

Planning Commission Meeting
3468 North Fulton Avenue
Hapeville, Georgia 30354

May 14, 2019 6:00PM

AGENDA

1. Welcome And Introduction

2. Approval Of Minutes

- April 9, 2019

3. New Business

3.I. 3472 Rainey Avenue Site Plan Review

Tony McSwain of Usonian Homes is seeking site plan approval to construct a 2,070-sf single family home at 3472 Rainey Avenue, Parcel Identification Number 14 009800020127. The property is zoned U-V, Urban Village and is .1722 acres.

- Public Comment

Documents:

[3472 RAINEY AVENUE - APPLICATION_REDACTED.PDF](#)

[3472 RAINEY AVENUE - SITE PLAN.PDF](#)

[3472 RAINEY AVENUE - ELEVATIONS.PDF](#)

[PLANNERS REPORT SITE PLAN REVIEW 3472 RAINEY AVE_.PDF](#)

3.II. Willingham Drive At Colville Avenue Subdivision Plat Review

Miller Lowry of Miller Lowry Developments is seeking subdivision plat approval for the property located at the corner of Willingham Drive, South Central Avenue and Colville Avenue, Parcel Identification Numbers 14 012700020429 and 14 01270020379. The properties are zoned V, Village and are 3.255 acres.

- Public Comment

Documents:

[WILLINGHAM-COLVILLE AVENUE, SUBDIVISION PLAT APPLICATION, 5-14-2019_REDACTED.PDF](#)

[PLANNERS REPORT WILLINGHAM COLVILLE SUBDIVISION \(002\).PDF](#)

[ENGINEERS REPORT WILLINGHAM-COLVILLE FINAL PLAT REVIEW - 1.PDF](#)

3.III. Willingham Drive At Colville Avenue Site Plan Review

Miller Lowry of Miller Lowry Developments is seeking site plan approval to construct a mixed-use development comprised of 20 town homes and 7,700-sf of commercial space at the corner of Willingham Drive, South Central Avenue and Colville Avenue, Parcel Identification Numbers 14 012700020429 and 14 01270020379. The properties

are zoned V, Village and are 3.255 acres.

- Public Comment

Documents:

APPLICATION - WILLINGHAM-COLVILLE TOWNHOMES, VILLAGE WALK,
SITE PLAN 4-6-19_REDACTED.PDF
PLANNERS REPORT SITE PLAN REVIEW WILLINGHAM COLVILLE
TOWNHOMES REVISED.PDF
ENGINEERS REPORT WILLINGHAM-COLVILLE TOWNHOMES SITE PLANS
REVIEW -3.PDF
FIRE MARSHAL REPORT - WILLINGHAM-COLVILLE TOWNHOMES.PDF

4. Old Business

4.I. Proposed Zoning Code Amendments

Open discussion regarding proposed zoning code amendments.

- Residential Building Height Requirements
- Proposed Zoning Amendments

5. Next Meeting Date - June 11, 2019 At 6:00PM

6. Adjourn

19-PC-05-10

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

Name of Applicant Tony McSwain Usorian Homes
 Mailing Address: 4495 Ginger Wood Lane, St. Mtn 30083
 Telephone _____ Mobile # [REDACTED] Wain@integralstructure.com
 Property Owner (s) Usorian Homes, LLC
 Mailing Address 4495 Ginger Wood Lane, St. Mtn, Ga. 30083
 Telephone _____ Mobile # 770-842-2324
 Address/Location of Property: 3472 Rainey Ave
 Parcel I.D. # (INFORMATION MUST BE PROVIDED): 14 009800020127
 Present Zoning Classification: UV Size of Tract: 0.1722 acre(s)
 Present Land Use: Vacant residential lot

Please check the following as it applies to this application

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

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

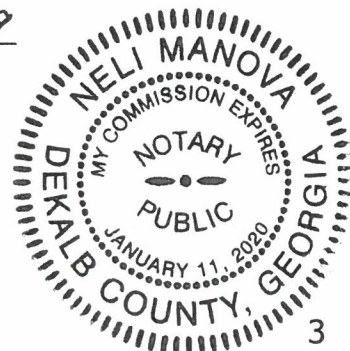
[Signature]
 Applicant's signature

Date: 4/14/19

Sworn to and subscribed before me

This 16th day of April, 2019.

[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.)

It is proposed to build a new
2100 s.f. house and detached garage
on the lot. It will be built to
R-SF standards

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)

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

_____ 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.

~~NA~~

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.

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

_____ 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).

_____ 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.

_____ 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.

_____ 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.

_____ 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.

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

Walter A. [Signature]

7/16/19

4 1001 00 00 00 11 1 1000 00 10 01 1000 11 0001 00 00 00 00 11 1000

STATE OF GEORGIA
COUNTY OF FULTON

LIMITED WARRANTY DEED

THIS INDENTURE is made and entered into this 6th day of November, 2002, by and between **Delta Air Lines, Inc.**, a Delaware corporation ("Grantor"), and **Hapeville Development Authority**, a public authority of the State of Georgia ("Grantee") (the words "Grantor" and "Grantee" to include their respective heirs, legal representatives, successors and assigns where the context requires or permits);

WITNESSETH:

THAT FOR AND IN CONSIDERATION of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration in hand paid at and before the sealing and delivery of these presents, the receipt and sufficiency of which are hereby acknowledged, Grantor has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto Grantee a fee simple estate in and to the following-described real property (the "Property"):

Those certain tracts or parcels of land lying and being in Land Lots 98 and 127 of the 14th District of Fulton County, Georgia, and being more particularly described in Exhibit A attached hereto and incorporated herein by reference.

THIS CONVEYANCE and the warranties herein contained are expressly made and accepted subject to those liens, encumbrances, restrictions and other matters set forth on Exhibit B, attached hereto and incorporated herein by this reference.

Without limiting the generality of the foregoing, this conveyance is further expressly made and accepted subject to, and Grantor hereby reserves for the benefit of the United States of America (by and through its agency, the Federal Aviation Administration), the City of Atlanta (as operator of the William B. Hartsfield Atlanta International Airport) (the "Airport") and Grantor, and their respective successors and assigns, a perpetual avigation easement (the "Avigation Easement").

Said Avigation Easement includes without limitation the following express rights and restrictions:

1. The height of structures, objects of natural growth and other obstructions on the Property are restricted to a height of not more than 1176 feet above mean sea level (MSL).
2. The beneficiaries of the Avigation Easement shall have a continuing right and easement to take action necessary to prevent the erection or growth of any structure, tree or other object into the air space located directly over the Property to a height greater than 1176 feet above MSL, and to remove from such air space any and all structures, trees or other objects that may extend into such air space to a height above 1176 feet above MSL, together with the right of ingress and egress from and passage over the Property for such purposes.

TO HAVE AND TO HOLD the Property, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, only to the proper use, benefit and behoof of Grantee forever in FEE SIMPLE.

AND GRANTOR will warrant and forever defend the right and title to the Property unto Grantee against the claims of all persons and entities owning, holding, or claiming by, through or under Grantor, but not otherwise.

[Remainder of page intentionally left blank]

IN WITNESS WHEREOF, Grantor has caused this Deed to be signed and sealed the day and year first above written.

Signed, sealed and delivered
in the presence of:

Rebecca A. Bay
Unofficial Witness

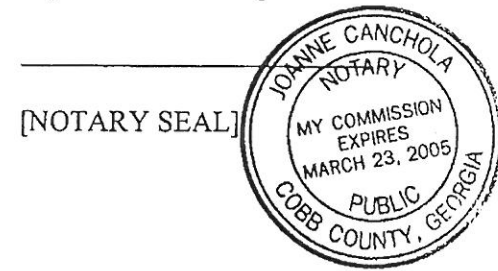
DELTA AIR LINES, INC.

By: John W. Boatright
John W. Boatright, Vice President
Corporate Real Estate & Sourcing Strategy
Corporate Real Estate Management

Joanne Canchola
Notary Public
My Commission Expires On:

ATTEST:

By: John C. Sh.
Assistant Secretary



[CORPORATE SEAL]



EXHIBIT A

Description of Property

[Note: There is no Property 14.]

BEGIN at a computed point forming the intersection of the western right of way line of Rainey Avenue (60 foot right of way) with the northern right of way line of Orchard Street (40 foot right of way), said point having State Plane Coordinates, Georgia West Zone (NAD 83) of North 1,331,558.90 and East 2,219,779.91, and run thence along said right of way line of Orchard Street North 89 degrees 09 minutes 13 seconds West 153.57 feet to a computed point; thence leave said right of way line and run North 01 degree 30 minutes 42 seconds East 97.90 feet to an iron pin found; thence South 88 degrees 35 minutes 18 seconds East 152.21 feet to a computed point located on the western right of way line of Rainey Avenue; run thence along said right of way line South 00 degrees 42 minutes 33 seconds West 96.39 feet to the POINT OF BEGINNING; said tract containing 14,852 square feet and described according to Survey for Delta Air Lines, Inc. and Lawyers Title Insurance Corporation under Job No. 06-813.09, dated November 19, 1991, prepared by Post, Buckley, Schuh & Jernigan, Inc. and bearing the seal and certification of R.A. Hathaway, Georgia Registered Land Surveyor No. 1550, said Survey being incorporated herein by this reference and made a part hereof.

Property 3 827 Virginia Avenue

ALL THAT TRACT OF LAND lying and being in the City of Hapeville in Land Lot 98 of the 14th District of Fulton County, Georgia, being more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING, BEGIN at the point formed by the intersection of the northeastern right-of-way line of Virginia Place (50 foot right-of-way) with the southeastern right-of-way line of Virginia Avenue (50 foot right-of-way) and run thence North 56 degrees 07 minutes 23 seconds West 51.34 feet to a point located on the northwestern right-of-way line of Virginia Avenue, said point being the TRUE POINT OF BEGINNING; from the TRUE POINT OF BEGINNING as thus established, run thence along the northwestern right-of-way line of Virginia Avenue South 42 degrees 41 minutes 54 seconds West 49.98 feet to a point; thence leave said right-of-way line and run North 55 degrees 16 minutes 02 seconds West 149.67 feet to a point located on the rear lot line of Lot 9 of Sunnybrook Subdivision per plat of said subdivision recorded in Plat Book 22, page 38, Fulton County, Georgia Records; thence North 55 degrees 18 minutes 05 seconds West to an iron pin or iron pipe found on the southeastern right-of-way line of Hamilton Avenue (40 foot right-of-way); thence run along said right-of-way line along the arc of a curve 51.10 feet to an iron pin or iron pipe found (said arc having a radius of 2159.36 feet and being subtended by a chord bearing North 21 degrees 06 minutes 14 seconds East 51.10 feet); thence leave said right-of-way line and run South 55 degrees 11 minutes 39 seconds West 91.23 feet to an iron pin or iron pipe found on the rear lot line of Lot 9 of Sunnybrook Subdivision; thence South 55 degrees 15 minutes 57 seconds East 149.55 feet to the TRUE POINT OF BEGINNING; said tract containing 11,461.05 square feet and described according to survey for Lawyers Title Insurance Corporation and Delta Air Lines, Inc. dated October 3, 1991, prepared by Post, Buckley, Schuh & Jernigan, Inc., bearing the seal and certification of Henry E. Bryan, Jr., Georgia Registered Land Surveyor No. 2378, said survey being incorporated herein by this reference and made a part hereof.

BEING THE SAME PROPERTY AS THE FOLLOWING DESCRIBED PROPERTY:

all that tract or parcel of land lying and being in the City of Mableville in Land Lot 98 of the 14th District of Fulton County, Georgia, being Lot 9, as shown by plat of Sunnybrook Park Subdivision, made by C. D. Robert, C. E., dated February, 1940, a copy of which plat is on file in the office of Atlanta Title Company, Atlanta, Georgia, more particularly described as follows:

BEGINNING on the eastern side of Hamilton Avenue, at a point two hundred sixty-nine and sixty-five hundredths (269.65) feet northerly from the northeast

POOR ORIGINAL

corner of Hamilton and Virginia Avenues, at the line of Lot 10; thence north-easterly along the southeastern side of Hamilton Avenue fifty-one (51) feet to Lot 8; thence southeasterly along the southwestern line of said lot, ninety-one and four-tenths (91.4) feet to Lot 14; thence southwesterly along the northwestern line of said lot fifty (50) feet to Lot 10; thence northwesterly along the northeastern line of said lot seventy-two and six-tenths (72.6) feet to the point of beginning on Hamilton Avenue.

ALSO, all that tract or parcel of land lying and being in Land Lot Ninety-eight (98) of the Fourteenth (14th) District of Fulton County, Georgia, being part of Lot Fourteen (14) in Block "A" of the Rose Hedge Heights Subdivision, more particularly described as follows:

beginning at a point on the Northwest side of Virginia Avenue one thousand (1000) feet Southwest of the Southwestern corner of Virginia Avenue and Central Avenue, and running thence Southwest along the Northwest side of Virginia Avenue (fifty (50) feet; thence Northwest along the line between Lots 14 and 15 of said block and subdivision One Hundred Fifty (150) feet; thence Northeast (fifty (50) feet; thence Southeast along the line between Lots 13 and 14 of said block and subdivision One Hundred Fifty (150) feet, to the Northwest side of Virginia Avenue, at the point of beginning; being improved property known as No. 827 (formerly No. 43) Virginia Avenue, according to the present system of numbering houses in the City of Hapeville, Georgia.

Deed Book 33734 Pg 120

TO FIND THE TRUE POINT OF BEGINNING, BEGIN at a concrete monument found at the southwestern terminus of the mitered intersection of the western right-of-way line of Harding Street (50 foot right-of-way) with the northern right-of-way line of Virginia Avenue (variable width right-of-way), said concrete monument located at a point having State Plane Coordinates, Georgia West Zone (NAD 83), of North 1,331,054.62 and East 2,220,122.16, and run thence along said right-of-way line of Virginia Avenue the following courses and distances: North 88 degrees 42 minutes 14 seconds West, 109.93 feet to a computed point; South 01 degree 17 minutes 46 seconds West, 4.00 feet to a computed point; and North 88 degrees 42 minutes 14 seconds West, 28.30 feet to an iron pin found at the TRUE POINT OF BEGINNING; from the TRUE POINT OF BEGINNING as thus established, continue along said right-of-way line of Virginia Avenue North 88 degrees 42 minutes 14 seconds West, 50.33 feet to an iron pin found; thence leave said right-of-way line and run North 00 degrees 03 minutes 42 seconds East, 156.40 feet to a computed point; thence North 88 degrees 19 minutes 43 seconds West, 100.00 feet to a computed point located on the eastern right-of-way line of Rainey Avenue (60 foot right-of-way); thence run along said right-of-way line North 01 degree 15 minutes 00 seconds East, 50.04 feet to a computed point; thence leave said right-of-way line and run South 88 degrees 30 minutes 09 seconds East, 151.31 feet to an iron pin found; thence South 88 degrees 48 minutes 10 seconds East, 149.77 feet to a computed point located on the western right-of-way line of Harding Street, said point located 250 feet in a southerly direction, as measured along the western right-of-way line of Harding Street, from the intersection of said right-of-way line with the southern right-of-way line of Orchard Street; thence run along said right-of-way line of Harding Street South 01 degree 00 minutes 00 seconds West, 50.52 feet to a computed point; thence leave said right-of-way line and run North 88 degrees 47 minutes 53 seconds West, 149.37 feet to an iron pin found; thence South 00 degrees 38 minutes 59 seconds West, 156.03 feet to the iron pin found at the TRUE POINT OF BEGINNING; said tract containing 23,164 square feet and described according to Survey for Delta Air Lines, Inc. and Lawyers Title Insurance Corporation under Job No. 06-813.07, dated November 18, 1991 and revised November 20, 1991, prepared by Post, Buckley, Schuh & Jernigan, Inc., bearing the seal and certification of R.A. Hathaway, Georgia Registered Land Surveyor No. 1550, said survey being incorporated herein by this reference and made a part hereof.

EROSION, SEDIMENTATION & POLLUTION CONTROL PLAN CHECKLIST
COMMON DEVELOPMENT CONSTRUCTION PROJECTS (Primary and Tertiary Permittees)

SWCD:

Project Name: Site Plan Usanian Homes LLC Address: 3472 Rainey Ave., Hapeville, GA
City/County: Hapeville/Fulton County Date on Plans: 4/17/19
Name & email of person filling out checklist: Angel M. Marrero - SSSA PI@bellsouth.net

Plan
Page #

Included
Y/N

TO BE SHOWN ON ES&PC PLAN

- | | | |
|----------------|----------------|--|
| <div>1</div> | <div>Y</div> | 1 The applicable Erosion, Sedimentation and Pollution Control Plan Checklist established by the Commission as of January 1 of the year in which the land-disturbing activity was permitted.
(The completed Checklist must be submitted with the ES&PC Plan or the Plan will not be reviewed) |
| <div>1-7</div> | <div>Y</div> | 2 Level II certification number issued by the Commission, signature and seal of the certified design professional.
(Signature, seal and Level II number must be on each sheet pertaining to ES&PC Plan or the Plan will not be reviewed) |
| <div></div> | <div>N/A</div> | 3 Limit of disturbance shall be no greater than 50 acres at any one time without prior written authorization from the EPD District Office. If EPD approves the request to disturb 50 acres or more at any one time, the Plan must include at least 4 of the BMPs listed in Appendix 1 of this checklist.*
(A copy of the written approval by EPD must be attached to the Plan for the Plan to be reviewed.) |
| <div>1,2</div> | <div>Y</div> | 4 The name and phone number of the 24-hour local contact responsible for erosion, sedimentation and pollution controls. |
| <div>1</div> | <div>Y</div> | 5 Provide the name, address, email address, and phone number of the primary permittee or tertiary permittee. |
| <div>1,2</div> | <div>Y</div> | 6 Note total and disturbed acreage of the project or phase under construction. |
| <div>1</div> | <div>Y</div> | 7 Provide the GPS location of the construction exit for the site. Give the Latitude and Longitude in decimal degrees. |
| <div>1,7</div> | <div>Y</div> | 8 Initial date of the Plan and the dates of any revisions made to the Plan including the entity who requested the revisions. |
| <div>2</div> | <div>Y</div> | 9 Description of the nature of construction activity. |
| <div>2</div> | <div>Y</div> | 10 Provide vicinity map showing site's relation to surrounding areas. Include designation of specific phase, if necessary. |
| <div>2</div> | <div>Y</div> | 11 Identify the project receiving waters and describe all sensitive adjacent areas including streams, lakes, residential areas, wetlands, marshlands, etc. which may be affected. |
| <div>2</div> | <div>Y</div> | 12 Design professional's certification statement and signature that the site was visited prior to development of the ES&PC Plan as stated on Part IV page 23 of the permit. |
| <div>2</div> | <div>Y</div> | 13 Design professional's certification statement and signature that the permittee's ES&PC Plan provides for an appropriate and comprehensive system of BMPs and sampling to meet permit requirements as stated on Part IV pg 22 of the permit. |
| <div></div> | <div>N/A</div> | 14 Clearly note the statement that "The design professional who prepared the ES&PC Plan is to inspect the installation of the initial sediment storage requirements and perimeter control BMPs within 7 days after installation."
in accordance with Part IV.A.5 page 27 of the permit * |
| <div></div> | <div>N/A</div> | 15 Clearly note the statement that "Non-exempt activities shall not be conducted within the 25 or 50-foot undisturbed stream buffers as measured from the point of wrested vegetation or within 25-feet of the coastal marshland buffer as measured from the Jurisdictional Determination Line without first acquiring the necessary variances and permits." |
| <div>2,3</div> | <div>Y</div> | 16 Provide a description of any buffer encroachments and indicate whether a buffer variance is required. |

- 3

Y
- 17 Clearly note the statement that "Amendments/revisions to the ES&PC Plan which have a significant effect on BMPs with a hydraulic component must be certified by the design professional.
- 3

Y
- 18 Clearly note the statement that "Waste materials shall not be discharged to waters of the State, except as authorized by a Section 404 permit."
- 3

Y
- 19 Clearly note statement that "The escape of sediment from the site shall be prevented by the installation of erosion and sediment control measures and practices prior to land disturbing activities."
- 3

Y
- 20 Clearly note statement that "Erosion control measures will be maintained at all times. If full implementation of the approved Plan does not provide for effective erosion control, additional erosion and sediment control measures shall be implemented to control or treat the sediment source."
- 3

Y
- 21 Clearly note the statement "Any disturbed area left exposed for a period greater than 14 days shall be stabilized with mulch or temporary seeding."
- N/A
- 22 Indication that the applicable portion of the primary permittees ES&PC Plan is to be provided to each secondary permittee prior to the secondary conducting any construction activity and that each secondary shall sign the Plan or portion of the Plan applicable to their site. List the names and addresses of all secondary permittees.*
- N/A
- 23 Any construction activity which discharges storm water into an Impaired Stream Segment, or within 1 linear mile upstream of and within the same watershed as any portion of an Biota Impaired Stream Segment, must comply with Part III. C. of the permit. Include the completed Appendix 1 listing all the BMPs that will be used for those areas of the site which discharge to the Impaired Stream Segment.*
- N/A
- 24 If a TMDL Implementation Plan for sediment has been finalized for the Impaired Stream Segment (identified in Item 23 above) at least six months prior to submittal of NOI, the ES&PC Plan must address any site-specific conditions or requirements included in the TMDL Implementation Plan.*
- 3

Y
- 25 BMPs for concrete washdown of tools, concrete mixer chutes, hoppers and the rear of the vehicles. Washout of the drum at the construction site is prohibited.
- 3,4

Y
- 26 Provide BMPs for the remediation of all petroleum spills and leaks.
- N/A
- 27 Description of practices to provide cover for building materials and building products on site.*
- 3,4

Y
- 28 Description of the measures that will be installed during the construction process to control pollutants in storm water that will occur after construction operations have been completed.
- 3,4

Y
- 29 Description of the practices that will be used to reduce the pollutants in storm water discharges.
- 1

Y
- 30 Description and chart or timeline of the intended sequence of major activities which disturb soils for the major portions of the site (i.e., initial perimeter and sediment storage BMPs, clearing and grubbing activities, excavation activities, utility activities, temporary and final stabilization).
- 4

Y
- 31 Provide complete requirements of inspections and record keeping by the primary permittee or tertiary permittee.
- 4

N/A
- 32 Provide complete requirements of sampling frequency and reporting of sampling results.*
- Y
- 33 Provide complete details for retention of records as per Part IV.F. of the permit.
- N/A
- 34 Description of analytical methods to be used to collect and analyze the samples from each location.*
- N/A
- 35 Appendix B rationale for NTU values at all outfall sampling points where applicable.*
- N/A
- 36 Delineate all sampling locations if applicable, perennial and intermittent streams and other water bodies into which storm water is discharged. *
- 2

Y
- 37 A description of appropriate controls and measures that will be implemented at the construction site including: (1) initial sediment storage requirements and perimeter control BMPs, (2) intermediate grading and drainage BMPs, and (3) final BMPs. For construction sites where there will be no mass grading and the initial perimeter control BMPs, intermediate grading and drainage BMPs, and final BMPs are the same, the Plan may combine all of the BMPs into a single phase.

Y

38 Plan addresses BMPs for all phases of common development including individual building lots and out-parcels, etc. regardless of who owns or operates the individual sites. Include a typical and any situational lots applicable. ONLY # 3472 Ramsey Ave.

1

Y

1

Y

39 Graphic scale and North arrow.

N/A

40 Existing and proposed contour lines with contour lines drawn at an interval in accordance with the following:

Map Scale	Ground Slope	Contour Intervals, ft.
1 inch = 100ft or larger scale	Flat 0 - 2% Rolling 2 - 8% Steep 8% +	0.5 or 1 1 or 2 2,5 or 10

N/A

41 Use of alternative BMPs whose performance has been documented to be equivalent to or superior to conventional BMPs as certified by a Design Professional (unless disapproved by EPD or the Georgia Soil and Water Conservation Commission). Please refer to the Alternative BMP Guidance Document found at www.gaswcc.org.

N/A

42 Use of alternative BMP for application to the Equivalent BMP List. Please refer to Appendix A-2 of the Manual for Erosion & Sediment Control in Georgia 2016 Edition.

2,3

Y

43 Delineation of the applicable 25-foot or 50-foot undisturbed buffers adjacent to State waters and any additional buffers required by the Local Issuing Authority. Clearly note and delineate all areas of impact.

2

Y

44 Delineation of on-site wetlands and all State waters located on and within 200 feet of the project site.

N/A

45 Delineation and acreage of contributing drainage basins on the project site.

N/A

46 Provide hydrology study and maps of drainage basins for both the pre- and post-developed conditions.*

N/A

47 An estimate of the runoff coefficient or peak discharge flow of the site prior to and after construction activities are completed. *

3

Y

48 Storm-drain pipe and weir velocities with appropriate outlet protection to accommodate discharges without erosion. Identify/Delineate all storm water discharge points.

4,2

Y

49 Soil series for the project site and their delineation.

1

Y

50 The limits of disturbance for each phase of construction.

4,3

Y

51 Provide a minimum of 67 cubic yards of sediment storage per acre drained using a temporary sediment basin, retrofitted detention pond, and/or excavated inlet sediment traps for each common drainage location. Sediment storage volume must be in place prior to and during all land disturbance activities until final stabilization of the site has been achieved. A written justification explaining the decision to use equivalent controls when a sediment basin is not attainable must be included in the Plan for each common drainage location in which a sediment basin is not provided. A written justification as to why 67 cubic yards of storage is not attainable must also be given. Worksheets from the Manual must be included for structural BMPs and all calculations used by the design professional to obtain the required sediment storage when using equivalent controls. When discharging from sediment basins and impoundments, permittees are required to utilize outlet structures that withdraw water from the surface, unless infeasible. If outlet structures that withdraw water from the surface are not feasible, a written justification explaining this decision must be included in the Plan.

5,6

Y

52 Location of Best Management Practices that are consistent with, and no less stringent than, the Manual for Erosion and Sediment Control in Georgia. Use uniform coding symbols from the Manual, Chapter 6, with legend.

5,6

Y

53 Provide detailed drawings for all structural practices. Specifications must, at a minimum, meet the guidelines set forth in the Manual for Erosion and Sediment Control in Georgia.

5

Y

54 Provide vegetative plan, noting all temporary and permanent vegetative practices. Include species, planting dates and seeding, fertilizer, lime and mulching rates. Vegetative plan shall be site specific for appropriate time of year that seeding will take place and for the appropriate geographic region of Georgia.

*This requirement of the Common Development permit is not applicable to Tertiary Permittees with a Plan(s) for a typical individual lot(s), if the total land disturbance within the construction site is less than five (5) acres and the total land disturbance within each individual lot is less than one (1) acre. If applicable, the * checklist item would be N/A.

FLOOD NOTES

BASED ON THE INFORMATION SHOWN ON THE FLOOD HAZARD BOUNDARY MAPS FURNISHED BY FEMA, IT IS MY OPINION THAT THE PROPERTY SHOWN IS OUTSIDE THE 100-YEAR FLOOD HAZARD AREA.

PANEL# 13121C0366F

DATED 09/18/2013

** PURSUANT TO RULE 180-6.09 OF THE GEORGIA STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS, THE TERM "CERTIFY" OR "CERTIFICATION" MEANS TO DECLARE A PROFESSIONAL OPINION REGARDING THOSE FACTS OR FINDINGS AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EITHER EXPRESSED OR IMPLIED.

LEGENDS OF SYMBOLS

P.O.B.	POINT OF BEGINNING
P.O.R.	POINT OF REFERENCE
GM	GAS MARKER/GAS METER
OOTP	OPEN TOP PIPE
OIPF	IRON PIN FOUND
OIPS	IRON PIN SET 1/2"Ø REBAR W/ CAP
C/G	CURB AND GUTTER
P/L	PROPERTY LINE
R/W	RIGHT-OF-WAY
L.L.L.	LAND LOT LINE
CMF	CONCRETE MONUMENT FOUND
POL	POINT ON LINE
B.O.C.	BACK OF CURB
FNC	FENCE CORNER
EP	EDGE OF PAVEMENT
PC	PROPERTY CORNER
SP	STEEL POLE
PP	POWER POLE
GW	GUY WIRE
JB	EXISTING JUNCTION BOX
WV	EXISTING WATER VALVE
FH	EXISTING FIRE HYDRANT
T.B.M.	TEMPORARY BENCH MARK
B.F.E.	BASE FLOOD ELEVATION
M.F.E.	MINIMUM FLOOR ELEVATION
HW	HEADWALL
SWCB	SINGLE WALL CATCH BASIN
DWCB	DOUBLE WALL CATCH BASIN
OS	OUTLET STRUCTURE (RISER)
DI	DROP INLET
W	WATER METER
W	WATERLINE
SS	SANITARY SEWER LINE
OVP	OVERHEAD POWERLINE
UFO	UNDERGROUND FIBER OPTICS
G	GASLINE
LS	LANDSCAPING
PKS (F)	PK NAIL SET (FOUND)
EX-MH	EXISTING SANITARY SEWER MANHOLE
SSMH	SANITARY SEWER MANHOLE
S.S.E.	SANITARY EASEMENT
C/O	CLEAN-OUT
FDC	FIRE DEPARTMENT CONNECTOR
C.L.F.	CHAIN LINK FENCE
D.E.	DRAINAGE EASEMENT
R.R.E.	RAIL ROAD EASEMENT
H	HEIGHT
UE	UNDERGROUND ELECTRIC
AC	AIRCONDITION UNITS

THIS BLOCK RESERVED FOR THE CLERK OF THE SUPERIOR COURT

SURVEY ORDERED BY:
NAME: TONY McSWAIN
ADDRESS: 4495 GINGER WOOD LANE
STONE MOUNTAIN, GA 30083
PHONE (24HR.): 770-842-2324

THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 21,276 FEET, AND AN ANGULAR ERROR OF 5" PER ANGLE POINT, AND WAS ADJUSTED USING COMPASS RULE.

THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 89,313 FEET.
EQUIPMENT USED GTS 220

GENERAL NOTES

- TOGETHER WITH ALL EASEMENTS RECORDED OR UNRECORDED.
- LAST DATE OF FIELD SURVEY 01/28/19
- ALL LINEAR DISTANCES SHOWN ON PLAT SHALL BE HORIZONTAL.
- INFORMATION REGARDING THE PRESENCE, SIZE, AND LOCATION OF UNDERGROUND UTILITIES IS SHOWN HEREON. THE INFORMATION IS BASED ON THE LOCATION OF ABOVE GROUND APPURTENANCES, AVAILABLE SITE PLANS, AND PAINT PLACED BY UNDERGROUND SERVICES.
- "NO CERTIFICATION IS MADE AS TO THE ACCURACY"
- ALL BEARINGS AND DISTANCES WERE MEASURED AND USED.
- This survey was prepared without benefit of a title report which may reveal additional conveyances, easements or rights-of-way not shown hereon.

REF. NORTH

D. B. 48821, PG. 2
SEE SHEET 2 OF 2

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, NOR 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.



ANGEL M. MARRERO P.L.S. #2642
Certified Design Professional # 4479

VIRGINIA AVE. R/W VARIES

40' 0' 40' 80'

Scale: 1" = 40'

REV.	DESCRIPTION	DATE
	SOUTHSIDE SURVEYING & PLANNING LSF000831	#18 ATLANTA ST. MCDONOUGH, GA 30253 Phone: (770) 320-8009 Fax: (770) 320-8098
	RETRACEMENT SURVEY AND CONCEPTUAL PLAN FOR: USONIAN HOMES, LLC	1 2
	Land Lot 98 14TH Dist. CITY OF HAPEVILLE FULTON County, GA	
	Drawn By: AMM SR.	Scale: 1" = 40'
	Dwg No: 2-190105B	

24 HR CONTACT
NAME: TONY McSWAIN
ADDRESS: 4495 GINGER WOOD LANE
STONE MOUNTAIN, GA 30083
PHONE (24HR.): 770-842-2324
WAM@INTEGRALSTRUCTURE.COM

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REQUIRED SEDIMENT VOLUME= 67 CY. PER ACRE OF DRAINAGE AREA
VOLUME OF SEDIMENT REQUIRED 0.17 X 67 =11.4 C.Y. REQUIRED
GRADED AREA IN FRONT OF SILT FENCE BARRIER TO ATTAIN A FLAT AREA OF 2.0'
AVERAGE HEIGHT FOR CLEAN UP ON SILT FENCE= 14" (1.17')
1.17' X 2'=.086 C.Y. PER FT.
27 USED FOR THIS SITE 0.083 C.Y PER. FT.
0.17 X 67 =11.4 C.Y. REQUIRED 432 LF X 0.083= 35.9 C/Y PROVIDED
THE SD1S PROVIDE MORE THAN ENOUGH FOR STORAGE

MAXIMUM LOT COVERAGE 70% OF TOTAL AREA
0.17 X 70% = 0.119 ACRES (5,184 SQ.FT.)

