

Mayor and Council Session

Join in-person at 3444 N Fulton Avenue, Hapeville, GA 30354,
Online using URL: <https://us02web.zoom.us/j/85439538730>
Or, by Dialing 888 788 0099 (Toll Free) Webinar ID: 854 3953 8730

June 2, 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. Pledge of Allegiance

5. Invocation

6. Public Hearing

In addition to the public comments made by citizens at the meeting, interested parties may submit written comments to the City Clerk via email or telephonically by 5PM on June 1st. In order for comments to be read into the record at the meeting, all correspondence must include the sendee's name, address, agenda item and position regarding public hearing (pro or con). All sendees must confirm receipt of their public comment with the City Clerk prior to the deadline stated above. Written public comments will be read into record alternating with in-person comments. Per the adopted zoning hearing rules, allotted time is 30 minutes total per side. No individual may speak for more than 10 minutes.

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

Background:

Claudette Eley is requesting approval of a special use permit to operate a personal care home within an existing structure located at 3234 Dogwood Drive, Parcel Identification Number 14-0094-0001-013-0. The property is zoned V, Village and is subject to the zoning regulations under Sec. 93-1.1-5 of the City of Hapeville Zoning Ordinance.

The proposed use of a personal care home is compatible with the Village Zoning District and poses no foreseeable conflict with the intent of the district. There were concerns regarding parking and traffic movement during peak transition times.

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

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

Staff Comments:

Applicant Comments:

Public Comments:

Documents:

1. Application - 3234 Dogwood Drive, CUP_redacted
2. 3234 Dogwood Drive - Supplemental Information_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 - 06-02-2020, 3234 Dogwood Drive_special use permit_personal care home

6.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 - 06-02-2020, Sherman Road Abandonment_Chick-fil-a

6.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 - 06-02-2020, 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

6.IV. Consideration on 2020-2021 Budget Ordinance - 1st Reading

Background:

On May 18, 2020, the City made available the initial draft Fiscal 2021 Hapeville Proposed Budget. The City advertised the public hearing in the South Fulton Neighbor newspaper. A copy of the draft line item detail budget is posted to the City website along with a copy of the detailed line items supporting the budget proposal. The 2021 COVID 19 global outbreak has significantly impacted Hapeville, and every other municipalities to varying degrees. Since March of this year, Georgia has been under a Public Health Emergency by Governor's orders. By executive orders, many businesses were stopped and are now under phased reopening. Revenue streams of the budget, particularly Local Option Sales Tax and Hotel Motel Tax, have been profoundly affected.

This FY2021 budget calls for approximately \$15.2M in General Fund expenditures. In comparison, the FY2020 budget has \$14.4M of expenditures. The increase of year over year expenditures is driven by the expected delivery of the previously fire truck, approved in FY 2020 with anticipated delivery of August 2021. Operational cash inflows are initially budgeted at \$12.9M, with the additional \$2.3M covered by City reserves. This budget is meant to be conservative in prior years. Given the changing factors in this economy, City staff expects to re-budget at least twice this year, once after the City has received its approved tax digest from Fulton County and again near January 2021 after realized collections. Some opportunities may lessen the impact of General Fund cash expenditures, and City Manager and staff will continue to work toward improving the City's net financial condition.

In fiscal 2020, the City was successful in focusing on strengthening the position of Public Safety in both staffing and equipment investments. Police officer and firefighter retention are up. The City also completed the restoration of the Academy Theatre. Railway and beautification projects were substantially completed. Currently, as of this budget hearing, City staff is not planning other considerable investments in equipment. The City is planning to effect repairs to roofs at the Police Department and City Hall. With TSPLOST, the City expects to Railroad Silent Crossings to get underway with completion in the calendar year 2021.

The budget is our initial best estimate and our projection for the next 12 months. As assumptions and actual circumstances significantly change, Mayor, Council, and staff will

revisit our plans to best steward the resources of the City.

The updated budget detail and the budget draft document will be uploaded on the City's website on Monday.

Staff Comments:

Applicant Comments:

Public Comments:

Documents:

7. Questions on Agenda Items

The public is encouraged to communicate their questions, concerns, and suggestions during Public Comments. The Council does listen to your concerns and will have Staff follow-up on any questions you raise. Any and all comments should be addressed to the Governing Body, not to the general public and delivered in a civil manner in keeping with common courtesy and decorum.

8. Consent Agenda

8.I. Approval of Minutes - May 5, 2020 and May 19, 2020

8.II. Consideration and Action on Authorizing the Mayor to Sign Bright from the Start Program Addendum

Background:

On April 7, Council approved an agreement with the Georgia Department of Early Care and Learning for the Bright from the Start Summer Foods Program. The organization is requesting an addendum to the agreement reflecting authorization of Ashley Moody to act on behalf of the City of Hapeville and become Bright from the Start's point of contact.

Documents:

1. Addendum 2020

9. Old Business

10. New Business

11. City Manager Report

12. Public Comments

Members of the public wishing to speak shall sign in prior to the start of the meeting. Time limitations for Registered Comments are three (3) minutes per person. The total Registered Comment session shall not last more than fifteen (15) minutes unless extended by Council. Each member of the public, who fails to sign up with the City Clerk prior to the start of the meeting, wishing to address Mayor and Council shall have a total of two (2) minutes. The entire general comment session for Unregistered Comments shall not last more than ten (10) minutes unless extended by Council.

13. Mayor and Council Comments

14. 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).

15. 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.

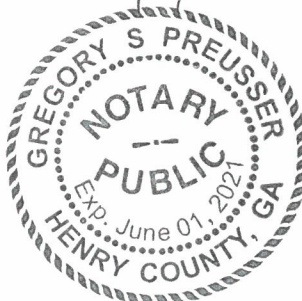
Claudette Eley
Applicant's signature

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.

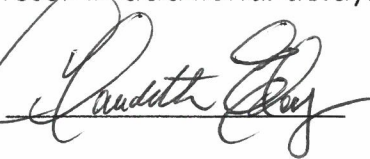
CE The locations, size (sf) and height (ft) of all existing and proposed structures on the site. Height should be assessed from the base of the foundation at grade to the peak of the tallest roofline.

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

3234 DOGWOOD DR HAPEVILLE GA

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

SHEET

Page 13 of 70



CONSULTANTS

MARY'S HOUSE SENIOR CARE
3234 DOGWOOD DR HAPEVILLE GA

3234 DOGWOOD DR HAPEVILLE GA

stamps

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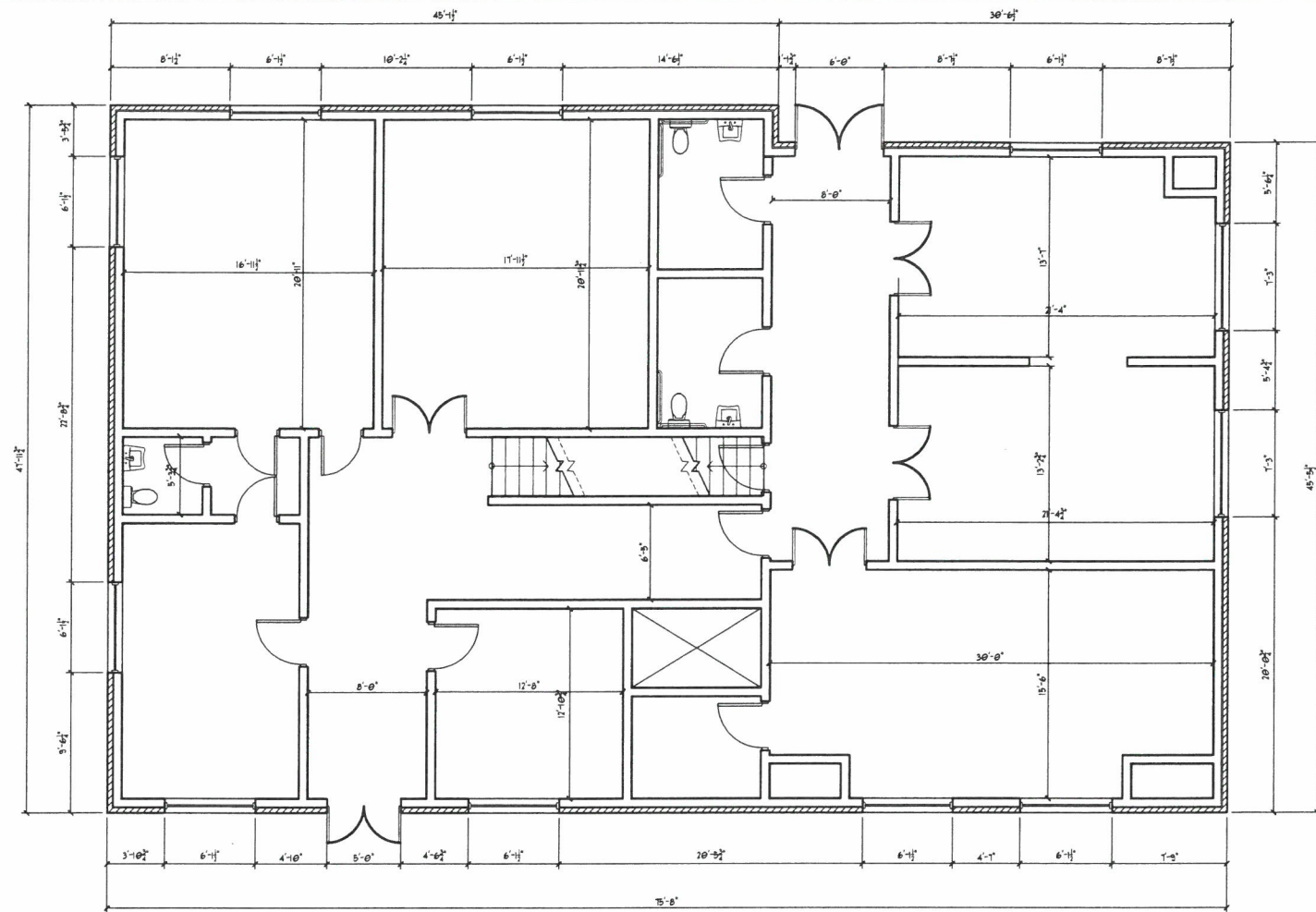
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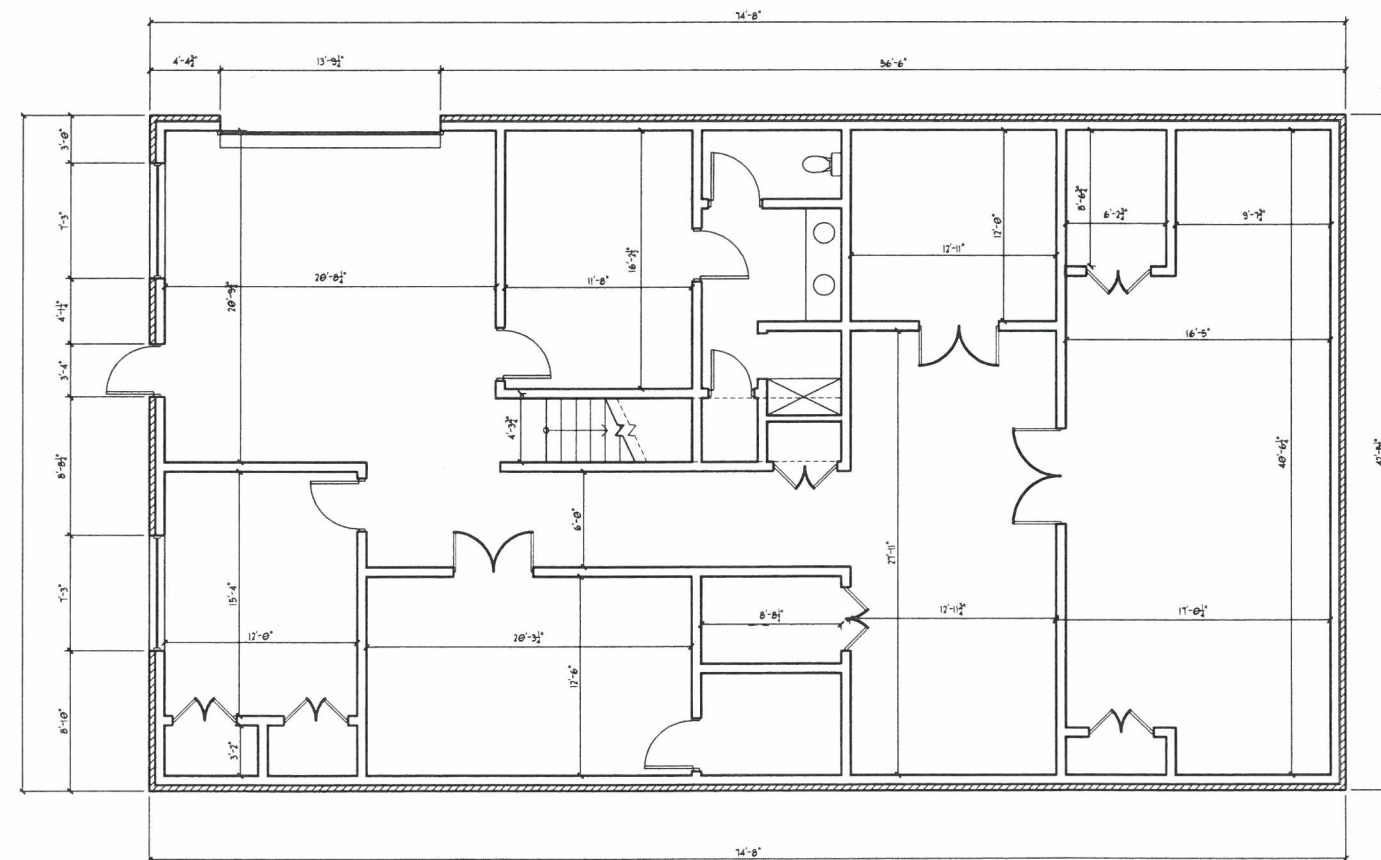
EXISTING FLOOR PLANS

