

Mayor and Council Session
Videoconference
Join from a PC, Mac, iPad, iPhone or Android device:
URL: <https://zoom.us/j/93029674886>
Or Dial 888 788 0099 (Toll Free) Webinar ID: 930 2967 4886

May 5, 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. Invocation
5. Public Hearing - Citizens wishing to speak during the public hearing section of the Council meeting must email the City Clerk at cepps@hapeville.org or call 404-766-3004 to sign up prior to the meeting. Please provide your name, address, the phone number you will call from on the night of the meeting, the agenda item, and your "for or against" comment.

5.1. 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_Redacted
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 Springhaven 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. 3264 Springhaven Avenue - Development Pictures

3. Planners Report 3264 Spring Haven Ave Rezoning FINAL
4. LEGAL ADV - 04-21-2020, 3264 Spring Haven Avenue_Rezoning
5. Public Comment 1 - Anne Newman, 811 North Avenue_Redacted
6. Public Comment 2 - Sharon Hope, 793 North Avenue
7. 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 - Citizens wishing to speak during the questions on agenda items section must email the City Clerk at cepps@hapeville.org or call 404-766-3004 to sign up prior to the meeting. Please provide your name, address, the phone number you will call from on the night of the meeting, the agenda item, and your question.

7. Consent Agenda

7.I. Approval of Minutes - April 7, 2020 and April 21, 2020

7.II. Consideration And Action On Renewal Agreement With USIS, Inc. For Third Party Worker Compensation Claims Processing In The Amount Of \$5,000 Service Fee, Re-Pricing Fee Of \$5.50 Per Medical Bill, And A 25% Network Savings Fee And To Authorize The Mayor To Sign All Necessary Documents

Background:

Renewing this agreement will allow USIS, Inc. to continue to work as the City's third party administrator (TPA) for all workers compensation claims. No cost increase has been proposed for the service contract in the new FY. The overall costs for this service depend totally on the amount of claims activity experienced by the City. This is a routine budgeted item. Staff recommends approval of the contract agreement.

Documents:

1. 2020 City of Hapeville Contract with USIS

8. Old Business

9. New Business

9.I. Consideration and Action on Financing Bank and Financing Terms On One (1) Staff Vehicle For Fire Department In The Amount of \$46,709.70

Background:

The Fire Department previously requested to purchase two staff vehicles in the total amount of \$85,922.42. These vehicles were previously approved in the FY2019 – 2020 budget. After communicating with the vendor (Wade Ford), only one vehicle (the 2020 Ford F-250) is complete and available for pickup. Finance staff submitted RFPs to three (3) banks (BB&T Corporation, Regions Equipment Finance Corporation and Bank OZK) to finance the new fire department vehicle from Wade Ford. After receiving proposals from all three banks, staff recommends Regions Equipment Finance Corporation to finance fire department new vehicle purchase for 60 months at 3.20%.

Documents:

1. Banks - Financing Terms - 2020 F-250 Vehicle
2. 2020 F-250 Wade Ford
3. 2020 Ford Explorer Wade Ford

9.II. Discussion on Future Council Meetings

Background:

Given the Governor's most recent Executive Order, Mayor and Council will discuss how to handle future meetings.

10. City Manager Report

11. Public Comments - Citizens wishing to speak during the public comment section of the Council meeting must email the City Clerk at cepps@hapeville.org or call 404-766-3004 to sign up prior to

the meeting. Please provide your name, address, the phone number you will call from on the night of the meeting, and your comment.

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.

20-PC-13-04

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

Name of Applicant Claudette Eley

Mailing Address: 3173 Oakdale Road, Hapeville GA 30354

Telephone [REDACTED] Mobile # same Email [REDACTED]

Property Owner (s) Najarian Capital, LLC

Mailing Address 3520 Piedmont Rd., NE, Suite 415, Atlanta, GA 30305

Telephone 470-639-8910 Mobile # -

Address/Location of Property: 3234 Dogwood Dr., Hapeville, GA 30354

Parcel I.D. # **(INFORMATION MUST BE PROVIDED):** 14-0094-0001-013-0

Present Zoning Classification: Village Size of Tract: 0.26 acre(s)

Present Land Use: Funeral Home/Mortuary

Please check the following as it applies to this application

Site Plan Review

X 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.

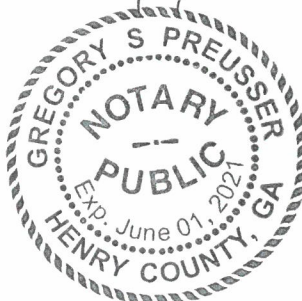
Claudette Eley
Applicant's signature

Date: 2/14/2020

Sworn to and subscribed before me

This 14 day of February, 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.)

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.

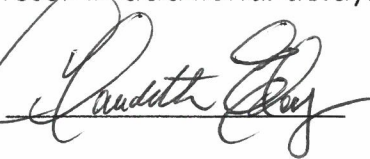
CE The locations, size (sf) and height (ft) of all existing and proposed structures on the site. Height should be assessed from the base of the foundation at grade to the peak of the tallest roofline.

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:

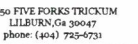
SHEET TITLE

EXISTING FLOOR PLANS

SHEET

A-01





MARY'S HOUSE SENIOR CARE
3234 DOGWOOD DR HAPEVILLE GA

A-01





3050 FIVE FORKS TRUCK
LILBURN, Ga 30047
phone: (404) 725-6731

CONSULTANTS

MARY'S HOUSE SENIOR CARE

THE UNIVERSITY OF CHICAGO

stamps

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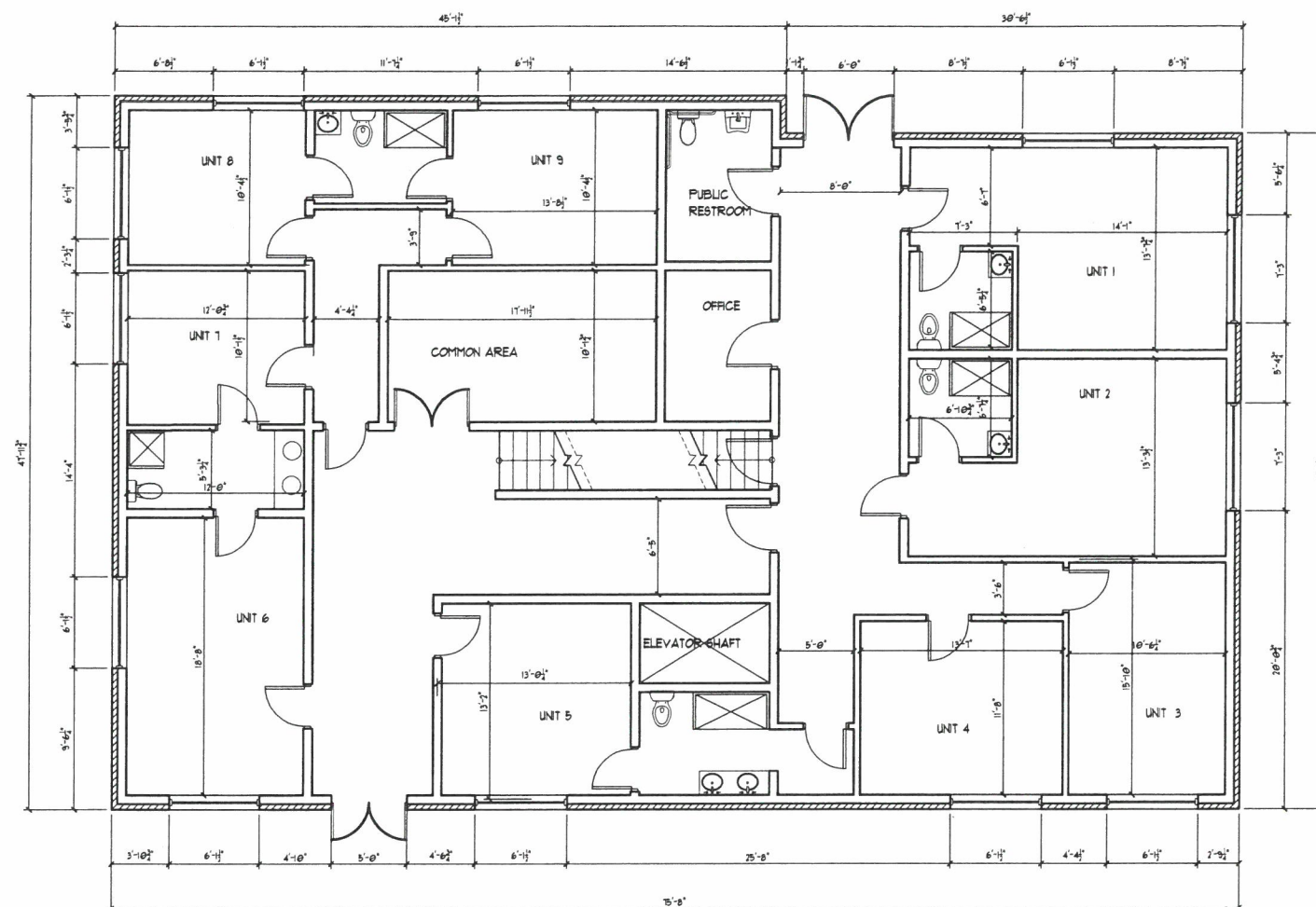
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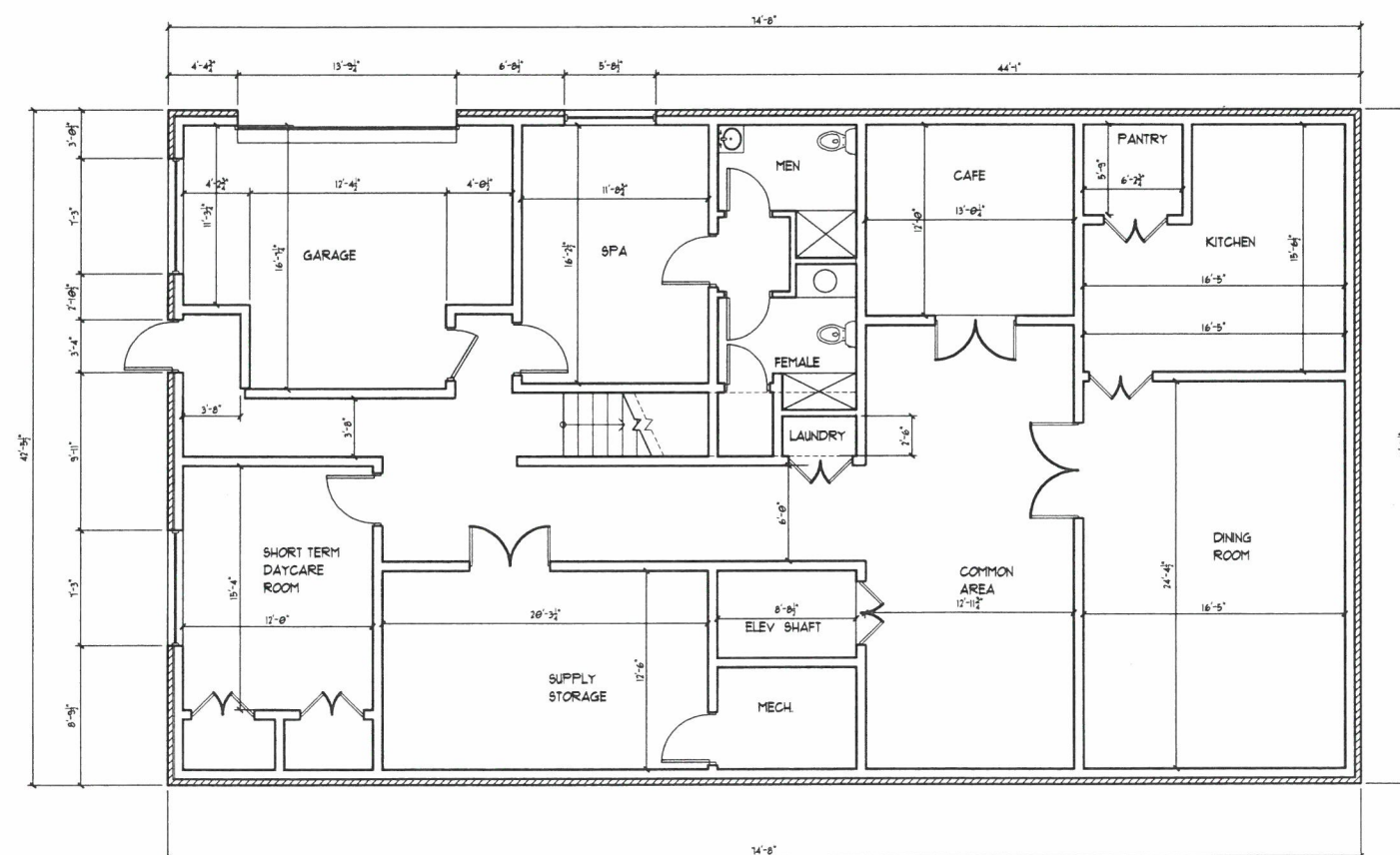
PROPOSED FLOOR PLANS