PROPOSED LOT COVERAGE

1. HOUSE & GARAGE 1,841 SQ.FT.
 2. CONC. DWY 1243 SQ. FT.
 3. SDW 84 SQ. FT.
- TOTAL 3,168 SQ. FT. (.07 ACRES) 42.8%

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"NO CERTIFICATION IS MADE AS TO THE ACCURACY"
5. ALL BEARINGS AND DISTANCES WERE MEASURED AND USED.
6. BOUNDARY & TOPOGRAPHY IS BASED ON FIELD RUN SURVEY BY SOUTHSIDE SURVEYING.
7. CONTOURS INTERVALS 2FT

Zoning UV
STANDARDS R-SF
Setbacks
Front: 15',
Rear: 20',
Side: 5'.
Minimum lot frontage 50'



A'NGEL M. MARRERO P.L.S. #2642
Certified Design Professional # 4479

MONTH

ACTIVITY SCHEDULE	1	2	3	4	5
1. INSTALLATION OF EROSION CONTROL MEASURES	-				
2. CLEARING AND GRADING	-				
3. BUILDING CONSTRUCTION					
5. DRIVEWAY					
6. GRASS (TEMP.) (PERM.)					
7. MAINTAIN EROSION CONTROL					
8. CLEAN UP					

FLOOD NOTES

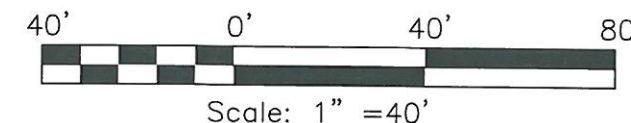
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D.E.	DRAINAGE EASEMENT
R.R.E.	RAIL ROAD EASEMENT
H	HEIGHT
UE	UNDERGROUND ELECTRIC
AC	AIRCONDITION UNITS

PROP. SLOPE "DRAINAGE"
O OAK TREE
P PINE TREE

---- EXIST. CONTOUR
-1000- PROP. CONTOUR

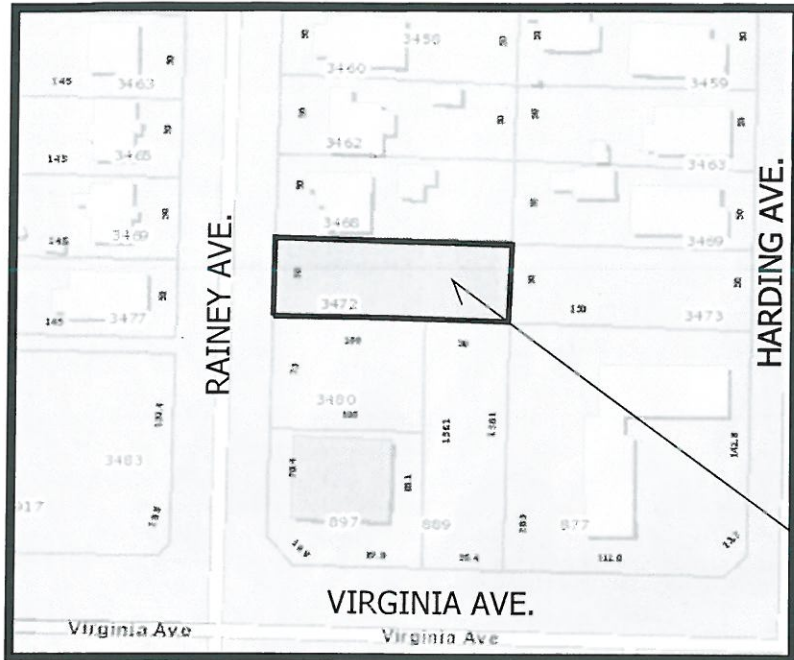


INITIAL PERIMETER ES&PC PLAN
INTERMEDIATE ES&PC PLAN
FINAL ES&PC PLAN

INDEX

1. SITE PLAN, GRADING, EROSION CONTROLS PLANS
- 2-4. EROSION CONTROL NOTES
- 5-6. EROSION CONTROL DETAILS
7. LANDSCAPING PLANS

REV.	DESCRIPTION	DATE
	SOUTHSIDE SURVEYING & PLANNING LSF000831	#18 ATLANTA ST. MCDONOUGH, GA 30253 Phone: (770) 320-8009 Fax: (770) 320-8098
	SITE PLAN, GRADING, EROSION CONTROLS PLANS FOR: USONIAN HOMES, LLC	CITY OF HAPEVILLE FULTON County, GA
	Land Lot 98 14TH Dist.	
	Drawn By: AMM SR.	Scale: 1"=40'
	Dwg No: 2-190105SP	Date: 04/17/19



VICINITY MAP "NTS"

TERTIARY Permittee	Operator	Qualified Personnel
USONIAN HOMES, LLC		
DEVELOPER:	CONTRACTOR:	Land Surveyors (NPDES):
Land Lot 94	14th Dist.	
NAME: TONY McSWAIN		Southside Surveying and Planning LLC.
ADDRESS: 4495 GINGER WOOD LANE		#18 Atlanta Street
STONE MOUNTAIN, GA 30083		McDonough, GEORGIA 30253
PHONE (24HR.): 770-842-2324		(770)-320-8009

Description of Existing Land Use:

Site Purpose and Construction Activity:

One Residential Home

Site Description and Location:

LOCATION: LAND LOT 94, 14th DISTRICT, FULTON COUNTY, GEORGIA

SITE AREA: 0.17 ACRES

TOTAL AREA OF DISTURBANCE: 0.17 ACRES

SOIL TYPES: Ub(Urban Land)

Wetlands:

THERE ARE **NO WETLANDS** LOCATED ON OR WITHIN 200' OF THIS SITE.

Receiving Waters
FLINT RIVER

State Waters

THERE ARE **NO STATE WATERS** LOCATED ON OR WITHIN 200' OF THIS SITE.

Drainage Description

Please refer to the Site Plan, prepared by Southside Surveying for more specific information concerning proposed drainage patterns and slopes.

Slopes After Grading

Maximum Slope is 3:1

Erosion Control Measures

Structural and nonstructural controls will be used onsite to prevent erosion during construction including temporary and permanent grassing, silt fencing.

1. Site Description

The proposed site will be used for 1 Residential home

Approximately 0.17 acres of disturbed land will be utilized for this development. There will be numerous structural and nonstructural controls to be implemented throughout the site. Temporary vegetation as well as permanent vegetation will be strongly utilized and are essential for the development of this lot.

2. Controls

The following controls will be implemented at the construction site:

1. Initial perimeter controls will include silt fencing, and a crushed stone pad to be used at the construction exit.

2. Intermediate grading and drainage BMPs will include temporary grassing and Silt Fence.

3. Final BMPs will include permanent grassing and landscaping.

Stabilization measures will be initiated as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, but in no case more than 14 days after the construction activity in that portion of the site has temporarily or permanently ceased. Where the initiation of stabilization measures by the 14th day after construction activity temporarily or permanently ceases is precluded by snow cover or other adverse weather conditions, stabilization measures shall be initiated as soon as practicable. Where construction activity will resume on a portion of the site within 21 days from when activities ceased, (i.e., the total time period that construction activity is temporarily ceased is less than 21 days) then stabilization measures do not have to be initiated on that portion of the site by the 14h day after construction activity temporarily ceased.

WASTE DISPOSAL

OTHER CONTROLS

ALL WASTE MATERIALS WILL BE COLLECTED AND STORED IN A SECURELY LIDDED METAL DUMPSTER. THE DUMPSTER WILL MEET ALL SOLID WASTE MANAGEMENT REGULATIONS. ALL TRASH AND CONSTRUCTION DEBRIS FROM THE SITE WILL BE DEPOSITED IN THE DUMPSTER. THE DUMPSTER WILL BE EMPTIED A MINIMUM OF ONCE PER WEEK OR MORE OFTEN IF NECESSARY - AND TRASH WILL BE HAULED AS REQUIRED BY LOCAL REGULATIONS. NO CONSTRUCTION WASTE WILL BE BURIED ONSITE. ALL PERSONNEL WILL BE INSTRUCTED ON PROPER PROCEDURES FOR WASTE DISPOSAL. A NOTICE STATING THESE PRACTICES WILL BE POSTED AT THE JOB SITE AND THE CONTRACTOR WILL BE RESPONSIBLE FOR SEEING THAT THESE PROCEDURES ARE FOLLOWED.

SPILL PREVENTION & CONTROL

PETROLEUM BASED PRODUCTS, INCLUDING FUELS, LUBRICANTS, TRANSFORMER OIL, TARS, ETC., KEPT ON SITE SHALL BE STORED IN TIGHTLY SEALED CONTAINERS THAT ARE CLEARLY LABELED. ALL ON-SITE VEHICLES SHALL BE MONITORED FOR LEAKS AND RECEIVE REGULAR PREVENTATIVE MAINTENANCE. ASPHALT SUBSTANCES SHALL BE APPLIED AS LABELED. LOCAL, STATE, AND MANUFACTURER'S RECOMMENDED METHODS FOR SPILL CLEANUP SHALL BE KEPT IN THE MATERIAL STORAGE AREA ON-SITE. TYPICAL EQUIPMENT AND MATERIALS FOR CLEANUP INCLUDE GLOVES, GOGGLES, RAGS, RESPIRATORS, CAT LITTER, SAWDUST, AND PROPERLY LABELED PLASTIC AND METAL WASTE CONTAINERS. SPILL PREVENTION PRACTICES AND PROCEDURES WILL BE REVIEWED AFTER A SPILL AND ADJUSTED AS NECESSARY TO PREVENT FUTURE SPILLS. ALL SPILLS SHALL BE CLEANED UP IMMEDIATELY FOLLOWING DISCOVERY. ALL SPILLS WILL BE REPORTED AS REQUIRED BY LOCAL, STATE, AND FEDERAL REGULATIONS. -- FOR SPILLS THAT IMPACT SURFACE WATER (LEAVE A SHEEN ON SURFACE WATER), THE NATIONAL RESPONSE CENTER (NRC) WILL BE CONTACTED WITHIN 24 HOURS AT 1-800-426-2675. *FOR SPILLS OF AN UNKNOWN AMOUNT, THE NATIONAL RESPONSE CENTER (NRC) WILL BE CONTACTED WITHIN 24 HOURS AT 1-800-426-2675. *FOR SPILLS GREATER THAN 25 GALLONS AND NO SURFACE WATER IMPACTS, THE GEORGIA EPD WILL BE CONTACTED WITHIN 24 HOURS. *FOR SPILLS LESS THAN 25 GALLONS AND NO SURFACE WATER IMPACTS, THE SPILL WILL BE CLEANED UP AND LOCAL AGENCIES WILL BE CONTACTED AS REQUIRED. THE CONTRACTOR SHALL NOTIFY THE LICENSED PROFESSIONAL WHO PREPARED THIS PLAN IF MORE THAN 1,320 GALLONS OF PETROLEUM IS STORED ONSITE (THIS INCLUDES CAPACITIES OF EQUIPMENT) OR IF ANY ONE PIECE OF EQUIPMENT HAS A CAPACITY GREATER THAN 660 GALLONS. THE CONTRACTOR WILL NEED A SPILL PREVENTION CONTAINMENT AND COUNTERMEASURES PLAN PREPARED BY THAT LICENSED PROFESSIONAL.

Certification

"I certify that the permittee's Erosion, Sedimentation and Pollution Control Plan provides for an appropriate and comprehensive system of best management practices required by the Georgia Water Quality Control Act and the document "Manual for Erosion and Sediment Control in Georgia" (Manual) published by the State Soil and Water Conservation Commission as of January 1 of the year in which the land-disturbing activity was permitted, provides for the sampling of the receiving water(s) or the sampling of the storm water outfalls and that the designed system of best management practices and sampling methods is expected to meet the requirements contained in the General NPDES Permit No. GAR 100003."

Georgia Licensed Professional #4479

Date

Certification

"I CERTIFY UNDER PENALTY OF LAW THAT THIS PLAN WAS PREPARED AFTER A SITE VISIT TO THE LOCATIONS DESCRIBED HEREIN BY MYSELF OR MY AUTHORIZED AGENT, UNDER MY DIRECT SUPERVISION."

ANGEL M MARRERO, RLS

DATE

Certified Design Professional # 4479

REV.	DESCRIPTION	DATE
	SOUTHSIDE SURVEYING & PLANNING LSF000831	#18 ATLANTA ST. MCDONOUGH, GA 30253 Phone: (770) 320-8009 Fax: (770) 320-8098
EROSION CONTROLS NOTES FOR:		
USONIAN HOMES, LLC		
Land Lot 98	14TH Dist.	CITY OF HAPEVILLE FULTON County, GA
Drawn By: AMM SR.	Scale: 1"=40'	
Dwg No: 2-190105SP	Date: 04/17/19	

HAZARDOUS WASTES

OTHER CONTROLS

ALL HAZARDOUS WASTE MATERIALS WILL BE DISPOSED OF IN THE MANNER SPECIFIED BY LOCAL, STATE, AND/OR FEDERAL REGULATIONS AND BY THE MANUFACTURER OF SUCH PRODUCTS. THE JOB SITE SUPERINTENDENT, WHO WILL ALSO BE RESPONSIBLE FOR SEEING THAT THESE PRACTICES ARE FOLLOWED, WILL INSTRUCT SITE PERSONNEL IN THESE PRACTICES. MATERIAL SAFETY DATA SHEETS (MSDS's) FOR EACH SUBSTANCE WITH HAZARDOUS PROPERTIES THAT IS USED ON THE JOB SITE WILL BE OBTAINED AND USED FOR THE PROPER MANAGEMENT OF POTENTIAL WASTES THAT MAY RESULT FROM THESE PRODUCTS. A MSDS WILL BE POSTED IN THE IMMEDIATE AREA WHERE SUCH PRODUCT IS STORED AND/OR USED AND ANOTHER COPY OF EACH MSDS WILL BE MAINTAINED IN THE ESPCP FILE AT THE JOB SITE CONSTRUCTION TRAILER OFFICE. EACH EMPLOYEE WHO MUST HANDLE A SUBSTANCE WITH HAZARDOUS PROPERTIES WILL BE INSTRUCTED ON THE USE OF THE MSDS SHEETS AND THE SPECIFIC INFORMATION IN THE APPLICABLE MSDS FOR THE PRODUCT HE/SHE IS USING, PARTICULARLY REGARDING SPILL CONTROL TECHNIQUES.

"THE CONTRACTOR WILL IMPLEMENT THE SPILL PREVENTION CONTROL AND COUNTERMEASURES (SPCC) PLAN FOUND WITHIN THE ESPCP AND WILL TRAIN ALL PERSONNEL IN THE PROPER CLEANUP AND HANDLING OF SPILLED MATERIALS. NO SPILLED HAZARDOUS MATERIALS OR HAZARDOUS WASTES WILL BE ALLOWED TO COME IN CONTACT WITH STORMWATER DISCHARGES. IF SUCH CONTACT OCCURS, THE STORMWATER DISCHARGE WILL BE CONTAINED ON SITE UNTIL APPROPRIATE MEASURES IN COMPLIANCE WITH STATE AND FEDERAL REGULATIONS ARE TAKEN TO DISPOSE OF SUCH CONTAMINATED STORMWATER. IT SHALL BE THE RESPONSIBILITY OF THE JOB SITE SUPERINTENDENT TO PROPERLY TRAIN ALL PERSONNEL IN THE USE OF THE SPCC PLAN.

PRODUCT SPECIFIC PRACTICES

PETROLEUM BASED PRODUCTS - CONTAINERS FOR PRODUCTS SUCH AS FUELS, LUBRICANTS, AND TARS WILL BE INSPECTED DAILY FOR LEAKS AND SPILLS. THIS INCLUDES ON-SITE VEHICLE AND MACHINERY DAILY INSPECTIONS AND REGULAR PREVENTATIVE MAINTENANCE OF SUCH EQUIPMENT. EQUIPMENT MAINTENANCE AREAS WILL BE LOCATED AWAY FROM STATE WATER, NATURAL DRAINS AND STORMWATER DRAINAGE INLETS. IN ADDITION, TEMPORARY FUELING TANKS SHALL HAVE A SECONDARY CONTAINMENT LINER TO PREVENT/MINIMIZE SITE CONTAMINATION. DISCHARGE OF OILS, FUELS, AND LUBRICANTS IS PROHIBITED. PROPERTY DISPOSAL METHODS WILL INCLUDE COLLECTION IN A SUITABLE CONTAINER AND DISPOSAL AS REQUIRED BY LOCAL AND STATE REGULATIONS.

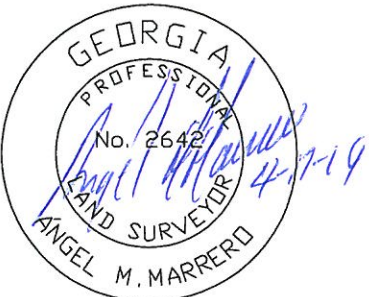
"PAINTS/FINISHES/SOLVENTS - ALL PRODUCTS WILL BE STORED IN TIGHTLY SEALED ORIGINAL CONTAINERS WHEN NOT IN USE. EXCESS PRODUCT WILL NOT BE DISCHARGED TO THE STORMWATER COLLECTION SYSTEM. EXCESS PRODUCT, MATERIALS USED WITH THESE PRODUCTS AND PRODUCT CONTAINERS WILL BE DISPOSED OF ACCORDING TO MANUFACTURER'S SPECIFICATIONS AND RECOMMENDATIONS.

"CONCRETE TRUCK WASHING" - NO CONCRETE TRUCKS WILL BE ALLOWED TO WASH OUT OR DISCHARGE SURPLUS CONCRETE OR DRUM WASH WATER ONSITE.

"FERTILIZER/HERBICIDES" - THESE PRODUCTS WILL BE APPLIED AT RATES THAT DO NOT EXCEED THE MANUFACTURER'S SPECIFICATIONS OR ABOVE THE GUIDELINES SET FORTH IN THE CROP ESTABLISHMENT OR IN THE GSWCC MANUAL FOR EROSION AND SEDIMENT CONTROL IN GEORGIA. ANY STORAGE OF THESE MATERIALS WILL BE UNDER ROOF IN SEALED CONTAINERS.

"BUILDING MATERIALS"-NO BUILDING OR CONSTRUCTION MATERIALS WILL BE BURIED OR DISPOSED OF ONSITE. ALL SUCH MATERIALS WILL BE DISPOSED OF IN PROPER WASTE DISPOSAL PROCEDURES.

- EROSION CONTROL NOTES:
1. EROSION CONTROL MEASURES WILL BE MAINTAINED AT ALL TIMES. IF FULL IMPLEMENTATION OF THE APPROVED PLAN DOES NOT PROVIDE FOR EFFECTIVE EROSION CONTROL, ADDITIONAL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE IMPLEMENTED TO CONTROL OR TREAT THE SEDIMENT SOURCE.
 2. ALL DISTURBED AREAS TO BE GRASSED AS SOON AS CONSTRUCTION PHASES PERMIT.
 3. THE ESCAPE OF SEDIMENT FROM THE SITE SHALL BE PREVENTED BY THE INSTALLATION OF EROSION CONTROL MEASURES AND PRACTICES PRIOR TO, LAND DISTURBING ACTIVITIES.
 4. CUT AND FILL SLOPES SHALL NOT EXCEED 3H:1V ON ALL SLOPES
 5. ANY DISTURBED AREA LEFT EXPOSED FOR A PERIOD GREATER THAN 14 DAYS SHALL BE STABILIZED WITH MULCH OR TEMPORARY SEEDING.
 6. AMENDMENTS/ REVISIONS TO THE ES&PC PLAN WHICH HAVE A SIGNIFICANT EFFECT ON BMP'S WITH A HYDRAULIC COMPONENT MUST BE CERTIFIED BY THE DESIGN PROFESSIONAL.
 7. INSPECTIONS BY CERTIFIED PERSONNEL PROVIDED BY THE TERTIARY PERMITTEE AND THE ASSOCIATED RECORDS SHALL BE KEPT ON SITE IN COMPLIANCE WITH GAR. 100003.
 8. WASTE MATERIALS SHALL NOT BE DISCHARGED INTO WATERS OF THE STATE, EXCEPT AS AUTHORIZED BY A SECTION 404 PERMIT.
 9. IT IS THE RESPONSIBILITY OF THE TERTIARY PERMITTEE TO PREPARE AND FILE THE NOTICE OF INTENT.
 10. NON-EXEMPT ACTIVITIES SHALL NOT BE CONDUCTED WITHIN THE 25 OR 50-FOOT UNDISTURBED STREAM BUFFERS AS MEASURED FROM THE POINT OF WRESTED VEGETATION WITHOUT FIRST ACQUIRING THE NECESSARY VARIANCES & PERMITS.
 11. THIS ES&PC PLAN IS IN COMPLIANCE WITH WASTE DISPOSAL & SANITARY SEWER REGULATIONS DURING AND AFTER CONSTRUCTION (SEE SHEET NPDES FOR WASTE DISPOSAL NOTES).
 12. 67 CY/ AC. SEDIMENT STORAGE SUBSTANTIALLY HANDLED BY PERIMETER SD1-S.
0.17 X 67 =11.4 C.Y. REQUIRED 432 LF X 0.083= 35.9 C/Y PROVIDED
 13. SEDIMENT STORAGE VOLUME MUST BE IN PLACE PRIOR TO, AND DURING ALL LAND DISTURBANCE ACTIVITIES UNTIL FINAL STABILIZATION OF THE SITE HAS BEEN ACHIEVED.
 14. CONTRACTOR MUST HAUL OFF ALL SOLID WASTE TO AN APPROVED LANDFILL. SOLID WASTE BURNING ON SITE IS PROHIBITED.
 15. ADDITIONAL EROSION & SEDIMENT CONTROL MEASURES AND PRACTICES WILL BE INSTALLED IF DEEMED NECESSARY BY THE ON-SITE INSPECTOR.
 16. EROSION AND SEDIMENT CONTROL MEASURES TO BE INSPECTED DAILY.
 17. WEEKLY EROSION AND SEDIMENT CONTROL REPORTS SHALL BE SUBMITTED TO THE DEV. DEPT. STARTING WITH THE ISSUANCE OF THE DEV. PERMIT AND ENDING WHEN THE PROJECT IS RELEASED BY THE INSPECTOR.
 18. WASHOUT OF THE CONCRETE DRUM AT THE CONSTRUCTION SITE IS PROHIBITED.
SEE DETAIL SHEET# 5
 19. No additional storm pipe added for this project.



ANGEL M. MARRERO P.L.S. #2642
Certified Design Professional # 4479

REV.		DESCRIPTION	DATE
SOUTHSIDE		#18 ATLANTA ST.	3
SURVEYING & PLANNING		MCDONOUGH, GA 30253	7
LSF000831		Phone: (770) 320-8009	
		Fax: (770) 320-8098	
EROSION CONTROLS NOTES FOR:			
USONIAN HOMES, LLC			
Land Lot 98		14TH Dist.	CITY OF HAPEVILLE
			FULTON County, GA
Drawn By: AMM SR.		Scale: N.T.S.	
Dwg No: 2-190105SP		Date: 04/17/19	

c. Tertiary Permittee.

(1). Each day when any type of construction activity has taken place at a tertiary permittee's site, certified personnel provided by the tertiary permittee shall inspect: (a) all areas used by the tertiary permittee where petroleum products are stored, used, or handled for spills and leaks from vehicles and equipment; and (b) all locations at the tertiary permittee site where that permittee's vehicles enter or exit the site for evidence of off-site sediment tracking. These inspections must be conducted until a Notice of Termination is submitted. This paragraph is not applicable to utility companies and utility contractors performing only service line installations or when conducting repairs on existing line installations.

(2). Measure rainfall once every 24 hours except any non-working Saturday, non-working Sunday and non-working Federal holiday until a Notice of Termination is submitted. Measurement of rainfall may be suspended if all areas of the site have undergone final stabilization or established a crop of annual vegetation and a seeding of target perennials appropriate for the region.

(3). Certified personnel (provided by the tertiary permittee) shall inspect at least the following once every seven calendar days and within 24 hours of the end of a storm that is 0.5 inches rainfall or greater (unless such storm ends after 5:00 PM on any Friday or on any non-working Saturday, non-working Sunday or any non-working Federal holiday in which case the inspection shall be completed by the end of the next business day and/or working day, whichever occurs first): (a) disturbed areas of the tertiary permittee's construction site ; (b) areas used by the tertiary permittee for storage of materials that are exposed to precipitation ; and (c) structural control measures. Erosion and sediment control measures identified in the Plan applicable to the tertiary permittee's site shall be observed to ensure that they are operating correctly. Where discharge locations or points are accessible, they shall be inspected to ascertain whether erosion control measures are effective in preventing significant impacts to receiving water(s). For areas of a site that have undergone final stabilization or established a crop of annual vegetation and a

seeding of target perennials appropriate for the region, the permittee must comply with Part IV.D.4.c.(4). These inspections must be conducted until a Notice of Termination is submitted. This paragraph is not applicable to utility companies and utility contractors performing only service line installations or when conducting repairs on existing line installations.

(4). Certified personnel (provided by the tertiary permittee) shall inspect at least once per month during the term of this permit (i.e., until a Notice of Termination is submitted to EPD) the areas of their sites that have undergone final stabilization or established a crop of annual vegetation and a seeding of target perennials appropriate for the region. These areas shall be inspected for evidence of, or the potential for, pollutants entering the drainage system and the receiving water(s). Erosion and sediment control measures identified in the Plan shall be observed to ensure that they are operating correctly. Where discharge locations or points are accessible, they shall be inspected to ascertain whether erosion control measures are effective in preventing significant impacts to receiving water(s). This paragraph is not applicable to utility companies and utility contractors performing only service line installations or when conducting repairs on existing line installations.

(5). Based on the results of each inspection, the site description and the pollution prevention and control measures identified in the Erosion, Sedimentation and Pollution Control Plan, the Plan shall be revised as appropriate not later than seven (7) calendar days following each inspection. Implementation of such changes shall be made as soon as practical but in no case later than seven (7) calendar days following the inspection.

(6). A report of each inspection that includes the name(s) of certified personnel making each inspection, the date(s) of each inspection, construction phase (i.e., initial, intermediate or final), major observations relating to the implementation of the Erosion, Sedimentation and Pollution Control Plan, and actions taken in accordance with Part IV.D.4.c.(5) of the permit shall be made and retained at the site or be readily available at a designated alternate location until the entire site has undergone final stabilization and a Notice of Termination is submitted to EPD. Such reports shall be readily available by the end of the second business day and/or working day and shall identify all incidents of best management practices that have not been properly installed and/or maintained as described in the Plan. Where the report does not identify any incidents, the inspection report shall contain a certification that the best management practices are in compliance with the Erosion, Sedimentation and Pollution Control Plan. The report shall be signed in accordance with Part V.G.2. of this permit. This paragraph is not applicable to utility companies and utility contractors performing only service line installations or when conducting repairs on existing line installations.

F. Retention of Records.

1. The primary permittee shall retain the following records at the construction site or the records shall be readily available at a designated alternate location from commencement of construction until such time as a NOT is submitted in accordance with Part VI:

- A copy of all Notices of Intent submitted to EPD;
- A copy of the Erosion, Sedimentation and Pollution Control Plan required by this permit;
- The design professional's report of the results of the inspection conducted in accordance with Part IV.A.5. of this permit;
- A copy of all sampling information, results, and reports required by this permit;
- A copy of all inspection reports generated in accordance with Part IV.D.4.a. of this permit;
- A copy of all violation summaries and violation summary reports generated in accordance with Part III.D.2. of this permit; and
- Daily rainfall information collected in accordance with Part IV.D.4.a.(2). of this permit.

2. Each secondary permittee shall retain the following records at the construction site or the records shall be readily available at a designated alternate location from commencement of construction until such time as a NOT is submitted in accordance with Part VI:

- A copy of all Notices of Intent submitted to EPD;
- A copy of the Erosion, Sedimentation and Pollution Control Plan required by this permit or the applicable portion of the Erosion, Sedimentation and Pollution Control Plan for their activities at the construction site required by this permit;
- A copy of all inspection reports generated in accordance with Part IV.D.4.b. of this permit; and
- A copy of all violation summaries and violation summary reports generated in accordance with Part III.D.2. of this permit.

3. Each tertiary permittee shall retain the following records at the construction site or the records shall be readily available at a designated alternate location from commencement of construction until such time as a NOT is submitted in accordance with Part VI:

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- A copy of the Erosion, Sedimentation and Pollution Control Plan required by this permit;
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- A copy of all sampling information, results, and reports required by this permit;
- A copy of all inspection reports generated in accordance with Part IV.D.4.c. of this permit;
- A copy of all violation summaries and violation summary reports generated in accordance with Part III.D.2. of this permit; and
- Daily rainfall information collected in accordance with Part IV.D.4.c.(2). of this permit.

4. Copies of all Notices of Intent, Notices of Termination, inspection reports, sampling reports (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) or other reports requested by the EPD, Erosion, Sedimentation and Pollution Control Plans, records of all data used to complete the Notice of Intent to be covered by this permit and all other records required by this permit shall be retained by the permittee who either produced or used it for a period of at least three years from the date that the NOT is submitted in accordance with Part VI of this permit. These records must be maintained at the permittee's primary place of business once the construction activity has ceased at the permitted site. This period may be extended by request of the EPD at any time upon written notification to the permittee.



A'NGEL M. MARRERO P.L.S. #2642
Certified Design Professional # 4479

REV.	DESCRIPTION	DATE
	SOUTHSIDE SURVEYING & PLANNING LSF000831	#18 ATLANTA ST. MCDONOUGH, GA 30253 Phone: (770) 320-8009 Fax: (770) 320-8098 4/17/19
EROSION CONTROLS NOTES FOR:		
USONIAN HOMES, LLC		
CITY OF HAPEVILLE		
Land Lot 98 14TH Dist. FULTON County, GA		
Drawn By: AMM SR.		Scale: N.T.S.
Dwg No: 2-190105SP		Date: 04/17/19

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(3). Certified personnel (provided by the tertiary permittee) shall inspect at least the following once every seven calendar days and within 24 hours of the end of a storm that is 0.5 inches rainfall or greater (unless such storm ends after 5:00 PM on any Friday or on any non-working Saturday, non-working Sunday or any non-working Federal holiday in which case the inspection shall be completed by the end of the next business day and/or working day, whichever occurs first): (a) disturbed areas of the tertiary permittee's construction site ; (b) areas used by the tertiary permittee for storage of materials that are exposed to precipitation ; and (c) structural control measures. Erosion and sediment control measures identified in the Plan applicable to the tertiary permittee's site shall be observed to ensure that they are operating correctly. Where discharge locations or points are accessible, they shall be inspected to ascertain whether erosion control measures are effective in preventing significant impacts to receiving water(s). For areas of a site that have undergone final stabilization or established a crop of annual vegetation and a

seeding of target perennials appropriate for the region, the permittee must comply with Part IV.D.4.c.(4). These inspections must be conducted until a Notice of Termination is submitted. This paragraph is not applicable to utility companies and utility contractors performing only service line installations or when conducting repairs on existing line installations.

(4). Certified personnel (provided by the tertiary permittee) shall inspect at least once per month during the term of this permit (i.e., until a Notice of Termination is submitted to EPD) the areas of their sites that have undergone final stabilization or established a crop of annual vegetation and a seeding of target perennials appropriate for the region. These areas shall be inspected for evidence of, or the potential for, pollutants entering the drainage system and the receiving water(s). Erosion and sediment control measures identified in the Plan shall be observed to ensure that they are operating correctly. Where discharge locations or points are accessible, they shall be inspected to ascertain whether erosion control measures are effective in preventing significant impacts to receiving water(s). This paragraph is not applicable to utility companies and utility contractors performing only service line installations or when conducting repairs on existing line installations.

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(6). A report of each inspection that includes the name(s) of certified personnel making each inspection, the date(s) of each inspection, construction phase (i.e., initial, intermediate or final), major observations relating to the implementation of the Erosion, Sedimentation and Pollution Control Plan, and actions taken in accordance with Part IV.D.4.c.(5) of the permit shall be made and retained at the site or be readily available at a designated alternate location until the entire site has undergone final stabilization and a Notice of Termination is submitted to EPD. Such reports shall be readily available by the end of the second business day and/or working day and shall identify all incidents of best management practices that have not been properly installed and/or maintained as described in the Plan. Where the report does not identify any incidents, the inspection report shall contain a certification that the best management practices are in compliance with the Erosion, Sedimentation and Pollution Control Plan. The report shall be signed in accordance with Part V.G.2. of this permit. This paragraph is not applicable to utility companies and utility contractors performing only service line installations or when conducting repairs on existing line installations.

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- The design professional's report of the results of the inspection conducted in accordance with Part IV.A.5. of this permit;
- A copy of all sampling information, results, and reports required by this permit;
- A copy of all inspection reports generated in accordance with Part IV.D.4.a. of this permit;
- A copy of all violation summaries and violation summary reports generated in accordance with Part III.D.2. of this permit; and
- Daily rainfall information collected in accordance with Part IV.D.4.a.(2). of this permit.

