

Community Service
3474 N. Fulton Avenue
404-669-2120

Economic Development
3468 N. Fulton Avenue
404-669-8269

Fire Department
606 King Arnold Street
404-669-2141

Police Department
700 Doug Davis Drive
404-768-7171

Recreation Department
3444 N. Fulton Avenue
404-669-2136



**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: **Text Amendment – Subdivision Monuments**

BACKGROUND

The following text amendment updates the dimensional requirements for subdivision monuments to reflect the most current standards used by the Surveying and Mapping Society of Georgia. The amendment makes no other changes to subdivision requirements.

CODE

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.*

Change:

- 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.

To:

- a. Concrete monuments **three inches** in diameter or square, **18 inches 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 **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.

1 **STATE OF GEORGIA**

2
3 **CITY OF HAPEVILLE**

4
5 **ORDINANCE NO. _____**

6
7 **AN ORDINANCE TO AMEND CHAPTER 90 (“SUBDIVISIONS”), SECTION 90-1-4**
8 **(“DEVELOPMENT PREREQUISITE TO FINAL APPROVAL”), SUBSECTION (a)(1)**
9 **(“MONUMENTS”) OF THE CITY CODE OF THE CITY OF HAPEVILLE; TO**
10 **PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO**
11 **PROVIDE AN EFFECTIVE DATE; AND TO PROVIDE FOR OTHER LAWFUL**
12 **PURPOSES.**

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

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

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

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

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

31
32 **WHEREAS**, the Mayor and Council wish to update the guidelines for monument
33 improvements.

34
35 **BE IT, AND IT IS HEREBY ORDAINED BY THE MAYOR AND COUNCIL OF**
36 **THE CITY OF HAPEVILLE, GEORGIA THAT:**

37
38 **Section One.** Chapter 90 (Subdivisions), Section 90-1-4 (Development prerequisite to
39 final approval), Subsection (a)(1) (Monuments) of the City Code of Ordinances is hereby amended
40 by striking the subsection in its entirety and inserting in lieu thereof the following language:

41
42 (1) *Monuments.*

- 43
44 a. Concrete monuments three inches in diameter or square, 18 inches long, with a flat
45 top, shall be set at all street corners, at all points where the street lines intersect the
46 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 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.

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 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:

City Clerk

APPROVED BY:

City Attorney

CITY OF HAPEVILLE
2020-2021 **TENTATIVE** PROPOSED REVENUE-EXPENSE BUDGETS - COMBINED - GENERAL FUND ONLY - As of April 9, 2020

						2020-2021
		2016-2017	2017-2018	2018-2019	Current	Proposed
		Actual	Actual	Actual	Approved Budget	Budget
REVENUE SUMMARY						
	DESCRIPTION					
	TAXES	8,658,037	8,793,923	10,138,153	10,887,000	10,885,500
	LICENSES AND PERMITS	713,586	519,741	341,131	644,000	483,108
	INTERGOVERNMENTAL REV	82,060	22,340	100,226	85,000	5,000
	CHARGES FOR SERVICES	352,616	391,595	409,112	399,600	356,100
	FINES AND FORFEITURES	180,778	209,066	145,470	457,500	304,500
	INVESTMENT INCOME	448	781	53	6,500	6,500
	CONTRIBUTIONS	12,192	5,290	17,656	5,500	5,500
	MISC REVENUE	107,941	186,709	54,250	72,000	84,000
	OTHER FINANCING SOURCES	1,955,683	1,746,878	1,364,611	1,810,500	1,047,549
TOTAL REVENUES		12,063,341	11,876,323	12,570,662	14,367,600	13,177,757