SHEET

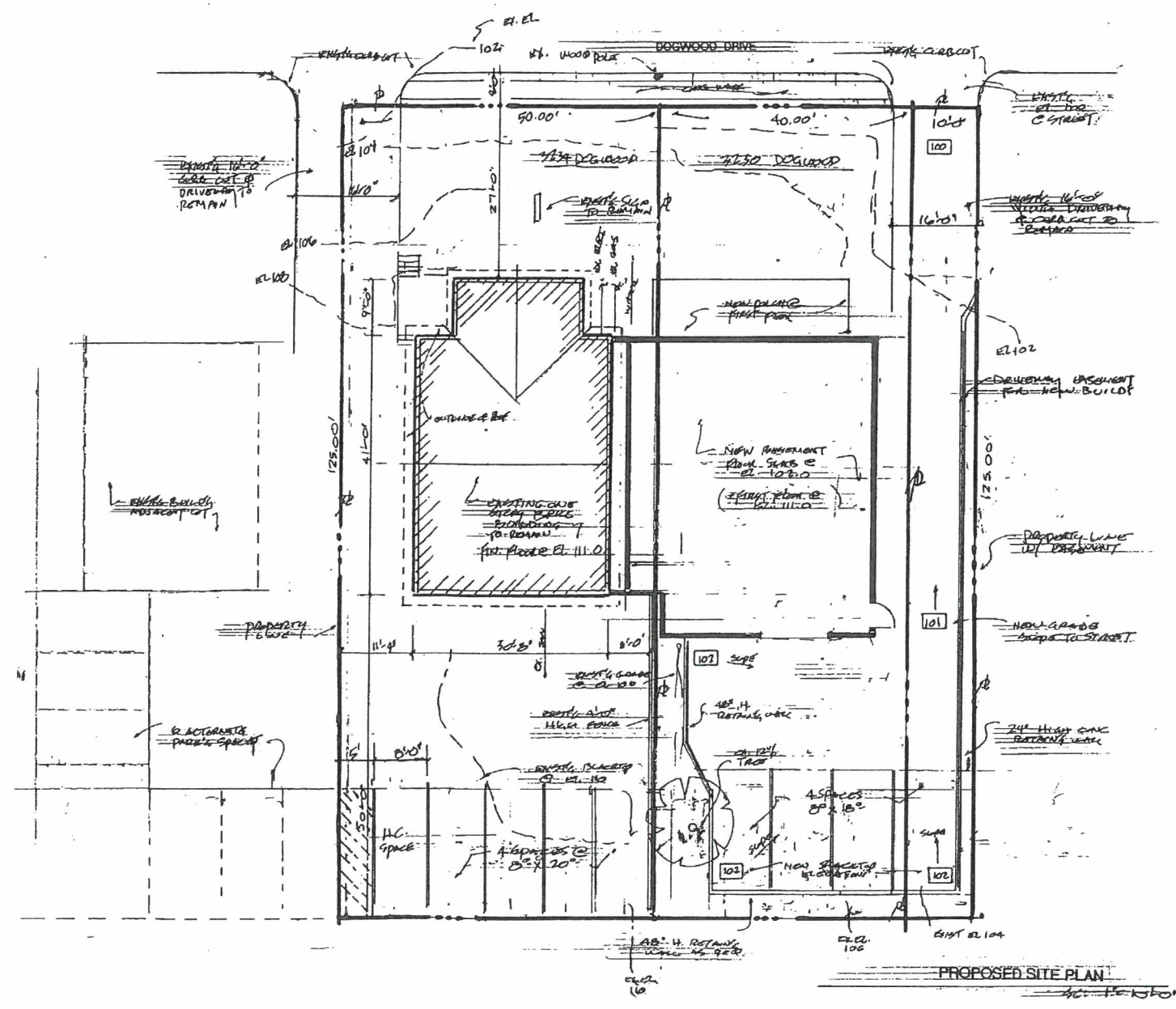
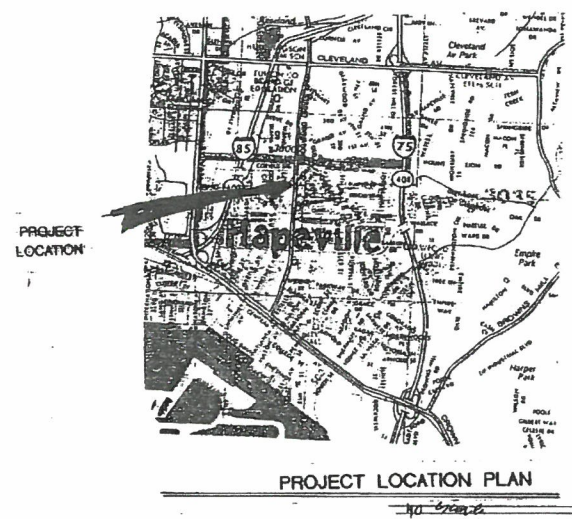
A-02



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



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



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	LLL	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	FH	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.

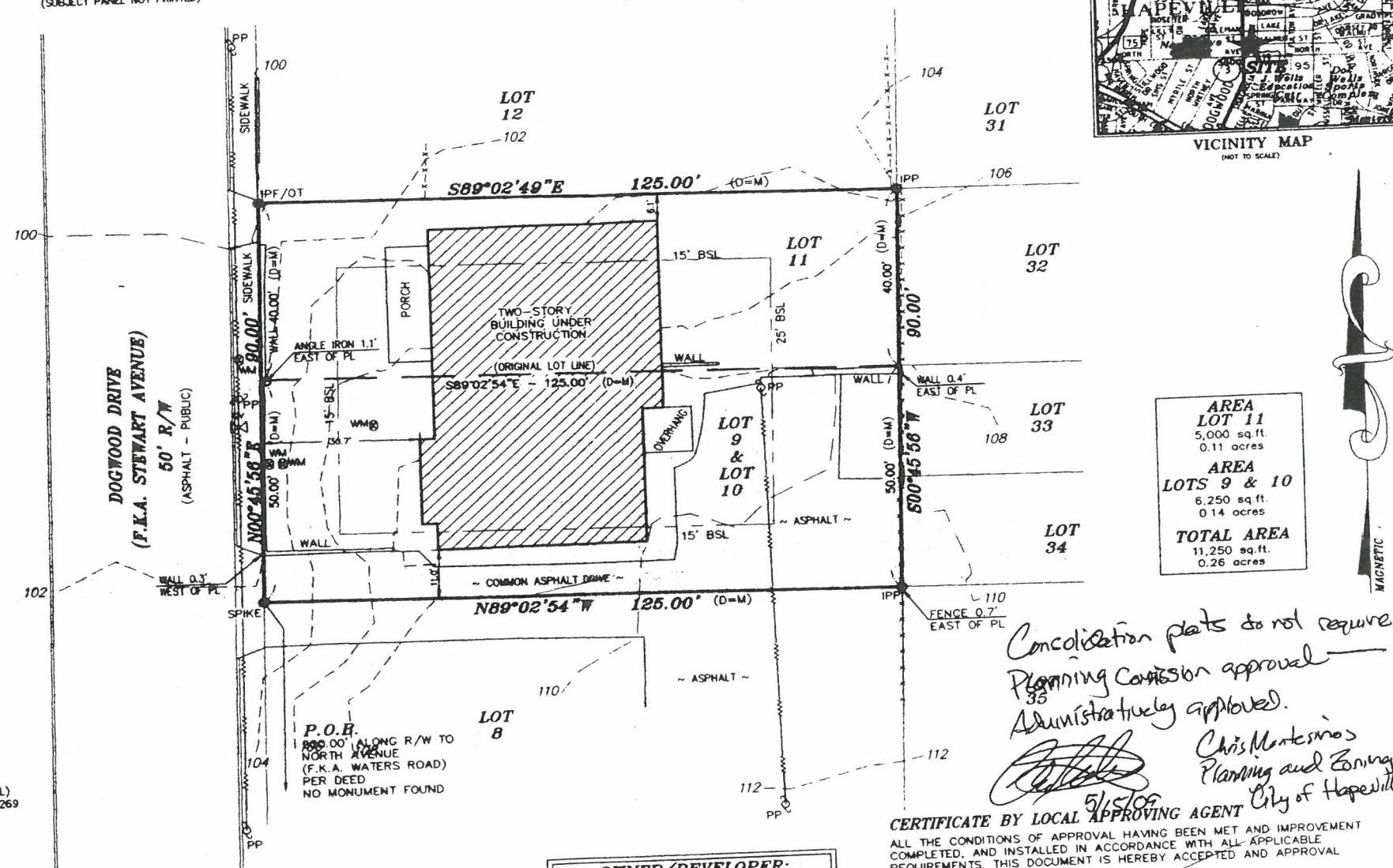
THENCE FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED AND CONTINUING ALONG THE EASTERN RIGHT OF WAY LINE OF DOGWOOD DRIVE NORTH 00 DEGREES 45 MINUTES 56 SECONDS EAST A DISTANCE OF 90.00 FEET TO AN OPEN TOP PIPE FOUND; THENCE LEAVING SAID EASTERN RIGHT OF WAY LINE OF DOGWOOD DRIVE RUN SOUTH 89 DEGREES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

OWNER/DEVELOPER:
ATLANTA EMBALMING SERVICE
MICHAEL ALDRIDGE (CONTACT)
3234 DOGWOOD DRIVE
ATLANTA, GEORGIA 30354
PHONE 404-4471-5139

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: *[Signature]* DATE: 7-15-09
GEORGIA REGISTERED LAND SURVEYOR NO. 2109



GRAPHIC SCALE



(IN FEET)
1 inch = 20 ft.

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 REPLATTING 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 _____

SOLAR LAND SURVEYING COMPANY

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

DATE 07/16/06
SCALE 1" = 20'

ATLANTA EMBALMING SERVICE
REPLAT OF 3234 DOGWOOD DRIVE

FULTON COUNTY, GEORGIA
SECTION _____ UNIT _____
BLOCK A

LAND LOT 94
LOT 9, 10 & 11

SUBDIVISION FOREST HILLS PARK
DRAFTED: _____
DISC # _____
SURVEYED: _____
PLOTTED: _____
APPROVED: _____



JOB # 06-7174

ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED

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...



		111-8-62-10 Staffing	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. 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.
		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,	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.

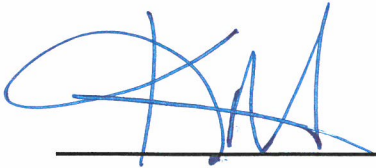
Date: April 7, 2020

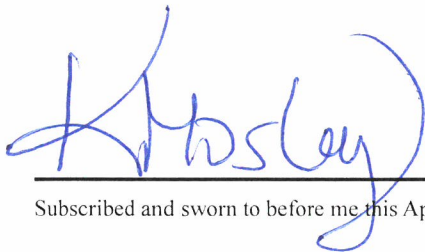
I do not see this project having a negative impact on the Fire Department since it was agreed that a elevator would be installed to meet ADA requirements. If you should need any more information, please let me know. Thanks.