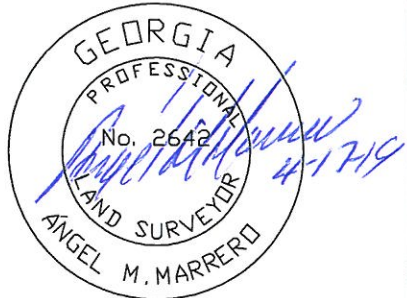
2. Each secondary permittee shall retain the following records at the construction site or the records shall be readily available at a designated alternate location from commencement of construction until such time as a NOT is submitted in accordance with Part VI:

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- A copy of the Erosion, Sedimentation and Pollution Control Plan required by this permit or the applicable portion of the Erosion, Sedimentation and Pollution Control Plan for their activities at the construction site required by this permit;
- A copy of all inspection reports generated in accordance with Part IV.D.4.b. of this permit; and
- A copy of all violation summaries and violation summary reports generated in accordance with Part III.D.2. of this permit.

3. Each tertiary permittee shall retain the following records at the construction site or the records shall be readily available at a designated alternate location from commencement of construction until such time as a NOT is submitted in accordance with Part VI:

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- A copy of all sampling information, results, and reports required by this permit;
- A copy of all inspection reports generated in accordance with Part IV.D.4.c. of this permit;
- A copy of all violation summaries and violation summary reports generated in accordance with Part III.D.2. of this permit; and
- Daily rainfall information collected in accordance with Part IV.D.4.c.(2). of this permit.

4. Copies of all Notices of Intent, Notices of Termination, inspection reports, sampling reports (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) or other reports requested by the EPD, Erosion, Sedimentation and Pollution Control Plans, records of all data used to complete the Notice of Intent to be covered by this permit and all other records required by this permit shall be retained by the permittee who either produced or used it for a period of at least three years from the date that the NOT is submitted in accordance with Part VI of this permit. These records must be maintained at the permittee's primary place of business once the construction activity has ceased at the permitted site. This period may be extended by request of the EPD at any time upon written notification to the permittee.



A'NGEL M. MARRERO P.L.S. #2642
Certified Design Professional # 4479

REV.	DESCRIPTION	DATE
	SOUTHSIDE SURVEYING & PLANNING LSF000831	#18 ATLANTA ST. MCDONOUGH, GA 30253 Phone: (770) 320-8009 Fax: (770) 320-8098
EROSION CONTROLS NOTES FOR:		4/7
USONIAN HOMES, LLC		CITY OF HAPEVILLE
Land Lot 98 14TH Dist.		FULTON County, GA
Drawn By: AMM SR.		Scale: N.T.S.
Dwg No: 2-190105SP		Date: 04/17/19

Ds1 DISTURBED AREA STABILIZATION (WITH MULCHING ONLY)

MATERIAL	RATE	DEPTH
STRAW OR HAY	2.5TON/ACRES	6"-10"
WOOD WASTE CHIPS, SAWDUST, BARK	6 TO 9TON/Ac	2"-3"
CUTBACK ASPHALT	1200GAL/Ac	—
POLYETHYLENE FILM	SEE MANUFACTURER'S RECOMMENDATION	—
GEOTEXTILE JUTE MATTING	SEE MANUFACTURER'S RECOMMENDATION	—

Ds2 - DISTURBED AREA STABILIZATION (WITH TEMPORARY SEEDINGS)

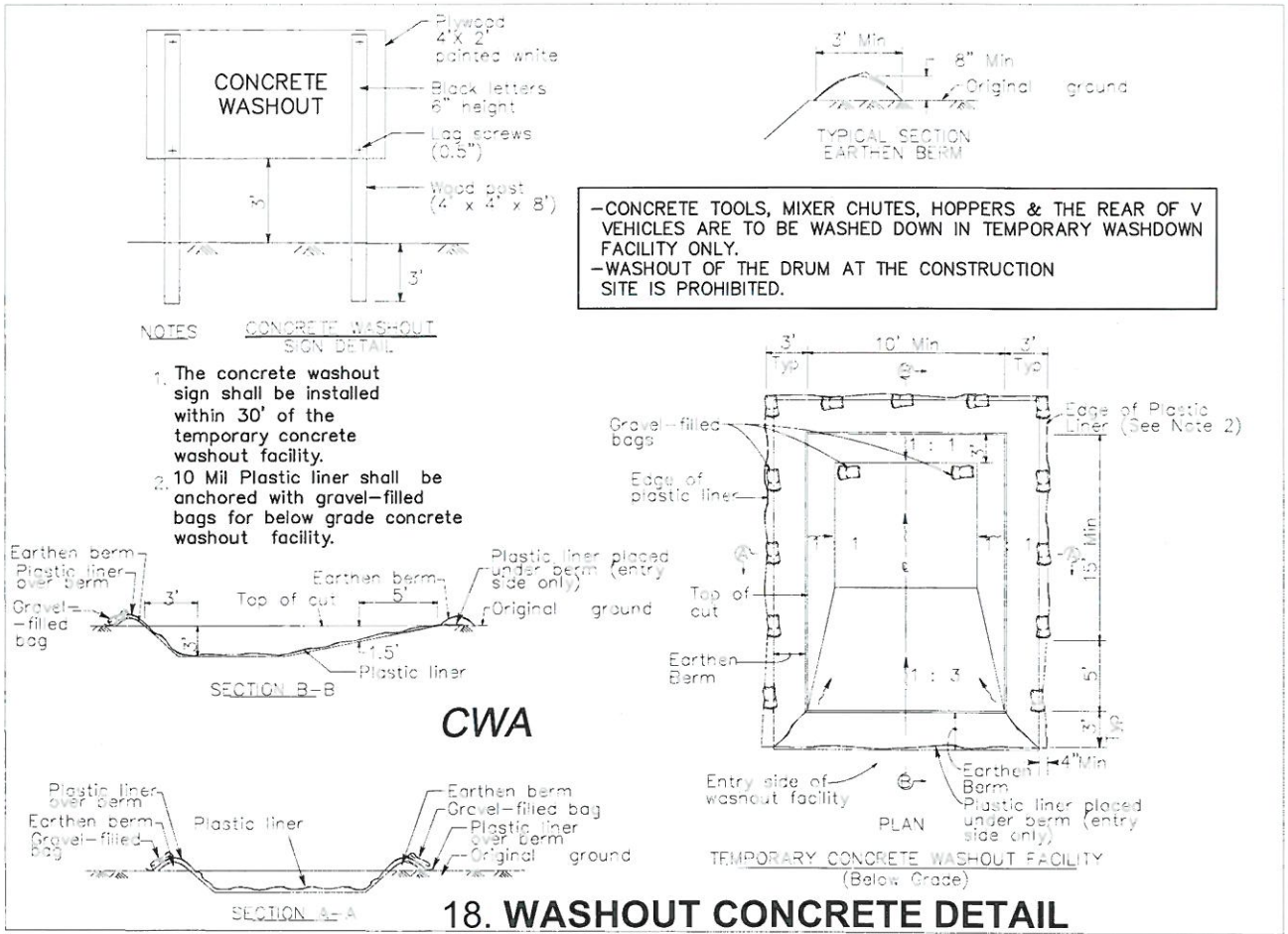
SPECIES	SEEDING RATE (LBS. PURE LIVE SEED)	PLANTING DATES
RYEGRASS (ANNUAL)	40 LBS/ACRE	AUGUST - APRIL
MILLET, PEARL	50 LBS/ACRE	APRIL - AUGUST
RYE	168 LBS/ACRE	AUGUST - DECEMBER

- NOTES:
- OTHER SPECIES MAY BE USED AS RECOMMENDED BY THE "MANUAL FOR EROSION AND SEDIMENT CONTROL IN GEORGIA"
 - LIME AND FERTILIZATION ARE REQUIRED
 - MULCHING SHALL BE REQUIRED AS DIRECTED BY THE ENGINEER USING DRY STRAW OR HAY AT A RATE OF 2.5 TONS/ACRE.

Ds3 - DISTURBED AREA STABILIZATION (WITH PERMANENT VEGETATION)

SPECIES	SEEDING RATE (LBS. PURE LIVE SEED)	PLANTING DATES
BERMUDA, COMMON (HULLED)	6-10 LBS/ACRE	MARCH - JUNE
BERMUDA, COMMON (UN-HULLED)	6-10 LBS/ACRE	OCTOBER - FEBRUARY
FESCUE, TALL	30 -50 LBS/ACRE	AUGUST - OCTOBER MARCH - APRIL
LESPEDEZA	60 - 75 LBS/ACRE	JANUARY - DECEMBER

- NOTES:
- OTHER SPECIES MAY BE USED AS RECOMMENDED BY THE "MANUAL FOR EROSION AND SEDIMENT CONTROL IN GEORGIA"
 - MULCHING, LIME AND FERTILIZATION ARE REQUIRED. CONVENTIONAL PLANTING SHALL UTILIZE RECOMMENDED RATES DESCRIBED IN THE "MANUAL FOR EROSION AND SEDIMENT CONTROL IN GEORGIA"
 - HYDRAULIC SEEDING MIXTURES SHALL CONSIST OF APPROPRIATE AMOUNTS OF SEED, MULCH AND FERTILIZER AS DIRECTED BY THE ENGINEER.
 - SPECIES MAY BE MIXED TO OBTAIN OPTIMUM RESULTS.
 - APPLY AGRICULTURAL LIME AS PRESCRIBED BY SOIL TESTS OR AT A RATE OF 1 TO 2 TONS PER ACRE.



SD1- MAINTENANCE
Sediment shall be removed once it has accumulated to one-half the original height of the barrier. Filter fabric shall be replaced whenever it has deteriorated to such an extent that the effectiveness of the fabric is reduced (approximately six months). Temporary sediment barriers shall remain in place until disturbed areas have been permanently stabilized. All sediment accumulated at the barrier shall be removed and properly disposed of before the barrier is removed.

EROSION & SEDIMENT CONTROL

CODE	PRACTICE	DETAIL	MAP SCALE	DESCRIPTION
Co	CONSTRUCTION EXIT			A CRUSHED STONE PAD LOCATED AT THE CONSTRUCTION SITE EXIT TO PROVIDE A PLACE FOR REMOVING MUD FROM TIRES TO PROTECT STREETS.
Ds1	DISTURBED AREA STABILIZATION WITH MULCHING ONLY			ESTABLISHING TEMPORARY PROTECTION FOR DISTURBED AREAS WHERE SEEDINGS MAY NOT HAVE A SUITABLE GROWING SEASON TO PRODUCE AN EROSION RETARDING COVER.
Ds2	DISTURBED AREA STABILIZATION WITH TEMPORARY SEED			ESTABLISHING A TEMPORARY VEGETATIVE COVER WITH FAST GROWING SEEDINGS
Ds3	DISTURBED AREA STABILIZATION WITH PERMANENT VEG.			ESTABLISHING A PERMANENT VEGETATIVE COVER
Sd1	SEDIMENT BARRIER TYPE-C			A BARRIER TO PREVENT SEDIMENT FROM LEAVING THE CONSTRUCTION SITE. IT MAY BE SANDBAGS, BALES OR STRAW OR HAY, BRUSH, LOGS AND POLES, GRAVEL OR A SEDIMENT FENCE. THE BARRIERS ARE USUALLY TEMPORARY AND INEXPENSIVE.
St	STORMDRAIN OUTLET PROTECTION			A paved or short section of riprap channel at the outlet of a storm drain system preventing erosion from the concentrated runoff.

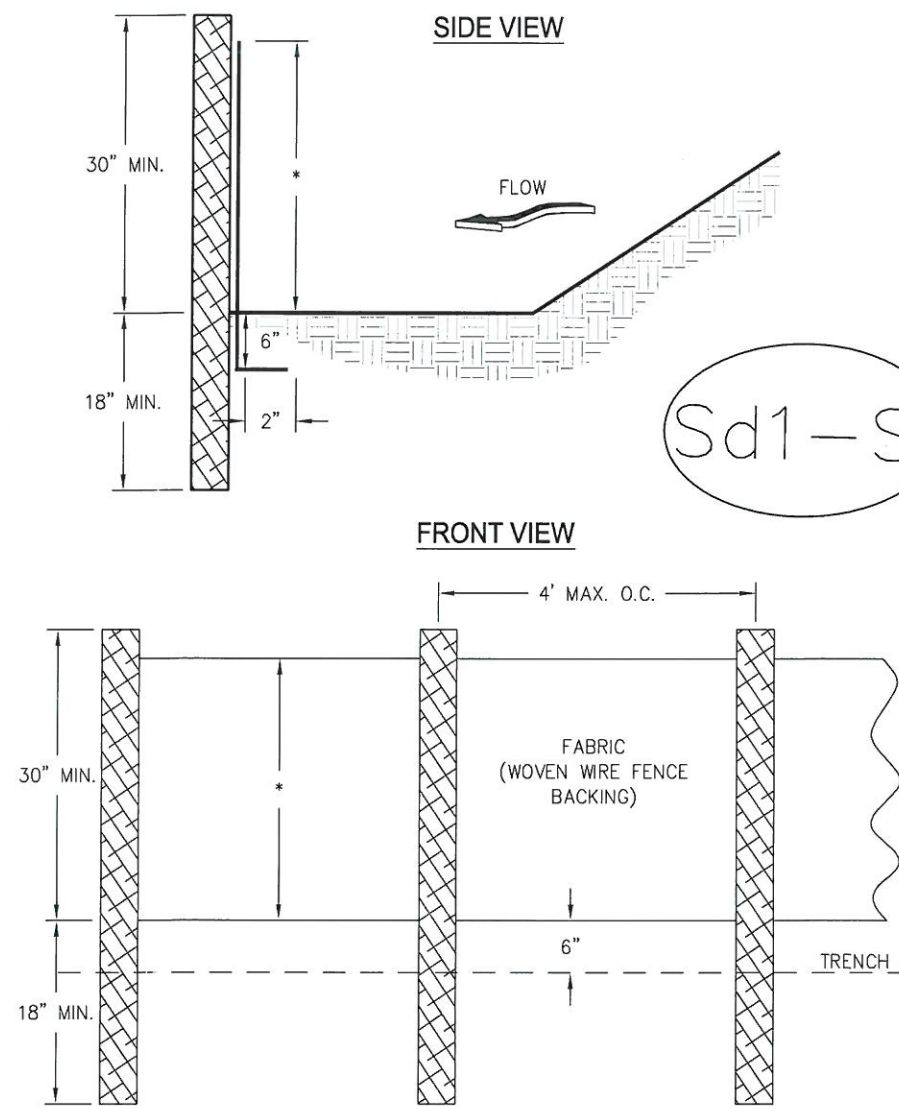
Du	DUST CONTROL ON DISTURBED AREAS		Du	Controlling surface and air movement of dust on construction site, roadways and similar sites.
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A'NGEL M. MARRERO P.L.S. #2642
Certified Design Professional # 4479

REV.	DESCRIPTION	DATE
	SOUTHSIDE SURVEYING & PLANNING LSF000831	#18 ATLANTA ST. MCDONOUGH, GA 30253 Phone: (770) 320-8009 Fax: (770) 320-8098
	EROSION CONTROLS DETAILS FOR: USONIAN HOMES, LLC Land Lot 98 14TH Dist. CITY OF HAPEVILLE FULTON County, GA	
	Drawn By: AMM SR.	Scale: N.T.S.
	Dwg No: 2-190105SP	Date: 04/17/19

Sd1-S



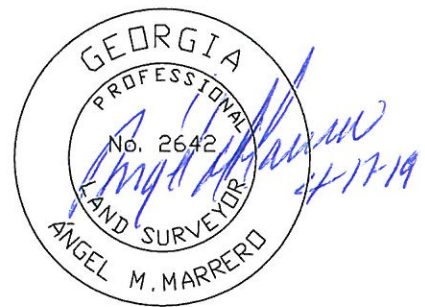
- NOTES:**
1. USE STEEL OR WOOD POSTS OR AS SPECIFIED BY THE EROSION, SEDIMENTATION, AND POLLUTION CONTROL PLAN.
 2. HEIGHT (*) IS TO BE SHOWN ON THE EROSION, SEDIMENTATION, AND POLLUTION CONTROL PLAN.

- NOTES:**
1. AVOID LOCATING ON STEEP SLOPES OR AT CURVES ON PUBLIC ROADS.
 2. REMOVE ALL VEGETATION AND OTHER UNSUITABLE MATERIAL FROM THE FOUNDATION AREA, GRADE, AND CROWN FOR POSITIVE DRAINAGE.
 3. AGGREGATE SIZE SHALL BE IN ACCORDANCE WITH NATIONAL STONE ASSOCIATION R-2 (1.5"-3.5" STONE).
 4. GRAVEL PAD SHALL HAVE A MINIMUM THICKNESS OF 6".
 5. PAD WIDTH SHALL BE EQUAL FULL WIDTH AT ALL POINTS OF VEHICULAR EGRESS, BUT NO LESS THAN 20'.
 6. A DIVERSION RIDGE SHOULD BE CONSTRUCTED WHEN GRADE TOWARD PAVED AREA IS GREATER THAN 2%..
 7. INSTALL PIPE UNDER THE ENTRANCE IF NEEDED TO MAINTAIN DRAINAGE DITCHES.
 8. WHEN WASHING IS REQUIRED, IT SHOULD BE DONE ON AN AREA STABILIZED WITH CRUSHED STONE THAT DRAINS INTO AN APPROVED SEDIMENT TRAP OR SEDIMENT BASIN (DIVERT ALL SURFACE RUNOFF AND DRAINAGE FROM THE ENTRANCE TO A SEDIMENT CONTROL DEVICE).
 9. WASHRACKS AND/OR TIRE WASHERS MAY BE REQUIRED DEPENDING ON SCALE AND CIRCUMSTANCE. IF NECESSARY, WASHRACK DESIGN MAY CONSIST OF ANY MATERIAL SUITABLE FOR TRUCK TRAFFIC THAT REMOVE MUD AND DIRT.
 10. MAINTAIN AREA IN A WAY THAT PREVENTS TRACKING AND/OR FLOW OF MUD ONTO PUBLIC RIGHTS-OF-WAYS. THIS MAY REQUIRE TOP DRESSING, REPAIR AND/OR CLEANOUT OF ANY MEASURES USED TO TRAP SEDIMENT.

Ds4 - DISTURBED AREA STABILIZATION (WITH SODDING)

SPECIES	FERTILIZER RATE	GROWING SEASON
BERMUDAGRASS	1500 LBS/ACRE	WARM WEATHER
BAHIAGRASS	1500 LBS/ACRE	WARM WEATHER
CENTIPEDE	1500 LBS/ACRE	WARM WEATHER
TALL FESCUE	1500 LBS/ACRE	COOL WEATHER

- NOTES:
1. OTHER SPECIES MAY BE USED AS RECOMMENDED BY THE "MANUAL FOR EROSION AND SEDIMENT CONTROL IN GEORGIA"
 2. SOD SHOULD BE MACHINE CUT AND CONTAIN 3/4" OR SOIL, NOT INCLUDING ROOTS OR THATCH.
 3. AVOID PLANTING WHEN SUBJECT TO FROST HEAVE OR HOT WEATHER IF IRRIGATION IS NOT AVAILABLE.
 4. THE SOD SHOULD BE INSTALLED ACCORDING TO TABLE 6-6.2 IN THE "MANUAL FOR EROSION AND SEDIMENT CONTROL IN GEORGIA"



A'NGEL M. MARRERO P.L.S. #2642
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REV.	DESCRIPTION	DATE
SOUTHSIDE SURVEYING & PLANNING LSF000831	#18 ATLANTA ST. MCDONOUGH, GA 30253 Phone: (770) 320-8009 Fax: (770) 320-8098	6/7
EROSION CONTROLS DETAILS FOR: USONIAN HOMES, LLC Land Lot 98 14TH Dist. CITY OF HAPEVILLE FULTON County, GA		
Drawn By: AMM SR.		Scale: N.T.S.
Dwg No: 2-190105SP		Date: 04/17/19

PLANT NAME
UNDERSTORY TREES

SYM.

CM NATCHEZ CRAPE MYRTLE/LAGERSTROEMIA INDICA

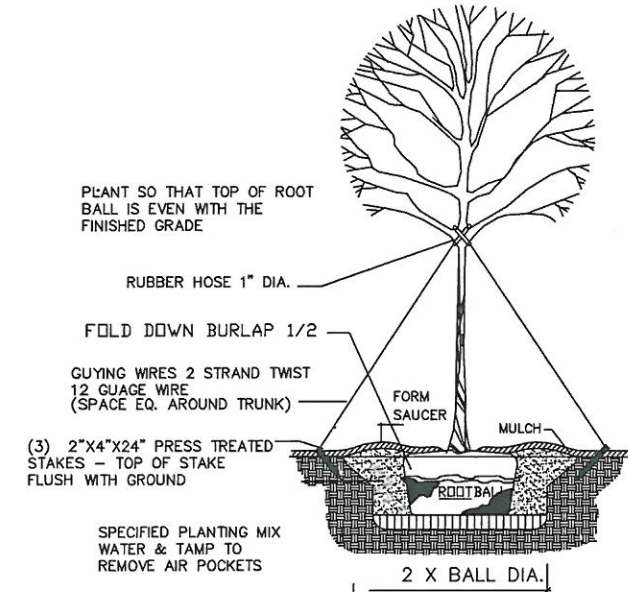
SHRUBS

SYM.

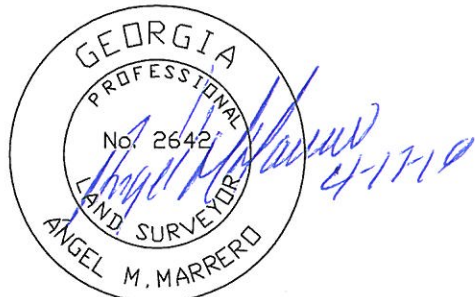
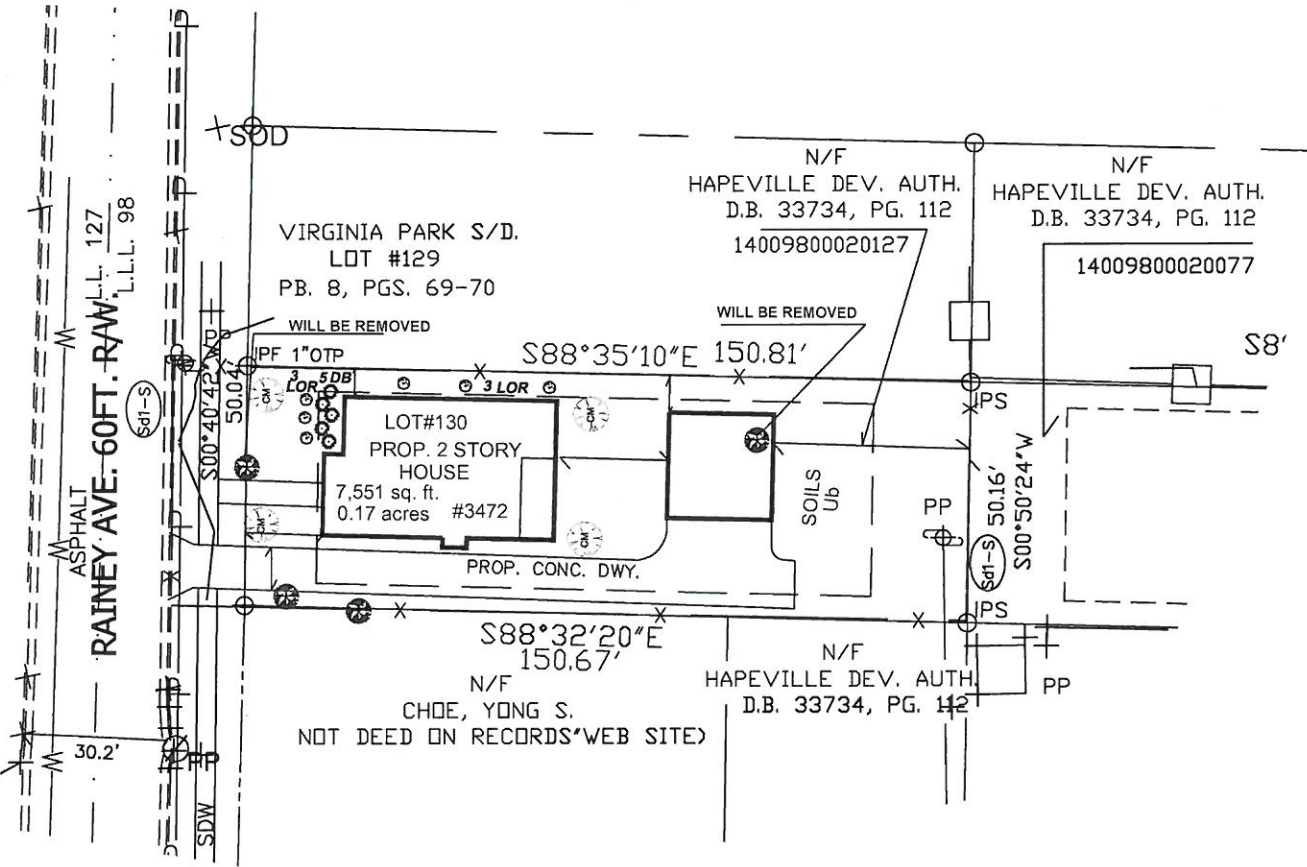
DB DWARF BURFORDI HOLLY/ILEX CORNUTA BUR.
LOR DWF. RED LOROPETALUM/LOR. CHINENSE

SOD BERMUDAGRASS

GRASS - COMMON BERMUDA GRASS



LARGE TREE PLANTING / STAKING DETAIL
N.T.S.

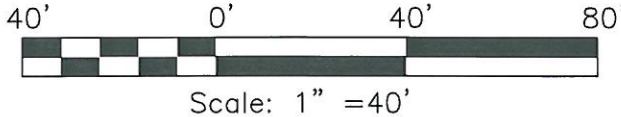


A'NGEL M. MARRERO P.L.S. #2642
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LEGENDS OF SYMBOLS

- P.O.B. POINT OF BEGINNING
- P.O.R. POINT OF REFERENCE
- GM GAS MARKER/GAS METER
- OOTP OPEN TOP PIPE
- OIPF IRON PIN FOUND
- OIPS IRON PIN SET 1/2"Ø REBAR W/ CAP
- C/G CURB AND GUTTER
- P/L PROPERTY LINE
- R/W RIGHT-OF-WAY
- L.L.L. LAND LOT LINE
- CMF CONCRETE MONUMENT FOUND
- POL POINT ON LINE
- B.O.C. BACK OF CURB
- FNC FENCE CORNER
- EP EDGE OF PAVEMENT
- PC PROPERTY CORNER
- SP STEEL POLE
- PP POWER POLE
- GW GUY WIRE
- JB EXISTING JUNCTION BOX
- WV EXISTING WATER VALVE
- FH EXISTING FIRE HYDRANT
- T.B.M. TEMPORARY BENCH MARK
- B.F.E. BASE FLOOD ELEVATION
- M.F.E. MINIMUM FLOOR ELEVATION
- HW HEADWALL
- SWCB SINGLE WALL CATCH BASIN
- DWCB DOUBLE WALL CATCH BASIN
- OS OUTLET STRUCTURE (RISER)
- DI DROP INLET
- WM WATER METER
- W WATERLINE
- SS SANITARY SEWER LINE
- OVP OVERHEAD POWERLINE
- UFO UNDERGROUND FIBER OPTICS
- G GASLINE
- LS LANDSCAPING
- PKS (F) PK NAIL SET (FOUND)
- EX-MH EXISTING SANITARY SEWER MANHOLE
- SSMH SANITARY SEWER MANHOLE
- S.S.E. SANITARY EASEMENT
- C/O CLEAN-OUT
- FDC FIRE DEPARTMENT CONNECTOR
- C.L.F. CHAIN LINK FENCE
- D.E. DRAINAGE EASEMENT
- R.R.E. RAIL ROAD EASEMENT
- H HEIGHT
- UE UNDERGROUND ELECTRIC
- AC AIRCONDITION UNITS

HW HARDWOOD



REV.	DESCRIPTION	DATE
	SOUTHSIDE SURVEYING & PLANNING LSF000831	#18 ATLANTA ST. MCDONOUGH, GA 30253 Phone: (770) 320-8009 Fax: (770) 320-8098
LANDSCAPING PLANS FOR: USONIAN HOMES, LLC Land Lot 98 14TH Dist. CITY OF HAPEVILLE FULTON County, GA		
Drawn By: AMM SR.		Scale: 1"=40'
Dwg No: 2-190105SP		Date: 04/17/19



Designed By:
JAZ Development
Company, Inc.
Designer*Builder
P.O. BOX 1326 MABLETON, GA 30126
(678) 234-8094

Prepared for:
**USONIAN
HOMES**

Drawn By: R. BETHELY
Date: 4/15/2019
Project No:
Scale: NOTED

Address:
**3472 RAINEY AVE
HAPEVILLE GA 30354**

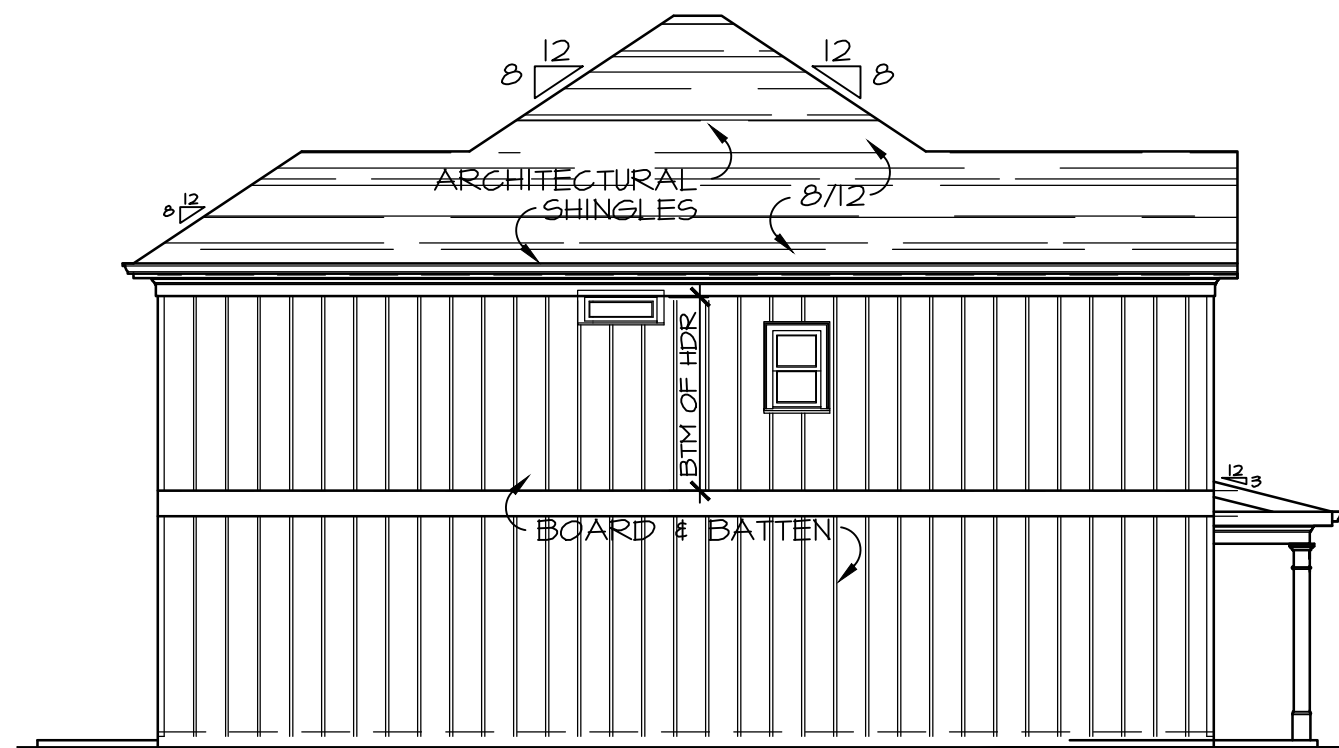
APPLICABLE CODES	
GA AMENDMENTS	
2012 INTERNATIONAL BUILDING CODE	2014, 2015, 2017, 2018
2012 INTERNATIONAL RESIDENTIAL CODE	2014, 2015, 2018
2012 INTERNATIONAL FIRE CODE	2014
2012 INTERNATIONAL PLUMBING CODE	2014, 2015
2012 INTERNATIONAL MECHANICAL CODE	2014, 2015
2012 INTERNATIONAL FUEL GAS CODE	2014, 2015
2017 NATIONAL ELECTRICAL CODE	NONE
2009 INTERNATIONAL ENERGY CODE	2011, 2012
2012 SWIMMING POOL & SPA CODE	2014