SHEET

A-01



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



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



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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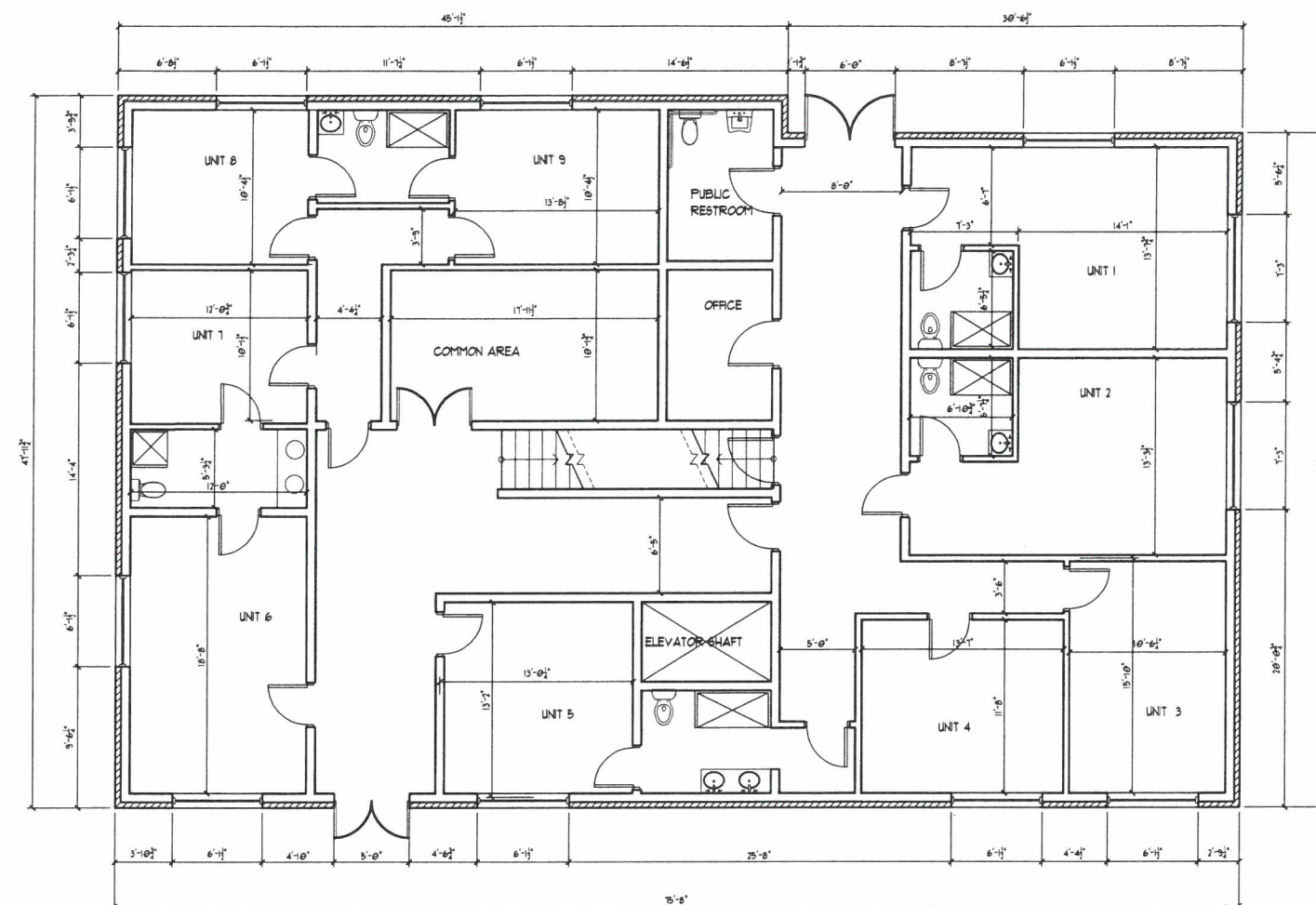
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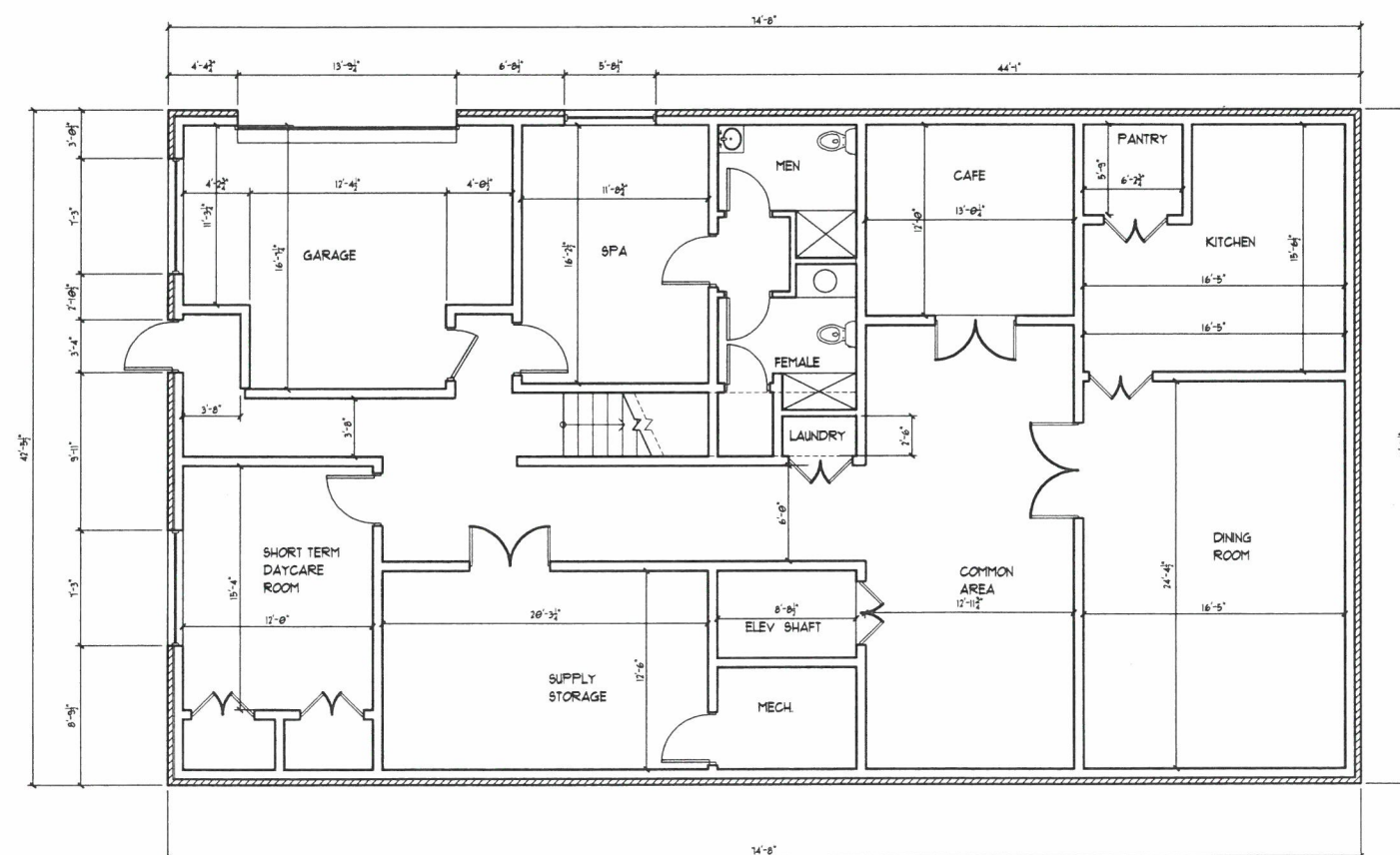
PROPOSED FLOOR PLANS