PUBLISHER'S AFFIDAVIT

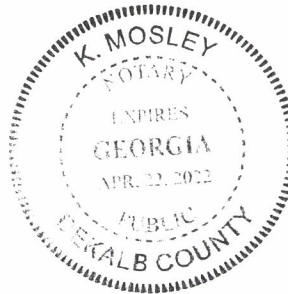
STATE OF GEORGIA
COUNTY OF FULTON

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

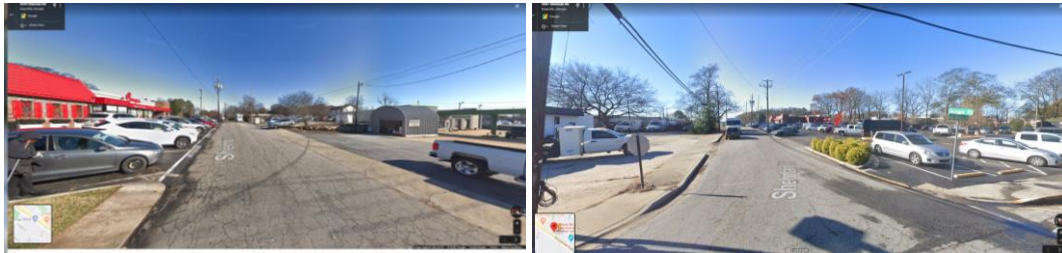


DATE: April 15, 2020
TO: Adrienne Senter
FROM: Lynn Patterson, Consulting Planner for City of Hapeville
RE: **Sherman Road, Road abandonment**

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 0009600030243). 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**

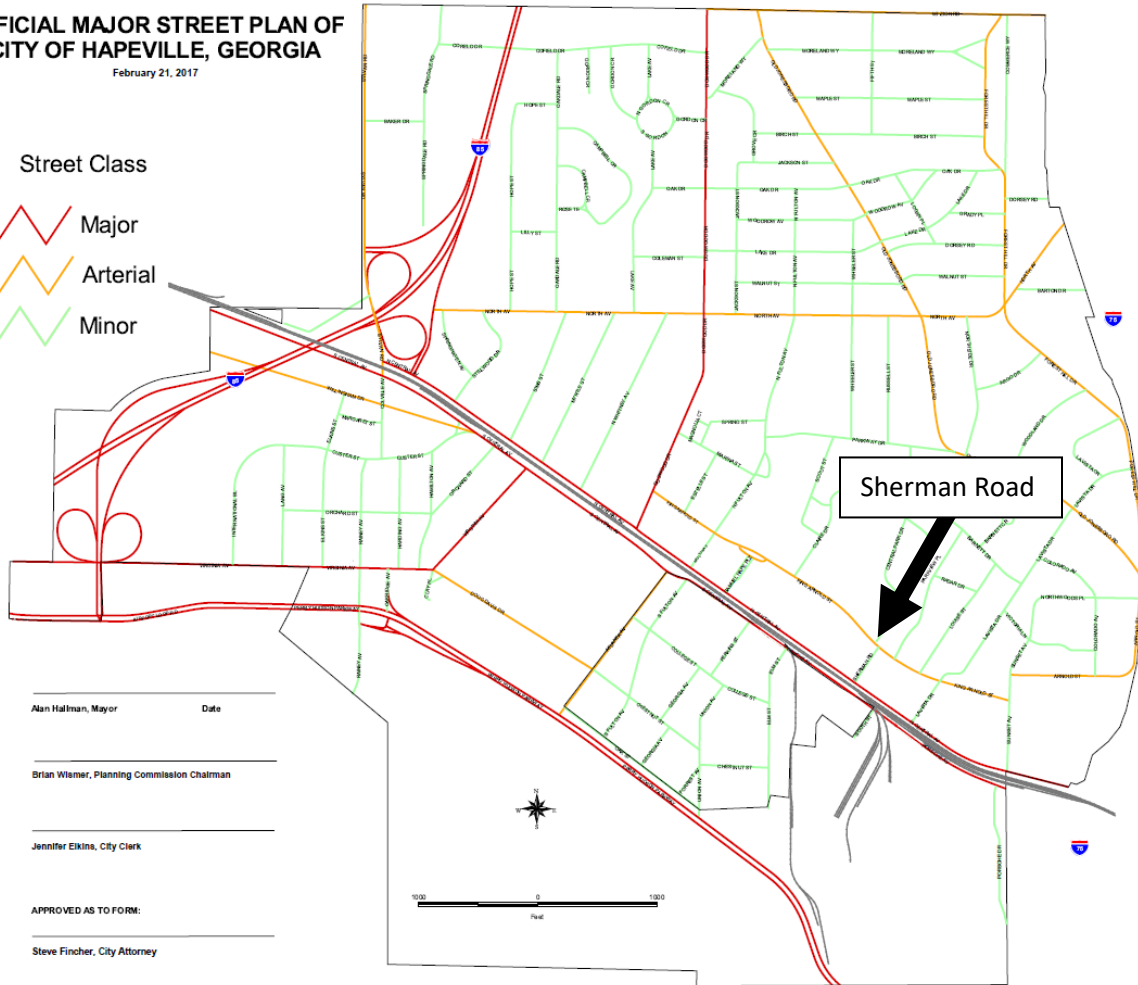
February 21, 2017

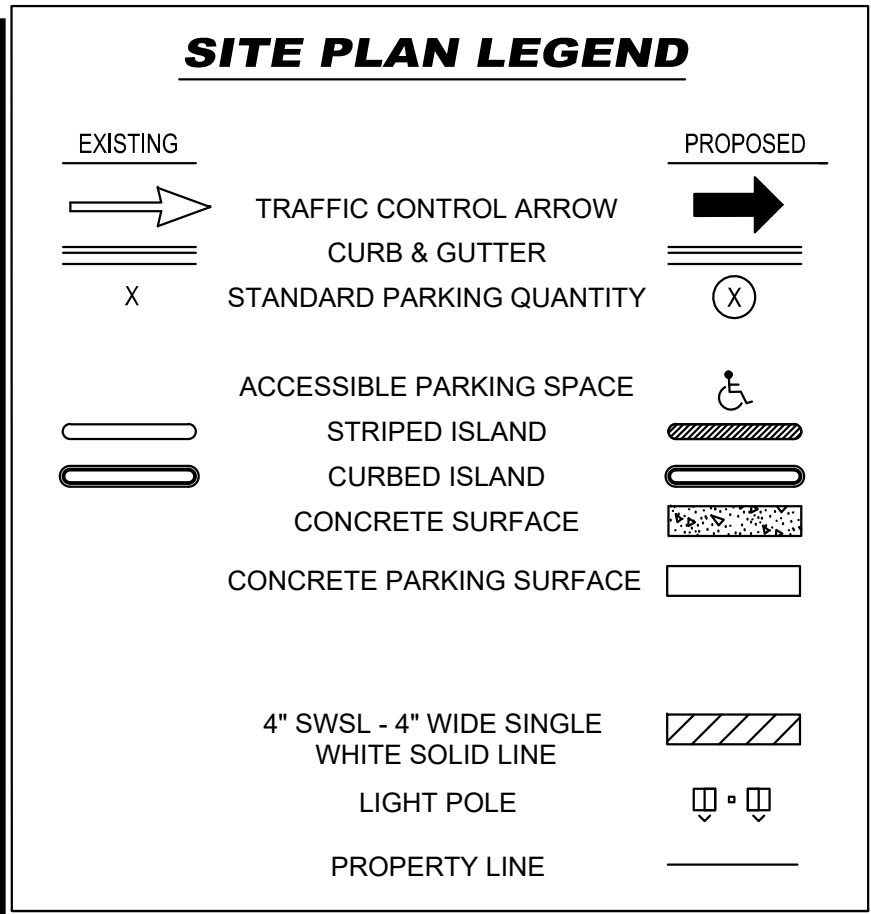
Street Class

Major

Arterial

Minor





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%)