GENERAL NOTES			
PROJECT DESCRIPTION/SUMMARY			
NEW SINGLE FAMILY HOUSE WITH REAR DECK & FRONT PORCH			
HEATED AREA		NON-HEATED AREA	
FIRST FLOOR	1053 SF	FRONT PORCH	170 SF
SECOND FLOOR	1015 SF	REAR PATIO	204 SF
TOTAL	2070 SF		
TERMITE:	SEVERE	STORIES:	2
WEATHER:	MODERATE	HEIGHT:	30'-6"
FROST LINE DEPTH:	12"	FLOOD HAZARD:	NO
MEAN ANNUAL TEMP:	66.2°	TYPE DEAD LOADS:	10 psf
WINTER DESIGN TEMP:	22°	TYPE LIVE LOADS:	40 psf
GROUND SNOW LOAD:	5 psf	TYPE ROOF LOADS:	20 psf
SEISMIC DESIGN CATEGORY:	B	WIND SPEED 90 mph & CATEGORY	C

DRAWING INDEX	
A1.1	EXTERIOR ELEVATIONS
A2.1	FOUNDATION PLAN
A3.1	FIRST & SECOND FLOOR PLAN
A4.1	SECOND FLOOR & CEILING FRAMING PLAN
A5.1	WALL SECTION & DETAILS
E1.1	FIRST & SECOND FLOOR ELECTRICAL PLAN
G1.1	GARAGE EXTERIOR ELEVATIONS
G1.2	GARAGE PLANS & WALL SECTION

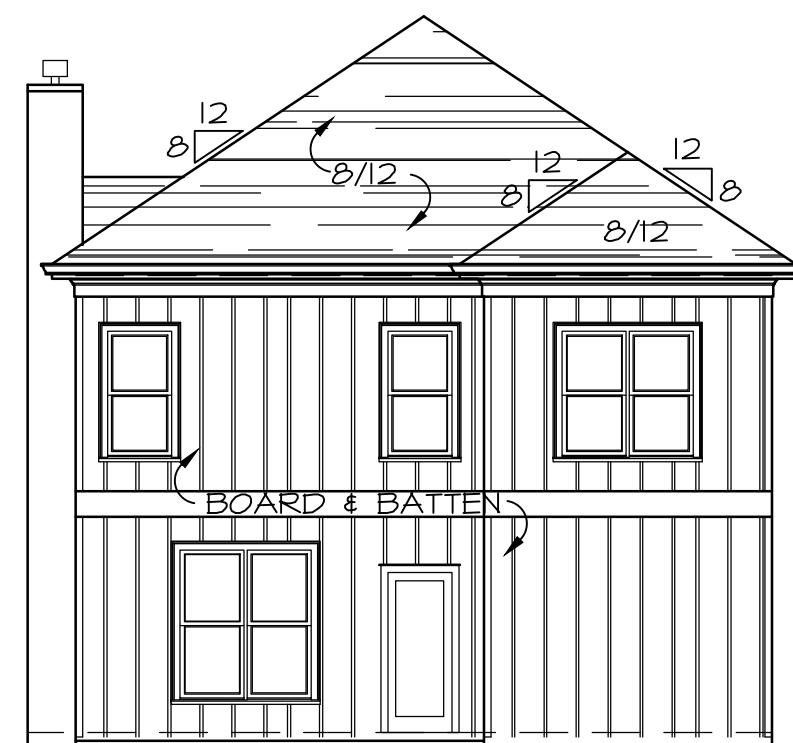
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Sheet Title:
COVER

Sheet:



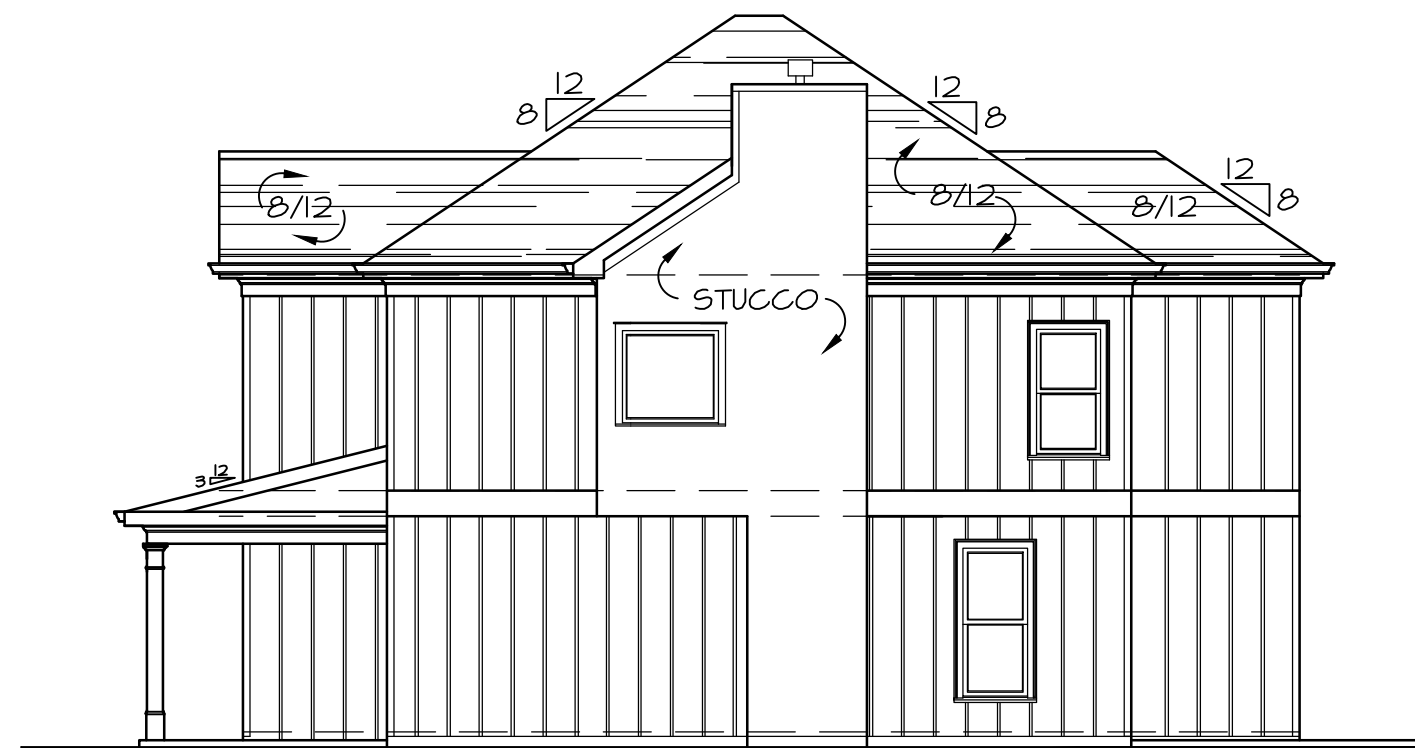
LEFT ELEVATION

SCALE: 1/8" = 1'-0"



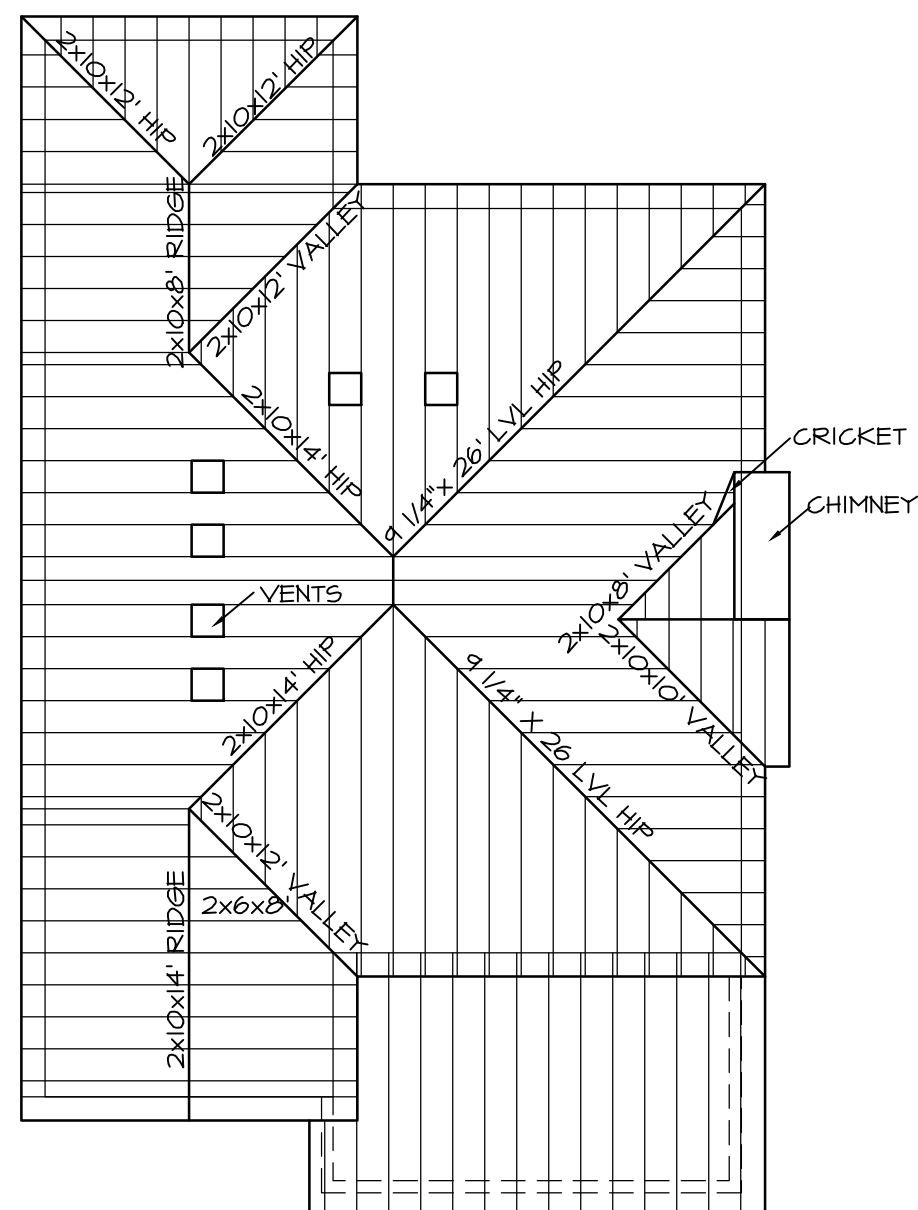
REAR ELEVATION

SCALE: 1/8" = 1'-0"



RIGHT ELEVATION

SCALE: 1/8" = 1'-0"



ROOF PLAN

SCALE: 1/8" = 1'-0"



FRONT ELEVATION

SCALE: 1/4" = 1'-0"

Designed By:
JAZ Development
Company, Inc.
Designer*Builder
P.O. BOX 1326 MAPLETON, GA 30126
(678) 234-8094

Prepared for:

**USONIAN
HOMES**

Drawn By: R. BETHELY
Date: 4/15/2019
Project No:
Scale: NOTED

Address:

**3472 RAINEY AVE
HAPEVILLE GA 30354**

Model Name:

WILKINS

Sheet Title:

EXTERIOR ELEVATIONS & ROOF PLAN

Sheet:

A1.1



SCALE: $1/4'' = 1'-0''$

Model Name:

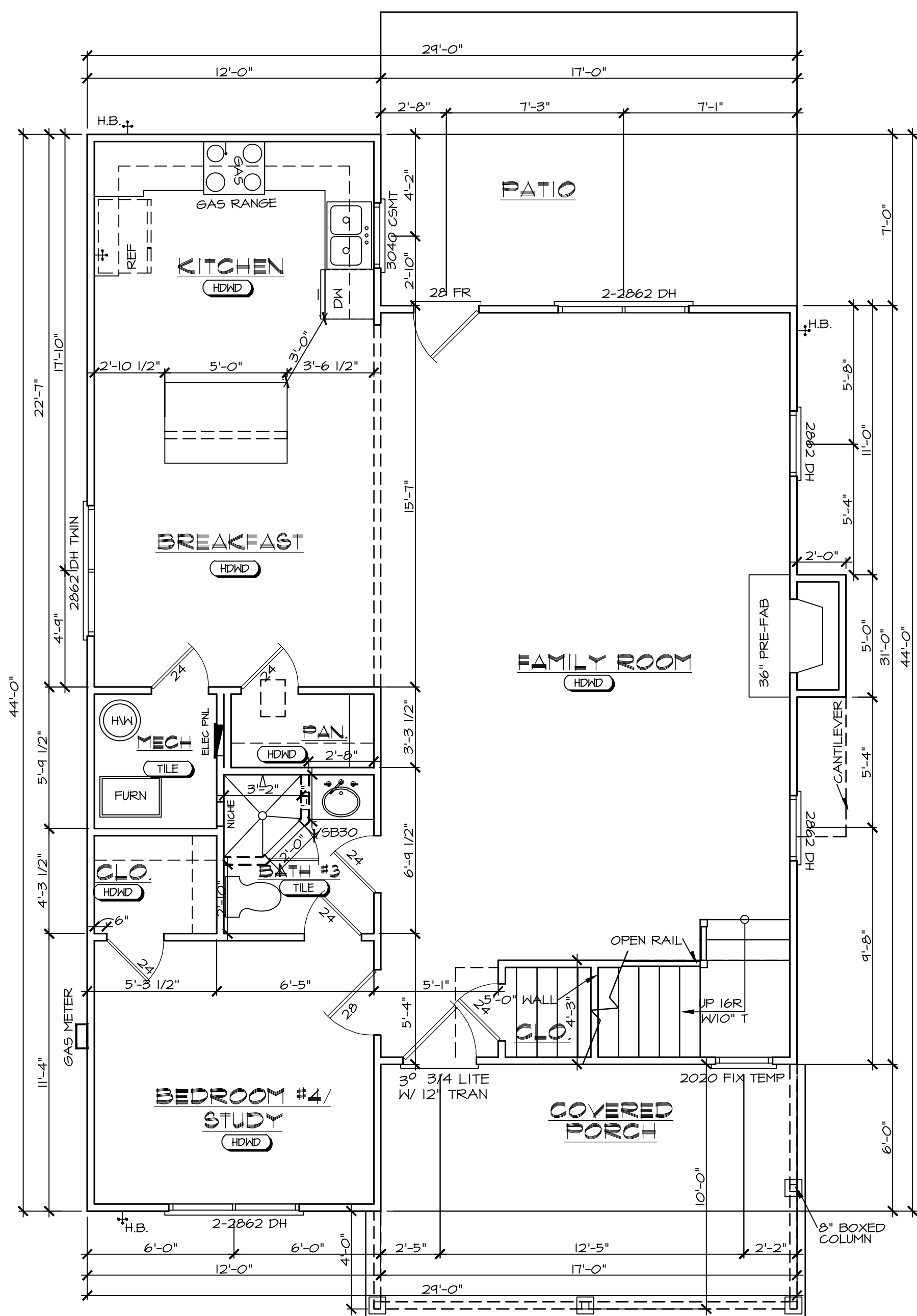
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MODEL NAME,

Sheet Title:

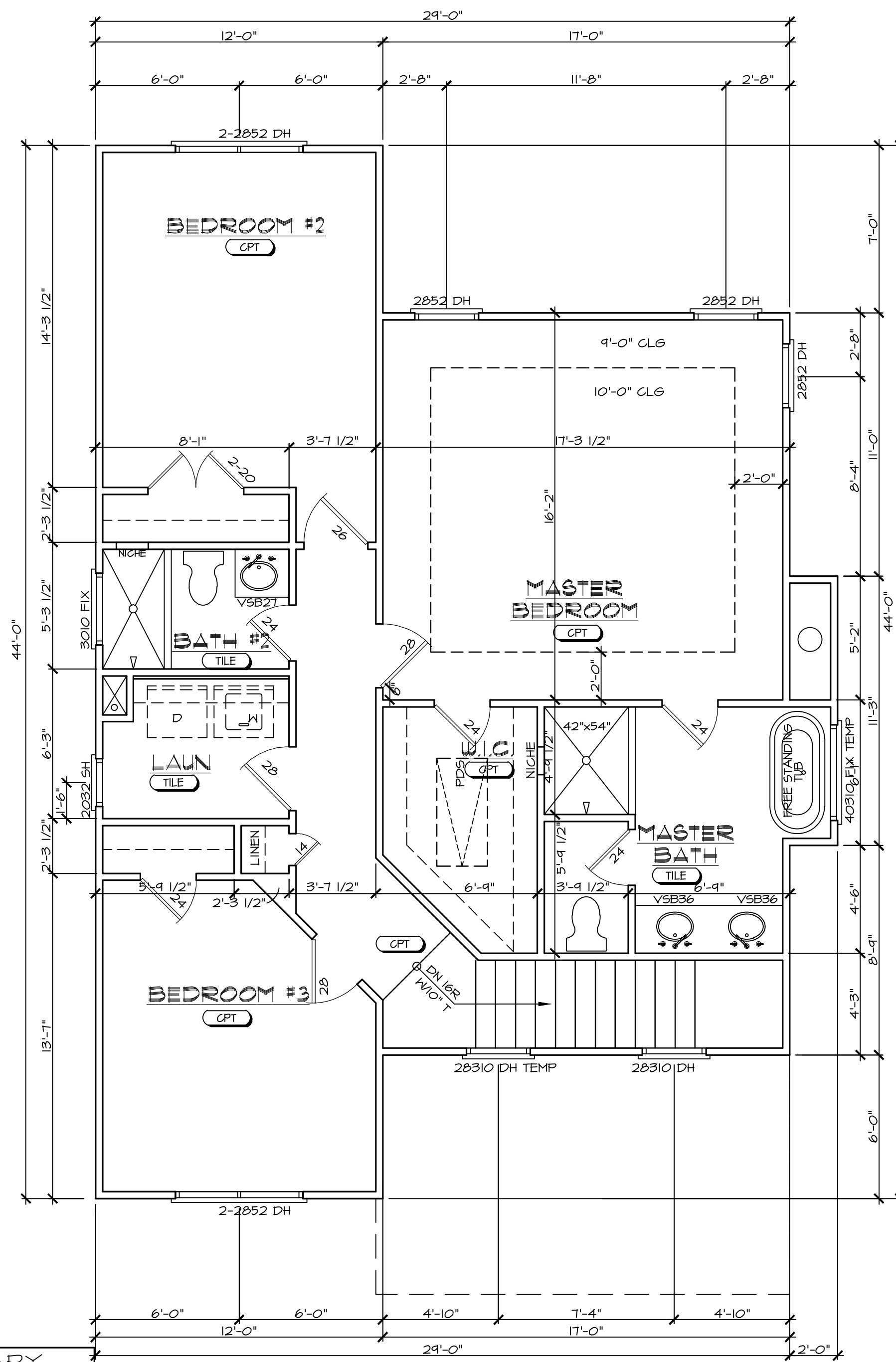
MONOLITHIC SLAB FOUNDATION

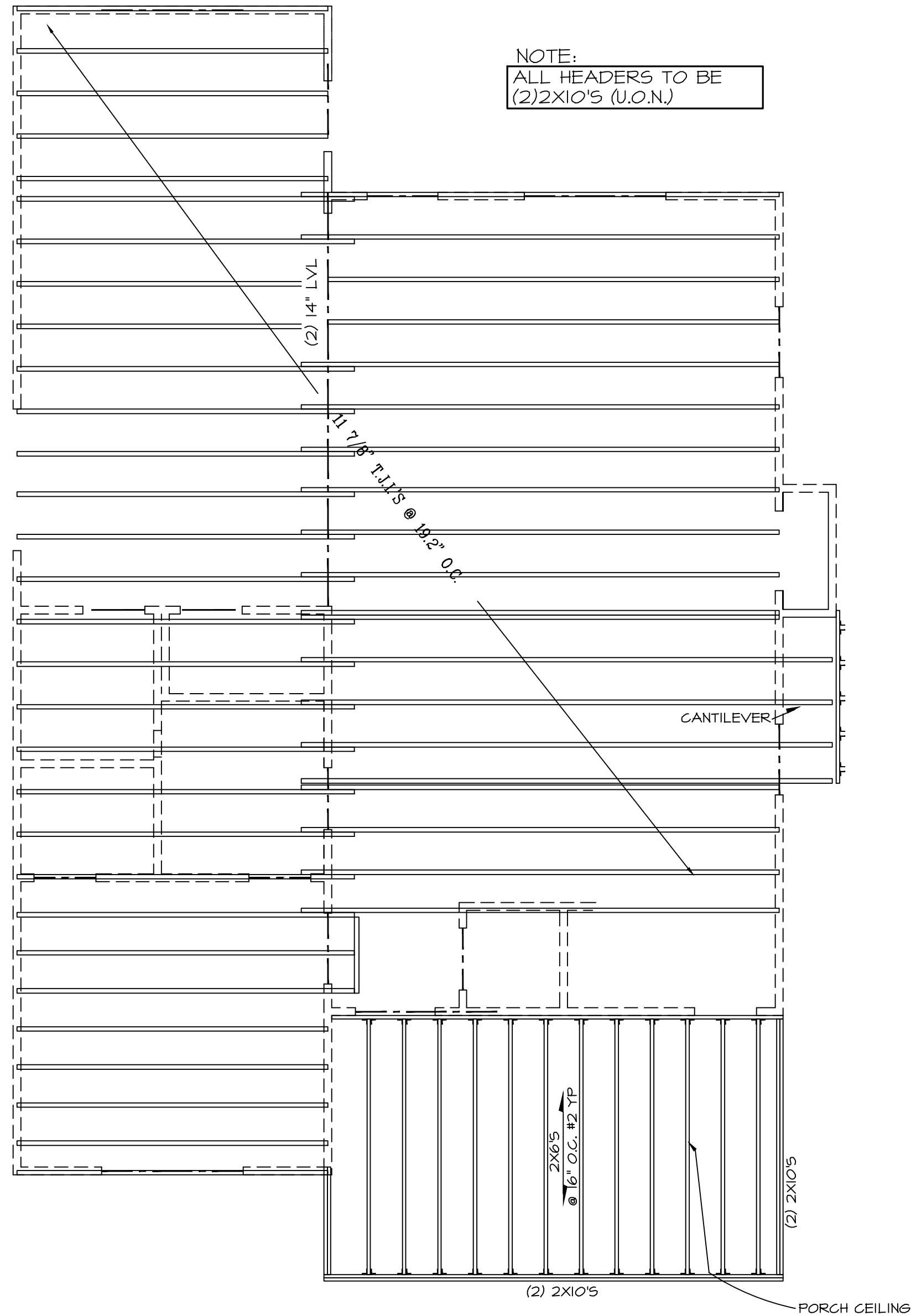
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A2.1



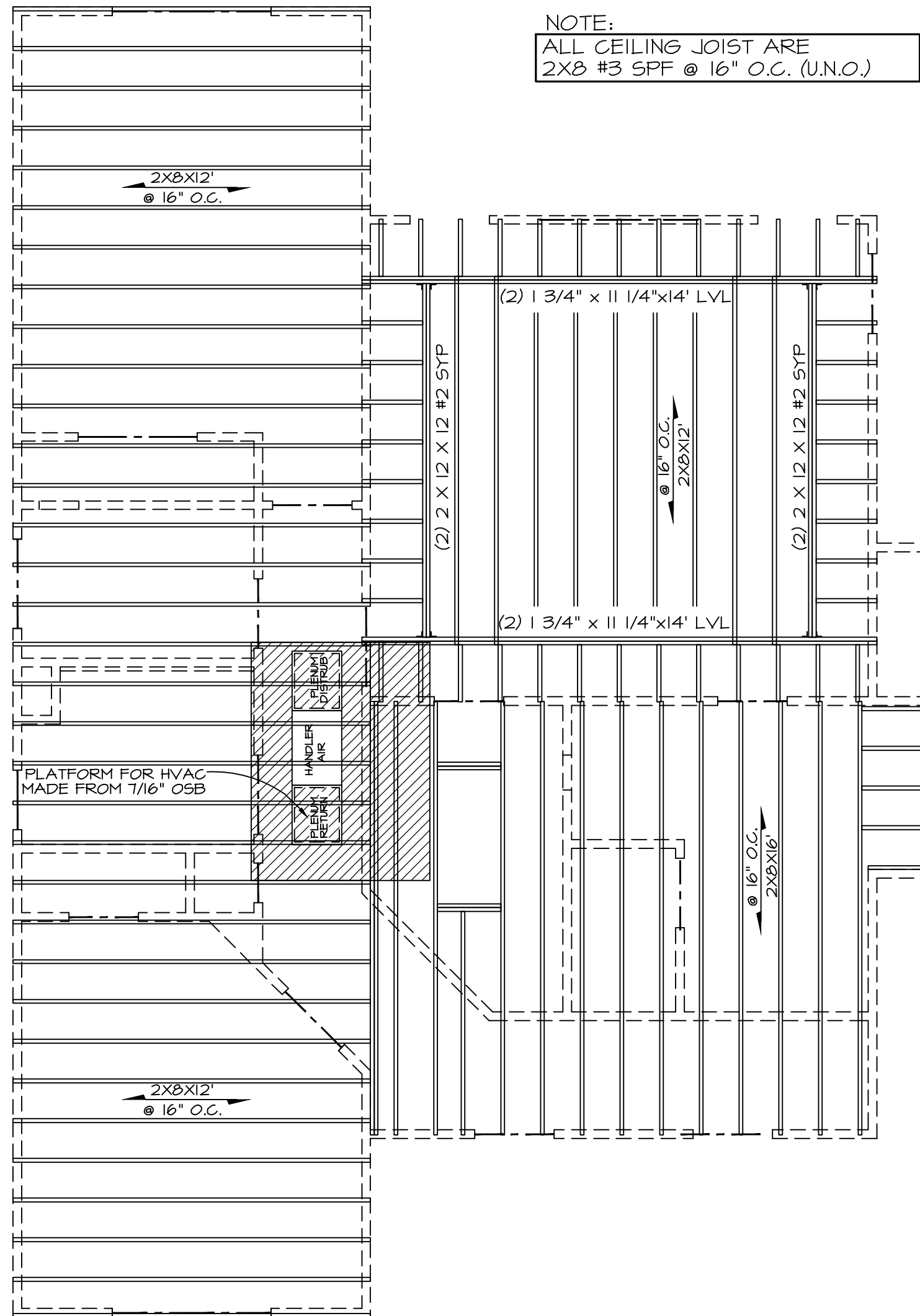
AREA SUMMARY	
	HEATED SQ. FT.
FIRST FLOOR	1055 SQ. FT.
SECOND FLOOR	1015 SQ. FT.
TOTAL	2070 SQ. FT.





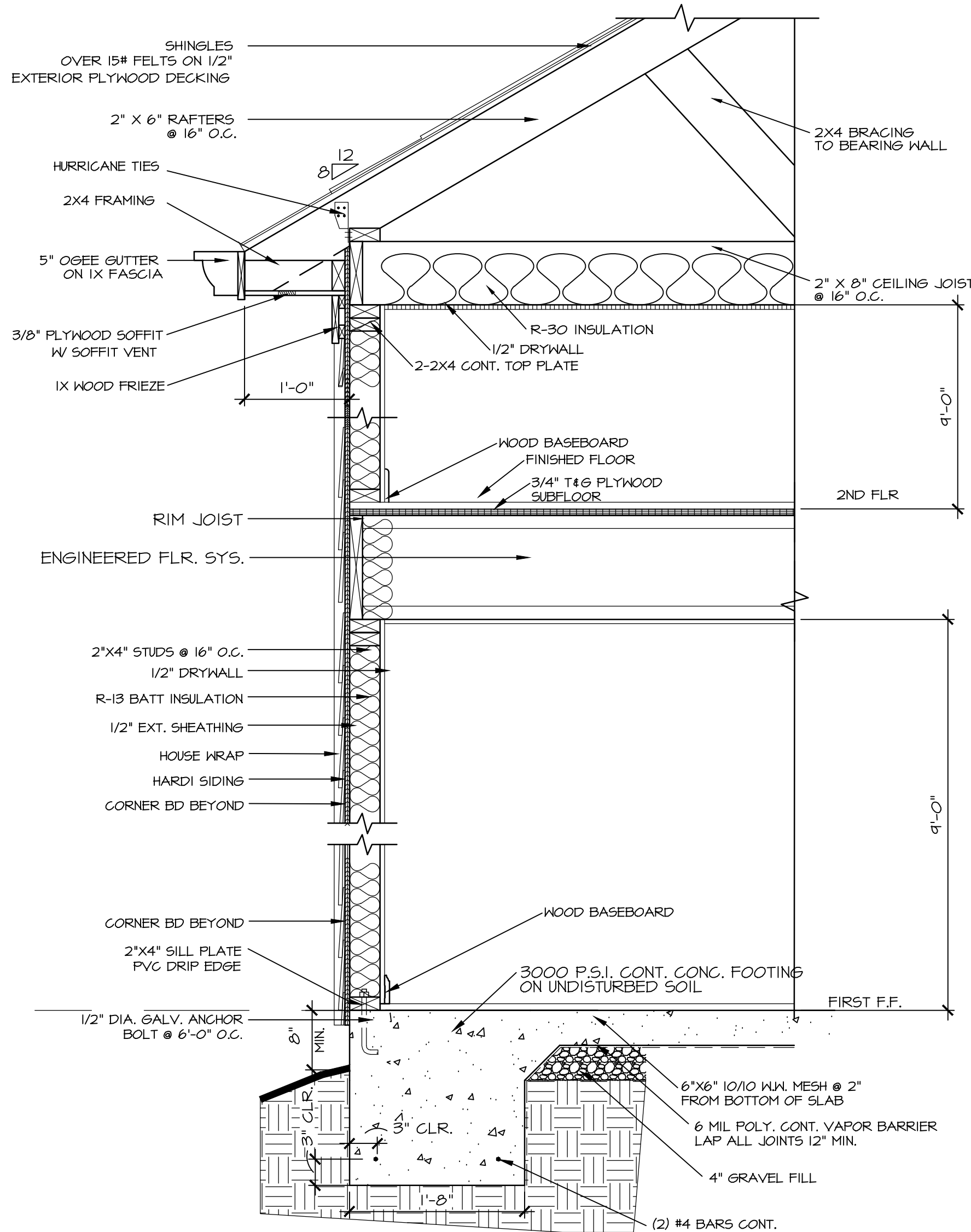
SECOND FLOOR FRAMING

SCALE: 1/4" = 1'-0"