SHEET

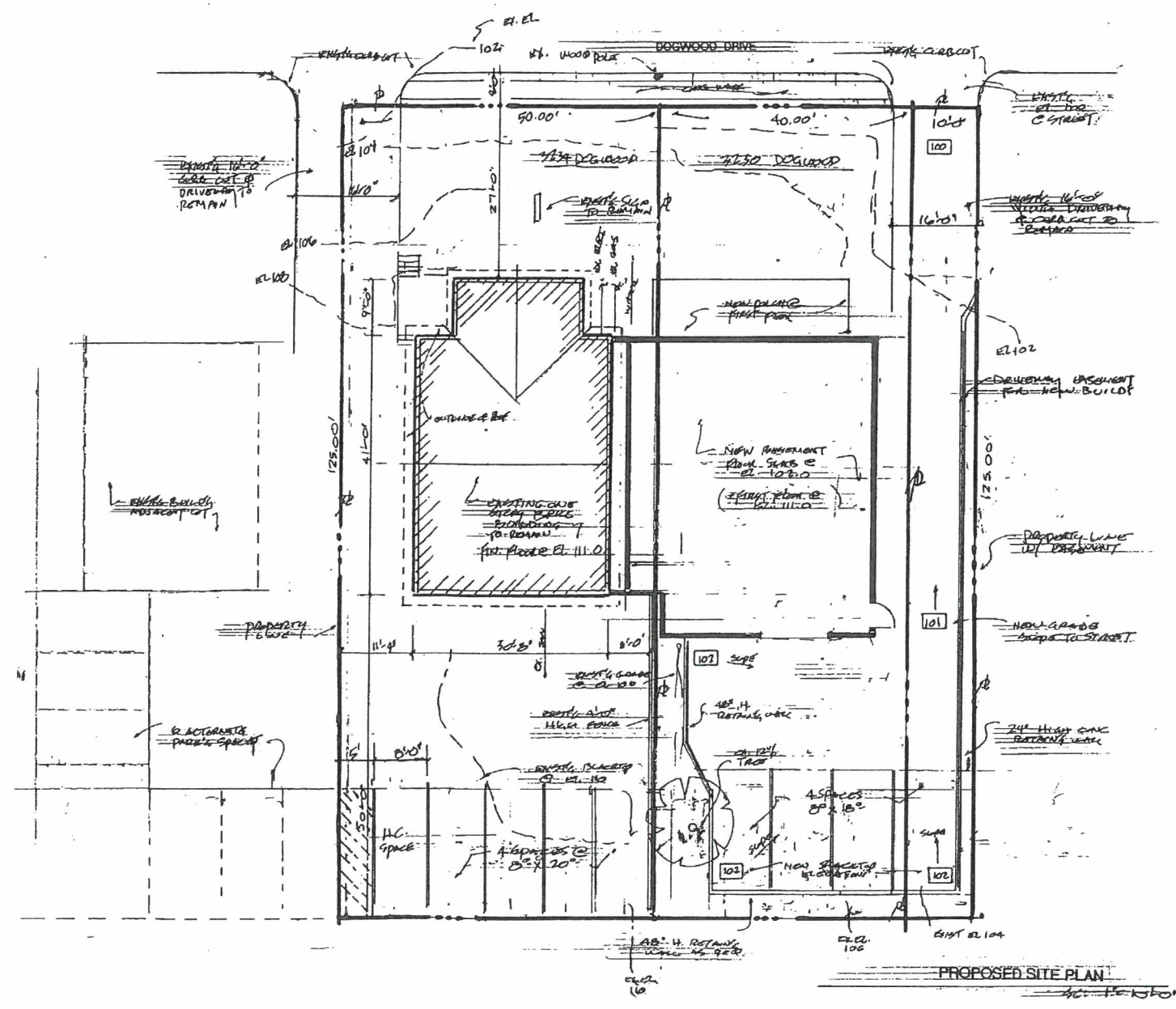
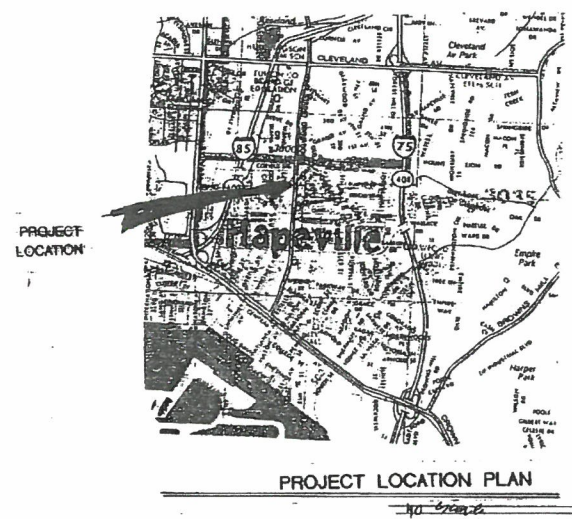
A-02



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



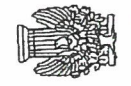
1 PROPOSED LEVEL 1 FLOOR PLAN



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	FW	FIRE HYDRANT
GM	GAS METER	WM	WATER VALVE
LP	LAMP POLE	WM	WATER METER
SS	SANITARY SEWER	POB	POINT OF BEGINNING
TP	TELEPHONE	POC	POINT OF COMMENCEMENT
-X-X-	FENCE	PI	POINT OF INTERSECTION

GENERAL NOTES

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

LEGAL DESCRIPTION

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

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

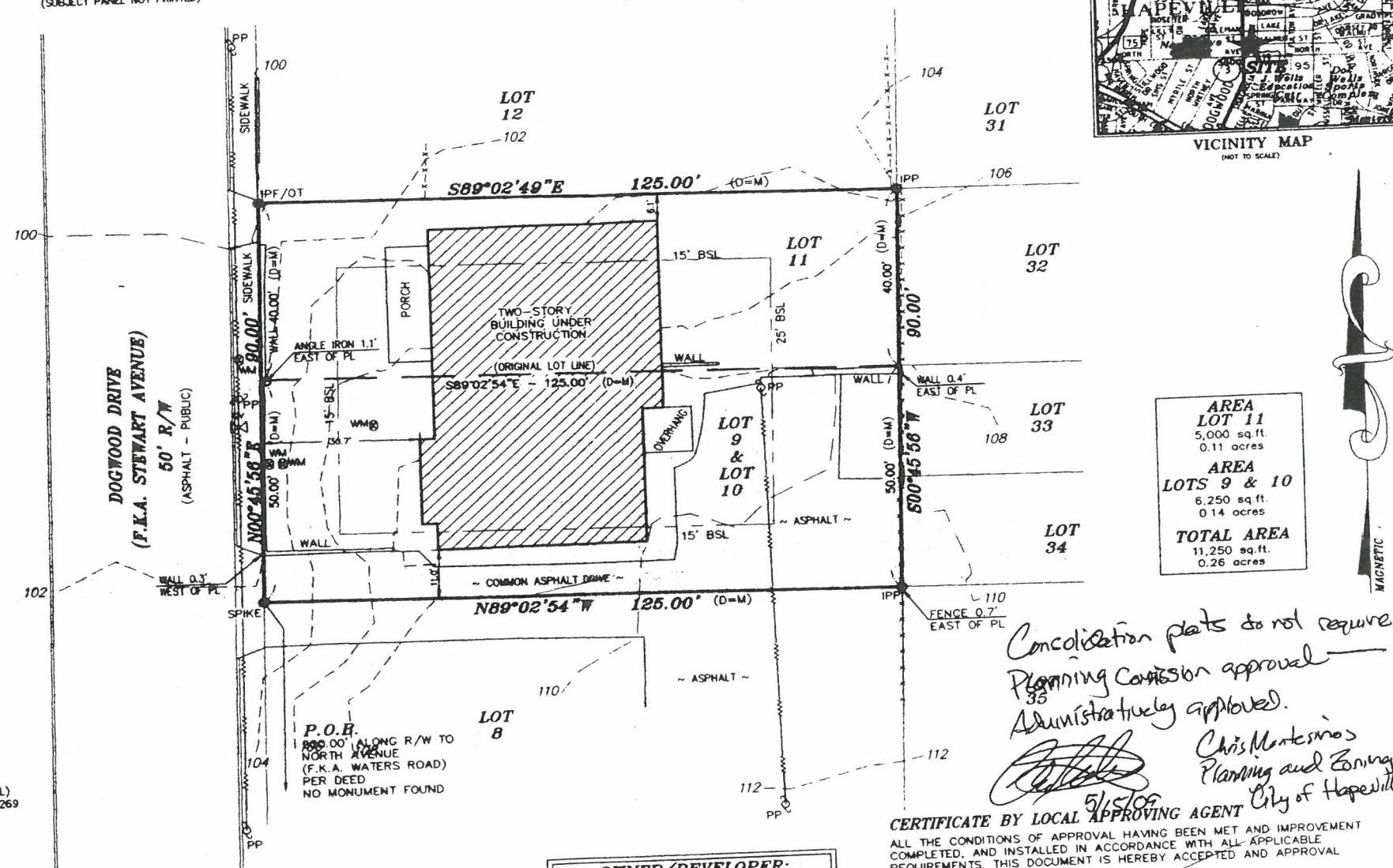
THENCE FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED AND CONTINUING ALONG THE EASTERN RIGHT OF WAY LINE OF DOGWOOD DRIVE NORTH 00 DEGREES 45 MINUTES 56 SECONDS EAST A DISTANCE OF 90.00 FEET TO AN OPEN TOP PIPE FOUND; THENCE LEAVING SAID EASTERN RIGHT OF WAY LINE OF DOGWOOD DRIVE RUN SOUTH 89 DEGREES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

SAID TRACT OF LAND CONTAINS 11,250 SQUARE FEET.

FLOOD STATEMENT

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

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



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

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

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

BY: DIRECTOR OF COMMUNITY SERVICES DATE

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

OWNER/DEVELOPER:

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

Plats 345 Pg 115
Filed and Recorded May-22-2009 02:30pm
2009-0135277
Cathlene Robinson
Clerk of Superior Court
Fulton County, Georgia

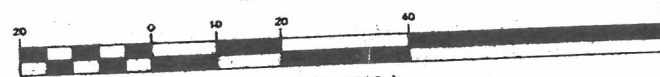
CERTIFICATE BY SURVEYOR

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.

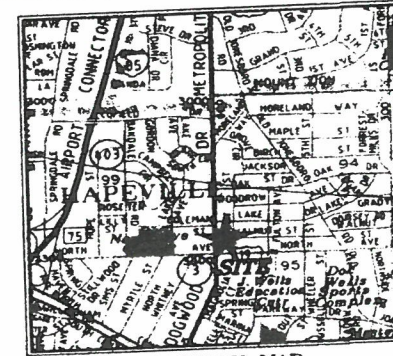
BY: [Signature] DATE 7-1-09
GEORGIA REGISTERED LAND SURVEYOR NO. 2109



GRAPHIC SCALE



(IN FEET)
1 inch = 20 ft.



VICINITY MAP
(NOT TO SCALE)

SOLAR LAND SURVEYING COMPANY

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

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

ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED

DATE	07/16/06	SCALE	1" = 20'
REVISION		SECTION	FULTON COUNTY, GEORGIA
UNIT		LOT	9, 10 & 11
BLOCK	A	SUBDIVISION	FOREST HILLS PARK
DRAFTED		SURVEYED	
DISC #		PLOTTED	
APPROVED		DEED BOOK	32969, PAGE 564-567
JOB #	06-7174	PLAT BOOK	7, PAGE 58



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...



			31-7-12 0110 31-7-200 01 004
111-8-62-.10 Staffing		111-8-62-.10 Staffing (1) The home must maintain a minimum on-site staff to resident ratio of one awake direct care staff person per 15 residents during waking hours and one awake direct care staff person per 25 residents during non-waking hours where the residents have minimal care needs. However, the home must staff above these minimum on-site staff ratios to meet the specific residents' ongoing health,	Staffing outlined in this section is a minimum. Minimum staffing refers to staff who are directly involved in the provision of direct care to residents. The home may need to exceed these minimum requirements in order to provided needed protective care and watchful oversight to all residents. Sufficient staff must be physically present in the home at all times. Residents are present to implement the home's emergency disaster plan. The home must have the number of staff needed to meet the needs of the residents and provide for their health safety, and well-being at all times. The degree of oversight and care the particular residents in the home

Effective Date: 1/8/13

Page 44 of 144

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

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

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

About Mary's House Senior Care

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

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

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

Q&A

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

(See About Mary's House Senior Care)

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

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

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

There will be 9 residential units or dwellings.

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

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

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

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

Residents and visitors will utilize the level 2 parking lot.