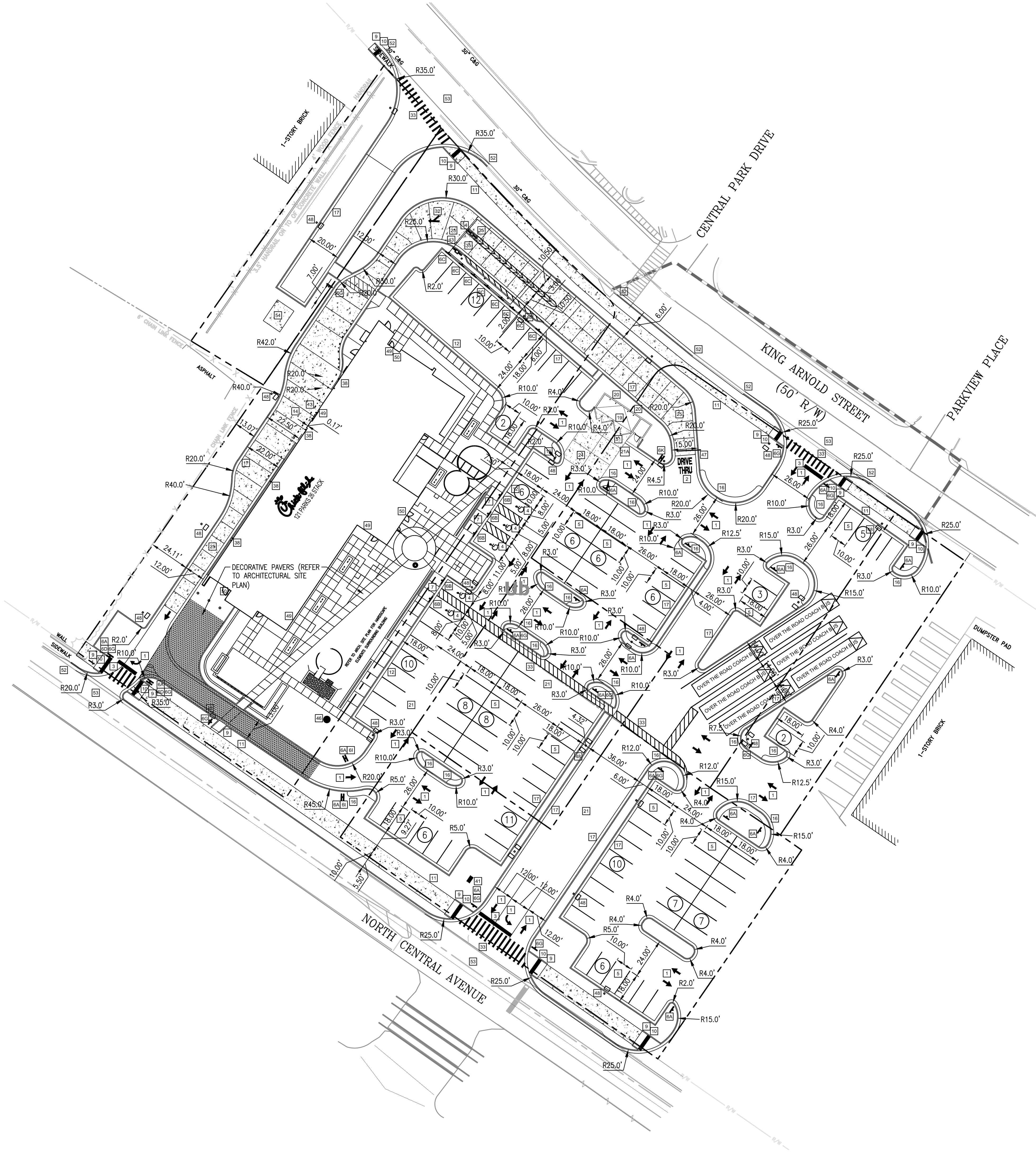
PARKING REQUIREMENTS

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

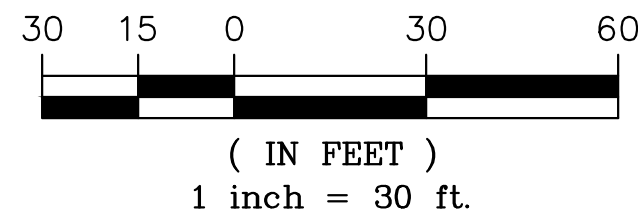
SITE ZONING: U-V-c

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	1	C-9.0
2	DRIVE-THRU GRAPHICS	2	C-9.0
3	STOP LINE GRAPHIC	2	C-9.0
4	PAINTED ACCESSIBILITY SYMBOL	1	C-9.0
5	STANDARD PARKING STALL & STRIPING DETAIL, NEUTRAL AREAS SHALL BE MARKED WITH 4" WIDE STRIPES AT 48" O.C. UNLESS NOTED OTHERWISE.	3&4	C-9.0
6	DIRECTIONAL SIGNAGE (REFER TO SIGN PACKAGE FOR MORE DETAILS AND DETAILS 5-8 ON C9.0) ALL SIGNS SHALL CONFORM TO THE "MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES" BY THE U.S. DEPARTMENT OF TRANSPORTATION.	5-8	C-9.0
6A	STOP SIGN (R1-1 36"X36")	6F	RIGHT TURN ONLY
6B	HANDICAP SIGN	6G	PEDESTRIANS CROSSING
6C	MOBILE ORDERING SIGN	6H	CIRCLE BUILDING FOR DRIVE THRU
6D	NO LEFT TURN SIGN	6I	DO NOT ENTER SIGN (R5-1)
6E	ONE WAY SIGN (R6-1 OR R6-2)	6J	LANES MERGE SIGN
		6K	D/T ARROW SIGNS
7	SIDEWALK ACCESSIBLE RAMP	3	C-9.1
8	CURB RAMP w/ FLARED SIDES	2	C-9.1
8A	CURB RAMP w/ SHORT FLARED SIDES	1	C-9.1
9	NOT USED	4	C-9.1
10	TRUNCATED DOMES	9	C-9.0
11	TYPICAL CONCRETE SIDEWALK	10	C-9.0
12	SIDEWALK WITH CURB & GUTTER SECTION	8	C-9.3
13	DRIVE-THRU PLAN VIEW	9	C-9.3
14	DRIVE-THRU ISOMETRIC VIEW	5	C-9.1
15	SOLID PLASTIC WHEEL STOP (NOT USED)	11	C-9.0
16	LANDSCAPE & IRRIGATION PROTECTOR	6	C-9.1
17	24" CONCRETE CURB & GUTTER - CATCHING & SPILLING	2	C-9.3
18	EXPANSION JOINT	3	C-9.3
19	REFUSE ENCLOSURE FOUNDATION PLAN	5	C-9.2
19A	REFUSE ENCLOSURE FOUNDATION PLAN (ALT)	3	C-9.2
19B	REFUSE ENCLOSURE ALTERNATE DRAINAGE PLAN	11	C-9.1
20	CONCRETE BOLLARD	10	C-9.1
21	TYPICAL PAVEMENT SECTION	7	C-9.1
21A	PAVEMENT EDGE DETAIL	12	C-9.1
22	TRANSVERSE & LONGITUDINAL CONTRACTION JOINT	2	C-9.2
23	TRANSVERSE & LONGITUDINAL DOWELED CONSTRUCTION JOINT	8	C-9.2
24	CONCRETE APRON @ TRASH ENCLOSURE	9	C-9.2
25	CONCRETE PAVING @ DRIVE THRU LANE	8	C-9.2
26	ALUMINUM HANDRAIL (SEE ARCH. PATIO PLAN)	9	C-9.1
27	TYPICAL ADA RAMP AND HANDRAIL	8	C-9.1
28	CONTRACTION JOINT	4	C-9.2
29	KEYED CONSTRUCTION JOINT	6	C-9.1
30	LONGITUDINAL BUTT JOINT	7	C-9.2
30A	BUTT JOINT	10	C-9.2
31	EXPANSION JOINT	6	C-9.2
32	MULTI-ORDER POINT DIRECTIONAL ARROW DETAILS	7	C-9.2
33	CROSSWALK	5&6	C-9.3
34	DRIVE-THRU ORDER POINT ISLAND CURB	1	C-9.3
35	MENU BOARD LOOP DETECTION SYSTEM	11	C-9.2
36	ENTRY DOOR FROST SLAB DETAIL	10	C-9.2
37	SAN. C.O. OUTSIDE BUILDING	12	C-9.2
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)		



Chick-fil-A
5200 Buffington Road
Atlanta, Georgia 30349-2998

Seal

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	DESCRIPTION
NO. DATE	

NOT FOR CONSTRUCTION, PERMITTING, OR REGULATORY APPROVAL

GREYDEN PROJECT # 19-064

PRINTED FOR

DATE

DRAWN BY

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SHEET
SITE PLAN

SHEET NUMBER

C-2.0

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. Conroy*
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 gGPS 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 IDENTIFIED 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 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 S54°04'18"E A DISTANCE OF 162.46 FEET TO THE POINT OF BEGINNING; THENCE SOUTH S34°46'29"W WEST, ALONG NORTHWESTERLY RIGHT-OF-WAY OF SHERMAN ROAD, A DISTANCE OF 126.59 FEET TO A POINT; THENCE SOUTH S40°07'47"W 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 S45°31'19"W 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 S43°39'31"E 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 S58°44'13"W 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 S35°00'29"E 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 S42°14'20"E 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 S45°28'37"E 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 S06°33'38"E 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 S42°14'48"E 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 S42°14'48"E 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 S50°45'51"E EAST, ALONG PROPERTY LINE OF RICHARD E. BUICE, A DISTANCE OF 100.00 FEET TO A 1/2" REBAR WITH CAP SET; THENCE SOUTH S42°14'48"W 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 S50°42'47"W 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 S42°14'48"E 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 S50°45'51"E 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 S42°14'48"E 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 S45°15'22"E 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 S50°38'38"E 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 S43°33'18"W 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 SOUTH S43°33'18"W 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 NORTH S50°42'47"W WEST, ALONG NORTHWESTERLY RIGHT-OF-WAY OF NORTH CENTRAL AVENUE, A DISTANCE OF 229.04 FEET TO THE POINT OF BEGINNING.

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

LAND DESCRIPTION OF TRACT 5

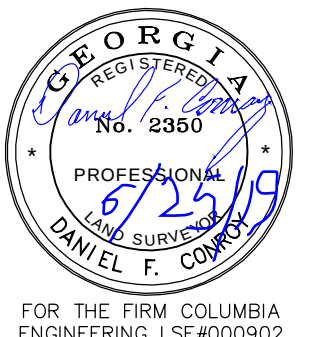
ALL THAT TRACT OR PARCEL OF LAND LYING OR BEING IN LAND LOTS 95 & 96, 14TH DISTRICT, CITY OF HAPEVILLE, FULTON COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF SOUTHWESTERLY RIGHT-OF-WAY OF KING ARNOLD STREET (50' RIGHT-OF-WAY) AND NORTHWESTERLY RIGHT-OF-WAY OF SHERMAN ROAD (40' RIGHT-OF-WAY); THENCE SOUTH S54°04'18"E EAST, ALONG SOUTHWESTERLY RIGHT-OF-WAY OF KING ARNOLD STREET, A DISTANCE OF 162.46 FEET TO A 1/2" REBAR WITH CAP SET, SAID THE REBAR BEING THE POINT OF BEGINNING; THENCE SOUTH S55°22'32"E EAST, ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY, A DISTANCE OF 50.00 FEET TO A 1/2" REBAR FOUND; THENCE LEAVING SAID SOUTHWESTERLY RIGHT-OF-WAY SOUTH S33°59'19"W WEST, ALONG PROPERTY LINE OF N & N COIN LAUNDRY, LLC, RECORDED IN DEED BOOK 53311, PAGE 479, A DISTANCE OF 195.46 FEET TO A 3/4" OPEN TOP PIPE FOUND; THENCE LEAVING SAID PROPERTY LINE NORTH S50°38'38"W WEST, ALONG PROPERTY LINE OF 451 N. CENTRAL, LLC, A DISTANCE OF 50.00 FEET TO AN X-CUT IN PVC PIPE SET; THENCE LEAVING SAID PROPERTY LINE NORTH S33°59'19"W EAST, ALONG PROPERTY LINE OF RICHARD E. BUICE, A DISTANCE OF 196.06 FEET TO THE POINT OF BEGINNING.

CONTAINING 9,788 SQUARE FEET OR 0.225 ACRES, MORE OR LESS.

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)

AREA: 12.499 SQ. FT. (0.287 ACRES)

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

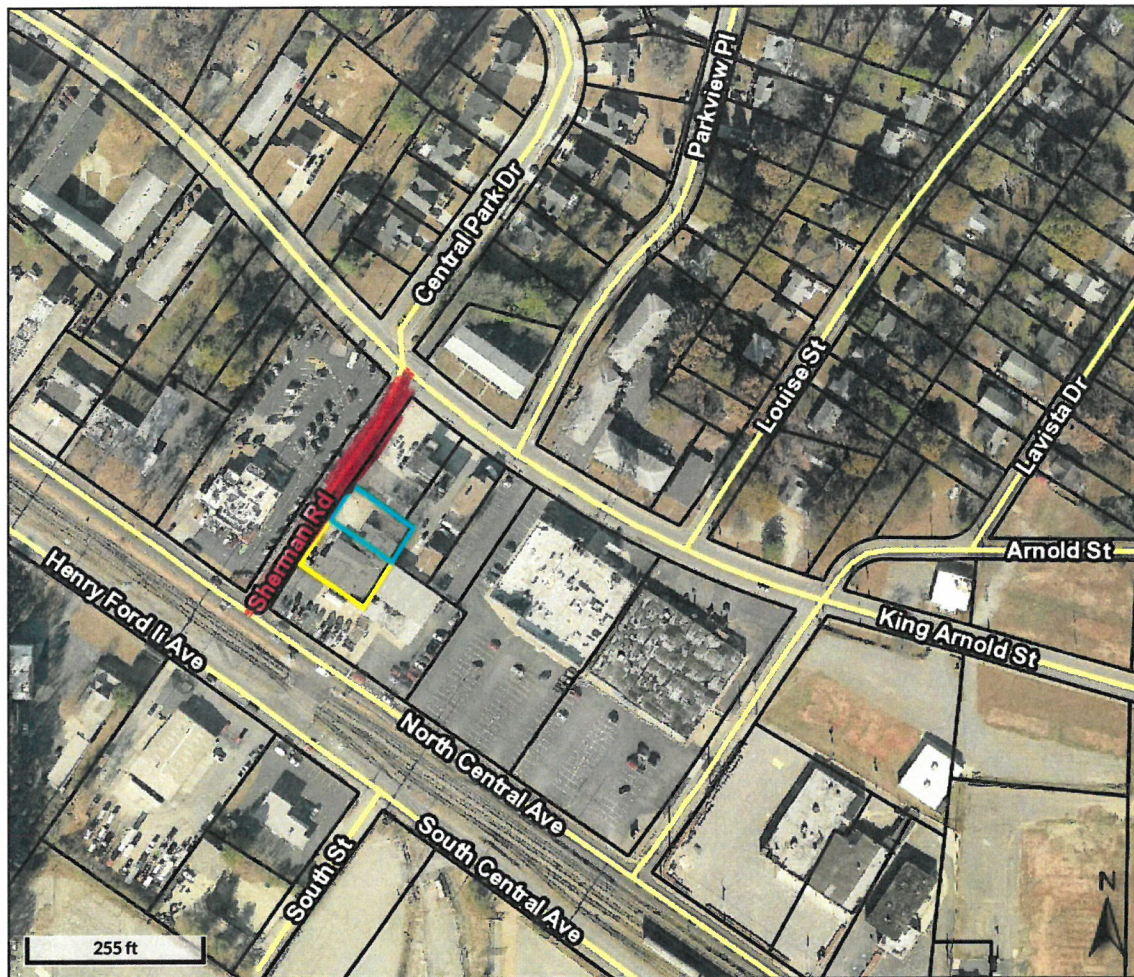
REVISIONS	DATE
RAILROAD CROSSING	05/09/18
ADDED BUICE TRACK	05/30/19

DRAWING TITLE

ALTANSPS SURVEY

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

CIVIL ENGINEERS * LAND PLANNERS
* LANDSCAPE ARCHITECTS * SURVEYORS



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		5200 BUFFINGTON RD	10/4/2012	0	Sale Includes Multiple	U
District			ATLANTA GA 30349			Parcels	
Acres	0.1148	Assessed Value	\$82,200				

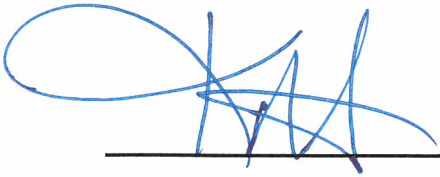
Date created: 3/4/2020
Last Data Uploaded: 3/4/2020 4:13:46 AM

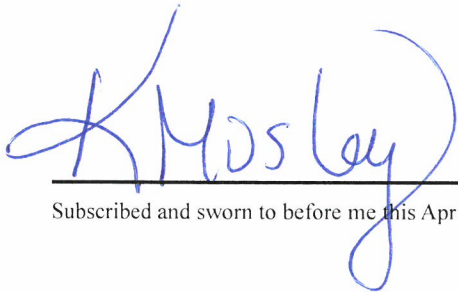
Developed by  **Schneider**
GEOSPATIAL

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

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

Name of Applicant Epic Development - Alex Popham

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

Telephone 404-500-6017 Mobile# [REDACTED]

Email Alex@EpicDevelopment.com

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

Mailing Address _____

Telephone _____ Mobile# _____

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

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

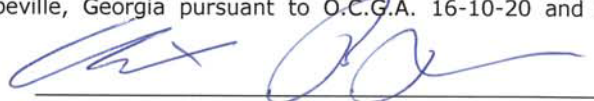
Square Foot of Property 181,645 Acres 4.17

Present Zoning Classification V-Village Proposed Zoning Classification PUD

Present Land Use Vacant Land

Proposed Land Use New Residential Subdivision

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

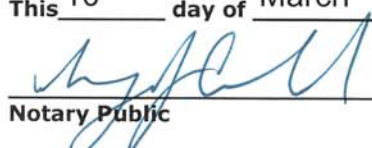


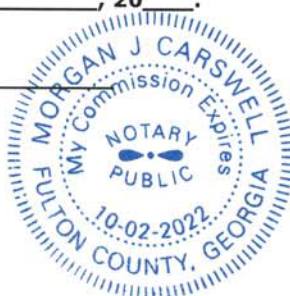
Applicant's signature

Date: 3/10/20

Sworn to and subscribed before me

This 10 day of March, 2020.