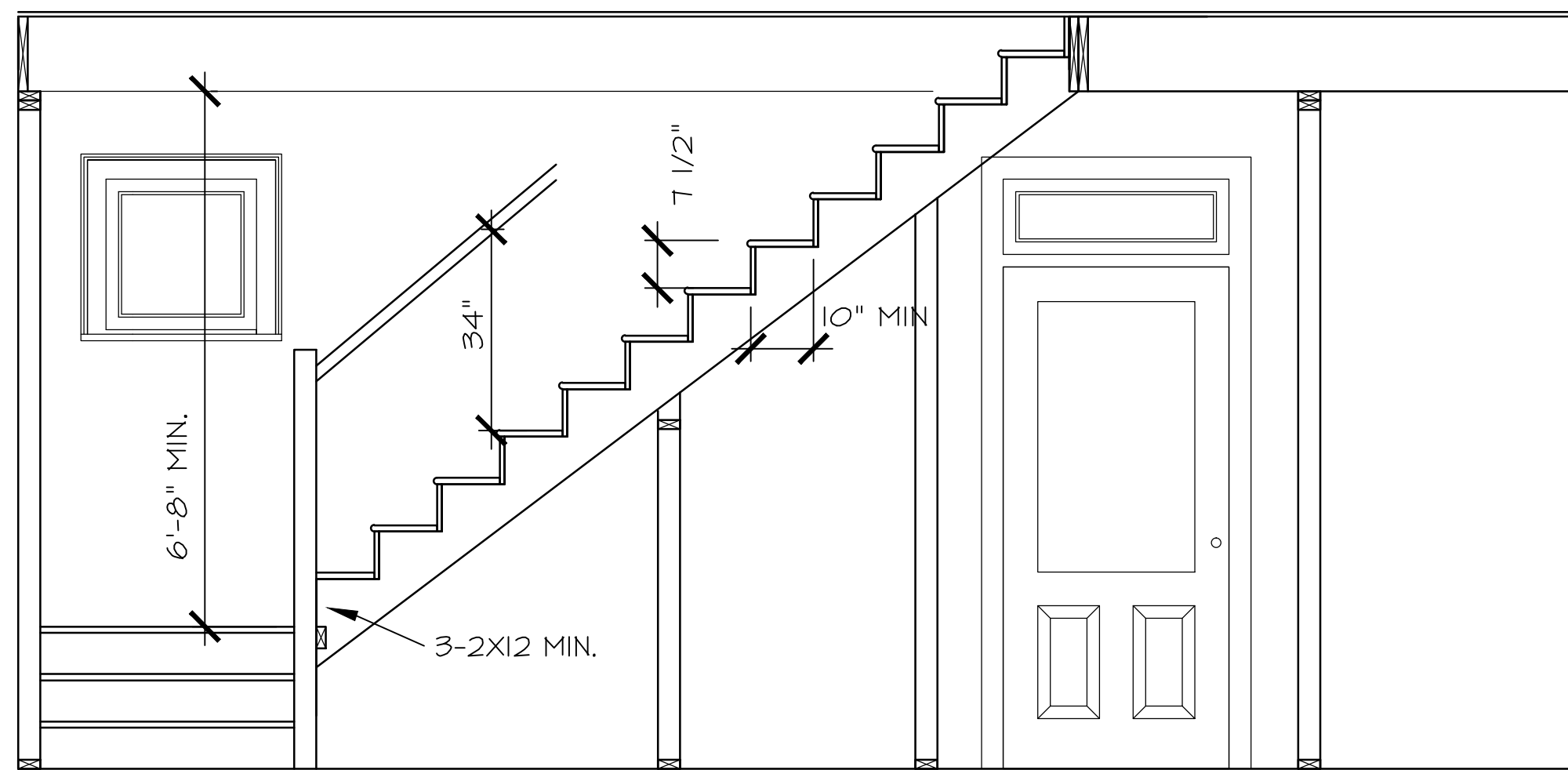


CEILING FRAMING

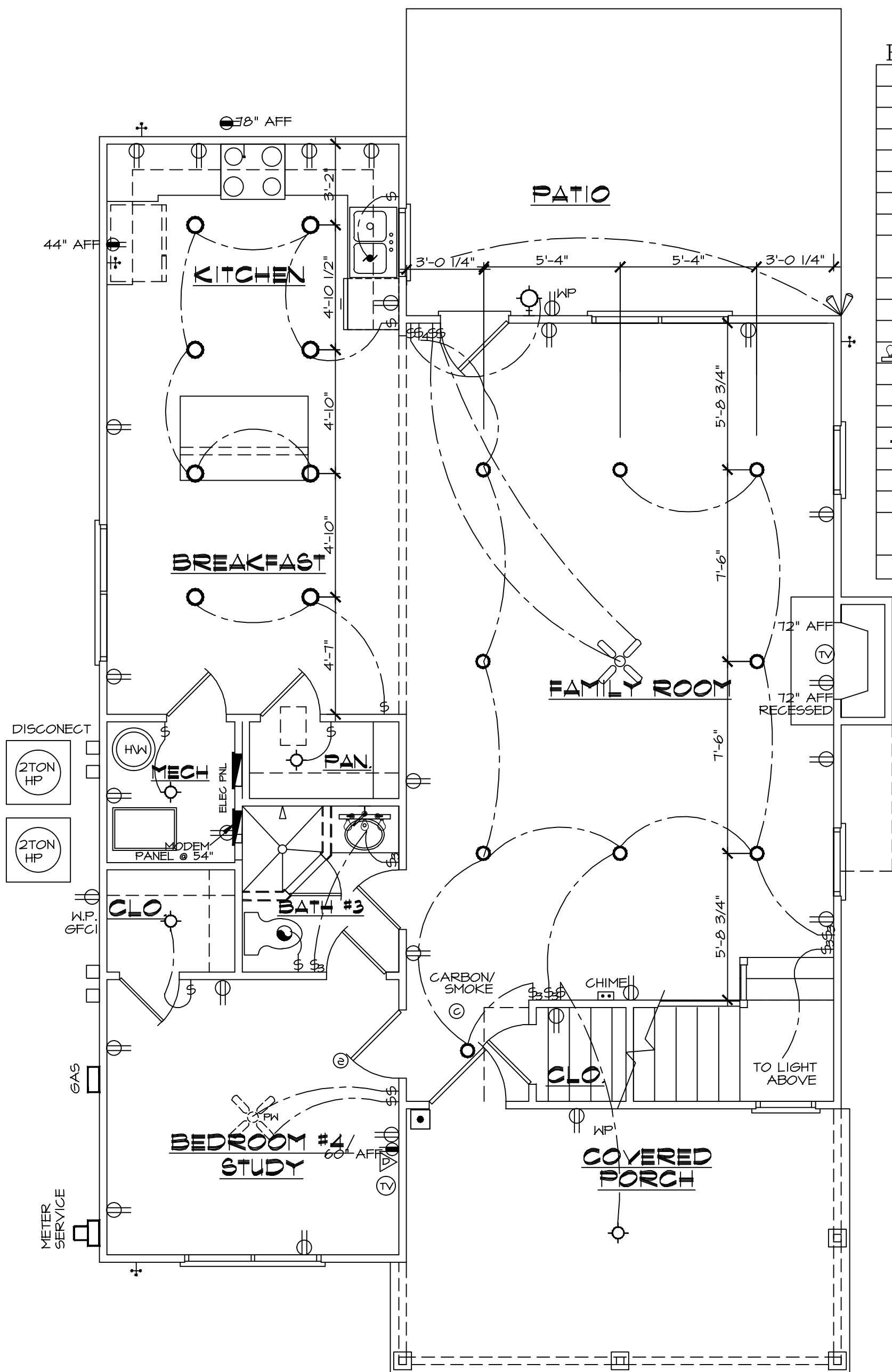
SCALE: 1/4" = 1'-0"



1 WALL SECTION
SCALE: 1" = 1'-0"



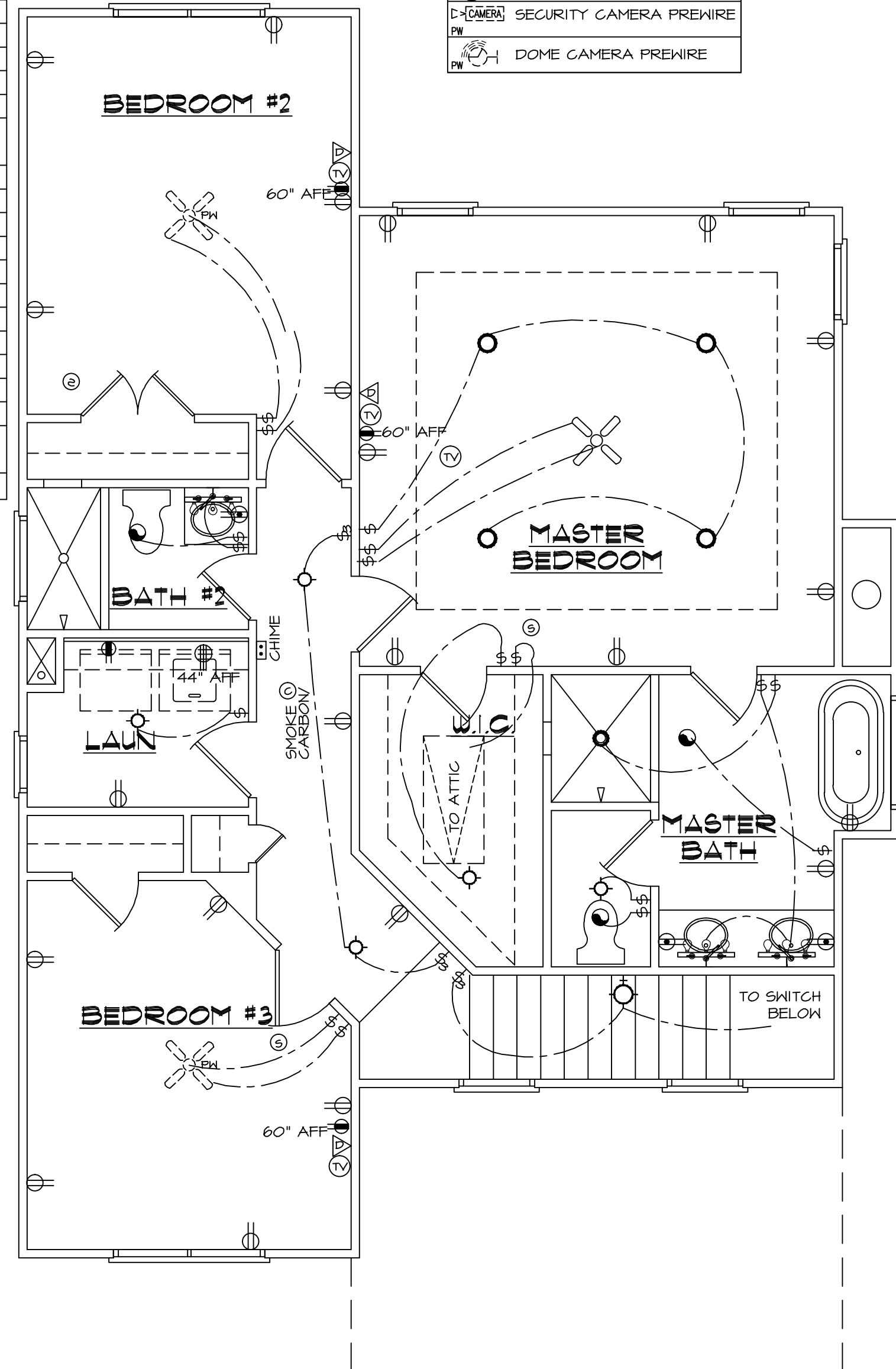
2 SECTION @ STAIRS
SCALE: 1/2" = 1'-0"



ELECTRICAL LEGEND	
⌘	SWITCH POLE SWITCH
⌘	3-WAY SWITCH
⌘	4-WAY SWITCH
⊖	110V RECEPTACLE
⊖	110V SWITCHED RECEPTACLE
⊖	110V FLOOR RECEPTACLE
⊖	GFCI OUTLET
⊖	220v RECEPTACLE
⊖	110V RECEPTACLE SEE ELEC. NOTE #1 & #9
⊙	CEILING FIXTURE
⊙	RECESSED LIGHT
⊙	WALL MOUNTED FIXTURE
⊙	STRIP LIGHTING
⊙	FLOOD LIGHT
⊙	DISPOSAL
⊙	BATH EXHAUST FAN
⊙	ELECTRICAL PANEL
⊙	SMOKE DETECTOR
⊙	SMOKE/CARBON MONOXIDE
⊙	CHIMES
⊙	CEILING FAN
⊙	PREWIRE

LOW VOLTAGE LEGEND

⊙	SECURITY PAD
⊙	SECURITY PANEL
⊙	SIREN
⊙	MOTION
⊙	PHONE
⊙	WALL MOUNTED PHONE
⊙	DOOR BELL
⊙	DOOR CHIME
⊙	CABLE OUTLET
⊙	SECURITY CAMERA PREWIRE
⊙	DOVE CAMERA PREWIRE



1ST FLR ELECTRICAL

SCALE: 1/4" = 1'-0"

2ND FLOOR ELECTRICAL

SCALE: 1/4" = 1'-0"

Prepared for:

**USONIAN
HOMES**

Drawn By: R. BETHELY
 Date: 4/15/2019
 Project No:
 Scale: NOTED

Address:
**3472 RAINEY AVE
 HAPEVILLE GA 30354**

Model Name:
WILKINS
 Sheet Title:
FIRST & SECOND FLOOR ELECTRICAL

Sheet:
E.1.1

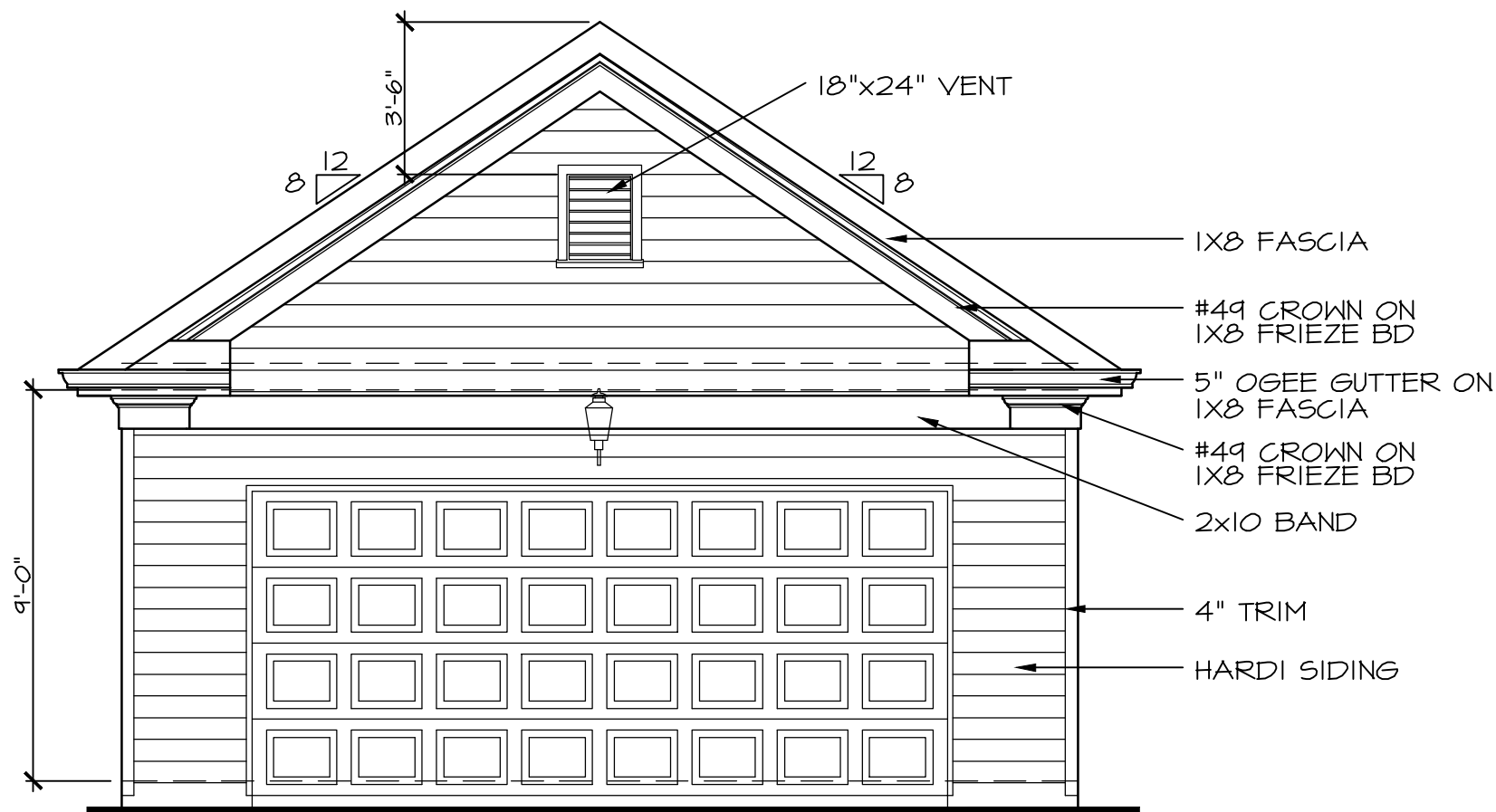
**USONIAN
HOMES**

Drawn By: R. BETHELY
Date: 4/15/2019
Project No:
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Address:
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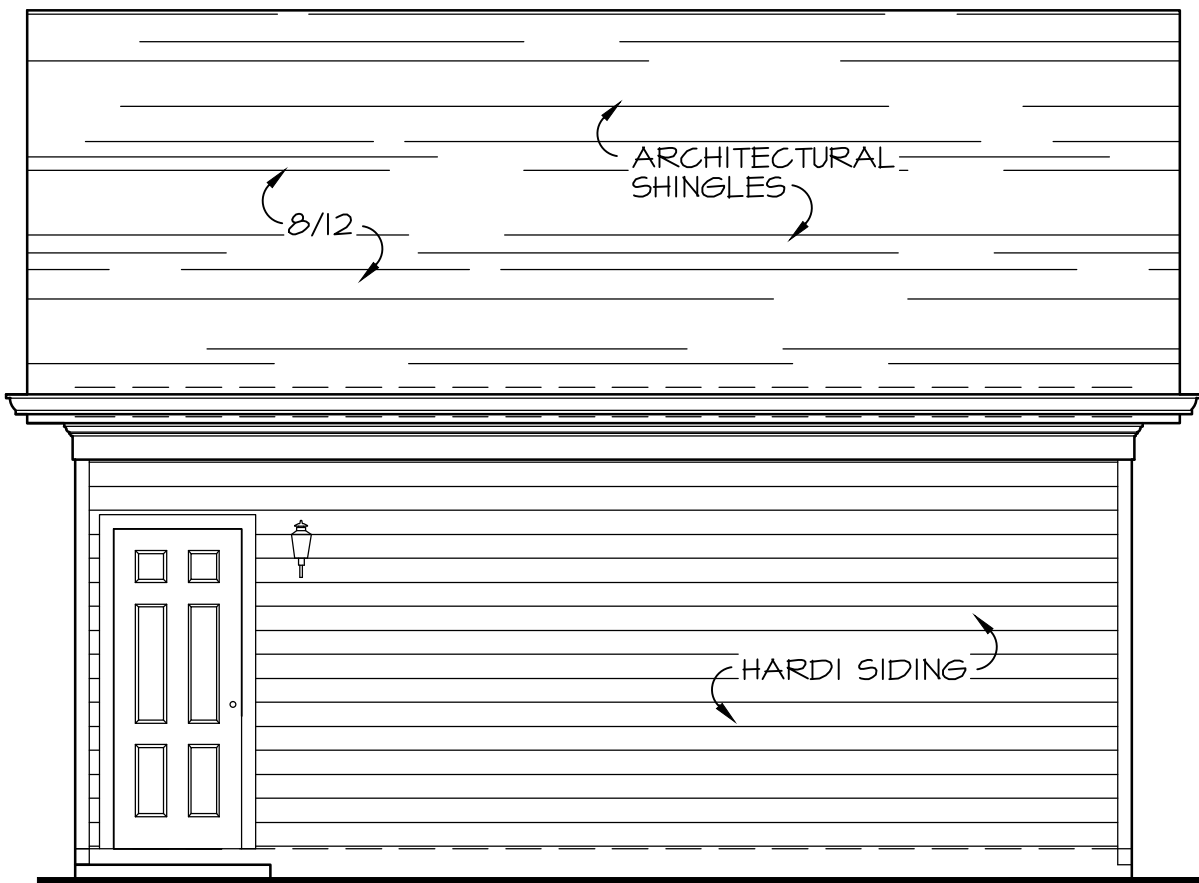
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Sheet Title:
GARAGE EXTERIOR ELEVATIONS

Sheet:
G1.1



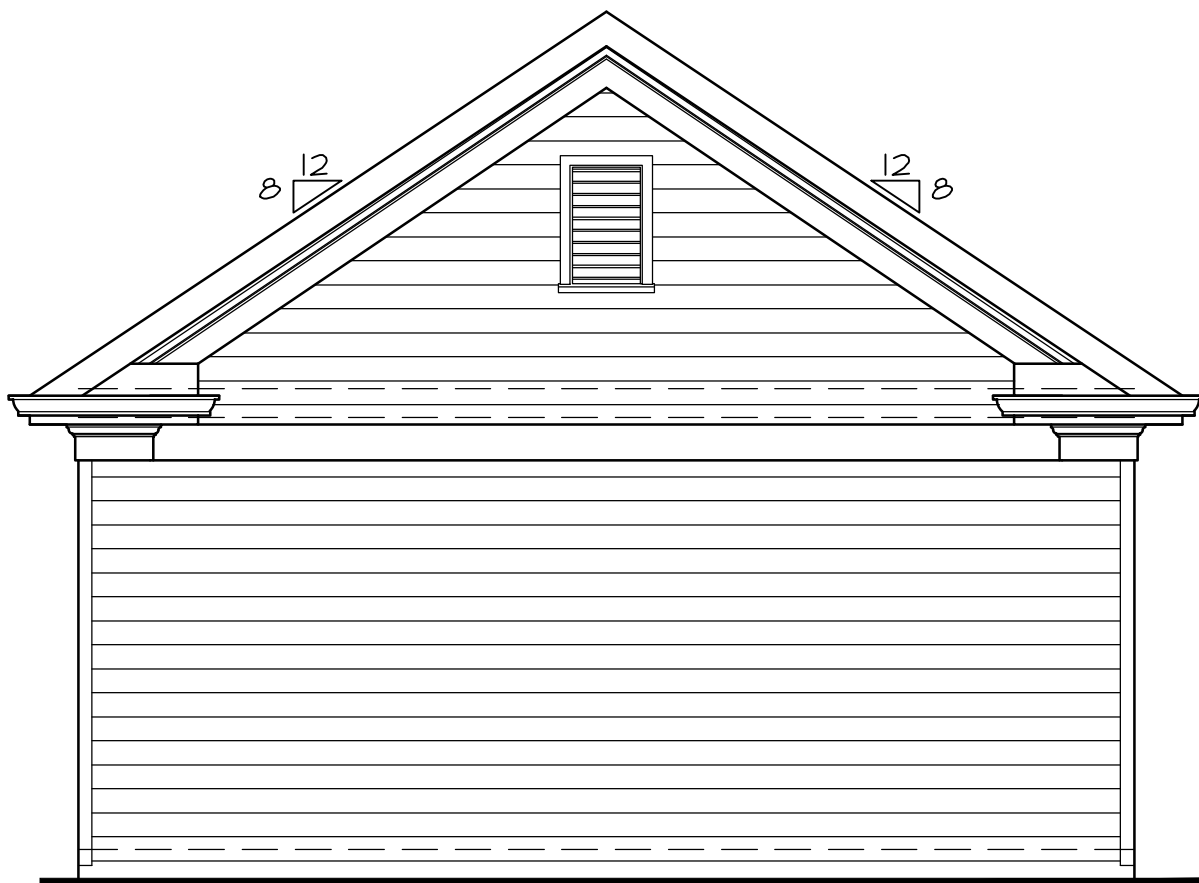
FRONT ELEVATION

SCALE: 1/4" = 1'-0"



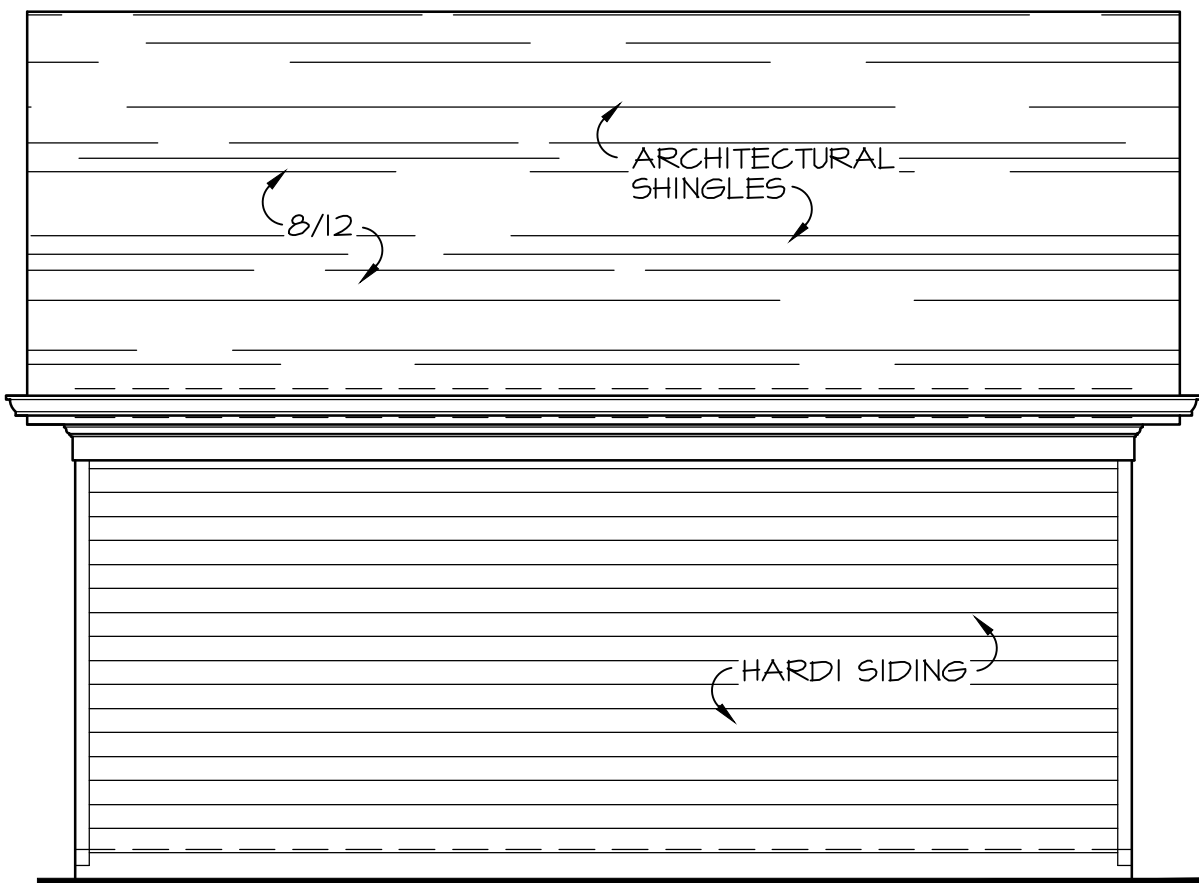
RIGHT ELEVATION

SCALE: 1/4" = 1'-0"



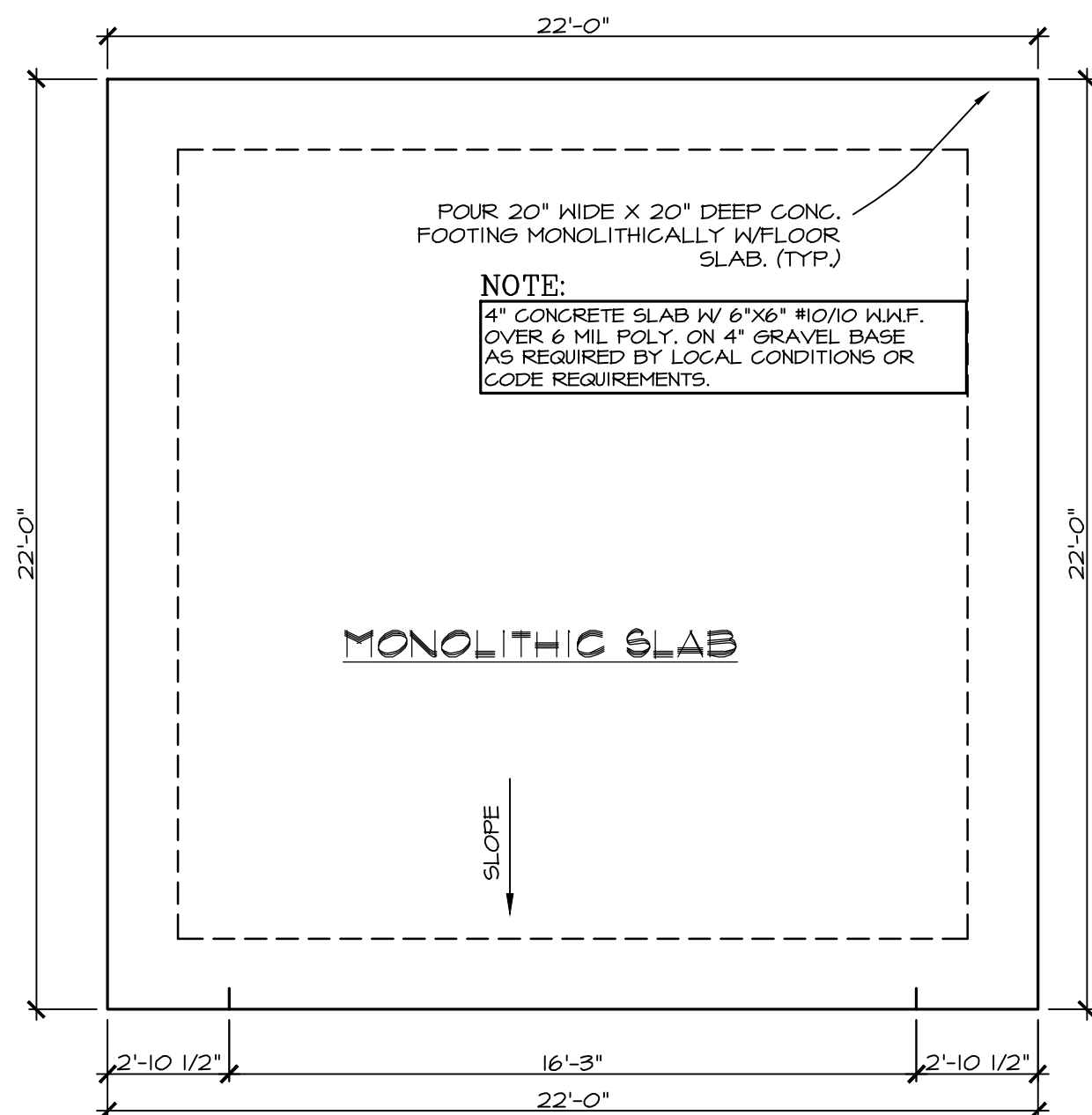
REAR ELEVATION

SCALE: 1/4" = 1'-0"



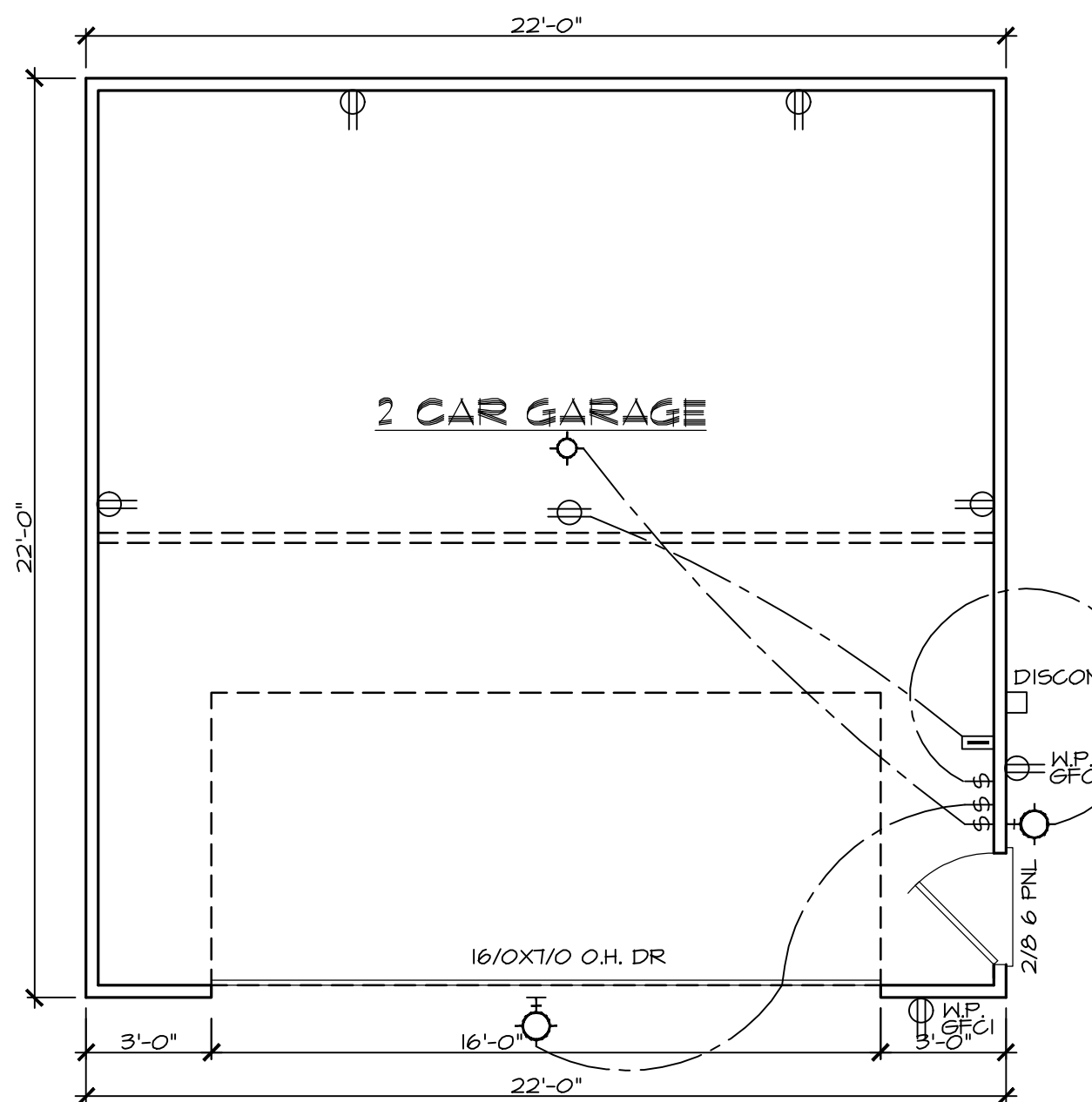
LEFT ELEVATION

SCALE: 1/4" = 1'-0"