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

6. How will drop off work for day visitors?

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

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

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

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

8. What is your parking overflow plan?

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

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

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

10. What are the accommodations for memory care?

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

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

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

SENIOR CARE FACILITY DRIVERS

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

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

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

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

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

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



DEPARTMENT OF PLANNING AND ZONING

PLANNER'S REPORT

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

BACKGROUND

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

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

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

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

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

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

CODE

ARTICLE 11.1. - V ZONE (VILLAGE)

Sec. 93-11.1-1. - Intent.

The V district is established in order to:

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

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

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

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

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

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

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

ARTICLE 3.2. - CONDITIONAL USES

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

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

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

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

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

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

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

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

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

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

REVIEW

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

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

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

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

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

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

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

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

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

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

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

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

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

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

See below

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

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

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

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

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

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

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

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

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

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

RECOMMENDATION

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

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

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



DAVID BLOODWORTH
FIRE CHIEF

To: Adrienne Senter

From: Brian Eskew, Fire Marshal

Re: Mary's House
3234 Dogwood Dr.

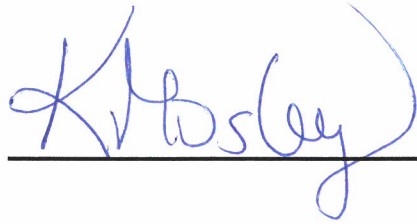
Date: April 7, 2020

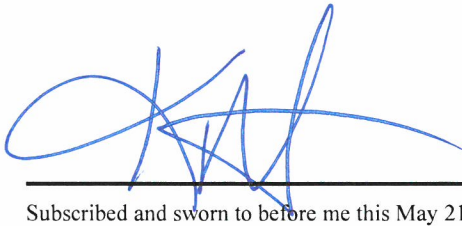
I do not see this project having a negative impact on the Fire Department since it was agreed that a elevator would be installed to meet ADA requirements. If you should need any more information, please let me know. Thanks.

PUBLISHER'S AFFIDAVIT

STATE OF GEORGIA
COUNTY OF FULTON

Before me, the undersigned, a Notary Public, this day personally came the undersigned who, being duly sworn, according to law, says she is an agent of ALM Media, LLC., publishers of the **Daily Report**, the official newspaper published in Atlanta, GA, in said county and state, and that the publication, of which the annexed is a true copy, was published in said newspaper as provided by law on the following dates: 05/18/2020.





Subscribed and sworn to before me this May 21, 2020



**NOTICE
City of Hapeville**

A Public Hearing will be held by the City of Hapeville Mayor and Council on **Tuesday, June 2, 2020 at 6:00 p.m. at the City of Hapeville Hoyt Smith Center located** at 3444 North Fulton Avenue, Hapeville, Georgia 30354. All attendees will be required to wear a face covering and practice social distancing in accordance with the requirements set forth by state law and public health regulations. The meeting will also be made available to the public by live streaming only via teleconference/videoconference in accordance with O.C.G.A § 50-14-1(g) at <https://us02web.zoom.us/j/85439538730>, or by dialing 1-888-788-0099 (Toll Free), Webinar ID: 8543953 8730 to consider the following:

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.

Public Hearing Comments: For those who are unable to physically attend the meeting, citizen comments must be emailed to the City Clerk at cepps@hapeville.org or called in at 404-766-3004 no later than 5:00 p.m. on June 1, 2020. When emailing or verbally delivering your comment to the City Clerk, please include your name, address, the agenda item, and the comment for or against the item. All comments submitted to the City Clerk will be read into the record as well as shared on the screen during the meeting. Citizens may not make comments on public hearing agenda items via livestream or video conference.

Questions on the Agenda or General Public Comments: Members of the public wishing to ask a question or make a public comment during the video meeting/conference shall contact the City Clerk prior to the start of the meeting by sending an email to cepps@hapeville.org or calling 404-766-3004. Those unable to attend the meeting and wishing to ask a question or make a public comment must let the City Clerk know their name, address, and the question or comment. All questions and comments received by the City Clerk by 5:00 p.m. on June 1, 2020, will be read into the record as well as shared on the screen during the meeting.
#0000470663:5/18-1AS

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

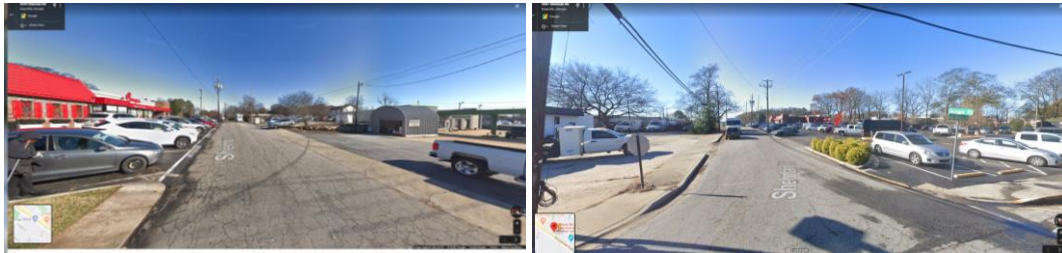


DATE: April 15, 2020
TO: Adrienne Senter
FROM: Lynn Patterson, Consulting Planner for City of Hapeville
RE: **Sherman Road, Road abandonment**

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**

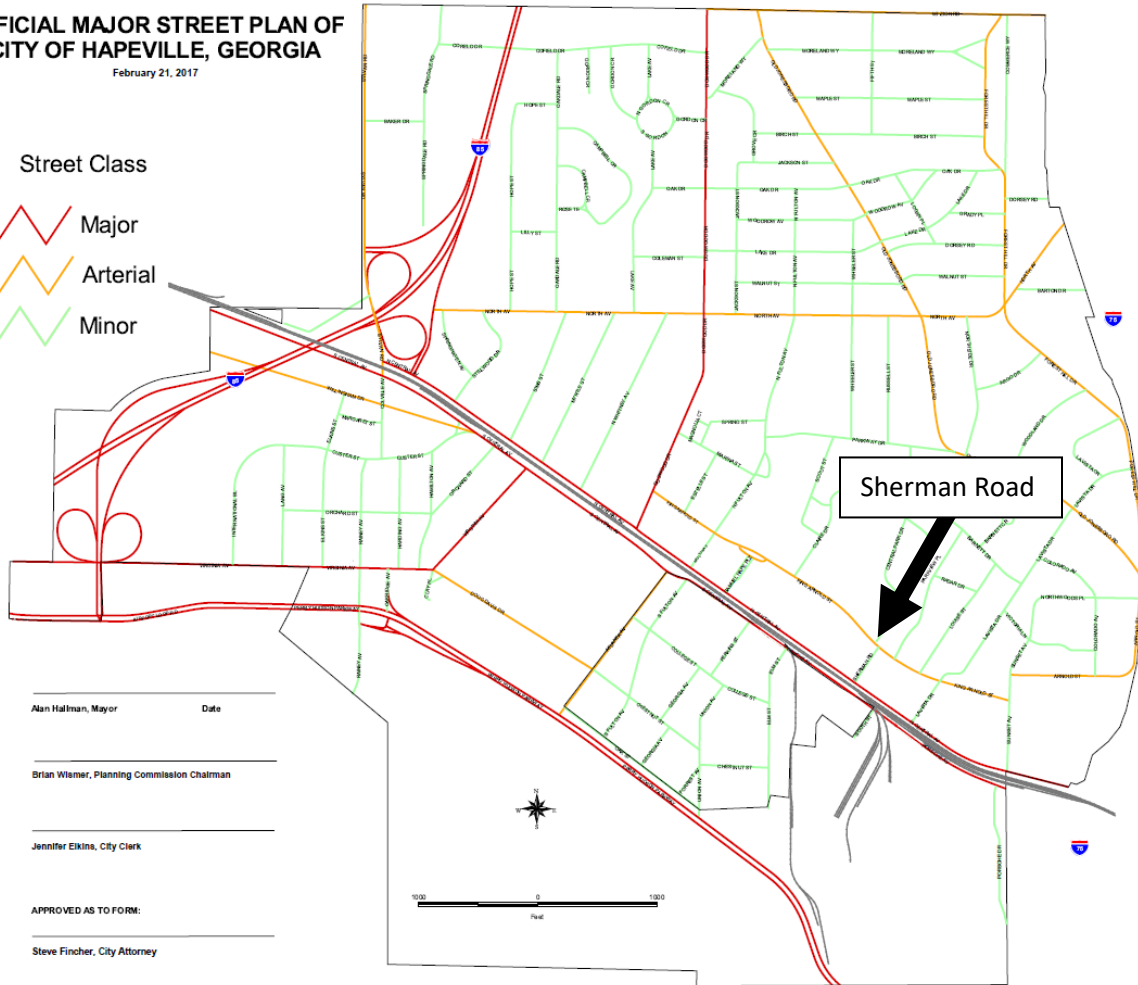
February 21, 2017

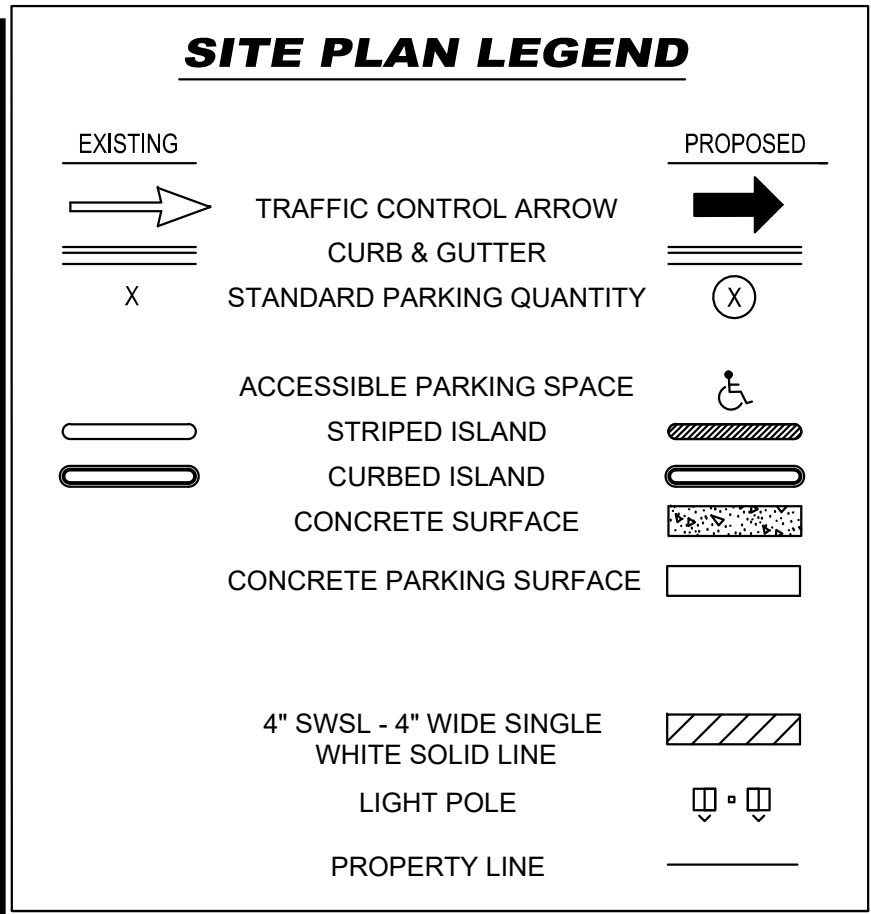
Street Class

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%)