Notary Public



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

LETTER OF INTENT

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

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

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

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

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

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

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

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

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

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

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

What environmental impacts would the proposed project have?

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

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

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

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

Please list any written proffered conditions below.

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

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

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

AUTHORIZATION OF PROPERTY OWNER

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

3264 Spring Haven Ave, Hapeville, GA 30354

City of Hapeville, County of Fulton, State of Georgia

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

Name of Applicant Epic Development - Alex Popham

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

Telephone of Applicant 404-500-6017

WE Norton, Jr

Signature of Owner

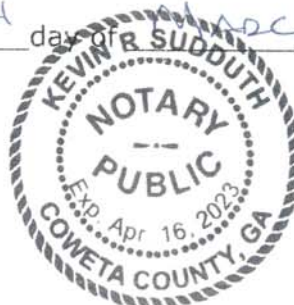
WE. Norton, Jr

Print Name of Owner

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

Kevin R. Sudduth

Notary Public



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

Date

N/A

AUTHORIZATION OF ATTORNEY

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

City of Hapeville, County of Fulton, State of Georgia

Name of Attorney

Bar No.

Address

Telephone

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

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS & GIFTS

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

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

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

W.E. Norton, SR

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

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

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

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

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

[Signature]
Signature of Applicant

Alex Popham

Type or Print Name and Title

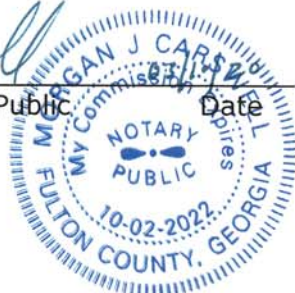
Signature of Applicant's Representative

Type or Print Name and Title

[Signature]
Signature of Notary Public

03/11/20
Date

(Affix Raised Seal Here)



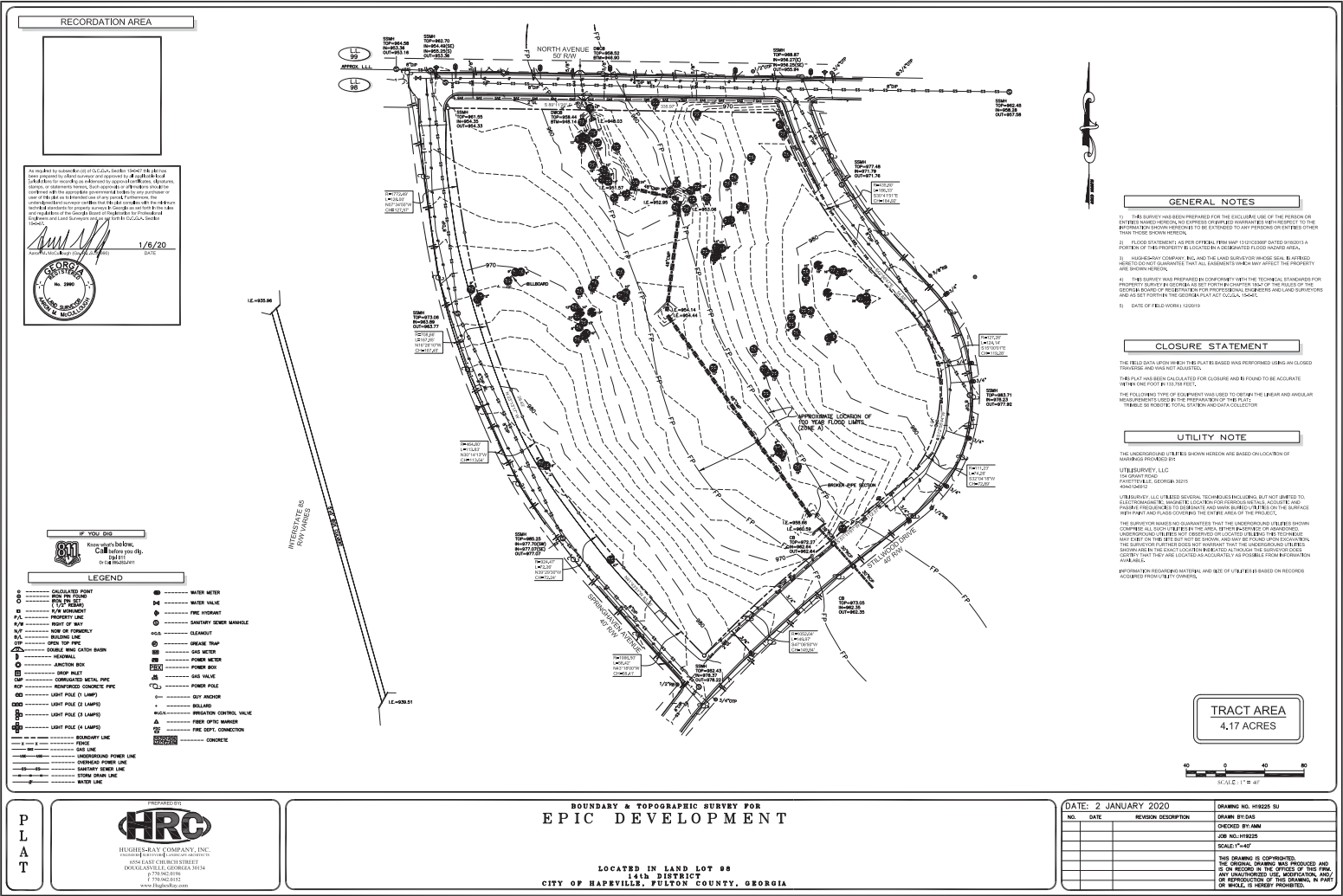
EPIC HAPEVILLE TRACT LEGAL

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

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

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

SAID TRACT OR PARCEL OF LAND CONTAINS 4.17 ACRES.





1 SITE PLAN
SCALE: 1" = 20'

Revisions

Drawing Date:
Date of Issue

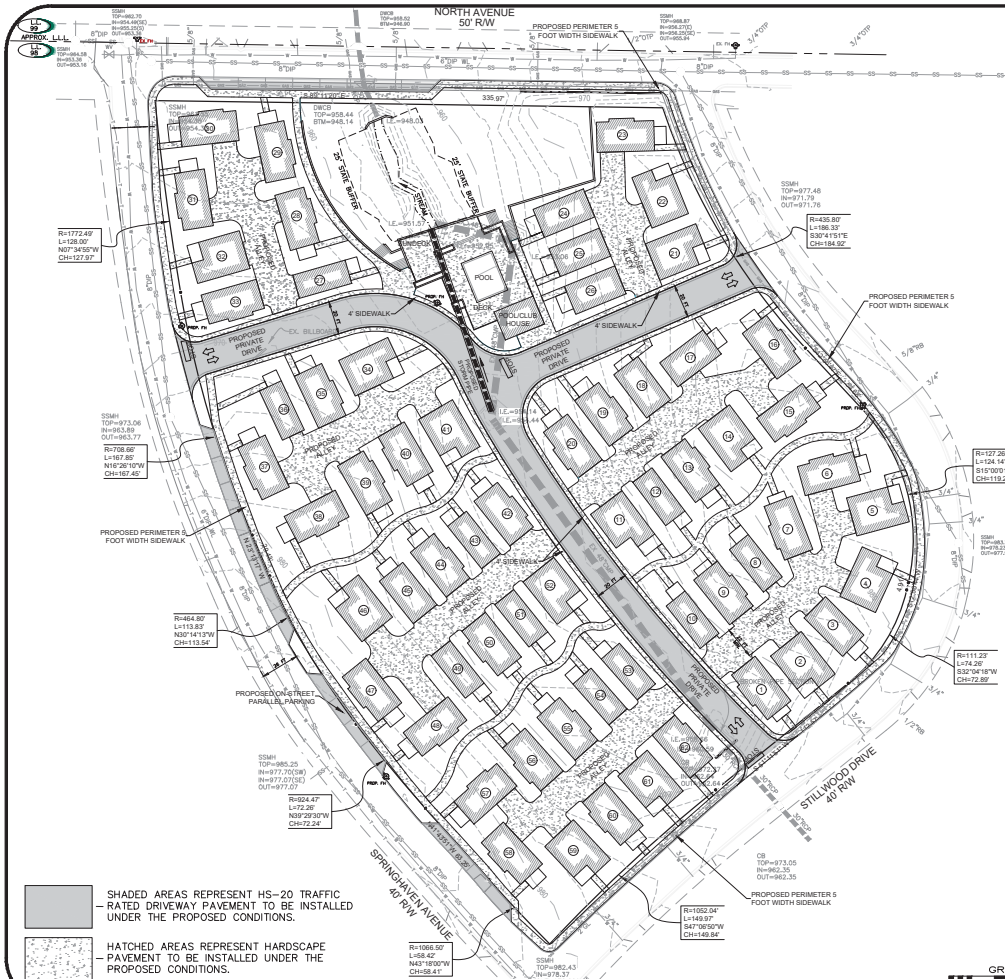
PRELIMINARY HCD
RELEASED FOR
CONSTRUCTION

Project Number:
8701

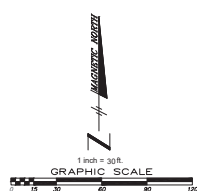
#Project Name
#Site Address
#Site City, #Site State, #Site Pincode
#Client Full Name

Drawing Description:
Site Plan

A-1.2



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



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

ZONING PLAN

FOR THE

SPRINGHAVEN AVE. COMMUNITY

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

No.	Revision/Issue	Date
1	ISSUED FOR REVIEW	5/16/19

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

OWNER/DEVELOPER:

CONTACT:

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

C3













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.