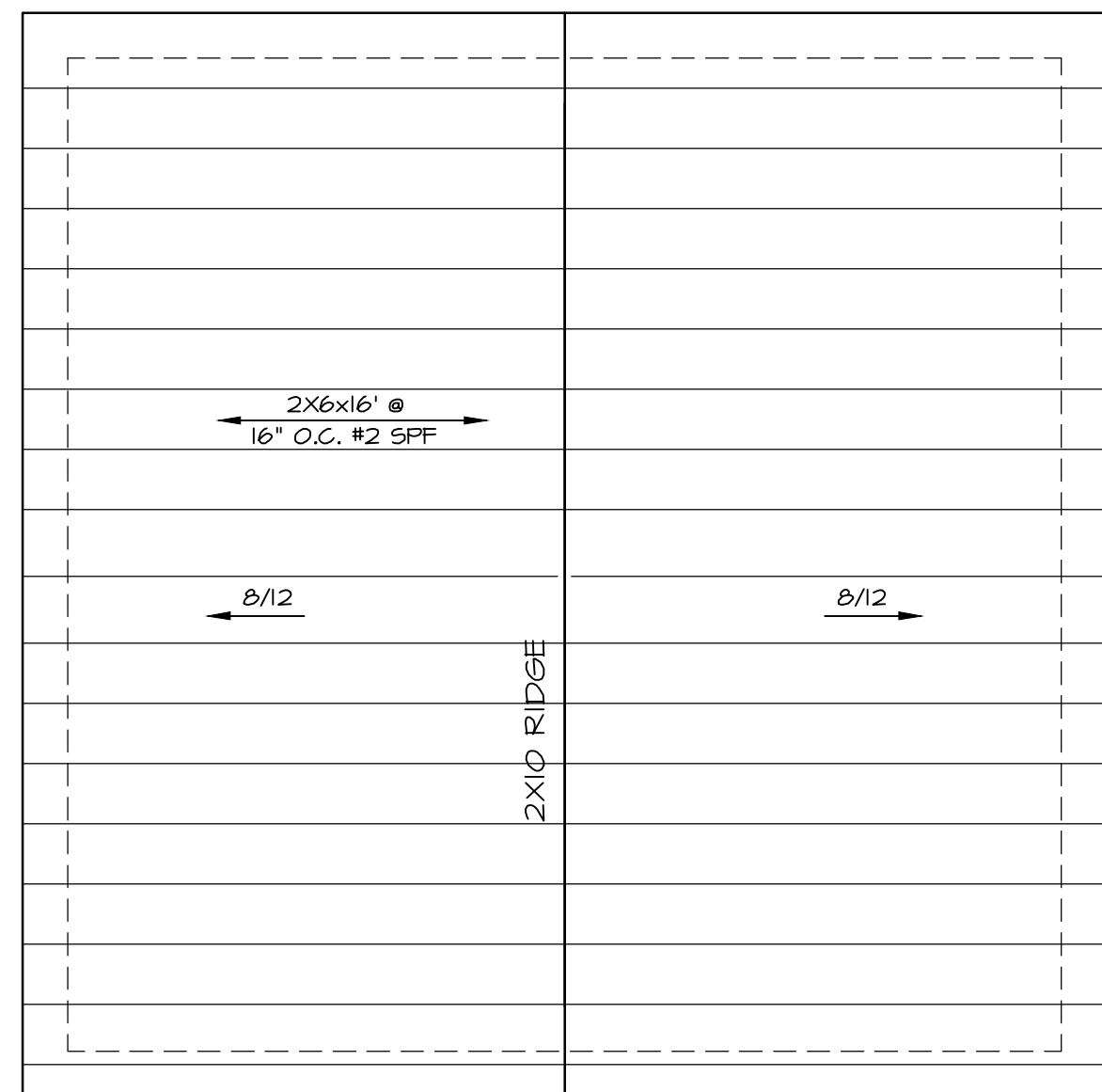
GARAGE FOUNDATION PLAN

SCALE: 1/4" = 1'-0"



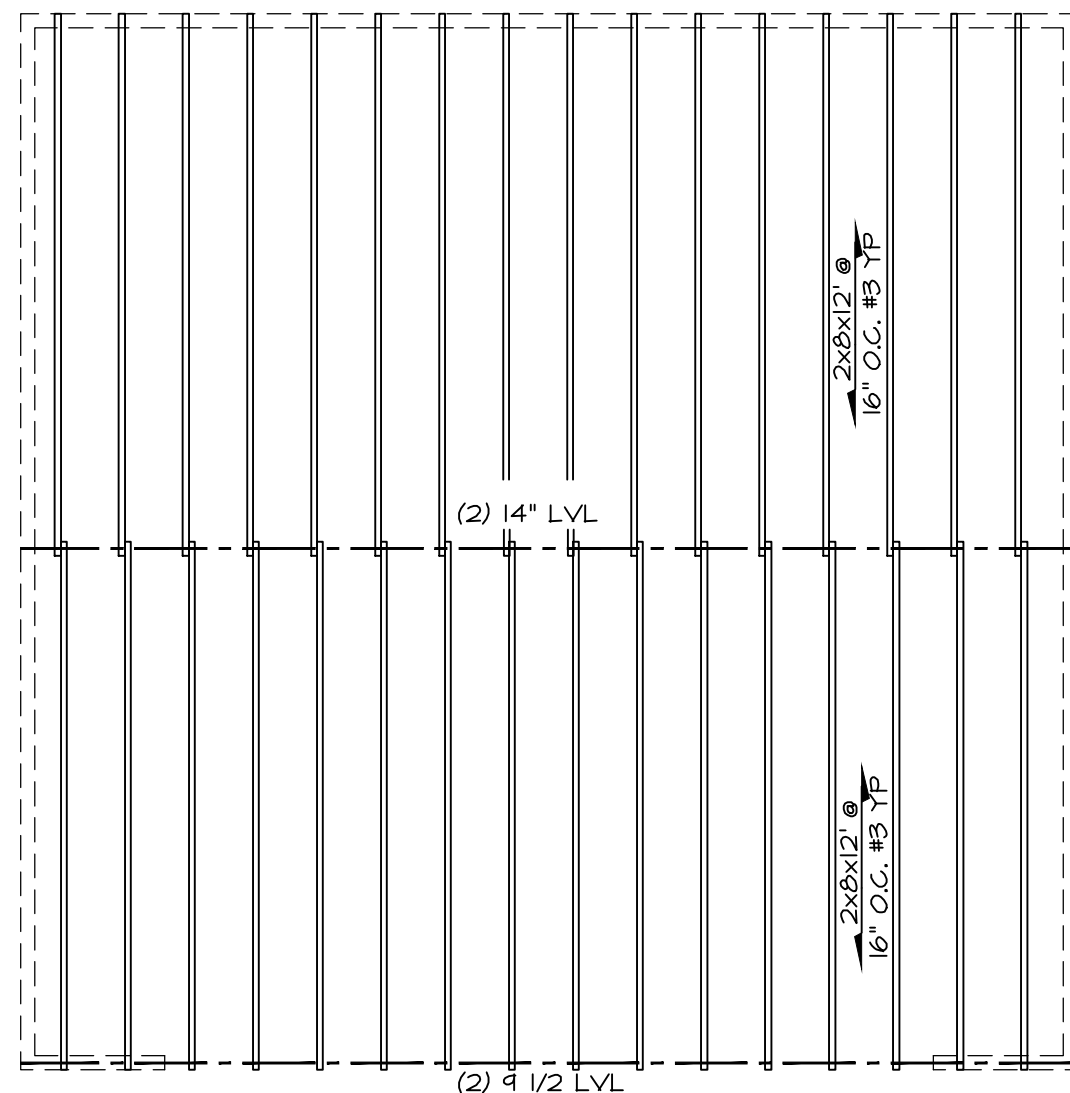
GARAGE FLOOR PLAN

SCALE: 1/4" = 1'-0"



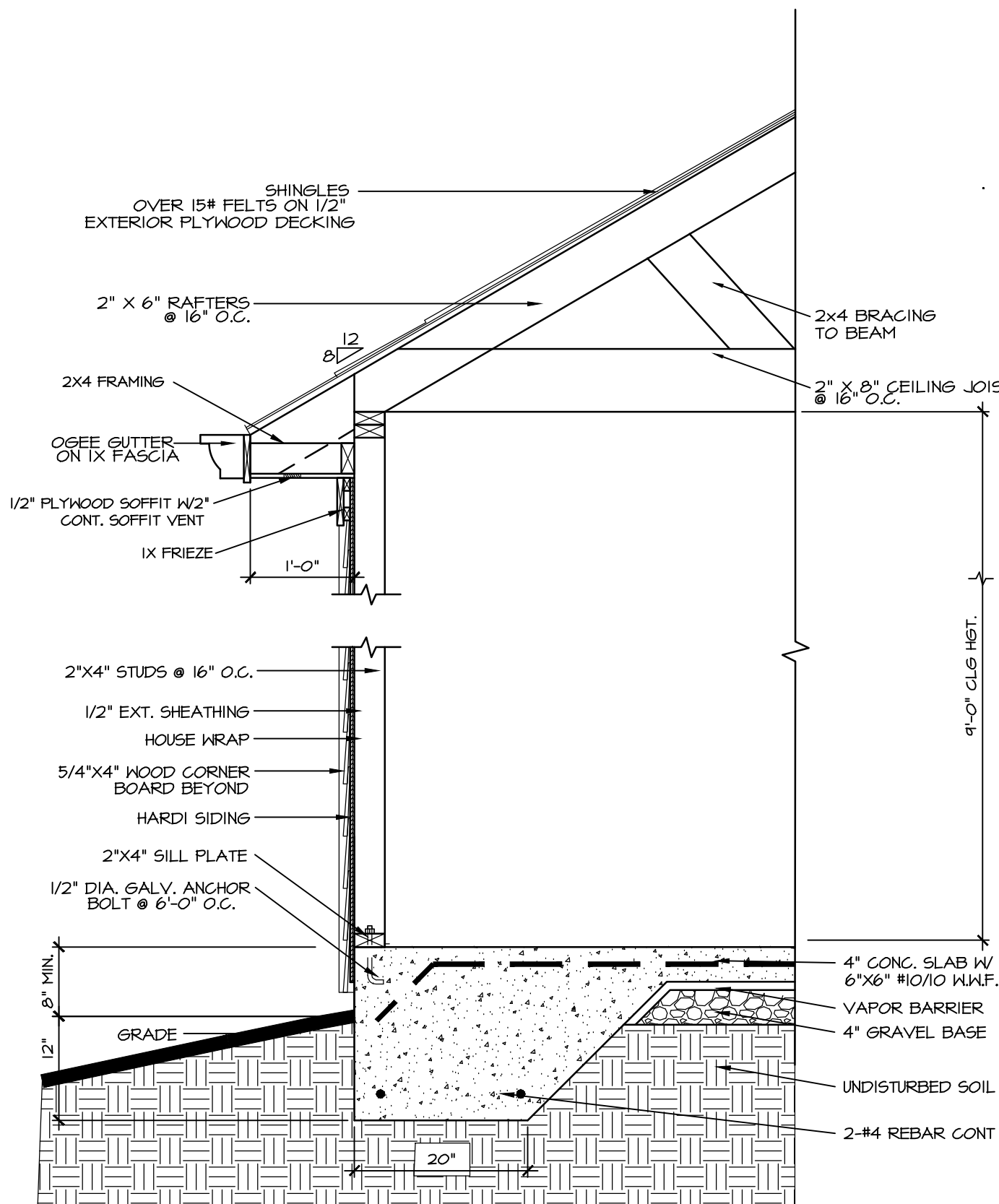
ROOF FRAMING PLAN

SCALE: 1/4" = 1'-0"



GARAGE CEILING FRAMING

SCALE: 1/4" = 1'-0"



GARAGE WALL SECTION

SCALE: 3/4" = 1'-0"



DEPARTMENT OF PLANNING AND ZONING

PLANNER'S REPORT

DATE: May 9, 2019
TO: Adrienne Senter
FROM: Lynn M. Patterson
RE: **Site Plan Review – 3472 Rainey Avenue**

BACKGROUND

The City of Hapeville has received a site plan application from Tony McSwain to construct a two-story single-family dwelling with a detached garage at 3472 Rainey Avenue. The dwelling will have 2070 SF of heated floor area and will include 4 bedrooms and 3 bathrooms.

The property is zoned U-V, Urban Village, and is subject to the Commercial/Mixed-Use Area of the Architectural Design Standards.

REVIEW

The following code sections are applicable to this application:

ARTICLE 11.2. - U-V ZONE (URBAN VILLAGE)

Sec. 93-11.2-1. - Intent.

The U-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) Promote neighborhoods established near shopping and employment centers;
- (4) Encourage pedestrian and neighborhood uses in the commercial area;
- (5) Discourage land uses that 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, antique shops, new apparel shops and banks; and
- (8) Encourage intensified mixed-use with commercial uses on the ground floor and dwellings above.

Sec. 93-11.2-3. - Permitted uses.

The following are permitted within the U-V zone:

- (14) Single-family detached dwellings, subject to the density restrictions in subsection (19) of this section.

...

- (19) Residential density limitations shall be as follows:
- The maximum permitted residential density of a master planned development shall be 40 units per acre as calculated based on the sum of all residential uses and the total acreage of the project, including multiple parcels or city blocks, but not rail lines, public streets, or other areas not owned by the applicant;
 - The built residential density of individual parcels or blocks within a master planned development may be greater or less than 40 units per acre, provided the project's combined average maximum permitted residential density is not exceeded; and
 - Any changes to an approved site plan shall require approval of the city planning commission and shall be reviewed based on the geographic extent of the original approved site plan, shall not exceed maximum density requirements of the original application, and shall indicate all built or planned improvements.

Sec. 93-11.2-7. - Area, placement, and buffering requirements.

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

- Lot area and width.* The minimum area shall be established by the restriction governing lot coverage, setbacks, height, and parking requirement as found in article 22.1. Generally, no lot shall have a minimum frontage of less than 20 feet; however, single-family residential lots shall have a minimum frontage of 30 feet.
- Front yard.* See subsection (3) below.
- Build-to line.* The minimum build-to line shall be zero feet and the maximum shall be 15 feet, provided that the maximum build-to line may be increased as determined to be necessary and advisable by the city planning commission in the course of its site plan review process. In determining such increase, the city planning commission shall consider the size and configuration of the proposed buildings, their relationship to the existing and proposed thoroughfares, the relationship to existing and proposed parks and plazas, the location of existing mature trees, and supplemental area of adjacent structures. Where the built-to line is modified to provide parks and plazas, said facilities shall be directly accessible to the public during normal city park hours.
- Side yards.* There shall be no minimum side yard requirement except as required by subsection (8) of this section for residential zone buffers.
- Rear yards.* There shall be no minimum rear yard requirements except as required by subsection (8) of this section for residential zone buffers.
- Distance between buildings.* Section 93-2-6 notwithstanding, the minimum distance between two buildings on a single lot or on contiguous property under the same ownership shall be ten feet, plus four additional feet for every story or fraction thereof that the building exceeds three stories, or such distance determined necessary by the city planning commission to enhance the aesthetics of development. All exterior walls shall be designed per the International Residential Building Code 2003, as amended, or the International Building Code 2003, as amended. Adjoining buildings, whether commercial, residential, or mixed-use, shall have sprinkler systems and there shall be a fire resistance rating of one hour between buildings and occupancies that are side-by-side and top and bottom. However, if a building is a single-family dwelling and the adjacent building is closer than 15 feet there can be no vertical openings (windows) between the two structures of buildings that exist within 15 feet of the horizontal fire separation.
- Height regulations.* No building or structure shall be less than 24 feet in height or exceed four stories or a 64 feet in height, provided the city planning commission may allow a development with greater height via site plan approval, if it finds that:
 - The proposed height will not adversely impact adjacent properties or nearby residential neighborhoods.
 - The added height is necessary to support redevelopment of an area, which currently contains uses that have an adverse impact upon adjacent neighborhoods.
 - The proposed development is designed to facilitate the objectives and strategies of an officially adopted master plan, an LCI Study or the current comprehensive plan.
 - The proposed development meets approval from the fire department and FAA.

- e. The proposed development meets the sprinkling standards set forth by the fire department. It shall meet the requirements as set forth in NFPA (13)(D), standard for the installation of sprinkler systems in one-family or two-family dwellings and NFPA (13)(R) for residential occupancies up to and including four stories in height. All others shall be required to meet NFPA (13) standard for the installation of sprinklers.
- (8) *Residential buffer.* Where this district adjoins a residential zone, new development shall provide an attractive physical barrier between different zones as necessary to minimize disruptive light, noise, odor, dust, unsightly appearances and intrusive activity relative to the residential zone. A smooth transition to adjacent residential zones shall be ensured by the provision of:
 - a. A minimum 15-foot landscaped buffer located within the U-V zone along the district line. Said buffer shall be planted with a minimum of one tree per 40 linear feet. Shrubs, flowers or grasses shall also be provided and maintained to visually screen non-residential areas and provide an attractive boundary that encourages continued investment in the adjacent residential zones.
 - b. A permanent opaque wall between six and eight feet in height and faced in wood, stacked stone, brick or hard-coat true stucco. Said wall may be located anywhere within the required landscaped buffer.
 - c. Where an alley separates this zone from a residential zone, the required landscape buffer and permanent opaque wall shall be provided on the portion of the U-V-zoned property adjacent to the alley.

Sec. 93-11.2-8. - Supplemental area requirements.

Supplemental areas shall meet the following requirements:

- (1) The following may not be located in the supplemental area:
 - a. Recreational areas and facilities such as swimming pools, tennis courts;
 - b. Fences and walls;
 - c. Service elements such as dumpsters, loading docks and similar elements;
 - d. Mechanical features; and
 - e. Parking.
- (2) Adjacent to ground floor retail or restaurant uses the supplemental area:
 - a. Shall be at the same grade, slope, and cross slope as the adjacent required sidewalk;
 - b. Shall be hardscaped for a minimum of 80 percent of its horizontal area with decorative pavers, bricks, slate, or stamped or colored concrete, but not asphalt;
 - c. Shall be accessible to the general public and may be used for pedestrian amenity elements such as benches, trees, outdoor dining, merchandise display and potted plants.
- (3) Adjacent to ground floor dwelling units, excluding live-work dwellings, the supplemental area:
 - a. Shall be landscaped, except for area uses for stoops, porches, wheelchair ramps, or walkways;
 - b. Shall be planted with one canopy tree, as established in section 93-2-14(k)(11), an average of 40 feet on-center as measured parallel to the front lot line.
 - c. Shall be differentiated from the adjacent sidewalk by a continuous wall, fence, hedge, or retaining wall between six and 30 inches in height.
- (4) Adjacent to ground floor live-work dwellings, all other uses, or when not adjacent to a building the supplemental area shall be treated as identified in subsections (2) or (3) of this section.

Sec. 93-11.2-9. - Sidewalk requirements.

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

- (1) *Sidewalk landscape area requirements.*
 - a. The landscape area shall have a minimum width of five feet and shall be located adjacent to the curb.
 - b. The landscape area may be primarily paved adjacent to on-street parking and shall be landscaped in all other areas.
 - c. Street trees shall be planted a maximum of 40 feet on center, spaced equal distance between streetlights, and in line with stripes of parallel parking spaces. All newly planted trees shall be a minimum caliper of 3½ inches measured 12 inches above ground, shall be limbed up to a minimum height of seven feet and shall have a minimum mature height of 40 feet. Trees shall have a minimum planting area of 40 square feet. The city planning commission may approve an alternate for street

tree requirement subject to constraints such as overhead or underground utilities or underground utility easements.

- d. The landscape area is also intended for the placement of street furniture, including utility poles, waste receptacles, fire hydrants, traffic signs, newspaper vending boxes, bus shelters, bicycle racks, public kiosks and similar elements in a manner that does not obstruct pedestrian access or motorist visibility as approved by the city.
 - e. The landscape area shall be maintained by the adjacent property owner.
- (2) *Sidewalk clear area requirements.*
- a. The clear area shall be the portion of the sidewalk reserved for pedestrian passage and unobstructed by permanent objects to a height of eight feet, including but not limited to steps and stoops, traffic control boxes, and utility structures. The sidewalk clear area shall have a consistent cross slope not exceeding two percent.
 - b. No awning or canopy shall extend more than five feet over the clear area.
 - c. Along the following streets, if zoned U-V: South Central Avenue, North Central Avenue, Perry Hudson Boulevard, Dogwood Drive, Sylvan Road, Virginia Avenue, International Boulevard, and Atlanta Avenue, the sidewalk clear area shall have a minimum width of ten feet.
 - d. Along all other streets zoned U-V, the sidewalk clear zone shall have a minimum width of six feet.
 - e. Where property within the district abuts a residential zone without an intervening street, the sidewalk area within 20 feet of such district shall taper when necessary to provide a smooth transition to the existing residential zone sidewalk. In the event that the abutting residential zone has no existing sidewalk, the sidewalk shall taper to a width of six feet, measured from the street curb, or as approved by the city planning commission.
- (3) *Paving materials to remain continuous.* Any paving materials, including concrete, special pavers, or decorative paving within the landscape area or clear area shall continue across any intervening driveway.

Sec. 93-11.2-10. - Parking and curb cut requirements.

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

- (1) See article 22.1 of this chapter for minimum parking space requirements.
- (2) See section 93-23-7 for mixed-use developments, which may be reduced as authorized by the board of appeals subject to a shared parking arrangement under the following criteria:
 - a. The minimum number of parking spaces for a project where shared parking is proposed shall be determined by a study prepared by the applicant following the procedures of the Urban Land Institute (ULI) Shared Parking Report or Institute of Transportation Engineers (ITE) Shared Parking Guidelines. The actual number of parking spaces required shall be based on well-recognized sources of parking data such as the ULI or ITE reports. If standard rates are not available or limited, the applicant may collect data at similar sites to establish local parking demand rates. If the shared parking plan assumes use of an existing parking facility, then field surveys shall be conducted to determine actual parking accumulation.
 - b. An applicant shall submit the following information as part of an application to reduce parking requirements and avoid conflicting parking demands:
 - 1. A to-scale map indicating location of proposed parking spaces;
 - 2. Hours of business operation of nonresidential parking users;
 - 3. Copies of the legal instrument that authorizes the use of shared parking facilities;
 - 4. Copies of the relevant legal instrument authorizing the shared use, shall be filed with the department of economic development.
 - 5. Where authorized shared parking exists and a change affecting the shared use occurs, the applicant shall have up to 30 calendar days to provide the city director of economic development with a valid legal instrument reflecting the modified parking arrangements.
 - c. Change to any of the conditions identified in this subsection, except as identified in subsection (2)b.5 above, shall terminate authorization for shared parking. A shared parking arrangement shall be deemed a condition of the zoning and any modification will require a new site plan, parking plan, and zoning approval.
- (3) Developments are permitted a maximum of two driveway curb cuts per block face or one. For the purposes of this section, two curb cuts serving two one-way driveways shall only be counted as one curb cut.

- (4) No curb cuts, driveways or circular drives shall be permitted on South Central Avenue, Virginia Avenue or Atlanta Avenue when access can be provided from a side or rear street. Circular drives are prohibited, with the exception of hotel and hospital uses.
- (5) Rear alleys or rear drives shall be provided to access attached single-family garages, detached single-family dwelling garages, and commercial loading and service areas.
- (6) Carports shall be prohibited.
- (7) Garages shall not face adjacent streets except where alley or rear drive access is not feasible, in which case such garages shall be set back a minimum of 25 feet from the build-to line. All garage materials shall match those of the principal structure.
- (8) Parking structures shall conceal automobiles from view, shall have the appearance of a horizontal storied building on all levels, shall be faced in brick, stacked stone, cast stone, poured-in-place rubbed concrete, or pre-cast concrete faced in or having the appearance of brick or stacked stone. Parking structures adjacent to the supplemental area shall also meet the requirements of section 93-11.2-10(1).
- (9) Bicycle or moped parking spaces are required as follows: All non-residential uses shall provide one such space for every 20 automobile spaces and condominium and apartment uses shall provide one such space for every five units provided that no such uses shall have fewer than two such spaces or be required to exceed 30 spaces. Such spaces shall be located within the sidewalk landscape a maximum distance of 100 feet from the primary pedestrian entrance, or within the supplemental area, or at least as close as the closest automobile space, except for handicapped parking spaces. Bicycle parking spaces shall include a bike rack with a metal anchor sufficient to secure the bicycle frame when used in conjunction with a user-supplied lock.
- (10) Dumpsters shall be entirely screened from view of any street with vertically enclosed opaque walls matching the materials of the principal structure.

Sec. 93-22.1-1. - Chart of dimensional requirements

Dimensional Requirements for **U-V Zoning** are as follows:

							Minimum Front Yard Setback		Minimum		Maximum			
Development Type	Lot Frontage (FT)	Min. Lot Area (SF)	Lot Area/ DU (SF)	Bed/ Bath Required	Floor Area/ DU (SF)	Max. Lot Coverage (%)	Minor Col.	Maj. Arterial	Side	Rear	Stories	Feet	Min. Parking Spaces	Max. Unit/ Bldg. Lot
Single-family Detached	30	2,400			1,600	90	0/15	0/15	0	0	2½	35	1.5 DU	1
Accessory Structure(s)									0	0	2	25		

REQUIREMENTS

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

- (a) *Intent and purpose.* The site plan review procedures are intended to ensure adequate review and consideration of potential impacts of proposed development upon surrounding uses and activities, and to encourage a high standard of site planning and design resulting in quality development in the city.
- (b) *Application.* An application for site plan review may be filed by the owner, or agent for the owner, of any property to be developed according to the plan. All applications for site plan review shall be filed with the building official for transmission to the planning commission. Site plan review requirements are applicable for all proposed development in all zones within the city and all property submitted for annexation.

- (c) *Submission requirements.* Applications for site plan review shall contain the following information and any additional information the planning commission may prescribe by officially adopted administrative regulations; ten copies of the application shall be submitted:

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

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

- ***The subject tract is undeveloped.***
- ***The plans indicate the dwelling will be 2-stories, or 30'-6" high.***
- ***Setback dimensions provided:***
 - ***Front setback is 16.1'. Build-to lines in U-V can be set back a maximum of 15'.***
 - ***North side setbacks are 6' for the dwelling and 7.7' for the garage***
 - ***South side setback is not provided but is at least 5'***
 - ***East rear setbacks are 85.5' for the dwelling and 40.9' for the garage***
- ***The proposed garage will be 22.6' from the dwelling in the rear yard.***

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

- ***The plans show the location of the driveway, curb cuts, sidewalk, and a walkway extending from the sidewalk to the building entrance. However, only the width of the driveway is provided. The Applicant should provide the general design cross section characteristics for the driveway, curb cuts, and sidewalk.***
- ***The sidewalk must comply with the requirements of section 93-11.2-9, above.***

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

- ***The 9' wide driveway will provide access to a detached 2 car garage.***

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

- ***Existing and proposed grades are shown, but at undefined intervals. The Applicant should provide labeled existing and proposed grades at an interval of five feet or less.***

- e. The location and general type of all existing trees over six-inch caliper and, in addition, an identification of those to be retained.

- ***The location and size of existing trees, trees to save and trees to remove are provided. The two trees to be removed, a 48" hardwood and a 42" oak, are landmark trees. Removals of landmark trees are subject to the requirements of section 93-2-14, presented later in this review. Two trees, a 30" oak and a 42" oak, will remain.***

- f. 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.

- ***The landscape plan proposes four crape myrtle trees, 18 shrubs, and a Bermuda grass ground cover.***
- ***One street tree is required per 40' of road frontage. The Applicant should include a minimum of one street tree planted in the sidewalk's landscape area.***

- g. 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.).

- ***Not applicable to residential development.***

h. The location of all retaining walls, fences (including privacy fences around patios, etc.) and earth berms.

- ***No retaining walls, fences or earth berms are shown as existing or proposed.***

i. The identification and location of all refuse collection facilities, including screening to be provided.

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

j. Provisions for both on-site and off-site stormwater drainage and detention related to the proposed development.

- ***Not applicable.***

k. Location and size of all signs.

- ***Not applicable.***

(2) *Site and building sections.* Schematic or illustrative sections shall be drawn to scale of 1" = 8' or larger, necessary to understand the relationship of internal building elevations to adjacent site elevations.

- ***The building elevations will be reviewed by the Design Review Committee for compliance with the Architectural Design Standards.***

(3) *Typical elevations.* Typical elevations of proposed building shall be provided at a reasonable scale (1/8" = 1'0") and shall include the identification of proposed exterior building materials.

- ***The building elevations will be reviewed by the Design Review Committee for compliance with the Architectural Design Standards.***

(4) *Project data.*

a. Site area (square feet and acres).

- ***The total site area is 7,551 SF or 0.17 acres. The minimum lot size is 2,400 SF.***

b. Allocation of site area by building coverage, parking, loading and driveways, and open space areas, including total open space, recreation areas, landscaped areas and others.

- ***Proposed lot coverage is 1,841 SF (house & garage), 1,243 SF (driveway), and 84 SF (sidewalk) for a total 3,168 SF or 41.9%. Maximum lot coverage allowed is 70% or 5,286 SF.***

c. Total dwelling units and floor area distributed generally by dwelling unit type (one-bedroom, two-bedroom, etc.) where applicable.

- ***One single family dwelling unit with 4 bedrooms and 3 bathrooms is proposed. There is no minimum for single-family dwellings.***

- d. Floor area in nonresidential use by category.
- ***Not applicable.***
- e. Total floor area ratio and/or residential density distribution.
- ***One 2,070 SF (heated area) single-family dwelling unit is proposed. Minimum required is 1,600 SF.***
- f. Number of parking spaces and area of paved surface for parking and circulation.
- ***The plans include a 2 car detached garage.***
- (5) ***Project report.*** A brief project report shall be provided to include an explanation of the character of the proposed development, verification of the applicant's ownership and/or contractual interest in the subject site, and the anticipated development schedule. At the discretion of the planning commission, analyses by qualified technical personnel or consultants may be required as to the market and financial feasibility, traffic impact, environmental impact, stormwater and erosion control, etc. of the proposed development.
- ***Single family 4-bedroom/3-bathroom 2,070 SF (heated area) residence.***
- ***Authorization of property owner has been provided.***
- ***Construction schedule provided has minimal detail and does not include a start date.***

Sec. 93-2-14. - Tree conservation.

(b) *Applicability.*

- (1) The terms, provisions and regulations of this section and the administrative standards and best management practices for Hapeville urban forest, Appendix A hereto, shall apply to any real property, public or private, within the corporate limits of the city:
 - a. For all activities which require a land disturbance, building construction, or demolition permit;
 - b. For external renovations of all properties resulting in the increase of total square footage, or the construction of accessory structures, which may impact landmark trees;
 - c. For the purpose of permitting the removal of landmark trees.

- (c) ***Definitions.*** As used in this section, unless specifically stated otherwise, the following terms shall be defined as indicated and where any definition herein conflicts with another definition in this chapter, the more restrictive definition shall prevail.

...

Landmark tree. Any canopy tree 30 inch dbh or larger, or otherwise designated by the mayor and council as having significance to the community, or any understory tree eight inches dbh or larger, in fair or better condition, having a life expectation of greater than five years.

...