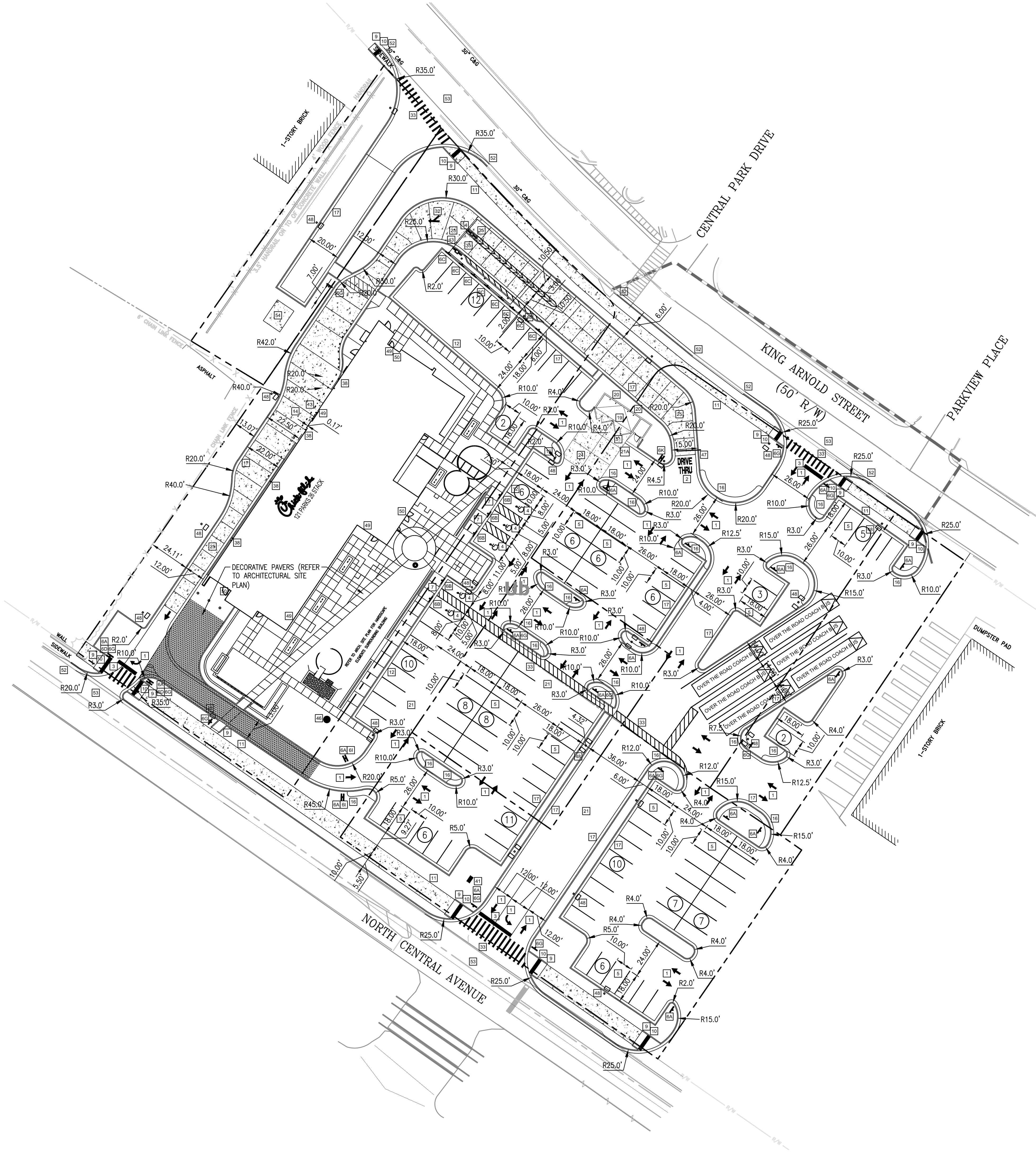
PARKING REQUIREMENTS

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

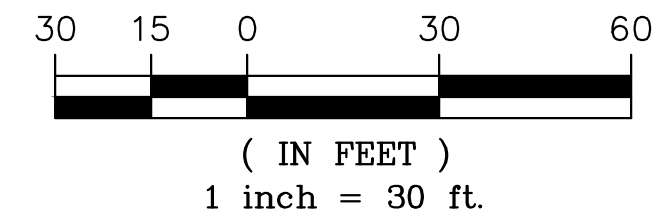
SITE ZONING: U-V-c

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	11	C-9.2
32	MULTI-ORDER POINT DIRECTIONAL ARROW DETAILS	12	C-9.2
33	CROSSWALK	1	C-9.3
34	DRIVE-THRU ORDER POINT ISLAND CURB	5&6	C-9.3
35	MENU BOARD LOOP DETECTION SYSTEM	10	C-9.2
36	ENTRY DOOR FROST SLAB DETAIL	11	C-9.2
37	SAN. C.O. OUTSIDE BUILDING	12	C-9.2
38	BUILDING DOWNSPOUT CONNECTION DETAIL	10	C-9.2
39	TYPICAL SECTION AT INLET/CATCH BASIN DETAIL	10	C-9.3
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	

GREYDEN PROJECT # 19-064

PRINTED FOR _____

DATE _____

DRAWN BY _____

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SHEET
SITE PLAN

SHEET NUMBER

NOT FOR CONSTRUCTION, PERMITTING, OR REGULATORY APPROVAL

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

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

LAND DESCRIPTION OF TRACT 6

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

SITE

LOCATION MAP

NOTES

- BY GRAPHIC PLOTTING ONLY, THE PROPERTY SHOWN HEREON IS IN ZONE X OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 13121C03697 & 13121C03697, 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 @GPS SOLUTIONS, INC.
 - THE CERTIFICATE OF AUTHORIZATION NUMBER FOR COLUMBIA ENGINEERING IS LSF000902.
 - THERE IS NO OBSERVED EVIDENCE OF EARTHMOVING WORK ALONG ROAD FRONTS/AGES OF SUBJECT PROPERTY.
 - THERE IS NO OBSERVED EVIDENCE OF WASTE DUMP, SUMP, OR SANITARY LANDFILL ON SUBJECT PROPERTY.
 - THE UNDERGROUND UTILITIES (EXCEPT THE LOCATION OF EXISTING DRAINAGE, SEWER AND IRRIGATION UTILITIES AS WELL AS UNDERGROUND STORAGE TANKS) WERE LOCATED BY THE PUBLIC UTILITY COMPANIES SERVING THIS AREA AND ARE SHOWN HEREON AS THEY WERE PAINTED AND/OR MARKED ACCORDINGLY.
- THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN-SERVICE OR ABANDONED. UNDERGROUND UTILITIES NOT LOCATED OR LOCATED UTILIZING THIS AS EVIDENCE MAY EXIST ON THIS SITE BUT NOT BE SHOWN, AND MAY BE FOUND UPON EXCAVATION.
- THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH THE SURVEYOR DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE.
- INFORMATION REGARDING MATERIAL AND SIZE OF UTILITIES IS BASED ON RECORDS ACQUIRED FROM THE UTILITY OWNERS.

LAND DESCRIPTION OF COMBINED TRACTS 1 & 2

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

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

LAND DESCRIPTION OF TRACT 3

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

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

LAND DESCRIPTION OF TRACT 4

ALL THAT TRACT OR PARCEL OF LAND LYING OR BEING IN LAND LOT 96, 14TH DISTRICT, CITY OF HAPEVILLE, GEORGIA, FULTON COUNTY, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A MAG NAIL SET AT THE INTERSECTION OF SOUTHEASTERLY RIGHT-OF-WAY OF SHERMAN ROAD (40' RIGHT-OF-WAY) AND NORTHWESTERLY RIGHT-OF-WAY OF NORTH CENTRAL AVENUE; THENCE NORTH 34°21'48" EAST, ALONG SOUTHEASTERLY RIGHT-OF-WAY OF SHERMAN ROAD, A DISTANCE OF 75.00 FEET TO A MAG NAIL SET; THENCE LEAVING SOUTHEASTERLY RIGHT-OF-WAY OF SHERMAN ROAD SOUTH 55°04'51" EAST, ALONG PROPERTY LINE OF DWARF HOUSE PROPERTY CO., INC., RECORDED IN DEED BOOK 56214, PAGE 54, A DISTANCE OF 100.00 FEET TO A POINT; THENCE NORTH 34°21'48" EAST, ALONG SAID PROPERTY LINE, A DISTANCE OF 75.00 FEET TO A POINT TO A MAG NAIL SET; THENCE LEAVING SAID PROPERTY LINE SOUTH 54°15'22" EAST, ALONG PROPERTY LINE OF RICHARD E. BUICE, A DISTANCE OF 64.08 FEET TO AN X-CUT IN PVC PIPE SET; THENCE LEAVING SAID PROPERTY LINE SOUTH 56°03'38" EAST, ALONG PROPERTY LINE OF JOHN MARTIN HOLDER, JR., A DISTANCE OF 50.00 FEET TO A 1/2" REBAR FOUND; THENCE LEAVING SAID PROPERTY LINE SOUTH 54°47'04" EAST, ALONG PROPERTY LINE OF N & N COIN LAUNDRY, LLC, A DISTANCE OF 15.47 FEET TO A 1/2" REBAR FOUND; THENCE SOUTH 34°33'18" WEST, ALONG SAID PROPERTY LINE, A DISTANCE OF 149.98 FEET TO A 1/2" REBAR FOUND ON THE NORTHWESTERLY RIGHT-OF-WAY OF NORTH CENTRAL AVENUE; THENCE NORTH 55°02'47" 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.