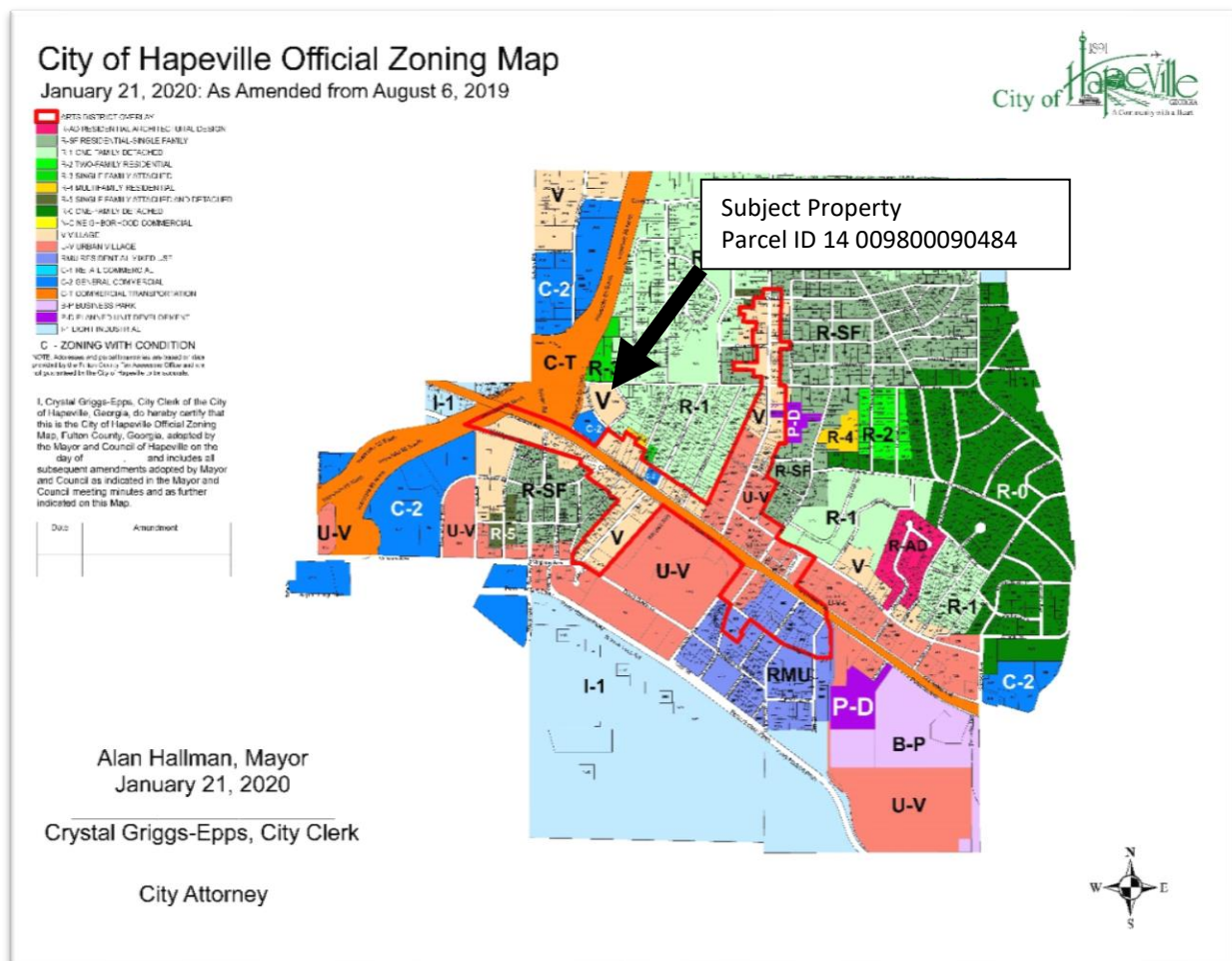


Figure 1

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

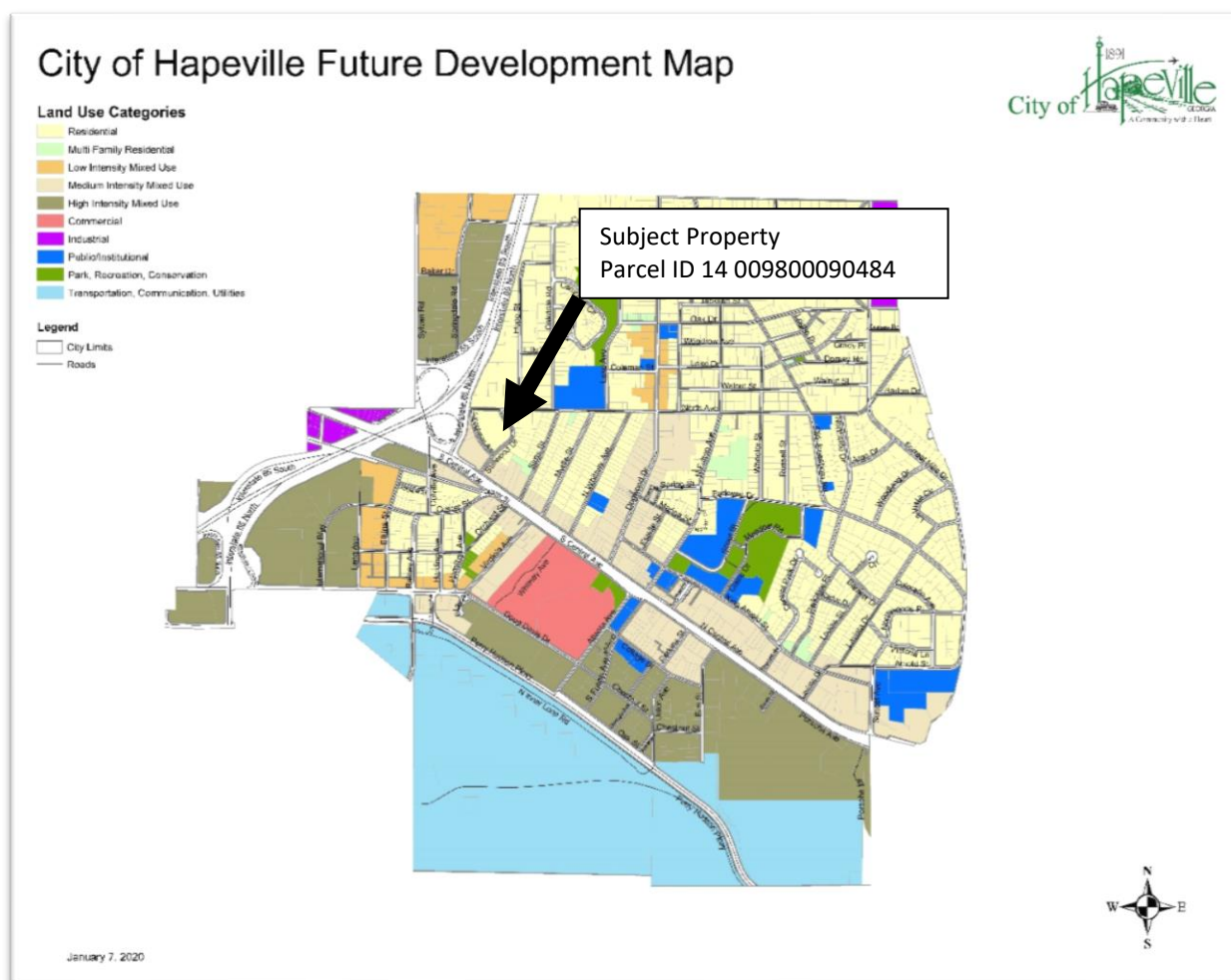


Figure 2

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;

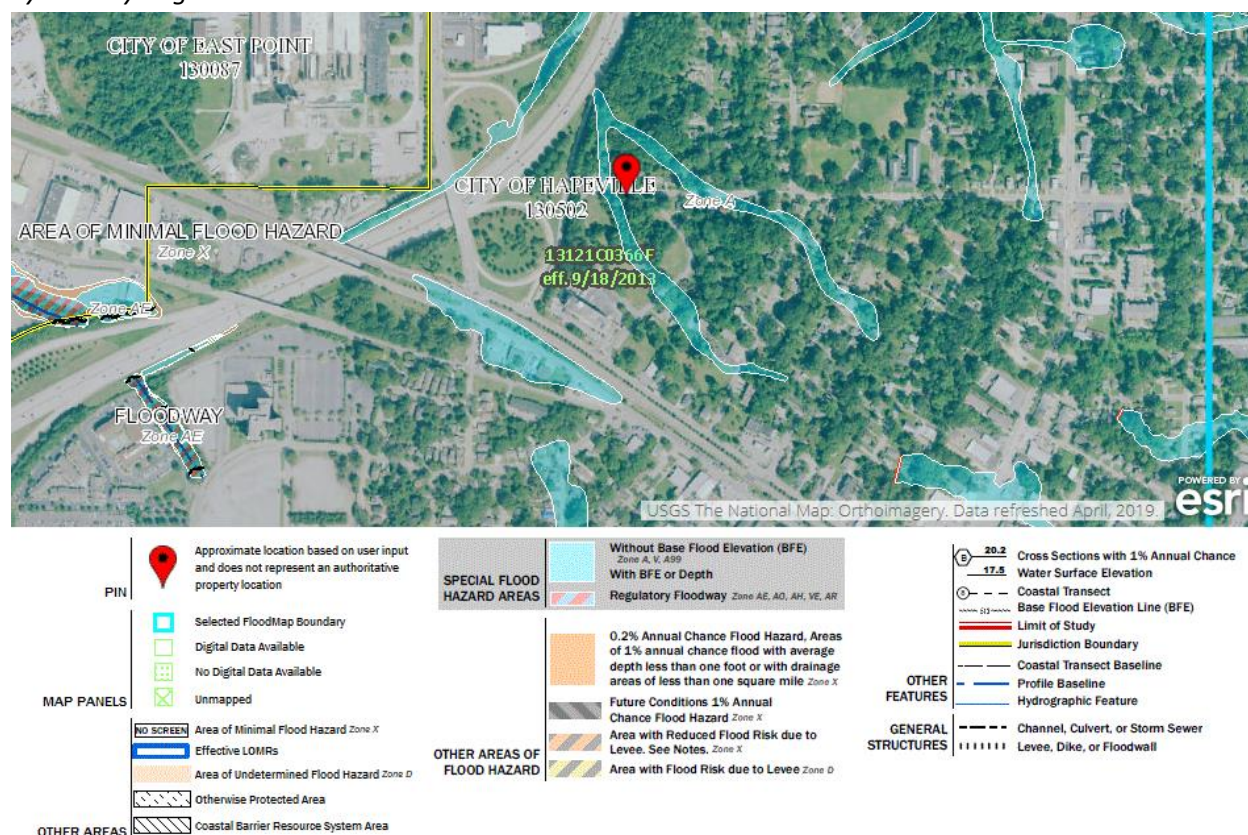
There is no foreseeable significant increase on public facilities such as schools, utilities or streets for the use proposed. The City's Community Services Department has indicated the City's sewer and water service capacity is sufficient to accommodate the new developments.

(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

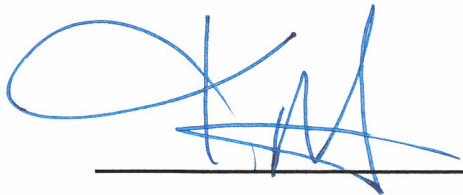
RECOMMENDATION

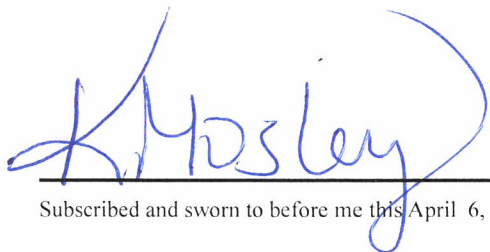
Staff recommends this application for approval. Per the City Code, the Design Review Committee will establish setbacks and other site requirements for the project.

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.

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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 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

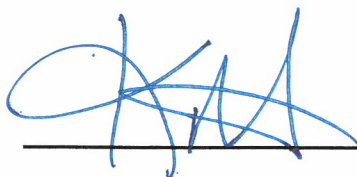
APPROVED BY:

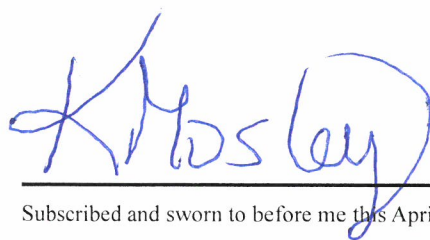
City Attorney

PUBLISHER'S AFFIDAVIT

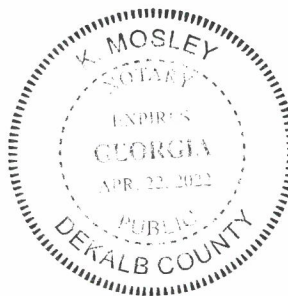
STATE OF GEORGIA
COUNTY OF FULTON

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

DRAFT

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.

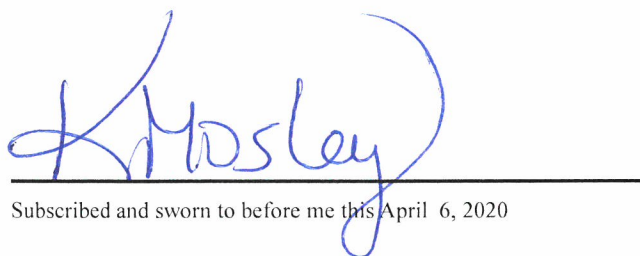
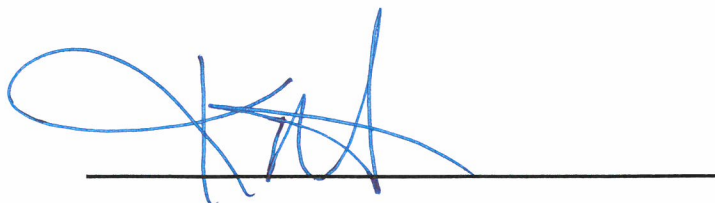
Change to the following:

- (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

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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



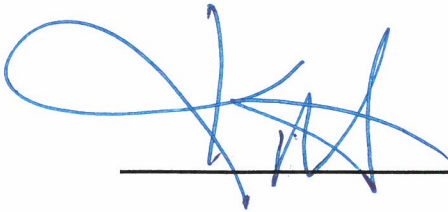
Figure 2 – Brick pavers across a driveway

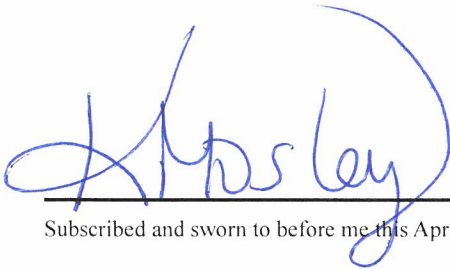
3. In no case shall there be less than 50 feet from the closest sides of any two-driveway curblines.
4. Curb breaks shall be located at least 25 feet from the nearest intersection of two curblines as measured along one of the curblines.
5. Business establishments on contiguous lots are encouraged to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

CONTRACT FOR SERVICES BETWEEN

USIS, INC. AND CITY OF HAPEVILLE

In consideration of the mutual covenants herein contained, **USIS, INC.** hereinafter referred to as the **COMPANY**, does hereby contract and agree with the **CITY OF HAPEVILLE**, hereinafter referred to as the **CITY**, as follows:

- I. This agreement shall take effect June 3, 2020, and shall continue for a one (1) year period, unless terminated by either party as set forth herein. This contract may be terminated at the request of the **COMPANY** with ninety (90) days written notice, and the **CITY**, **without cause**, with sixty (60) days written notice.
- II. All services rendered by the **COMPANY** will fully comply with the rules established by regulatory authorities. The **COMPANY** will perform all services specified herein, including but not limited to the following: Administrative Services, Claims Services, and Data Management Services.