(d) *General requirements.*

- (1) ***Tree removal.***
 - a. No trees shall be removed or destroyed prior to issuance of a building construction or land disturbance permit. The issuance of a building construction or land disturbance permit shall constitute compliance with the tree conservation provisions of this section.
 - b. No landmark tree shall be removed from any real property within the corporate limits of the city without the issuance of a landmark tree removal permit.
- (2) ***Protected trees.***
 - a. All trees outside the footprint of a proposed building construction or land development project, eight inches dbh or larger, shall be considered protected trees.
 - b. No protected trees shall be damaged or destroyed.
- (3) ***Conditions for removal or destruction of trees.***

- a. The removal or destruction of trees is subject to approval of the city arborist, only if all of the following conditions are met:
 - 1. Unavoidable site modifications resulting from grading, utility work, and construction activities will result in destroying the tree;
 - 2. Site plan modifications to prevent irreparable damage to the tree are impossible or not practical, based on cost benefit analysis;
 - 3. Actions are taken to mitigate the removal of trees by way of replacing by meeting overall site canopy requirements.
 - b. Approval of the STCP by the city arborist shall constitute approval to remove protected trees.
 - c. Any decision of the city arborist relating to the removal or destruction of protected trees may be appealed as provided in subsection 93-2-14(i).
- (4) *Trees that present a dangerous condition.*
 - a. It shall be unlawful for any person to allow to remain on their property any tree which presents a dangerous condition. Dangerous trees include:
 - 1. A tree or any part of a tree that is likely to fail (fall) as a result of structural defects, root damage, disease, decay, decline or death; and where failure of a tree or any part of a tree would result in potential property damage or injury.
 - 2. A tree that by its proximity interferes with traffic or pedestrian sight distance, drainage or utility lines and easements so as to create an unsafe condition on or off the site or easement.
 - 3. A tree of any species or variety which, because of any other circumstances, poses a danger to public health or safety.
 - b. The city's department of community services (or agent of the department of community services) is authorized and empowered to enter upon any lot or parcel of land in the city for the purpose of inspecting and evaluating any tree which is suspected to present a dangerous condition. It shall be unlawful for any property owner to take any action to prevent or interfere with the inspection and evaluation of potentially dangerous trees.
 - c. The department of community services shall obtain the services of the city arborist for the purpose of inspecting and evaluating suspected dangerous trees.
 - d. If it is determined by the city's department of community services that a tree presents a dangerous condition, the city's department of community services shall serve the owner of record of the lot or parcel of land on which said tree is located, a written notice requiring such owner to take corrective action to remove the tree or its dangerous part(s) to eliminate the dangerous condition. This written notice shall include a time frame to complete the corrective action. When the corrective action includes tree removal, the tree shall be replaced. Replacement shall be based on a canopy replace for canopy lost basis.
 - e. Any notice by the city's department of community services to correct a dangerous condition or remove a tree which presents a dangerous condition may be appealed to the city's planning commission, provided a written notice is submitted no later than five days following receipt of the notice appealed from.
 - f. If a property owner fails, neglects, or refuses to trim or remove such tree within the stated time frame or following an adverse decision on appeal, the city's department of community services may proceed to take the corrective action and assess the resulting costs to the property owner. The amount of costs shall be paid by the owner to the city.
 - g. The assessment of the costs of work done by the city against the property owner shall include the actual cost of work performed, including tree replacement, in addition to the penalties imposed for any violation or noncompliance with any provision of this section, plus administrative fees.
 - h. If the property owner fails to pay the costs assessed by the department of community services, a lien shall be placed on the subject property for the cost of the work performed, penalties, and fees.
- (5) *The removal or destruction of landmark trees.*
 - a. The removal or destruction of landmark trees from any property in the city is subject to the approval of the city arborist, and approval may only be granted if one of the following two conditions is met:
 - 1. The tree threatens the property, safety or health of the property owner or the public.
 - 2. Actions are taken to mitigate the tree's removal by way of planting a new tree of a comparable species and canopy. Payment may be made into the city tree bank in lieu of planting, calculated on a tree lost/replaced basis.
 - b. The issuance of a tree removal permit constitutes approval to remove a landmark tree.

- c. Any decision of city arborist relating to the removal or destruction of landmark trees may be appealed as provided in subsection 93-2-14(g).
 - (6) *The removal or destruction of boundary trees.* No boundary trees shall be damaged, destroyed, or removed. Procedures for the protection of boundary trees are provided in subsection 93-2-14(e)(4).
 - (7) *Canopy requirements.*
 - a. All properties requiring the issuance of a demolition, building construction, remodeling or land disturbance permit shall meet the minimum canopy requirements as established in the administrative standards and best management practices for Hapeville's urban forest.
 - b. All new parking lots shall meet the minimum canopy requirements as established in the administrative standards and best management practices for Hapeville's urban forest.
 - c. Trees planted to meet canopy requirements shall be ecologically compatible with the intended growing site.
 - (8) *Establishment of the city tree bank.*
 - a. Where it is determined by the city arborist that it is impractical or impossible to fully meet the canopy requirements on a specific site, the cost for the balance (unmet portion) of the requirement will be paid into the city tree bank, prior to issuance of a demolition, building construction, or land disturbance permit. Calculation of costs shall be established in the administrative standards and best management practices for Hapeville's urban forest.
 - b. Funds in the city tree bank shall be administered by the mayor and council or their designee and shall be used exclusively for increasing, managing, maintaining tree canopy and tree safety in public space, the purchase of open space, and seasonal landscaping in the city. The mayor and council will establish a planned program for administration of these funds.
- (e) *Procedures.*
- (1) *Tree removal permits.*
 - a. All properties applying for a permit to remove landmark trees shall submit a permit application to the department of community services, indicating how the tree(s) present a dangerous condition pursuant to subsection 93-2-14(d)(4)a.
 - 1. For properties requiring the issuance of demolition, building construction, or land disturbance permits, the removal of landmark trees is permitted under the procedures in subsection 93-2-14(e)(3).
 - 2. The required STCP shall indicate how the tree(s) present a dangerous condition pursuant to subsection 93-2-14(d)(4)a.
- (2) *Permits to remodel.*
 - a. Permits to remodel owner occupied single family houses shall have tree protection and replacement prescriptions prepared by the city arborist when both the following conditions are met:
 - 1. The proposed remodeling alters the existing footprint of the house.
 - 2. The proposed remodeling or construction related activities will encroach upon a landmark tree.
 - b. Replacement prescriptions shall be based on a canopy replace for canopy lost basis, for the loss of landmark trees. Payment may be made into the city tree bank when the city arborist determines that site constraints preclude the replacement of trees.
- (3) *Demolition, building construction, land disturbance permits.*
 - a. A site/tree conservation plan (STCP) shall be submitted by a qualified professional for review by the city arborist and approval by the city development department prior to issuance of demolition, building construction or land disturbance permits. (Except for permits to remodel, see subsection 93-2-14(e)(2).)
 - 1. The STCP shall document tree species eight inches dbh or greater, including size, dbh, critical root zone and location, the species and caliper size of proposed trees, the location of all proposed site building construction and land development activities, including grading, drainage, proposed utility locations, and all proposed tree protection measures.
 - 2. All proposed trees for removal must be indicated.
 - 3. The exact location of any tree must be provided if encroachment is proposed with that tree's critical root zone.
 - 4. Standard details for tree protection and tree planting shall conform to the administrative standards and best management practices for Hapeville's urban forest.
 - 5. The following note shall be provided on the STCP in large letters: TREE PROTECTION FENCING SHALL BE MAINTAINED DURING THE ENTIRE PROJECT PERIOD.

6. The STCP shall include emergency 24-hour contact information.
7. The STCP shall document compliance with the canopy, parking, and landscape requirements established in the administrative standards and best management practices for Hapeville's urban forest, in addition to the city landscape requirements for vehicular use areas.
 - b. The STCP shall also include the location of landmark trees.
 1. The removal or destruction of landmark trees will be permitted only if the city arborist determines that no alternative construction or mitigating site or cultural practices will prevent destruction of the tree.
 2. Replacement of landmark trees shall be of comparable species with the size potential of the landmark tree, and shall be ecologically compatible with the intended growing site.
 3. Trees planted to replace a landmark tree shall have the grow out potential to fully mitigate loss of the entire measured canopy of the landmark tree.
 4. Canopy mitigation for loss of a landmark tree shall be in addition to the overall site canopy requirements.
- (4) *Boundary trees.*
 - a. The STCP shall provide for the protection of boundary trees.
 - b. When building construction or land disturbance activities occur within the critical root zone of boundary tree(s) and the city arborist determines that the survival of the tree(s) is/are doubtful as a result of the proposed disturbance activities, a performance bond shall be established regarding the subject boundary tree(s). The bond amount shall cover the removal and replacement costs of the subject boundary tree(s) and the arborist fee for determination of the trees' survival at the end of the escrow period, and shall be approved by the city arborist.
 1. In establishing the bond amount, replacement trees specified shall be of comparable species and size potential to the subject boundary tree, shall be ecologically compatible with the intended growing site at maturity, and shall fully mitigate the lost canopy area of the subject boundary tree.
 2. Canopy credit will be granted to a permittee for the entire canopy area of successfully protected boundary trees, except for those trees located on public rights-of-way.
 3. The department of community services will administer the bonding of boundary trees through the department of finance.
 - c. Prior to a determination authorizing the return of the performance bond to the permittee, any property owner whose property contains an at risk boundary tree(s) for which the bond was held, may petition the department of community services for payment for the removal and replacement of the subject boundary tree(s), should any of the subject boundary tree(s) fail to survive or is determined to be in an irreversible decline as a result of the permitted disturbance activities, as determined by the city arborist.
 1. The permittee shall have the right to petition the mayor and council or their designee for the return of all escrow funds should the subject trees survive for a period of three full growing seasons, as determined by the city arborist. If the subject tree(s) has/have failed to survive or is in a reversible or irreversible decline as a result of the permitted disturbances, the escrow funds shall be paid pursuant to subsection 93-2-14(e)(4)b., for removal and replacement of the subject tree(s), or for arboricultural practices to reverse the decline as determined and prescribed by the city arborist.
 2. Any funds not collected by either an affected property owner or the permittee within a period of five years, or any interest accrued therein, shall be deposited in the city tree bank.
- (5) *Field verification.*
 - a. The qualified professional preparing the STCP shall verify its accuracy with the city arborist prior to submittal.
 - b. The city arborist shall verify successful compliance to the STCP prior to issuance of a permit, and shall verify final field compliance prior to issuance of a certificate of occupancy.
 - c. Performance bonds may be accepted by the department of community services in lieu of required tree planting and landscaping if seasonal and weather conditions are inappropriate for the establishment and survival of plant material.
 1. The bond amount shall be one and one-fourth times the amount of the documented landscape cost, including plant materials and installation.
 2. The period of the bond shall be mutually agreed upon by the permittee and the department of community services.
 3. The bond shall be returned when all of the landscape requirements are met, or cashed by the city

when the bond period expired. The bond period may be extended if determined appropriate by the department of community services.

(f) *Enforcement.*

(1) *Authority.* The department of communities services or their designee has the responsibility to issue permits in conformance with and enforce compliance with this section.

(2) *Responsibility and inspection.*

- a. Neither the issuance of a tree permit nor compliance with the conditions thereof, nor with the provisions of this section shall relieve any person from any responsibility otherwise imposed by law for damage to persons or property; nor shall the issuance of any permit hereunder serve to impose any liability upon city, its officers or employees, for injury or damage to persons or property.
- b. The department of community services may cause periodic inspections of the work under permit in accordance with this section and shall make a final inspection following completion of the work. The permittee shall assist the city arborist or his designee in making such inspections. Agents of the permitting authority shall have the authority to conduct such investigations as he/she may reasonably deem necessary to carry-out his/her duties as prescribed in this article, and for this purpose to enter at reasonable times upon any property, public or private, for the purpose of investigating and inspecting the sites of any land development activities within the protection area. No person shall refuse entry or access to any authorized representative or agent of the department of community services who requests entry for purposes of inspection, and who presents appropriate credentials, nor shall any person obstruct, hamper or interfere with any such representative while in the process of carrying out his/her official duties.
- c. Where it is deemed necessary, the department of community services or their designee shall require performance bonds to assure compliance to the terms, conditions, and standards of this section.

(3) *Violations and penalties.*

- a. Any action or inaction which violates the provisions of this section or the requirements of an approved site plan or permit may be subject to the enforcement actions outlined in this section. Any such action or inaction which is continuous with respect to time is deemed to be a public nuisance and may be abated by injunctive or other equitable relief. The imposition of any of the penalties described below shall not prevent such equitable relief.

1. *Notice of violation.* If the director community services determines that an applicant or other responsible person has failed to comply with the terms and conditions of a permit, an approved site plan or the provisions of this section, a written notice of violation shall be issued by code enforcement to such applicant or other responsible person. Where a person is engaged in activity covered by this section without having first secured the appropriate permit, code enforcement shall be serve a notice of violation on the owner or the responsible person in charge of the activity being conducted on the site.

The notice of violation shall contain:

- A. The name and address of the owner or the applicant or the responsible person;
 - B. The address or other description of the site upon which the violation is occurring;
 - C. A statement specifying the nature of the violation;
 - D. A description of the remedial measures necessary to bring the action or inaction into compliance with the permit, the approved site plan or this section and the date for the completion of such remedial action;
 - E. A statement of the penalty or penalties that may be assessed against the person to whom the notice of violation is directed; and
 - F. A statement that the determination of violation may be appealed to the board of zoning appeals by filing a written notice of appeal within 15 days after the notice of violation (except that in the event the violation constitutes an immediate danger to public health or public safety, 24 hours notice shall be sufficient).
2. *Penalties.* In the event the remedial measures described in the notice of violation have not been completed by the date set forth for such completion in the notice of violation, any one or more of the following actions or penalties may be taken or assessed against the person to whom the notice of violation was directed. Before taking any of the following actions or imposing any of the following penalties, the director community services shall first notify the applicant or other responsible person in writing of its intended action, and shall provide a reasonable opportunity, of not less than ten days (except that in the event the violation constitutes an immediate danger to public health or public

safety, as determined by the director of community services, 24 hours notice shall be sufficient) to cure such violation. In the event the applicant or other responsible person fails to cure such violation after such notice and cure period, the city arborist may take any one or more of the following actions or impose any one or more of the following penalties.

- A. *Stop work order.* The director of community services may issue a stop work order which shall be served on the applicant or other responsible person. The stop work order shall remain in effect until the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violation or violations described therein, provided the stop work order may be withdrawn or modified to enable the applicant or other responsible person to take necessary remedial measures to cure such violation or violations.
- B. *Withhold certificate of occupancy.* The director of community services may refuse to authorize a certificate of occupancy for the building or other improvements constructed or being constructed on the site until the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violations described therein.
- C. *Suspension, revocation or modification of permit.* The director of community services works may suspend, revoke or modify the permit authorizing the land development project. A suspended, revoked or modified permit may be reinstated after the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violations described therein, provided such permit may be reinstated (upon such conditions as the director of community services may deem necessary) to enable the applicant or other responsible person to take the necessary remedial measures to cure such violations.
- D. *Penalties.* In the event the applicant or other responsible person fails to take the remedial measures set forth in the notice of violation or otherwise fails to cure the violations described therein within ten days (or such greater period as the city arborist shall deem appropriate) (except that in the event the violation constitutes an immediate danger to public health or public safety, 24 hours notice shall be sufficient) after the city arborist has taken one or more of the actions described above, the city's designated code enforcement agent may issue a citation to the applicant or other responsible person, requiring such person to appear in municipal court to answer charges for such violation. Any violation of this article is punishable, upon conviction, according to the provisions the City Code. Each day any violation of this section shall continue shall constitute a separate offense.

(g) *Administrative appeal and judicial review.*

(1) *Administrative appeal.*

- a. *Administrative appeal.* Any person aggrieved by a decision or order of the city arborist may appeal in writing within 15 days after the issuance of such decision or order to the board of zoning appeals of the city and shall be entitled to a hearing before the board of zoning appeals of the city within 60 days of receipt of the written appeal.

- 1. The board of zoning appeals shall hear and decide appeals when it is alleged an error in any requirement, interpretation, decision, or determination is made by the city arborist in the enforcement or administration of this section.
- 2. The board of zoning appeals shall consider the testimony of the city arborist, who shall be present at such hearings, and may consider all technical evaluations, relevant factors, field conditions, and all standards specified in this and other relevant sections of this section.
- 3. The board of zoning appeals after conducting a public hearing may affirm or reverse the decision or order by the city arborist.

- (2) *Judicial review.* Any person aggrieved by a decision or order of the city arborist after exhausting all administrative remedies, shall have the right to appeal de novo to the Superior Court of Fulton County.

The Applicant proposes the removal of two landmark trees. Removal of any landmark trees is subject to the approval of the city arborist and requires a tree removal permit.

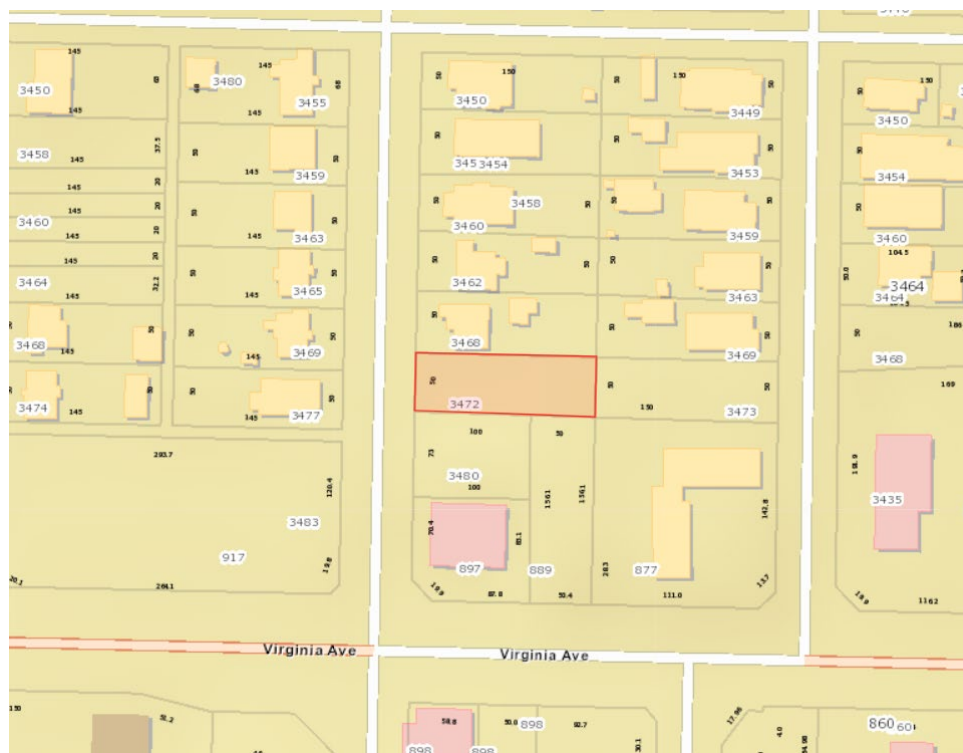
RECOMMENDATION

Prior to approval, the Applicant must provide, and/or the site plan must be revised to reflect the following:

- *Front setback is 16.1'. Build-to lines in U-V can be set back a maximum of 15'.*
- *The Applicant should provide the general design cross section characteristics for the driveway, curb cuts, and sidewalk.*
- *The sidewalk must comply with the requirements of section 93-11.2-9.*
- *The Applicant should provide and label existing and proposed grades at an interval of five feet or less.*
- *The Applicant should include a minimum of one street tree planted in the sidewalk's landscape area.*
- *The Applicant should provide a more detailed construction schedule with a start date.*
- *The Applicant proposes the removal of two landmark trees. Removal of any landmark trees is subject to the approval of the city arborist and requires a tree removal permit.*

In addition, it is understood the building elevations will be reviewed by the Design Review Committee for compliance with the Architectural Design Standards.

Based on the resolution of these items and any others the Planning Commission may deem necessary, approval of the site plan is recommended.



19-PC-04-05

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

Name of Applicant Miller Lowry Developments

Mailing Address 2964 Peachtree Rd. NW Suite 540 Atlanta, GA 30305

Telephone 770-903-4422 Mobile [REDACTED]

Email rob.rosas@millerlowry.com

Property Owner (s) Hapeville Dev. Authority

Mailing Address 3468 North Fulton Ave. Hartsfield Intl. Airport Hapeville, GA

Telephone N/A Mobile N/A 30354

Address/Location of Property:

Situated between Central, Colville Avenue & W. Mingham Dr.

Present Zoning Classification: Village

Present Land Use: Raw Land

Parcel ID #: 14012700020429, 14012700020379

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

[Signature]
Applicant's signature

Date: 3/6/19

Sworn to and subscribed before me

This 6 day of MARCH, 2019.

[Signature]
Notary Public



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

WRITTEN SUMMARY

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

Please see attached narrative.

2964 Peachtree Rd. NW
Suite 540
Atlanta, GA 30305

March 6, 2019

Economic Development Dept.
3468 North Fulton Avenue
Hapeville, GA 30354

To whom it may concern,

Miller Lowry Developments respectfully requests your positive consideration for the attached Subdivison Plat Application for a Preliminary Plat. Per the attached survey Miller Lowry Developments is seeking to combine Tracts 1 and 2 into one tract. Tracts 1 and 2 parcel identification numbers are: 1401270002042, 1401270002037.

Our intent is to develop “The Village Walk at Hapeville”, a new +/- 3.25 acre mixed-use community, located at the gateway to Hapeville. The specific property is nestled between Central Avenue, Colville Avenue, and Willingham Dr. just east of I-85. Our proposed site plan includes 20 townhomes and approximately 7,132 sf of boutique commercial space, with the townhomes being no taller than 2.5 stories each.

Since our original submittal on 12.11.18, Miller Lowry has made significant changes to the site plan design to address staff’s comments, and or concerns, along with designing a site that works well with the City’s current characteristics. Much thought has been put into the plan in making the project an extension of the commercial developments to the east of the site across from Colville Avenue, while also making the residential portion of the site an extension of the residential neighborhoods south of the site across Willingham Dr.

Each townhome will have a 2 car garage accessed by a rear drive aisle and all front entry facades will face a Village Green that preserves many of the existing trees on site. The intent of the Village Green concept is to conserve the openness of the site, by not overwhelming the site from a density perspective. Additional amenities to the residents will be a pervious walking path around the Green and a common area firepit, not to mention the walkable retail options nearby.

The commercial space will be in two single-level buildings located along the eastern border of the site and will incorporate architecture that compliments the immediate areas buildings.

Sincerely,
Miller Lowry Developments

A handwritten signature in black ink, consisting of a series of fluid, connected strokes that form a stylized representation of the name Miller Lowry.

CITY OF HAPEVILLE
ECONOMIC DEVELOPMENT DEPARTMENT
SUBDIVISION APPLICATION

AUTHORIZATION OF PROPERTY OWNER

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

14012700020429, 14012700020319

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 THS APPLICATION FOR PLANNING COMMISSION REVIEW.

Name of Applicant: MMR Lowry Developments

Address of Applicant: 2964 Peachtree Rd. NW Suite 540 Atlanta, GA 30325

Telephone of Applicant: 770-903-442

Katrina T. Bradbury, Chair and
Hapeville Development Authority
Katrina T. Bradbury
Signature of Owner
Print Name of Owner

Personally Appeared Before Me this 6 day of MARCH, 2019.

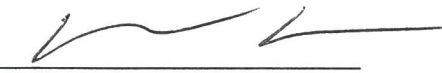
Paul M. Newman
Notary Public



A Preliminary Plat is a document used to determine the practical ability to subdivide 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. Submittal of the plat does not guarantee the approval of a Final Plat, a legal document, once recorded with the County, finalizes the subdivision of the land. To be considered, a Preliminary Plat must contain the following information:

- ☒ The proposed subdivision name and location, the name and address of the owner or owners, and the name of the designer of the plat who shall be a state-registered engineer or surveyor.
- ☒ Date, approximate north point and graphic scale.
- ☒ The location of existing and platted property lines, streets, buildings, watercourses, railroads, sewers, bridges, culverts, drain pipes, water mains and any public utility easements, the present zoning classification, if any, both on the land to be subdivided and on the adjoining land; and the names of adjoining property owners or subdivisions.
- ☒ Plans of proposed underground utility layouts (including sewers, water and electricity) showing feasible connections to the existing or any proposed utility systems.
- ☒ The names, locations, widths and other dimensions of proposed streets, alleys, easements, parks and other open spaces, reservations, lot lines and utilities.
- ☒ Contours at vertical intervals of not more than five feet when specifically not required by the planning commission.
- ☒ The acreage of the land to be subdivided.
- ☒ Location sketch map or city map showing relationship of subdivision site to area.

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

Applicant Signature:  Date 3/7/19

All that parcel of land lying in and being located in Land Lot 98 and 127 of the 14th District, Fulton County, Georgia, and being more particularly described as follows:

Commencing at a 1/2 inch capped rebar set at the southwest quadrant of the intersection of Central Ave and Colville Ave, said capped rebar beinng the ture point of beginning (POB).

Thence leaving said POB, S 01° 12' 25.9" W for a distance of 215.6095 feet to a point on a line.

Thence, N 73° 02' 33.1" W for a distance of 153.8800 feet to a point on a line.

Thence, N 08° 10' 44.9" E for a distance of 5.7000 feet to a point on a line.

Thence, N 72° 56' 24.1" W for a distance of 406.1516 feet to a point on a line.

Thence, N 17° 16' 55.5" E for a distance of 10.0437 feet to a point on a line.

Thence, N 73° 14' 01.5" W for a distance of 94.5067 feet to a point on a line.

Thence, N 72° 45' 36.0" W for a distance of 49.9771 feet to a point on a line.

Thence, N 10° 05' 03.5" E for a distance of 104.7466 feet to a point on a line.

Thence, N 65° 51' 37.7" E for a distance of 59.9364 feet to a point on a line.

Thence, N 65° 53' 01.3" E for a distance of 97.4780 feet to a point on a line.

Thence, S 78° 08' 45.4" E for a distance of 36.0818 feet to a point on a line.

Thence, S 69° 13' 19.6" E for a distance of 50.0000 feet to a point on a line.

Thence, N 20° 46' 40.4" E for a distance of 15.0000 feet to a point on a line.

Thence, S 69° 45' 39.2" E for a distance of 77.7820 feet to a point on a line.

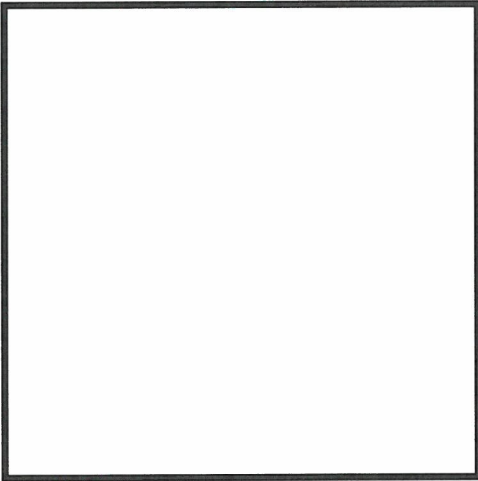
Thence, S 68° 50' 14.8" E for a distance of 49.8439 feet to a point on a line.

Thence, S 68° 57' 42.6" E for a distance of 200.3277 feet to a point on a line.

Thence, S 68° 48' 41.0" E for a distance of 49.9678 feet to a point on a line.

Thence S 69° 16' 47.1" E a distance of 77.0059 feet to a 1/2 inch rebar set, said rebar being the true point of beginning.

Said parcel of land contains 3.255 acres (141,786.66 square feet).



SURVEY REFERENCES

- 1) BOUNDARY, TOPOGRAPHIC, TREE, AND UTILITY SURVEY DATED APRIL 21, 2018 PREPARED BY VALENTINO & ASSOCIATES.
- 2) PLAT OF VIRGINIA PARK DATED APRIL, 1921 PREPARED BY O.F. KAUFFMAN, CE.

FINAL SURVEYOR'S CERTIFICATE

IT IS HEREBY CERTIFIED THAT THIS PLAT IS TRUE AND CORRECT AS TO THE PROPERTY LINES AND ALL IMPROVEMENTS SHOWN THEREON, AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE BY ME OR UNDER MY SUPERVISION; THAT ALL MONUMENTS AND MARKERS SHOWN THEREON ACTUALLY EXIST, AND THEIR LOCATION, SIZE, TYPE AND MATERIAL ARE CORRECTLY SHOWN. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 32,331 FEET AND AN ANGULAR ERROR OF 3.12 SECONDS PER ANGLE POINT, AND WAS ADJUSTED USING THE LEAST SQUARES RULE. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 603,503 FEET AND THE PROPERTY SHOWN CONTAINS A TOTAL OF 3.255 ACRES. THE EQUIPMENT USED TO OBTAIN THE LINEAR AND ANGULAR MEASUREMENTS HEREIN WAS A TOPCON GPT-3005LW TOTAL STATION, TOPCON HIPER SR GPS RECEIVER, AND CARLSON SURVEYOR+ DATA COLLECTOR.



MITCHELL LOWERY GEORGIA RLS# 3109

LEGEND

	PROPERTY LINE		FIRE HYDRANT
	OVERHANG/AWNING		SANITARY SEWER MANHOLE
	BUILDING SETBACK LINE		DROP INLET
	BUILDING SETBACK LINE		DOUBLE-WING CATCH BASIN
	WATER LINE		REBAR
	OVERHEAD UTILITY LINE		CAPPED REBAR
	GAS LINE		FOUND
	SANITARY SEWER LINE		OPEN TOP PIPE
	STORM DRAIN PIPE		CRIMPED TOP PIPE
	WATER VALVE		LIGHT POLE

SURVEY NOTES

- 1) PROPERTY SHOWN HEREON WAS SURVEYED APRIL 3, 2019.
- 2) SAID DESCRIBED PROPERTY IS LOCATED WITHIN AN AREA HAVING A ZONE DESIGNATION A AND X ON FLOOD INSURANCE RATE MAP NO. 13121C0366F, WITH A DATE OF IDENTIFICATION OF SEPTEMBER 18, 2013, FOR COMMUNITY NUMBER 130502, IN FULTON COUNTY, STATE OF GEORGIA, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PROPERTY IS SITUATED.
- 3) UTILITIES SHOWN PER MARKINGS PLACED BY UTILITY-MARKING, L.L.C.. UTILITIES OTHER THAN THOSE SHOWN HEREON MAY EXIST. LOWERY & ASSOCIATES MAKES NO GUARANTEE AS TO THE EXISTENCE OR NON-EXISTENCE OF SAID UTILITIES.

OWNER

HAPEVILLE DEVELOPMENT AUTHORITY
3468 N FULTON AVENUE
HAPEVILLE, GA 30354

SUBDIVIDER

MILLER LOWRY DEVELOPMENTS
2964 PEACHTREE ROAD NW
SUITE 540
ATLANTA, GA 30305



317 GRASSDALE ROAD
CARTERSVILLE, GA 30121
770-334-8186

WWW.LOWERYLANDSURVEYS.COM
INFO@LOWERYLANDSURVEYS.COM
GEORGIA C.O.A.: LSF-001102

OWNER'S ACKNOWLEDGEMENT AND DEDICATION

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

FINAL PLAT APPROVAL

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

CITY CLERK - ON BEHALF OF MAYOR & COUNCIL	DATE
CHAIRMAN, PLANNING COMMISSION	DATE
PRINTED OR TYPED NAME OF OWNER	DATE

ZONING

ZONING FOR THIS PROPERTY IS CURRENTLY CLASSIFIED AS "V" (VILLAGE). SETBACKS AND RESTRICTIONS ARE AS FOLLOWS:

FRONT YARD: 15 FEET
SIDE YARD: 15 FEET
REAR YARD: 15 FEET
MINIMUM WIDTH: 50 FEET
MAXIMUM BUILDING HEIGHT: 2 1/2 STORIES OR 35 FEET

ZONING AND SETBACK INFORMATION PER THE CITY OF HAPEVILLE ZONING MAP DATED MARCH 5, 2019 AND MUNICODE.COM.