CIVIL ENGINEERS * LAND PLANNERS

* LANDSCAPE ARCHITECTS * SURVEYORS

COLUMBIA ENGINEERING

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



FOR THE FIRM COLUMBIA ENGINEERING LSF#000902

ALTANSPS SURVEY FOR

DWARF HOUSE GROUP, LLC & FIDELITY NATIONAL TITLE INSURANCE COMPANY

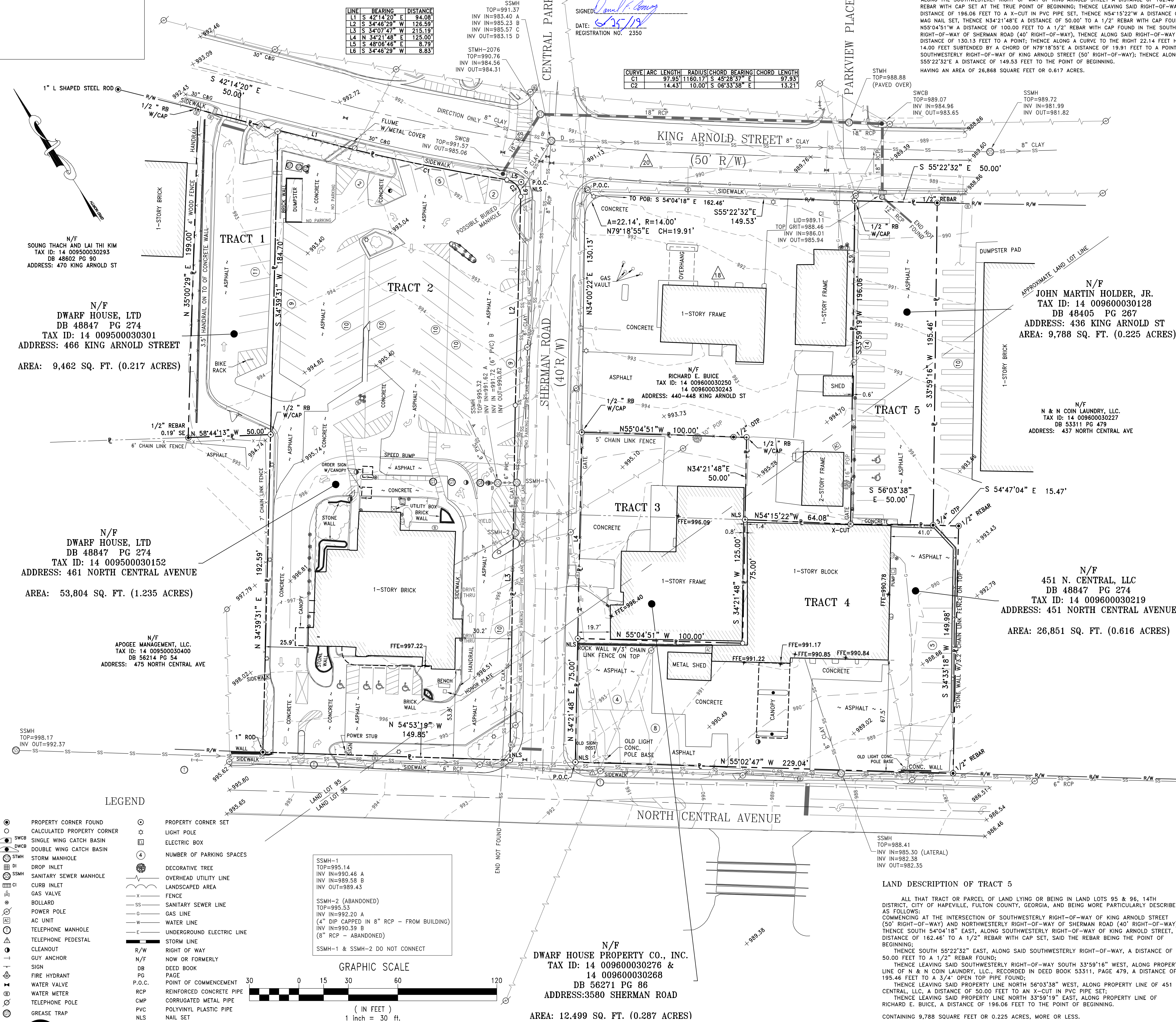
451, 461 NORTH CENTRAL AVENUE, 3580 SHERMAN ROAD, 436, 440, 448 KING ARNOLD STREET
LAND LOTS 95 AND 96 OF THE 14TH DISTRICT, CITY OF HAPEVILLE, FULTON COUNTY, GEORGIA

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

DRAWING TITLE

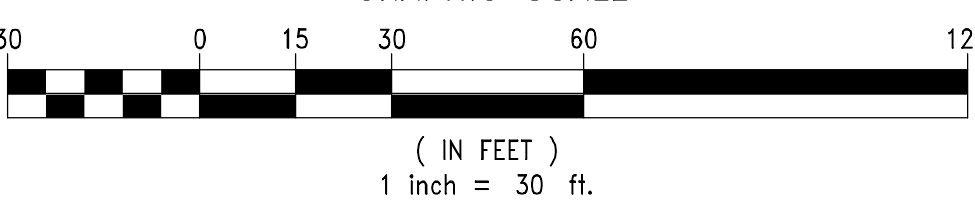
ALTANSPS SURVEY

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



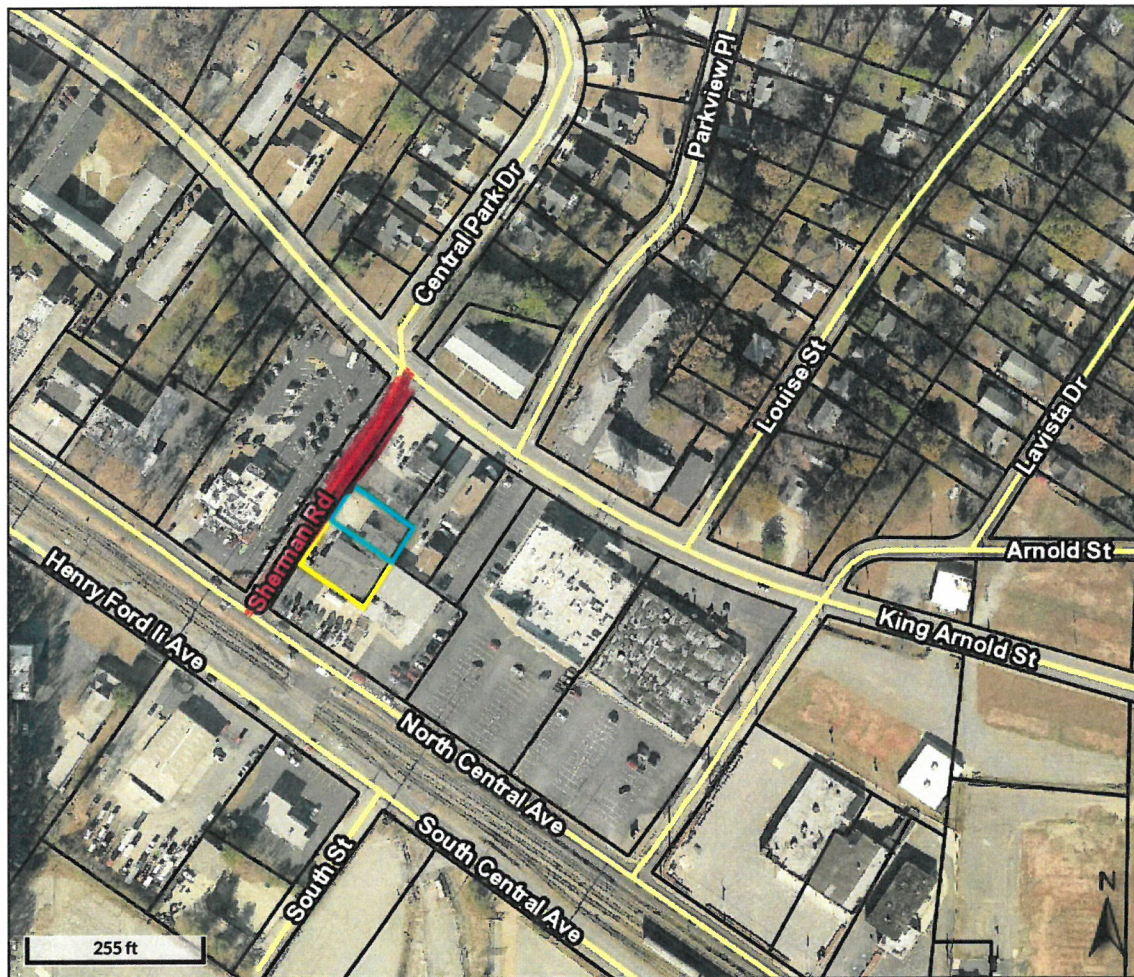
- PROPERTY CORNER FOUND - SWCB - SINGLE WING CATCH BASIN - DOUBLE WING CATCH BASIN - STORM MANHOLE - DROP INLET - SANITARY SEWER MANHOLE - CURB INLET - GAS VALVE - BOLLARD - POWER POLE - AC UNIT - TELEPHONE MANHOLE - TELEPHONE PEDestal - CLEANOUT - GUY ANCHOR - SIGN - FIRE HYDRANT - WATER VALVE - WATER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

GRAPHIC SCALE



N/F
DWARF HOUSE PROPERTY CO., INC.
TAX ID: 14 009600030276 &
14 009600030288
DB 56271 PG 86
ADDRESS: 3580 SHERMAN ROAD

AREA: 12.499 SQ. FT. (0.287 ACRES)



Overview



Legend

-  Parcels
-  Roads

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

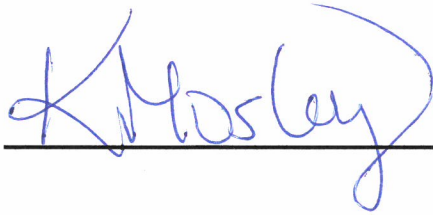
Date created: 3/4/2020
Last Data Uploaded: 3/4/2020 4:13:46 AM

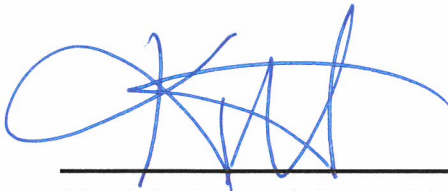
Developed by  **Schneider**
GEOSPATIAL

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: 05/18/2020.





Subscribed and sworn to before me this May 21, 2020



**NOTICE
City of Hapeville**

A Public Hearing will be held by the City of Hapeville Mayor and Council on **Tuesday, June 2, 2020 at 6:00 p.m.** at the City of Hapeville Hoyt Smith Center located at 3444 North Fulton Avenue, Hapeville, Georgia 30354. All attendees will be required to wear a face covering and practice social distancing in accordance with the requirements set forth by state law and public health regulations. The meeting will also be made available to the public by live streaming only via teleconference/videoconference in accordance with O.C.G.A § 50-14-1(g) at <https://us02web.zoom.us/j/85439538730>, or by dialing 1-888-788-0099 (Toll Free), Webinar ID: 85439538730 to consider the following:

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.

Public Hearing Comments: For those who are unable to physically attend the meeting, citizen comments must be emailed to the City Clerk at cepps@hapeville.org or called in at 404-766-3004 no later than 5:00 p.m. on June 1, 2020. When emailing or verbally delivering your comment to the City Clerk, please include your name, address, the agenda item, and the comment for or against the item. All comments submitted to the City Clerk will be read into the record as well as shared on the screen during the meeting. Citizens may not make comments on public hearing agenda items via livestream or video conference.

Questions on the Agenda or General Public Comments: Members of the public wishing to ask a question or make a public comment during the video meeting/conference shall contact the City Clerk prior to the start of the meeting by sending an email to cepps@hapeville.org or calling 404-766-3004. Those unable to attend the meeting and wishing to ask a question or make a public comment must let the City Clerk know their name, address, and the question or comment. All questions and comments received by the City Clerk by 5:00 p.m. on June 1, 2020, will be read into the record as well as shared on the screen during the meeting.
#0000470660:5/18-1AS

**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

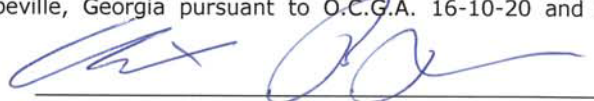
Square Foot of Property 181,645 Acres 4.17

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.

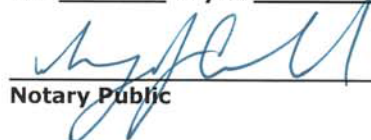


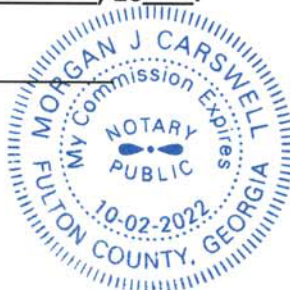
Applicant's signature

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

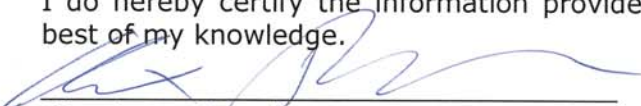
The undersigned below, making application for Rezoning, has complied with the Official Code of Georgia Section 36-67A-1, et. Seq., Conflict of Interest in Zoning Actions, and has submitted or attached the required information on this form as provided.

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.