A. ADMINISTRATIVE SERVICES

1. Prepare, file and maintain all records and reports as may be required by legal authorities (State, local and Federal) or by excess insurers.
2. Prepare, file and maintain statistical information required by the Department of Insurance or other appropriate State agencies, by required date.

B. CLAIMS SERVICES

1. Establish reporting procedures which are compatible with the needs of the City.

2. Provide necessary forms and instructions for use.
3. Receive and examine on behalf of the **CITY** all reports of employee injury claims.
4. Conduct investigations that will disclose all of the pertinent facts on any accident as deemed necessary to allow determination as to compensability.
5. Accept or deny all reported claims for employee injuries on behalf of the **CITY** in accordance with the applicable Workers' Compensation Law.
6. Employ outside professionals such as private detectives, expert witnesses, field claim adjusters and attorneys to assist in the investigation, should it be necessary, at the expense of the **CITY**, subject to prior approval by and consultation with **CITY**.
7. Review all medical bills and other services for which a claim is being made for reasonableness and conformity to appropriate medical and surgical fee schedules through our specialized Cost Containment Unit.
8. Adjust and settle all reported claims. Such settlement is to include preparation and execution of all necessary compromise and release agreements.
9. Prepare and maintain files necessary for legal defense of claims and/or litigation (such as actions for subrogation) or other proceedings.

10. Pay in a timely fashion and for appropriate amount all claims and expenses pertaining thereto from the Working Loss Fund.
The Working Loss Fund will be established by the **CITY** and will be maintained at a dollar level sufficient to meet the monthly obligations.
11. Conduct an ongoing review of all open cases where appropriate to establish the status of each disabled employee claim in order to bring to an amicable conclusion.
12. Provide **CITY** with narrative status reports of major or litigated claims.
13. Provide coordination with rehabilitation of injured employees in the consultation, retraining and reassignment of employees with limited physical abilities arising from covered injuries, at the expense of the **CITY**.
14. In coordination with **CITY**, maintain a current roster of qualified physicians for the treatment of covered injuries on a first and specialized basis, as well as maintaining procedures for close liaison with the treating physicians.
15. All expenses regarding the checking account(s) to be at the cost of the **CITY**.
16. Employ outside professionals for field case management, rehabilitation, vocational training and catastrophic case management at the expense of the **CITY** subject to prior approval by and consultation with the **CITY**.

C. DATA MANAGEMENT SERVICES - Provide City's and Liability

Claims Reports monthly with the following individual claim details:

1. Claimant's name and social security number
2. Date of injury or loss
3. Nature of injury or loss
4. Description of accident
5. Payments to date
6. Reserves for future payments
7. Allocated claims expense paid-to-date
8. Reserve for future allocated claims expense

D. WORKING LOSS FUND RECONCILIATION - Provide monthly reports as follows:

1. Report will be mailed to **CITY** fifteen (15) days after close of each monthly period.
2. Report will show:
 - a. Balance of fund at inception
 - b. Total disbursement by date and claimant
 - c. Balance of fund at close
 - d. Amount of reimbursement required

III. WORKERS COMPENSATION CLAIM SERVICES:

- A. Service fees will be charged at a flat rate of \$5,000 for the twelve (12) month period.

- B. Cost Containment Services (Medical Bill Repricing):** The fee for medical bill re-pricing by the **COMPANY** shall be \$5.50 per medical bill, which will be invoiced by the **COMPANY** on a quarterly basis.

- C. **Network Savings:** A fee of 25% of network contract savings (not fee schedule savings) shall be paid related to medical providers and pharmacy networks.

IV. **TAIL CLAIMS:**

Workers' Compensation Tail Claims: — If applicable, the service fee shall be \$375 per lost-time file per contract year for open claims. There is no charge for tail medical only claims.

- V. Other than filing of applications for self-insurance and the rendering of loss prevention services, the **COMPANY'S** performance will continue for a period of ninety (90) days after the expiration of the contract period. All reports required by regulatory authorities will be filed for the contract period. The aforementioned annual fees payable to the **COMPANY** include full consideration for all such continuing obligations.

VI. **INDEMNIFICATION:**

To the extent provided by law, each party (the "Indemnitor") shall indemnify, defend and hold harmless the other party (the "Indemnitee") and its affiliates, officers, directors, agents and employees, to the extent permitted by law, from and against any and all claims, losses, liabilities, damages, costs, penalties, fines, interest and expenses, including punitive damages and reasonable attorney's fees, arising from or caused in whole or in part by any breach of this Agreement or negligent act or omission by the Indemnitor or its officers, agents or employees. If the Indemnitee is not actively negligent, such indemnification shall be complete and total and without regard to the comparative fault of the parties. If there is active negligence on the part of the Indemnitee, such indemnification shall be partial and provided only to the extent of the comparative fault of the Indemnitor. Notwithstanding the foregoing,

USIS shall have no liability under this provision for any act or omission taken by it in accordance with the written instructions of the City of Hapeville. This provision shall survive termination of this Agreement.

VII. The **COMPANY** will not assign this agreement or any responsibilities pursuant to said agreement without the express consent, in writing, of the **CITY**.

VIII. Participation in Federal Work Authorization Program. The Company shall participate in the federal work authorization program throughout the contract period, as provided for in O.C.G.A. § 13-10-91. The Company shall be required to, at the time of the contract, provide a signed, notarized affidavit, attesting that it has registered with, is authorized to use, and uses the federal work authorization program; it will continue to use the federal work authorization program throughout the contract period; and the Company will contract for the physical performance of services in satisfaction of such contract only with subcontractors who present an affidavit containing the above information. Further, the subcontractor's federal work authorization program user identification number and the date of authorization shall be included in the affidavit. The Company's/Contractor's affidavit is attached as Exhibit A.

To the extent that a subcontractor is utilized, the subcontractor shall participate in the federal work authorization program throughout the contract period, as provided for in O.C.G.A. § 13-10-91. The subcontractor shall be required to, at the time of the contract, provide a signed, notarized affidavit, attesting that the subcontractor has registered with, is authorized to use, and uses the federal work authorization program; the subcontractor will continue to use the federal work authorization program throughout the contract period; and the subcontractor will contract for the physical performance of services in satisfaction of such contract only with subcontractors who present an affidavit to the subcontractor containing the above

information. Further, the contractor's federal work authorization program user identification number and the date of authorization shall be included in the affidavit.

IX. Assignment and Subcontracting: The Company shall not assign this Agreement or any portion of this Agreement, nor shall the Company subcontract for goods or completed or substantially completed services purchased hereunder without the prior express written consent of the City. No assignment or subcontract by the Company, including any assignments or subcontract to which the City consents, shall in any way relieve the Company from complete and punctual performance of this Agreement, including without limitation all of the Company's obligations under the WARRANTY provisions of this agreement.

X. Risk Management Requirements: The Company shall abide by the City's applicable Risk Management Requirements attached to this Agreement as Exhibit B and hereby incorporated into this Agreement.

XI. Notices: All notices required or permitted to be given hereunder shall be deemed to be properly given if delivered in writing personally or sent by United States certified or registered mail addressed to the Company or the City, as the case may be, with postage thereon fully prepaid. The effective time shall be at the time of mailing:

If to the City:
City Manager
Hapeville City Hall

With copies to:
City Clerk
Hapeville City Hall

If to the Company:

XII. Attorney's Fees: The Company shall pay reasonable attorneys' fees to the City should the City be required to incur attorneys' fees in enforcing the provisions of this Agreement.

XIII. Relationship of Parties

- a. Independent Contractors. Nothing contained herein shall be deemed to create any relationship other than that of independent contractor between City and Company. This Agreement shall not constitute, create, or otherwise imply an employment, joint venture, partnership, agency or similar arrangement between City and Company. It is expressly agreed that Company is acting as an independent contractor and not as an employee in providing the Services under this Agreement.
- b. Employee Benefits. Company shall not be eligible for any benefits available to employees of Hapeville including, but not limited to, workers' compensation insurance, state disability insurance, unemployment insurance, group health and life insurance, vacation pay, sick pay, severance pay, bonus plans, pension plans, or savings plans.

- c. Payroll Taxes. No income, social security, state disability or other federal or state payroll tax will be deducted from payments made to Company under this Agreement. Company shall be responsible for all FICA, federal and state withholding taxes and workers' compensation coverage for any individuals assigned to perform the Services for Hapeville.

XIV. Conflict of Interest

Company warrants and represents that:

- a. the Services to be performed hereunder will not create an actual or apparent conflict of interest with any other work it is currently performing, and
- b. Company is not presently subject to any agreement with a competitor or with any other party that will prevent Company from performing in full accord with this Agreement; and
- c. Company is not subject to any statute, regulation, ordinance or rule that will limit its ability to perform its obligations under this Agreement. The parties agree that Company shall be free to accept other work during the term hereof; provided, however, that such other work shall not interfere with the provision of Services hereunder.

XV. Governing Law and Consent to Jurisdiction

This Agreement is made and entered into in the State of Georgia and this Agreement and the rights and obligations of the parties hereto shall be governed by and construed according to the laws of the State of Georgia without giving effect to the principles of conflicts of laws. The jurisdiction for resolution of any disputes arising from this Agreement shall be in the States Courts of Fulton County, Georgia.

XVI. Waiver of Breach

The waiver by either party of a breach or violation of any provision of this Agreement shall no operate or be construed to constitute a waiver of any subsequent breach or violation of the same or other provision thereof.

XVII. Severability

If any provision of this Agreement is held to be unenforceable for any reason, the unenforceability thereof shall not affect the remainder of the Agreement, which shall remain in full force and effect, and enforcement in accordance with its terms.

XVIII Entire Agreement

This Agreement which includes the exhibits hereto contain the entire agreement and understanding of the parties with respect to the subject matter hereof, and supersedes and replaces any and all prior discussions, representations and understandings, where oral or written.

IN WITNESS WHEREOF, the **COMPANY** and the **CITY** agree to the above terms, conditions and provisions, and hereby cause this agreement to become effective.

CITY OF HAPEVILLE

By:

Signature

Witness Signature

Title

Date

USIS, INC.

By:

Signature

Witness Signature

Executive Vice President

Title

Date

EXHIBIT A

CONTRACTOR AFFIDAVIT AND AGREEMENT

By executing this affidavit, the undersigned contractor verifies its compliance with O.C.G.A. 13-10-91, stating affirmatively that the individual, firm, or corporation which is contracting with the City of Hapeville, Georgia has registered with and is participating in a federal work authorization program - EEV/Basic Pilot Program operated by the U. S. Citizenship and Immigration Services Bureau of the U.S. Department of Homeland Security, in conjunction with the Social Security Administration (SSA), in accordance with the applicability provisions and deadlines established in O.C.G.A. 13-10-91.

The undersigned further agrees that, should it employ or contract with any subcontractor(s) in connection with the physical performance of services pursuant to this contract with the City of Hapeville, contractor will secure from such subcontractor(s) similar verification of compliance with O.C.G.A. 13-10-91 on the Subcontractor Affidavit provided in Rule 300-10-01-.08 or a substantially similar form. Contractor further agrees to maintain records of such compliance and provide a copy of each such verification to the City of Hapeville at the time the subcontractor(s) is retained to perform such service.

788434

EEV/Basic Pilot Program* User Identification Number

Date of Authorization – 9/23/2014

Name of Contractor – USIS, Inc.

Name of Employer – Brown & Brown, Inc.

USIS, Inc.