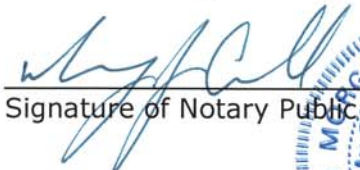

 Signature of Applicant

Alex Popham

Type or Print Name and Title

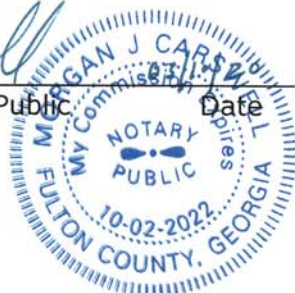
 Signature of Applicant's Representative

 Type or Print Name and Title


 Signature of Notary Public

03/11/20
 Date

(Affix Raised Seal Here)



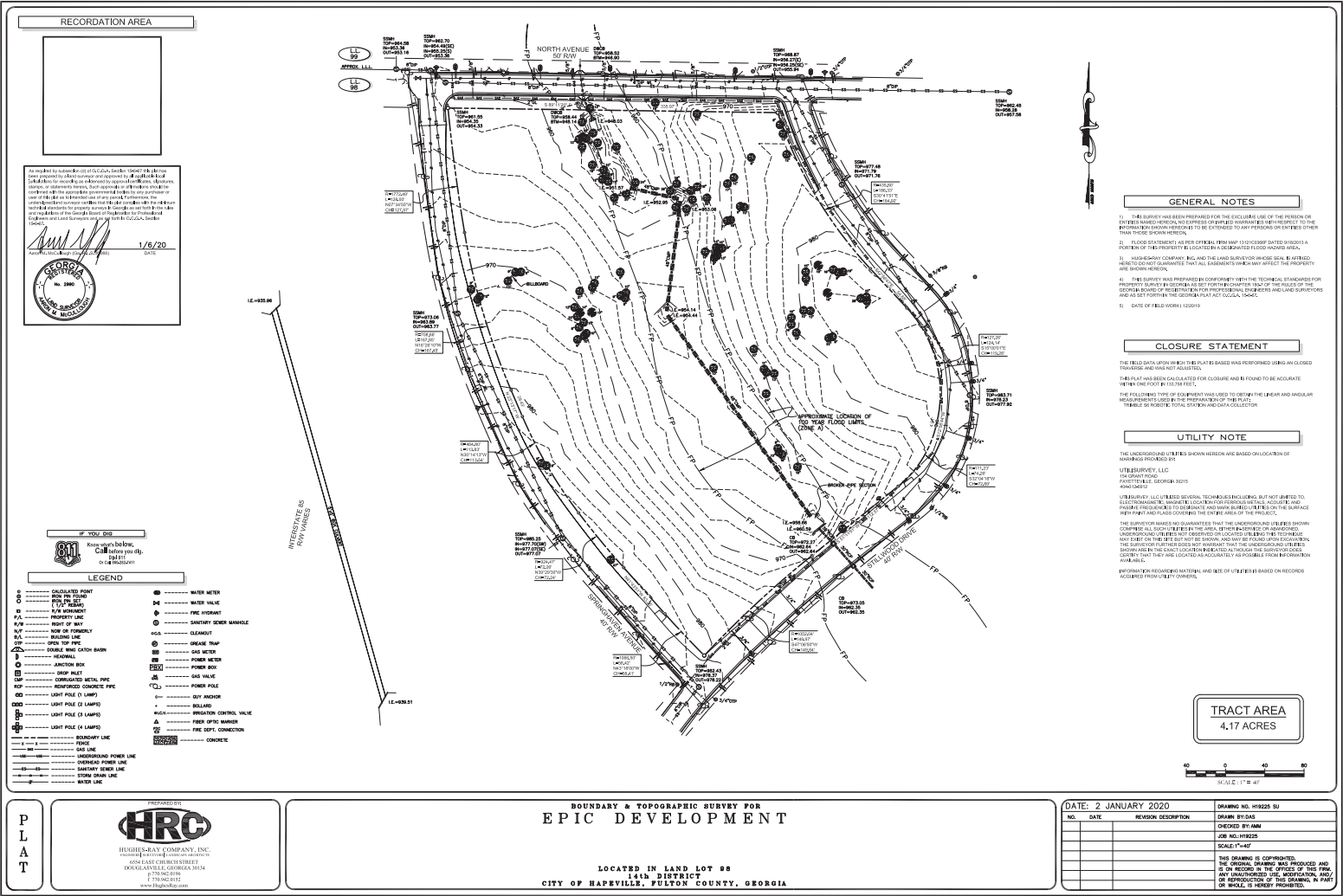
EPIC HAPEVILLE TRACT LEGAL

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'



Fawcett Design, Inc.
ARCHITECTS & PLANNERS
1000 N. 10TH AVE., SUITE 100
DENVER, CO 80218
TEL: 303.733.1100
WWW.FAWCETTDENVER.COM

Revisions

Drawing Date:
Date of Issue

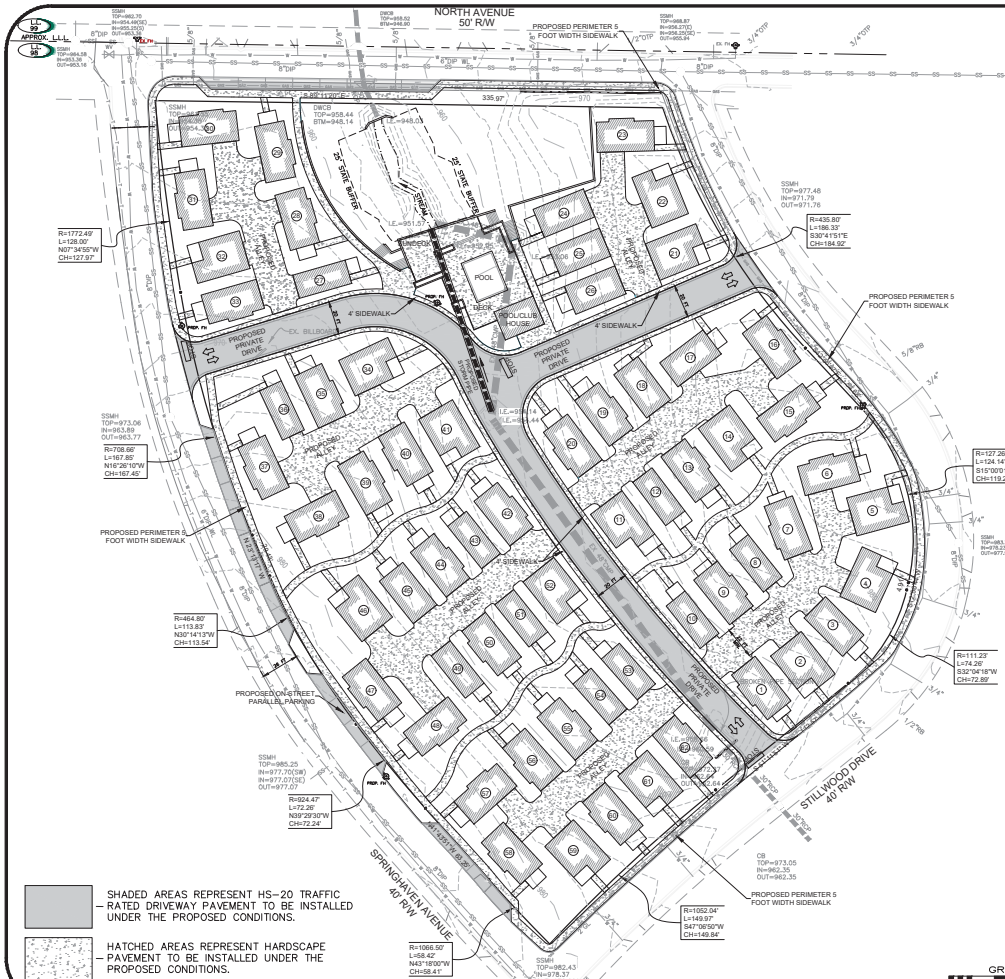
PRELIMINARY HCD
RELEASED FOR
CONSTRUCTION

Project Number:
8701

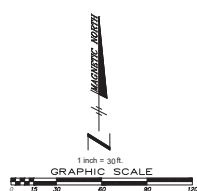
#Project Name
#Site Address
#Site City #Site State #Site Postcode
#Client Full Name

Drawing Description:
Site Plan

A-1.2



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



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

ZONING PLAN

FOR THE

SPRINGHAVEN AVE. COMMUNITY

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

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

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

OWNER/DEVELOPER:

CONTACT:

Project: 190916

Date: 9/16/2019

Scale: 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.

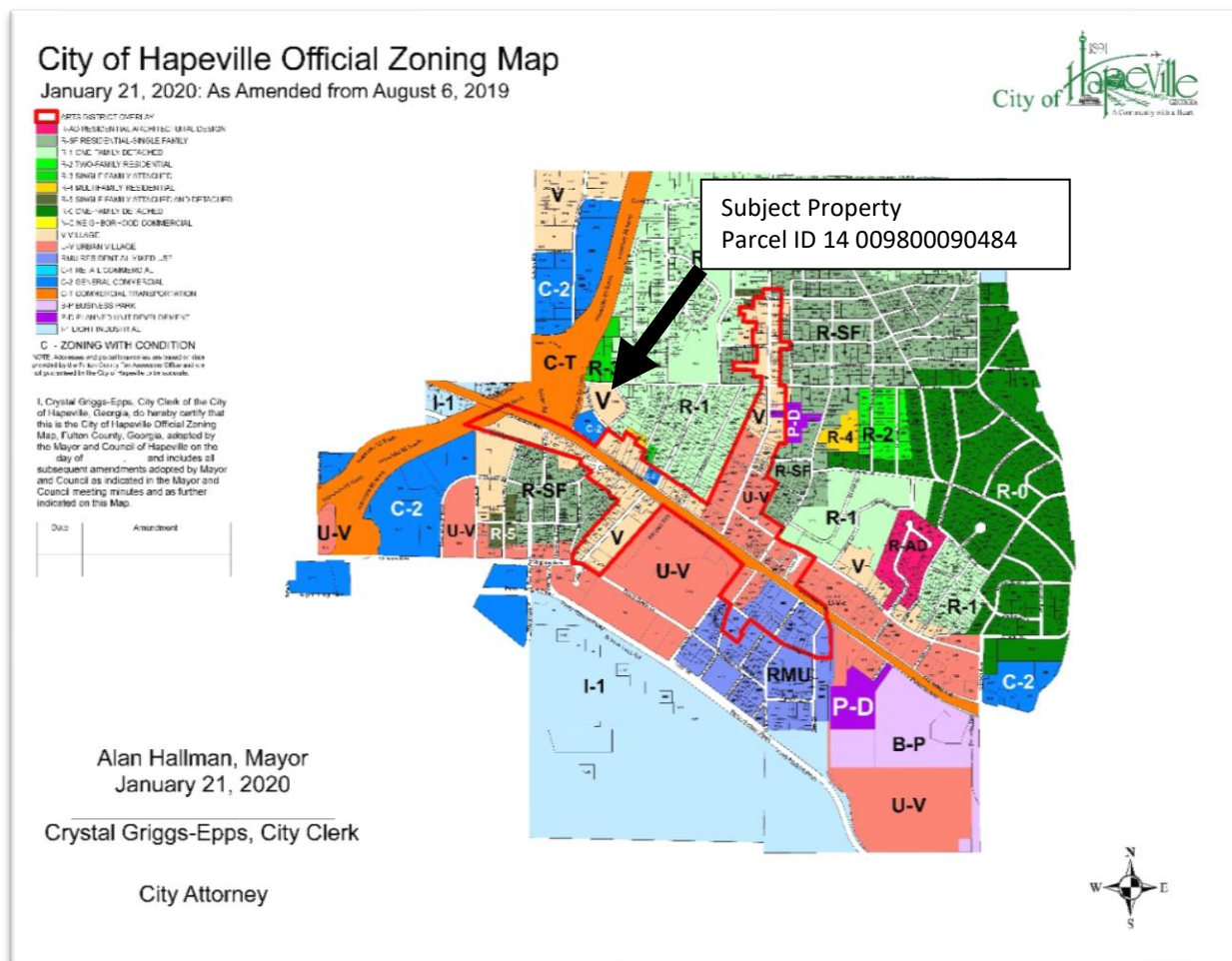


Figure 1

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

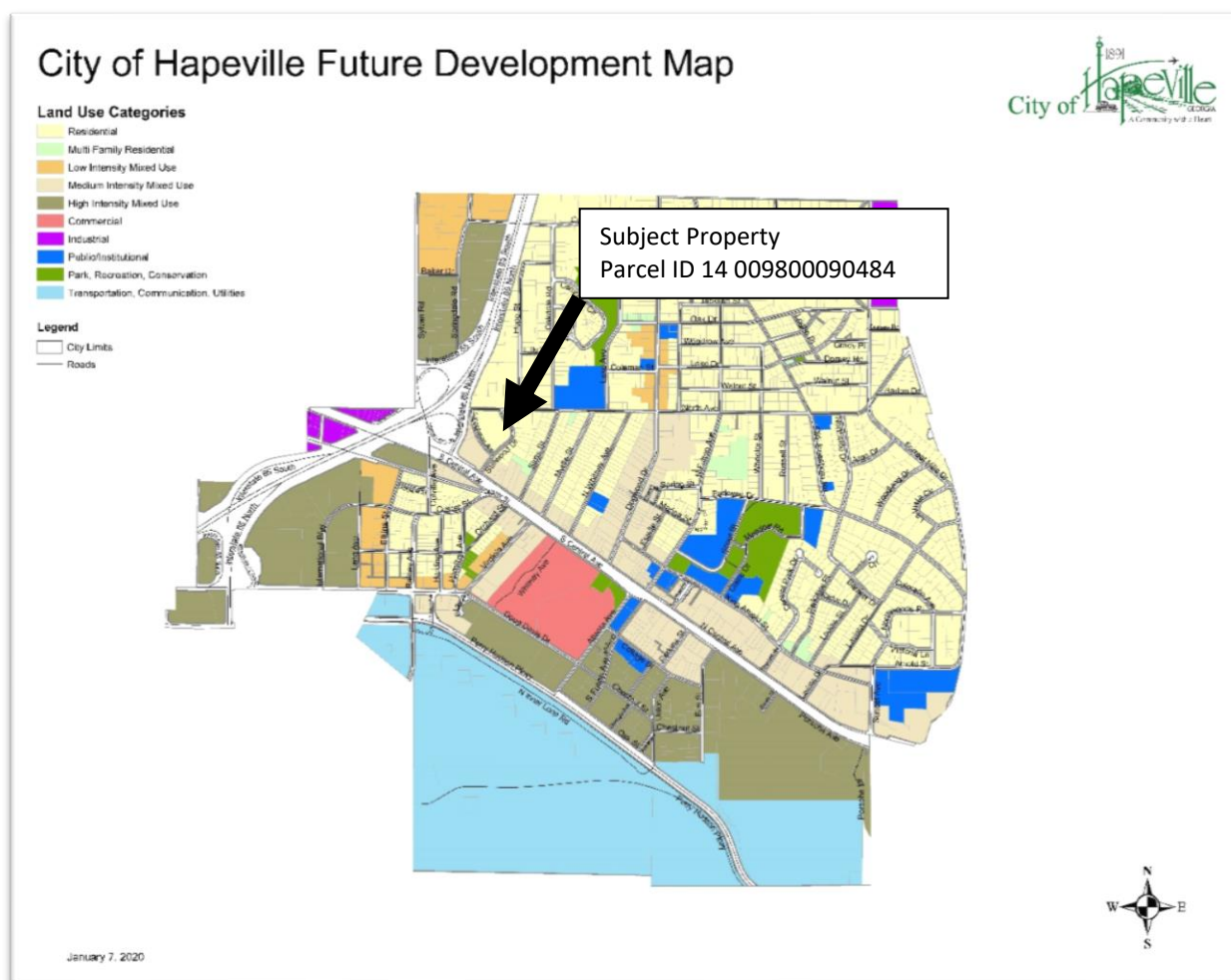


Figure 2

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;

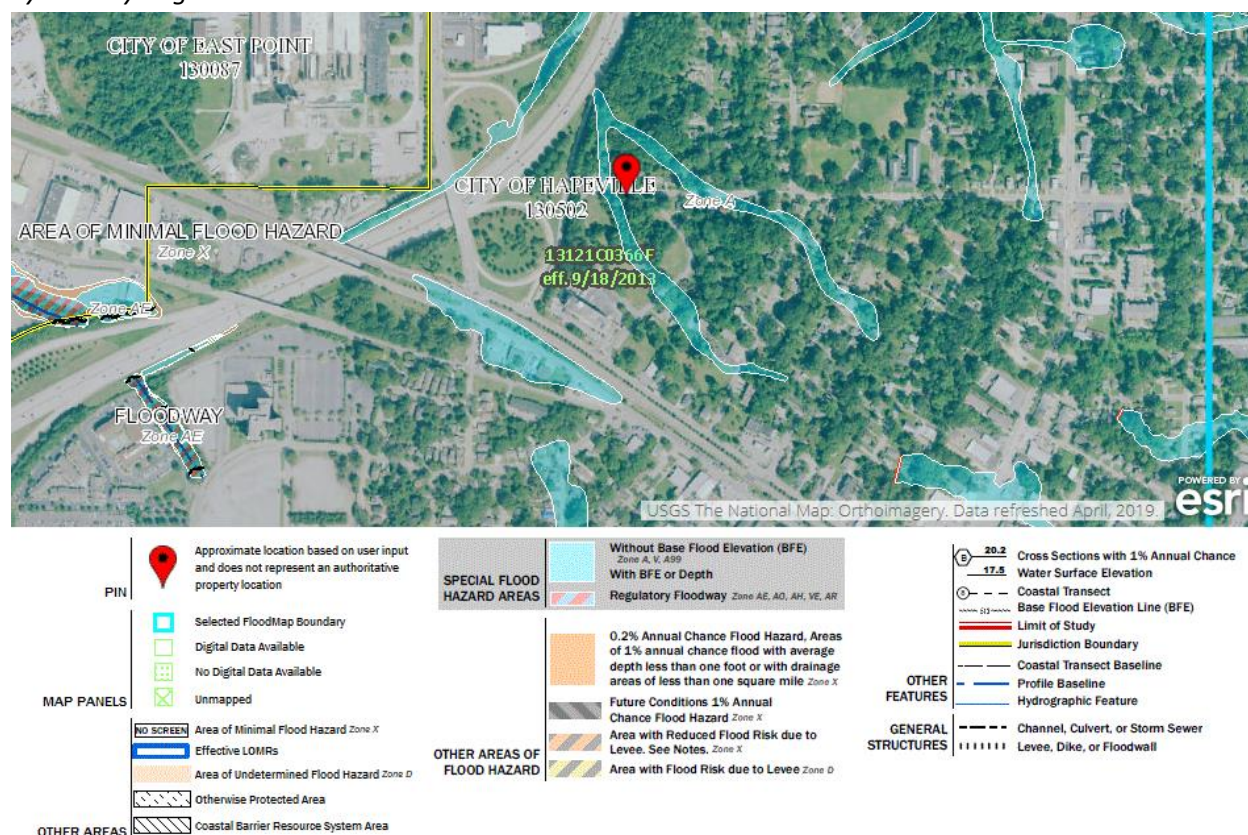
There is no foreseeable significant increase on public facilities such as schools, utilities or streets for the use proposed. The City's Community Services Department has indicated the City's sewer and water service capacity is sufficient to accommodate the new developments.

(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

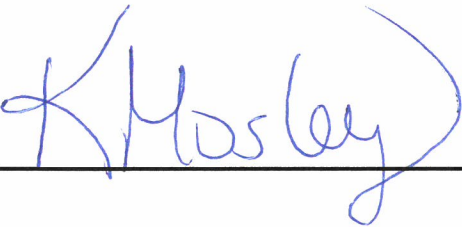
RECOMMENDATION

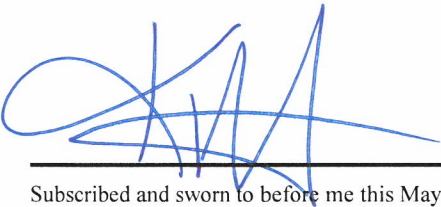
Staff recommends this application for approval. Per the City Code, the Design Review Committee will establish setbacks and other site requirements for the project.

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: 05/18/2020.





Subscribed and sworn to before me this May 21, 2020



**NOTICE
City of Hapeville**

A Public Hearing will be held by the City of Hapeville Mayor and Council on **Tuesday, June 2, 2020 at 6:00 p.m.** at the City of Hapeville Hoyt Smith Center located at 3444 North Fulton Avenue, Hapeville, Georgia 30354. All attendees will be required to wear a face covering and practice social distancing in accordance with the requirements set forth by state law and public health regulations. The meeting will also be made available to the public by live streaming only via teleconference/videoconference in accordance with O.C.G.A § 50-14-1(g) at <https://us02web.zoom.us/j/85439538730>, or by dialing 1-888-788-0099 (Toll Free), Webinar ID: 854 3953 8730 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

Public Hearing Comments: For those who are unable to physically attend the meeting, citizen comments must be emailed to the City Clerk at cepps@hapeville.org or called in at 404-766-3004 no later than 5:00 p.m. on June 1, 2020. When emailing or verbally delivering your comment to the City Clerk, please include your name, address, the agenda item, and the comment for or against the item. All comments submitted to the City Clerk will be read into the record as well as shared on the screen during the meeting. Citizens may not make comments on public hearing agenda items via livestream or video conference.

Questions on the Agenda or General Public Comments: Members of the public wishing to ask a question or make a public comment during the video meeting/conference shall contact the City Clerk prior to the start of the meeting by sending an email to cepps@hapeville.org or calling 404-766-3004. Those unable to attend the meeting and wishing to ask a question or make a public comment must let the City Clerk know their name, address, and the question or comment. All questions and comments received by the City Clerk by 5:00 p.m. on June 1, 2020, will be read into the record as well as shared on the screen during the meeting.
#0000470666:5/18-1AS

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]



ALAN HALLMAN
MAYOR

MIKE RAST
ALDERMAN AT LARGE

TRAVIS HORSLEY
COUNCILMAN AT LARGE

MARK ADAMS
COUNCILMAN WARD I

CHLOE ALEXANDER
COUNCILMAN WARD II

ADDENDUM

This addendum is in reference to the Delegation of Authority from an Officer to a Principal document approved on April 7, 2020 by Hapeville City Council.

BE IT KNOWN that the undersigned party grants authorization to Ashley Moody to act on behalf of the City of Hapeville and become Bright from the Start's point of contact, and permission to bind the City by assuming all responsibilities connected with the administration and operation of the SFSP. Ashley Moody accepts duties to act on behalf of the City of Hapeville, serve as Bright from the Start's point of contact, and assume all responsibilities connected with the administration and operation of the SFSP.

No other terms or conditions are negated or changed as a result of this addendum.

Name _____ Date _____

Signature _____

Witness _____

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

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

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

Fire Department
606 King Arnold Street
404-669-2141

Police Department
700 Doug Davis Drive
404-768-7171

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