By: Ron Warble

Printed Name of Authorized Officer or Agent

4/6/2020

Date

Its: Executive Vice President

Title of Authorized Officer or Agent of Contractor

SUBSCRIBED AND SWORN
BEFORE ME ON THIS THE

6 DAY OF April, 2020

Leslie Whittemore

Notary Public

My Commission Expires: June 14, 2022



Leslie A. Whittemore
Notary Public, State of Florida
My Comm. Expires June 14, 2022
Commission No. GG 223105



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

01/23/2020

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must have **ADDITIONAL INSURED** provisions or be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Brown & Brown of Florida, Inc. 220 South Ridgewood Avenue Daytona Beach FL 32114		CONTACT NAME: Laurie Kohler PHONE (A/C, No, Ext): (386) 239-7242 FAX (A/C, No): (386) 323-9159 E-MAIL ADDRESS: lkohler@bbdaytona.com	
		INSURER(S) AFFORDING COVERAGE	
		INSURER A: Travelers Property Casualty Company of America	
		INSURER B: The Continental Insurance Company	
		INSURER C: XL Specialty Insurance Company	
		INSURER D: The Charter Oak Fire Insurance Company	
		INSURER E: The Travelers Indemnity Company	
		INSURER F:	

COVERAGES **CERTIFICATE NUMBER:** 20060 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☒ POLICY ☐ PRO-JECT ☐ LOC OTHER:			TC2JGLSA9527B87420	01/01/2020	01/01/2021	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 10,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
A	AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS ☒ HIRED AUTOS ONLY ☒ NON-OWNED AUTOS ONLY			TC2JCAP9527B86220	01/01/2020	01/01/2021	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ 50,000
B	☒ UMBRELLA LIAB ☒ OCCUR ☐ EXCESS LIAB ☐ CLAIMS-MADE DED RETENTION \$			6011849429	01/01/2020	01/01/2021	EACH OCCURRENCE \$ 10,000,000 AGGREGATE \$ 10,000,000
D	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) ☐ Y / N If yes, describe under DESCRIPTION OF OPERATIONS below		N / A	TC2OUB9517B58020	01/01/2020	01/01/2021	☒ PER STATUTE ☐ OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
C	INS AGENTS/BROKERS PROFESSIONAL LIAB E&O			ELU16548320	01/01/2020	01/01/2021	EA WRONGFUL ACT 20,000,000 AGGREGATE 20,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

NAMED INSURED: USIS, INC.
 CITY OF HAPEVILLE IS ADDITIONAL INSURED ON THE GENERAL LIABILITY PER FORM CG D2 48 08 05.

CERTIFICATE HOLDER CITY OF HAPEVILLE 3468 N FULTON AVE HAPEVILLE GA 30354	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
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AGENCY CUSTOMER ID: _____

LOC #: _____

ADDITIONAL REMARKS SCHEDULE

Page ____ of ____

AGENCY Brown & Brown of Florida, Inc.		NAMED INSURED BROWN & BROWN INC ETAL
POLICY NUMBER		
CARRIER	NAIC CODE	EFFECTIVE DATE:

ADDITIONAL REMARKS**THIS ADDITIONAL REMARKS FORM IS A SCHEDULE TO ACORD FORM,****FORM NUMBER:** 25 **FORM TITLE:** Certificate of Liability Insurance: Notes

INSURER E-WORKERS COMPENSATION-POLICY TRKUB9518B76120-EFF 1-1-20 TO 1-1-21, LIMITS 1,000,000/1,000,000/1,000,000

BANKS - VEHICLE FINANCING TERMS – 2020 F-250 VEHICLE

Based on **Regions Equipment Finance Corporation's proposal**, here are the terms:

- 48-months would be 3.20%,
- 60-months would be 3.20%
- 72-months would be 3.20%.

Based on **BB&T's** proposal, here are the terms:

- 48-months would be 3.69%
- 60-months would be 3.69%
- 72-months would be 3.89%.

Based on **Bank OZK's proposal**, here are the terms:

- Financing the vehicle up to 6 years would range from 5% up to 7.5%

Based on these three proposals, staff is recommending Regions Equipment Finance Corporation.



2020 F250 Supercab

WADE FORD, Inc. Government Sales 3860 South Cobb Dr Smyrna, GA 30080

Code	Chassis Options	Total	Code	Chassis Options/Fuel System	Total
1	024 F250 Supercab 4x2	23,791.00	66D	Bed Delete	(525.00) 0.00
	F2A Regular Cab Downgrade	(1,500.00) 0.00	1	67D Hvy Duty Alternator	75.00 75.00
	X3A F350 Upgrade	2,475.00 0.00			0.00
1	W3A F250 / 350 Crewcab Upgrade	2,304.00 2,304.00	4CS	4 Corner Strokes	725.00 0.00
	X3B F250 / 350 4x4 Upgrade	3,307.00 0.00			0.00
	*3C F350 Dually Upgrade	1,175.00 0.00	53W	5th Wheel / Gooseneck Prep Package	345.00 0.00
	98F Gaseous Fuel Prep (CNG/LPG)	298.00 0.00	15L	5th Wheel Hitch Kit	1,150.00 0.00
	99T 6.7L V8 Diesel Engine	8,391.00 0.00			0.00
	64W Cast Aluminum Wheels	568.00 0.00	15J	Gooseneck Hitch Kit	225.00 0.00
	TBM LT245/75R 17E All Terrain Tires	119.00 0.00			0.00
	17F XL Décor Group	208.00 0.00	213	Electronic Shift on the Fly 4X4	185.00 0.00
	96V XL Value Package	563.00 0.00	X3E	3.73 Ratio	390.00 0.00
			41P	Skid Plates	100.00 0.00
	90L Power Equipment Group	1,068.00 0.00	TCD	LT 265/70R 17E A/T	455.00 0.00
	54K Power Tow Mirrors	156.00 0.00	76D	Rear Camera & Prep Kit	470.00 0.00
	X3E Limited Slip Axle 3.73	370.00 0.00	63R	Heavy Service Package for P/U box	125.00 0.00
	473 Snow Plow Package	81.00 0.00			0.00
1	52B Integrated Brake Controller	256.00 256.00			0.00
1	18B 6" Black Running Boards	421.00 421.00			0.00
	76S Remote Start (req 90L)	185.00 0.00			0.00
1	76V Rear View Camera	511.00 511.00			0.00
	85G Tailgate Step	355.00 0.00			0.00
	433 Sliding Rear Glass w/Privacy	119.00 0.00	1	Dana Safety Quote	12,156.70 12,156.70
	76R Reverse Sensing	231.00 0.00			0.00
	66s Upfitter Switches	119.00 0.00			0.00
1	91M SYNC / Steering Wheel Controls	346.00 346.00			0.00
1	585 AM / FM / CD	260.00 260.00			0.00
1	1* Cloth 40/20/40 Seat	297.00 297.00			0.00
	525 Cruise Control	220.00 0.00			0.00
	942 Daytime Running Lights	43.00 0.00			0.00
	87T Crew Chief Telematics	757.00 0.00			0.00
	76C Backup Alarm	119.00 0.00			0.00
1	85S Spray in Bedliner	450.00 450.00		** Delivery Mileage **	1.50 0.00
	603 XLT Upgrade Super Cab	4,125.00 0.00		Base Vehicle	26,095.00
1	603 XLT Upgrade Crew Cab	4,644.00 4,644.00		Sub Total Chassis Options	8,458.00
	TDX LT275/70R 18E All Terrain Tires	119.00 0.00		Body Option	12,156.70
		0.00		VSO Paint	
1	17V XLT Value Package	1,273.00 1,273.00		Delivery Mileage	
	17P XLT Premium Package	2,734.00 0.00		Tag and Title if needed	0.00
				TOTAL	46,709.70

PAINT COLORS		
	Z1	Oxford White
1	UH	Tuxedo Black Metallic
	UX	Ingot Silver Metallic
	H5	Caribou Metallic
	J7	Magnetic Metallic
	N1	Blue Jeans Metallic
	PQ	Race Red
	W6	Green GemMetallic
	W4650D	Fire Engine Red
Additional XLT Paint		
	H7	Bronze Fire Metallic
	RR	Ruby Red Metallic

Agency
Contact
Phone
Fax
Address

Hapeville Fire Department
Joey Overton
(470) 346 - 0282
(404) 669 - 2148
3468 N. Fulton Ave.
Hapeville, GA 30354

joverton@hapeville.org

TOTAL \$ 46,709.70



GA Statewide Contract ES-RFR-40199-409

Pursuit Utility Vehicle (Explorer) All Wheel Drive

3.3L V6 Hybrid Engine, Cloth Front/Vinyl Rear, Power Windows/Locks/Mirrors/Drv Seat, Pursuit Rated Tires

WADE FORD, Inc. Government Sales 3860 South Cobb Dr Smyrna, GA 30080

Jessica Davis, Jdavis@wade.com, 678.385.3427

	Code	Vehicle Options		Total		Code	Added Equipment		Total
1	99B	3.3 V6 Regular Gasoline Eng	(3,083.00)	(3,083.00)		66A	Head Light Solution	868.00	0.00
1	99C	3.0 L V6 EcoBoost Engine	759.00	759.00		66B	Tail Light Solution	417.00	0.00
				0.00		66C	Rear Lighting Solution	442.00	0.00
	86T	Taillight Housing	59.00	0.00		67G	Cargo Wiring Upfit Pkg	1,314.00	0.00
	51PW	Spotlight Prep (1,2)	136.00	0.00		67H	Ready for Road Pkg	3,485.00	0.00
	51YZ	Regular Spot Light (1,2)	210.00	0.00		67U	Ultimate Wiring Pkg	544.00	0.00
	51RS	LED Spot Light (1,2) Unity	411.00	0.00		60A	Pre Wire Grille	49.00	0.00
	43D	Dark Car (Courtesy light inop)	19.00	0.00		47C	Front Wire Connector Kit	102.00	0.00
	47A	Engine Idle Feature	255.00	0.00		21P	Rear Wire Connector Kit	127.00	0.00
	17T	Red Cargo Dome Lamp	49.00	0.00		63L	Rear Quarter Marker Lights	563.00	0.00
	65U	Interior Upgrade	378.00	0.00		63B	Side Marker Mirror Lights	285.00	0.00
1	16C	Carpet w/ Mats	122.00	122.00		21L	Front Aux Warn Lights	540.00	0.00
1	88F	2nd Row Cloth Seats	59.00	59.00		21W	Front Pocket Warn Lights	626.00	0.00
	87P	Power Passenger Seat	310.00	0.00		96W	Windshield Warning Lights	1,092.00	0.00
	17A	Dual AC w/ Front Controls	597.00	0.00		96T	Rear Spoiler Warning Lights	1,371.00	0.00
	64E	Painted Aluminum Wheels	461.00	0.00		18X	100 Watt Siren Speaker	294.00	0.00
	65L	Full Wheel Covers	59.00	0.00		52B	Enhanced TPU Cooler	2,865.00	0.00
						16D	Badge Delete	0.00	0.00
	61RS	Steering Wheel Switches	153.00	0.00		91A	Two Tone Vinyl (roof doors)	821.00	0.00
	59*	Keyed Alike (Need code)	49.00	0.00					0.00
1	55F	Keyless Remote (4 total)	332.00	332.00		CB1	Standard Cop Box Installed	1,995.00	0.00
	593	Perimeter Alarm (req 55F)	117.00	0.00		SB1	Standard Scale Box Installed	2,395.00	0.00
1	87R	Camera Monitor in Mirror	0.00	0.00			other models available		0.00
	19L	Lockable Gas Cap	20.00	0.00					0.00
	76R	Reverse Sensing	269.00	0.00					0.00
	60R	Noise Suppression Bonds	98.00	0.00					0.00
1	549	Heated Mirrors	59.00	59.00					0.00
	55B	BLIS (Blind Spot Alert)	533.00	0.00					0.00
	63V	Cargo Storage Vault	239.00	0.00		2TD	2-tone Paint 4 Doors Only	1,000.00	0.00
	942	Daytime Running Lights	43.00	0.00		2TB	2-tone Paint Doors & Roof	1,300.00	0.00
	43L	Silent Mode (req 942)	19.00	0.00					0.00
	68Z	Roof Rack	152.00	0.00	1		Dana Safety Quote	5,980.72	5,980.72
	68G	Rear Door Handle/Lock Inop	34.00	0.00					0.00
	52P	Hidden Lock Plunger	157.00	0.00					0.00
	18W	Rear Window Inop	25.00	0.00					0.00
	90DE	Ballistic Doors Lvl 3 (1,2)	1,553.00	0.00					0.00
	90FG	Ballistic Doors Lvl 4 (1,2)	2,365.00	0.00					0.00
	41H	Engine Block Heater	88.00	0.00			DELIVERY		0.00

PAINT COLORS					
	YZ	Oxford White	Vermillion Red	E4	
1	UM	Black	Light Blue Metallic	LN	
	BU	Medium Brown Metallic	Blue Metallic	FT	
	E3	Arizona Beige Clearcoat	Silver Gray Metallic	TN	
	HG	Smokestone Metallic	Sterling Gray Metallic	UJ	
	J1	Kodiak Brown Metallic	Ingot Silver Metallic	UX	
	JL	Dark Toreador Red Metallic	Medium Titanium Metallic	YG	
	KR	Norsea Blue Metallic	Fire Engine Red (VSO)	4650	
	LK	Dark Blue	Dark Forest Green (VSO)	7606	
	LM	Royal Blue	Emerald Green (VSO)	7862	

VSO Special Paint add 950.00

Base Vehicle	\$34,984.00
Total Chassis Options	(\$1,752.00)
Total Body Options	\$5,980.72
VSO Paint	0.00
Delivery Zone	
Total	\$39,212.72

Agency Contact	
Phone	
Agency	
Address	