SIGNATURE OF SUBDIVIDER _____ DATE SIGNED _____

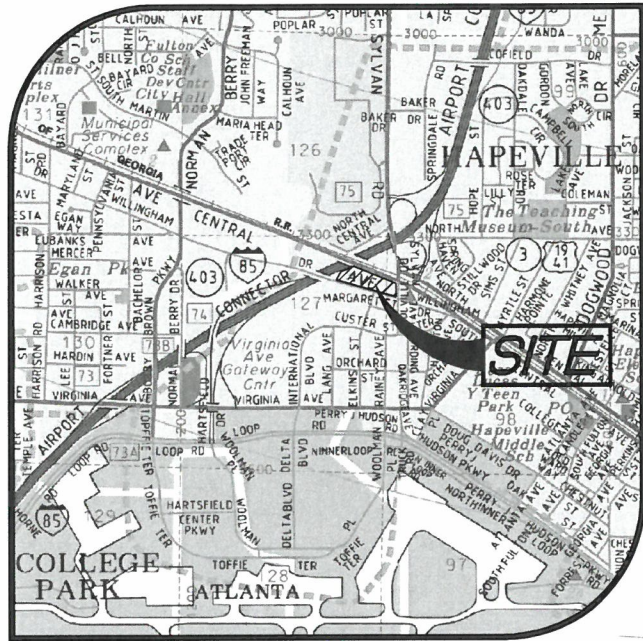
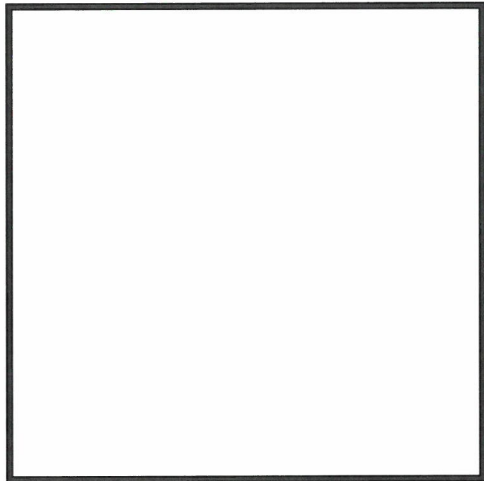
PRINTED OR TYPED NAME OF SUBDIVIDER _____

PRINTED OR TYPED NAME OF OWNER _____

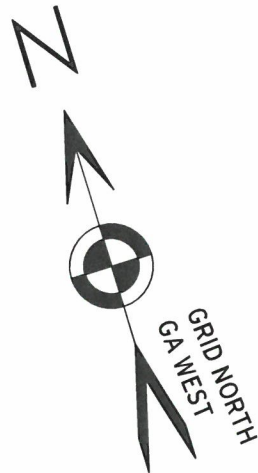
SHEET: 1 OF 2

COMBINATION PLAT OF:
FULTON COUNTY PARCELS:
14 012700020429 & 14 012700020379
PREPARED FOR:
MILLER LOWRY DEVELOPMENTS

JOB #: 192560	SCALE: 1"=100'
DATE: APRIL 4, 2019	DRAWN BY: J.BAGLEY
STATE: GEORGIA	COUNTY: FULTON
LAND LOTS: 89 & 127	DISTRICT: 14TH



VICINITY MAP



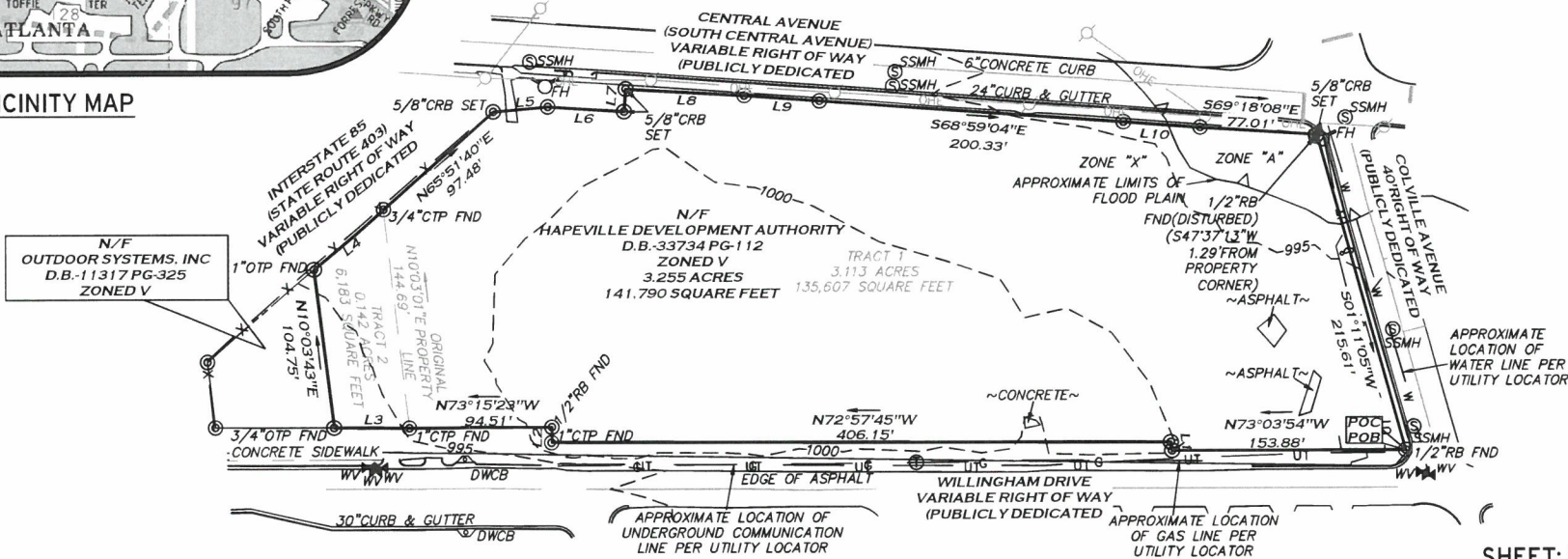
317 GRASSDALE ROAD
CARTERSVILLE, GA 30121
770-334-8186
WWW.LOWERYLANDSURVEYS.COM
INFO@LOWERYLANDSURVEYS.COM
GEORGIA C.O.A.: LSF-001102

FINAL SURVEYOR'S CERTIFICATE

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MITCHELL LOWERY GEORGIA RLS# 3109



SHEET: 2 OF 2

GRAPHIC SCALE



1 Inch = 100 Feet

LINE TABLE

LINE	BEARING	DISTANCE
L1	N08°09'24"E	5.70'
L2	N17°15'34"E	10.04'
L3	N72°46'57"W	49.98'
L4	N65°50'17"E	59.94'
L5	S78°10'06"E	36.08'
L6	S68°14'41"E	50.00'
L7	N20°45'19"E	15.00'
L8	S69°47'00"E	77.78'
L9	S68°51'36"E	49.84'
L10	S68°50'02"E	49.97'

COMBINATION PLAT OF:
FULTON COUNTY PARCELS:
14 012700020429 & 14 012700020379
PREPARED FOR:
MILLER LOWRY DEVELOPMENTS

JOB #: 192560	SCALE: 1"=100'
DATE: APRIL 4, 2019	DRAWN BY: J.BAGLEY
STATE: GEORGIA	COUNTY: FULTON
LAND LOTS: 89 & 127	DISTRICT: 14TH



PLANNER'S REPORT

TO: Adrienne Senter
FROM: Lynn Patterson
RE: Preliminary Plat Review for Parcels (14 012700020429, 14 012700020379)
DATE: May 7, 2019

BACKGROUND

Miller Lowry Developments submitted a subdivision application to combine two parcels (Parcel IDs 14 012700020429 and 14 012700020379) to form one parcel of 3.255 acres within the V, Village zoning district. The land is currently vacant. The proposed use of the property is attached single family dwellings with adjacent commercial space.

The proposed re-subdivided property will be 3.255 acres or 141,790 SF. Willingham drive street frontages are listed as 94.51', 406.15', 49.98', and 153.88' for a total of 704.52'. Colville Avenue street frontage is listed as 215.61'. South Central Avenue street frontages are listed as 77.01', 200.33', 77.78', 49.84', and 49.97' for a total of 454.93'.

CODE REQUIREMENTS

Preliminary Plat

(2) The preliminary plat shall meet the minimum standards of design and the general requirements for the construction of public improvements as set forth in [section 90-1-3](#) and shall contain the following information insofar as possible:

a. The proposed subdivision name and location, name and address of the owner or owners, and name of the author of the plat who shall be a state-registered engineer or land surveyor.

Proposed subdivision name not provided on plat.

b. Date, approximate north point and graphic scale.

Complete

c. The location of existing and platted property lines, streets, buildings, watercourses, railroads, sewers, bridges, culverts, drain pipes, water mains and any public utility easements; the present zoning classification of the land to be subdivided and the adjoining land; and the names of adjoining property owners or subdivisions.

Complete

d. Plans of proposed underground utility layouts (including sewers, water mains and electrical service) showing feasible connections to the existing or any proposed utility systems.

Not provided

e. The names, locations, widths and other dimensions of proposed streets, alleys, easements, parks and other open spaces, reservations, lot lines and utilities.

Not applicable

f. Contours at vertical intervals of not more than five feet.

Complete

g. The acreage of the land to be subdivided and acreage of any lots to be created.

The combination of the two (2) lots will total 3.255 acres or 141,790 sf.

h. Location map showing the relationship of subdivision to area.

Complete

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

(a) Streets.

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

No Change

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

No Change

(3) Street widths. The minimum width of right-of-way, measured from lot line to lot line, shall be as shown on the major street plan, or if not shown on that plan, shall be not less than as follows:

a. For major streets, 70 feet as may be required. Major streets are those regional roads to be used primarily for fast or heavy traffic and will be located on the major street plan.

b. For arterial streets, 60 feet. Arterial streets are those which carry traffic from minor streets to the major streets and include the principal streets utilized for local circulation.

c. For minor and collector residential streets, 50 feet. Minor streets are those which are used primarily for access to the abutting residential properties and designed to discourage their use by through traffic. Collector residential streets are those which carry traffic from residential streets to arterial streets.

d. For dead-end streets (culs-de-sac), 50 feet. Cul-de-sac are permanent dead-end streets or courts designed so that they cannot be extended in the future. "Hammerhead" turnarounds are also permitted on dead-end streets accessing low density neighborhoods.

e. For alleys, ten feet to 16 feet. Alleys are minor public ways used primarily for service access to the back or side of properties otherwise abutting on a street. In cases where topography or other typical physical conditions make a street of the required minimum width impracticable, the planning commission may modify the above requirements. Through proposed business areas the street widths shall be increased ten feet on each side if needed to provide parking without interference of normal passing traffic.

See Engineer's Report

(4) Additional width on existing streets. Subdivisions that adjoin existing streets shall dedicate additional right-of-way to meet the above minimum street width requirements.

a. The entire right-of-way shall be provided where any part of the subdivision is on both sides of the existing street.

b. When the subdivision is located on only one side of an existing street, one-half of the required right-of-way, measured from the centerline of the existing roadway, shall be provided.

No Change

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

Not applicable

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

Not applicable

(7) Horizontal curves. Where a deflection angle of more than ten degrees in the alignment of a street occurs, a curve of reasonably long radius shall be introduced. On streets 60 feet or more in width, the centerline radius of curvature shall be not less than 300 feet; on other streets not less than 100 feet.

Not applicable

(8) Vertical curves. All changes in grade shall be connected by vertical curves of minimum length in feet equal to 15 times the algebraic difference in rates of grade for major streets and one-half this minimum length for other streets. Profiles of all streets showing natural and finished grades drawn to a scale of not less than one inch equals 100 feet horizontal, and one-inch equals 20 feet vertical, may be required by the planning commission.

Not applicable

(9) Intersections.

a. Street intersections shall be as nearly at right angles as is possible, and no intersection shall be at an angle of less than 60 degrees.

See Engineer's Report

b. Property line radii at street intersections shall not be less than 20 feet and where the angle of street intersection is less than 75 degrees, the planning commission may require a greater curb radius. Wherever necessary to permit the construction of a curb having a desirable radius without curtailing the sidewalk at a street corner to less than normal width, the property line at such street corner shall be rounded or otherwise set back sufficiently to permit such construction.

Not applicable

(10) Tangents. A tangent of at least 100 feet long shall be introduced between reverse curves on arterial and collector streets.

Not applicable

(11) Street jogs. Street jogs with centerline offsets of less than 125 feet shall be prohibited.

Not applicable

(12) Dead-end streets.

Not applicable

a. Minor terminal streets or courts designed to have one end permanently closed shall be no more than 400 feet long unless necessitated by topography. They shall be provided at the closed end with a turnaround having an outside roadway diameter of at least 80 feet and a street right-of-way diameter of at least 100 feet. "Hammerhead" turnarounds are also permitted on dead-end streets accessing low density neighborhoods.

b. Where, in the opinion of the planning commission, it is desirable to provide for street access to adjoining property, proposed streets shall be extended by dedication to the boundary of the property. These dead-end streets shall be provided with a temporary turnaround having a roadway diameter of at least 80 feet.

(13) Private streets and reserve strips. There shall be no private streets platted in any subdivision. Every subdivided property shall be served from a publicly dedicated street. There shall be no reserve strips controlling access to streets, except where the control of such strips is definitely placed with the community under conditions approved by the planning commission.

Not applicable

(14) Street names. Proposed streets in obvious alignment with others already existing and named shall bear the names of existing streets. In no case shall the name for proposed streets duplicate

existing street names, irrespective of the use of the suffix street, avenue, boulevard, driveway, place or court.

Not applicable

(15) Alleys. Alleys shall be provided to the rear of lots used for business purposes, and shall not be provided in residential blocks except where the subdivider produces evidence satisfactory to the planning commission of the need for alleys.

Not applicable

(b) Blocks.

Not applicable

(1) Length. Blocks shall not be less than 400 feet or more than 1,200 feet in length, except as the planning commission considers necessary to secure efficient use of land or desired features of street pattern. In blocks over 800 feet in length, the planning commission may require one or more public cross walks of not less than ten feet in width to extend entirely across the block and at locations deemed necessary.

(2) Width. Blocks shall be wide enough to allow two tiers of lots of minimum depth, except where fronting on major streets or prevented by topographical conditions or size of the property, in which case the planning commission will approve a single tier of lots of minimum depth.

(c) Lots.

(1) Arrangement. Insofar as practical, side lot lines shall be at right angles to straight street lines or radial to curved street lines. Each lot shall have frontage on a public street.

Compliant

(2) Minimum size. The size, shape and orientation of lots shall be such as the planning commission deems appropriate for the type of development and use contemplated. Remnant lots, that is, parcels of land that would not comply with the minimum lot area or width following subdividing shall be prohibited. Such remnant parcels shall be added to adjacent lots rather than be platted as unusable parcels.

a. The size and widths of lots shall in no case be less than the minimum requirements of the zoning ordinance. No lot shall have a width greater than six times the lot depth at the building setback line without specific approval by the planning commission.

Compliant. Minimum lot size is 10,000 sf for both attached single family dwellings and commercial buildings. The proposed lot size is 141,790 sf.

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

Current plans do not allow adequate parking for commercial uses. Plans show 29 spaces adjacent to commercial, while 36 are required.

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

Compliant

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

Compliant

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

Not applicable

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

Not applicable

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

Compliant

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

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

Greenspace provided but not dedicated to the city

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

See engineer's report

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

Natural features include large trees

(e) Suitability of the land.

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

No objection is present to prevent platting and development.

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

A portion of the property is in floodplain zone "A". See engineer's report.

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

Compliant

(g) Group housing developments. A comprehensive group housing development, including single-family attached developments and the large-scale construction of housing units together with necessary drives and ways of access, may be approved by the planning commission although the design of the project does not include standard street, lot and subdivision arrangements, if departure from the foregoing standards can be made without destroying their intent.

*The proposed development is multi-use but segregates single family attached development from commercial development. The single family attached dwellings are set back significantly from the street. **The proposed design is not wholly compliant with zoning or architectural design standards.***

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

The applicant requests the following variances:

- (a) Waive the requirement for a sidewalk along Willingham Drive*
- (b) Decrease the minimum required distance between buildings from 20' to 10'*
- (c) Decrease the minimum parking for the commercial development from 36 spaces to 32 spaces, of which three will be located in the residential section.*

(i) Zoning or other regulations.

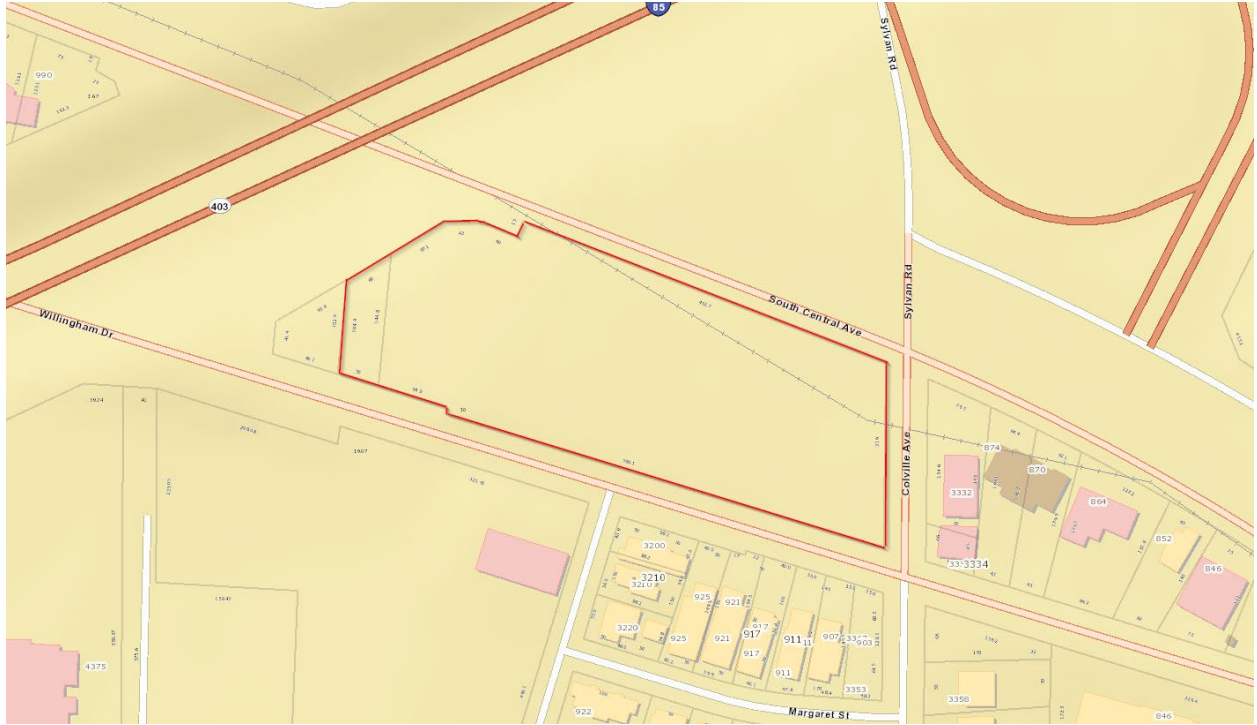
Compliant

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

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

RECOMMENDATION

Per the above review, the subdivision to combine the two parcels into one may be approved by the Planning Commission. The variances stated above must be approved by the Board of Appeals before the site plan receives final approval.



Location Map – Willingham Dr. & Colville Ave

April 16, 2019

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

Re: Willingham/Colville Townhomes
Willingham Drive at Colville Avenue
Final Plat Review No. 1
K&W Ref. No. 191051.20

Dear Ms. Senter:

As requested, I have reviewed the Final Subdivision Plat for the Mixed Use commercial/residential site to be located on a 3.26 acre parcel at the northwest intersection of Willingham Drive at Colville Avenue, within a V (Village) Zoning District. The re-submittal was received on April 12, 2019. The plat was prepared by Lowery & Associates Land Surveying, LLC, under the land surveyor seal of Mitchell Lowery. With regard to my review letter dated March 18, 2019, my comments are as follows:

1. The location of the existing aviation easement shown on the original survey does not appear to be shown.
2. The development abuts existing Colville Avenue with a right of way width of 40 feet. Per the subdivision regulations section 90-1-3 (a), additional right of way width on existing streets should be provided for the street to meet the minimum right of way width of at least 50 feet in the regulations. With this development occurring on only one side of the existing street, one half of the required additional right of way should be provided. It is not clear if this minimum 5 feet of additional right of way is provided.
3. The Owner's Acknowledgement and Dedication does not include a signature space and date for the Owner.
4. The certification by the landowner that the City assumes no responsibility for overflow and other language per Chapter 90-1-2(f)i is not shown.
5. The final surveyor's certificate signature date and date of expiration of license should be shown.
6. The City Final Plat Approval statement should not have a space for name of owner or data and does not show a signature space and date for the City Engineer per Chapter 90-1-2(f)k.
7. All surveyor, owner, and subdivider names, signatures and dates should be shown prior to submitting the plat for final City approval.

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

Very truly yours,

KECK & WOOD, INC.



Michael J. Moffitt, P.E.

19-PC-04-06

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

Name of Applicant Miller Lowry Developments

Mailing Address: 2964 Peachtree Pk. NW Suite 540 Atlanta, GA 30305

Telephone 770-903-4422 Mobile # [REDACTED] mail [REDACTED] *125.10jus@gmail.com*

Property Owner (s) Hapeville Dev. Authority

Mailing Address 3468 North Fulton Ave. Hartsfield Intl. Airport Hapeville, GA 30354

Telephone N/A Mobile # N/A

Address/Location of Property: Situated between Central, Olive Avenue & Wilkingsham Dr.

Parcel I.D. # (INFORMATION MUST BE PROVIDED): 14012700020429, 1401270002037

Present Zoning Classification: Village Size of Tract: 3.255 acre(s)

Present Land Use: Raw Land

Please check the following as it applies to this application

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

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

Applicant's signature _____

Date: 3/6/19

Sworn to and subscribed before me

This 6 day of MARCH, 2019.
Paul M. [Signature]
 Notary Public



CITY OF HAPEVILLE
ECONOMIC DEVELOPMENT DEPARTMENT
PLANNING COMMISSION APPLICATION

AUTHORIZATION OF PROPERTY OWNER

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

14012700020429, 14012700020379

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 Miller Lowry Developments

Address of Applicant 2964 Peachtree Rd NW Suite 540 Atlanta, GA
30350

Telephone of Applicant 770-903-4422

Katrina T. Bradbury, Chairman
Signature of Owner
Hapeville Development Authority
Katrina T. Bradbury
Print Name of Owner

Personally Appeared Before Me this 6 day of MARCH, 2019.

Pal Myr
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.)

Please see attached narrative.

2964 Peachtree Rd. NW
Suite 540
Atlanta, GA 30305

March 6, 2019

Economic Development Dept.
3468 North Fulton Avenue
Hapeville, GA 30354

To whom it may concern,

Miller Lowry Developments respectfully requests your positive consideration for the attached Site Plan Approval. Our intent is to develop "The Village Walk at Hapeville", a new +/- 3.25 acre mixed-use community, located at the gateway to Hapeville. The specific property is nestled between Central Avenue, Colville Avenue, and Willingham Dr. just east of I-85. Our proposed site plan includes 20 townhomes and approximately 7,132 sf of boutique commercial space, with the townhomes being no taller than 2.5 stories each.

Since our original submittal on 12.11.18, Miller Lowry has made significant changes to the site plan design to address staff's comments, and or concerns, along with designing a site that works well with the City's current characteristics. Much thought has been put into the plan in making the project an extension of the commercial developments to the east of the site across from Colville Avenue, while also making the residential portion of the site an extension of the residential neighborhoods south of the site across Willingham Dr.

Each townhome will have a 2 car garage accessed by a rear drive aisle and all front entry facades will face a Village Green that preserves many of the existing trees on site. The intent of the Village Green concept is to conserve the openness of the site, by not overwhelming the site from a density perspective. Additional amenities to the residents will be a pervious walking path around the Green and a common area firepit, not to mention the walkable retail options nearby.

The commercial space will be in two single-level buildings located along the eastern border of the site and will incorporate architecture that compliments the immediate areas buildings.

Sincerely,



Miller Lowry Developments

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)

MLD

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.

CVZ

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

CVZ

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.

CVZ

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).

CVΣ

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.

CVΣ

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.

CVΣ

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

QLLC

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).

QLLC

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.

CVΣ

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.

CVΣ

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.

CVΣ

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.

- CVΣ Provisions for both on-site and offsite storm-water drainage and detention related to the proposed development.
- CVΣ Location and size of all signs. Detached single-family residential development may be exempt from this requirement.
- KLDC 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.
- CVΣ Site area (square feet and acres).
- CVΣ 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.
- CVΣ Floor area in nonresidential use by category. Detached single-family residential development may be exempt from this requirement.
- CVΣ Total floor area ratio and/or residential density distribution.
- CVΣ Number of parking spaces and area of paved surface for parking and circulation
- MLD 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 3/7/15

All that parcel of land lying in and being located in Land Lot 98 and 127 of the 14th District, Fulton County, Georgia, and being more particularly described as follows:

Commencing at a 1/2 inch capped rebar set at the southwest quadrant of the intersection of Central Ave and Colville Ave, said capped rebar being the true point of beginning (POB).

Thence leaving said POB, S 01° 12' 25.9" W for a distance of 215.6095 feet to a point on a line.

Thence, N 73° 02' 33.1" W for a distance of 153.8800 feet to a point on a line.

Thence, N 08° 10' 44.9" E for a distance of 5.7000 feet to a point on a line.

Thence, N 72° 56' 24.1" W for a distance of 406.1516 feet to a point on a line.

Thence, N 17° 16' 55.5" E for a distance of 10.0437 feet to a point on a line.

Thence, N 73° 14' 01.5" W for a distance of 94.5067 feet to a point on a line.

Thence, N 72° 45' 36.0" W for a distance of 49.9771 feet to a point on a line.

Thence, N 10° 05' 03.5" E for a distance of 104.7466 feet to a point on a line.

Thence, N 65° 51' 37.7" E for a distance of 59.9364 feet to a point on a line.

Thence, N 65° 53' 01.3" E for a distance of 97.4780 feet to a point on a line.

Thence, S 78° 08' 45.4" E for a distance of 36.0818 feet to a point on a line.

Thence, S 69° 13' 19.6" E for a distance of 50.0000 feet to a point on a line.

Thence, N 20° 46' 40.4" E for a distance of 15.0000 feet to a point on a line.

Thence, S 69° 45' 39.2" E for a distance of 77.7820 feet to a point on a line.

Thence, S 68° 50' 14.8" E for a distance of 49.8439 feet to a point on a line.

Thence, S 68° 57' 42.6" E for a distance of 200.3277 feet to a point on a line.

Thence, S 68° 48' 41.0" E for a distance of 49.9678 feet to a point on a line.

Thence S 69° 16' 47.1" E a distance of 77.0059 feet to a 1/2 inch rebar set, said rebar being the true point of beginning.

Said parcel of land contains 3.255 acres (141,786.66 square feet).

Crescent View Engineering, LLC

211 Frasier Street SE Marietta, GA 30060

Phone: 678-324-8410

Village at Hapeville – Comment Response Letter – March 6, 2019

Below is a list of the comments received for along with information/details regarding how each of the comments has been addressed.

FIRE MARSHALL COMMENTS

1. This project will require that all access roadways will have to be 26 feet wide.

CVE Response: See revised site plan with all access 26 feet wide.

2. A minimum of 2 fire hydrants will be required inside the development and supplied by a minimum of an 8 inch main. The main must be tied into the 12 inch main located on Willingham Dr. at each of the entrances.

CVE Response: See the utility plan as part of this submittal.

3. Fire Department access must not exceed 10% in grade change (elevation).

CVE Response: See the grading plan with the centerline profile as part of this submittal.

4. Distance between buildings needs to be greater than 10 feet to allow for Fire Department Operations.

CVE Response: In discussions between the Architect and Fire Marshall, the 10' spacing will be in compliant with the fire marshal requirements.

ENGINEERING COMMENTS

5. City approval of the requested variances on the site plan are required. The variances include reduction of building separation distances to ten feet for two locations per Section 93-11.1-6, reduction of minimum units per building to two rather than four per Section 93-22.1-1, note a, and waive sidewalk requirement along Willingham Drive per Section 81-1-6. The date of approval, variance number, and any required conditions should be shown on any re-submitted plans.

CVE Response: Any variances granted will be shown on future site plans.

6. The requested setback to 10 feet along Willingham Road described in the Zoning Dialog Box table does not agree with the 15 feet setback lines shown on the site plan.

CVE Response: Site plan is updated to show buildings within the 15-foot setbacks.

7. Since no proposed lot lines for the Townhomes are shown, it is assumed the development will retain ownership of the entire land parcel and no subdivision plat review for Townhome lots are necessary.

CVE Response: True

8. The development appears to include the Tract 2 area adjacent to the interstate highway. It is not clear if both tracts are combined for this development or to remain separate. It is

noted the buildings 1 through 3 appear to ignore the building setback line for the lot line of tract 2. If combined to one parcel, a subdivision plat review and approval process will be necessary.

CVE Response: A combination plat will be required to combine the two existing parcels.

9. Typical building sections and elevations per Section 93-2-16 (c) (2) and (3) were not provided.

CVE Response: Building Sections are provided as part of the submission.

10. The required ten feet wide sidewalk area per Section 81-1-6, Commercial/Mixed-Use Area Sidewalk Table for General areas along South Central Avenue and the five feet wide sidewalk for Other Streets in the table for Colville Avenue are not shown.

CVE Response: The sidewalk is shown as existing along Central Avenue, a proposed sidewalk is shown along Coleville, and the sidewalk along Willingham is being asked to not be installed as part of a variance to protect existing trees due to the topographic changes.

11. It is not clear if lighting for the driveways and parking areas are to be provided to address Section 93-2-16(c) (1) (b.) of City Code.

CVE Response: This is to be determined as part of the full land disturbance drawings.

12. The Concept Site Plan did not include construction details defining pavement types or thicknesses, so it could not be verified that the driveway will comply with Section 93-2-16 (c.) of City Code.

CVE Response: The pavement is 6"-2"-1.5" standard as labeled on C-1.

13. The proposed stormwater detention facility outlet pipe is proposed within the existing right of way of Willingham Road. Since the pipe is to be privately operated and maintained by the developer, the pipe location should be routed outside the Willingham Road right of way.

CVE Response: The piping is now shown onsite with no piping shown along Willingham.

14. A Grading and Drainage Plan indicating existing and proposed ground contour elevations (tied to mean sea-level) should be included for the site to address Section 93-2-13 of the Zoning Ordinance during Land Development Permitting.

CVE Response: A grading plan is provided as part of this submittal.

15. The location and approximate size of all proposed plant material used in landscaping should be included per Section 93-2-16(c)(1).f. of City Code.

CVE Response: A landscape plan is provided as part of this submittal.

16. The location of the parking spaces for the residential units should be shown on the site plan.

CVE Response: See the site plan for all Parking spaces.

17. Size and location of off-street loading spaces per Section 93-23 should be shown.

CVE Response: Size and location are shown on the site plan.

18. It cannot be verified from the information provided if the project complies with the interior driveways width criteria of Section 93-23 of the Zoning Ordinance. The petitioner should provide information to show compliance.

CVE Response: Driveway entrance is 26 feet wide, which is greater than that code requirement of 25 feet wide.

19. The site plan does not include curb and gutter for the entire Willingham street frontage to address Section 93-2-16 of the Regulations.

CVE Response: This is proposed variance as part of this plan, to protect the existing trees and topography along Willingham.

20. Provisions to address the accel/decel lane requirements and turning lanes at intersections requirements per GDOT Manual on Driveways and Encroachment Control for Willingham Drive may be necessary. Additional data on traffic volume counts and estimated turning movements at the driveways should be provided to show compliance with the Manual.

CVE Response: This is to be determined as part of the full land disturbance drawings.

21. Provisions demonstrating compliance to the Tree Conservation Ordinance requirements per Section 93-2-14 and Landscaping per Section 93-2-16 (c) (1) were not included with the submittal.

CVE Response: A landscape plan is provided as part of this submittal.

22. The site improvements do not include landscaping for the parking areas to address the landscaping for vehicular use areas requirements of Section 93-23-18 of the Zoning Ordinance. The petitioner should clarify.

CVE Response: A landscape plan is provided as part of this submittal.

23. The landscape information does not provide a summary table indicating planting quantities or caliper size. Therefore it cannot be verified if minimum City requirements have been satisfied.

CVE Response: A landscape plan is provided as part of this submittal.

24. While this submittal review is for concept site plan approval only, the petitioner should be aware that submittal and review of detailed site construction drawings will still be necessary prior to land development permitting.

CVE Response: This is to be determined as part of the full land disturbance drawings.

25. The total disturbed land area for the development should be shown.

CVE Response: This is shown on the site plan and grading plan.

26. It is recommended the petitioner verify the utility provider for all utility systems denoted on the plans for water and sanitary sewer.

CVE Response: Water and Sewer is verified to be provided by City of Hapeville. See the utility plan.

27. Utility construction in the right of way and paving of South Central Avenue may require approval of a GDOT Utility Facility Encroachment permit for work in the GDOT right of way.

CVE Response: This is to be determined as part of the full land disturbance drawings.

28. A stormwater management report and related components for addressing the post development stormwater management ordinance should be provided.

CVE Response: This is to be determined as part of the full land disturbance drawings.

29. Proposed connections for water service, sewer service, and gas service appear to involve pavement cutting of the public street. Pavement patch details and sewer main connection details should be on the drawings and Community Service department approval of the installation should be obtained.

CVE Response: This is to be determined as part of the full land disturbance drawings.

30. A portion of the proposed building construction on the property near South Central Avenue at Colville Avenue is shown within a zone A FEMA flood hazard area. As the improvements proposed may affect the floodplain, permitting and approvals through FEMA and USACE may be necessary. An engineering study, survey, and related Letter of Map Amendment (LOMA) or related documents should be prepared and submitted to FEMA for approval. A copy of any permitting approval necessary by FEMA or USACE should be provided to the City for record purposes before permitting approval is issued by the City. The petitioner is also referred to the City of Hapeville Floodplain Ordinance for guidance.

CVE Response: This is to be determined as part of the full land disturbance drawings. The underground detention system will be designed to dewater the zone A floodplain as the floodplain is not associated with a stream or natural feature.

PLANNING COMMENTS

31. Parcel ID Numbers are not provided on the site plan (14 012700020429 and 14 012700020379).

CVE Response: The parcel id's have been added to the plans.

32. LL 89 is mislabeled on the site plan (shown as 98)

CVE Response: The LL has been updated.

33. Townhome setbacks: Townhome #1 encroaches on the front 15' setback requirement, at 11.5'. Townhome #20 is on the setback line and may not accommodate for roof eaves. Elevations are not provided to determine. Townhomes #1-3 encroach in the side setback unless the plan is to re-subdivide the parcels into one property. Rear setbacks are compliant.

CVE Response: The property will be combined to one parcel and the site plan now

34. Commercial setbacks: front setback appears to be compliant with a minimum setback of 15'. Commercial #1's south setback encroaches on the south side 15' setback.

CVE Response: All buildings are within the 15' setbacks.

35. No elevations have been provided to confirm heights.

CVE Response: Building elevations are provided as part of the submission.

36. Site plan identifies existing sidewalk partially along South Central Ave though width of sidewalk is not provided. Sidewalk along Colville Ave. should be specified. No sidewalk is identified along Willingham Dr. which is required. Applicant requesting variance to allow for waiver of sidewalk due to grade change.

CVE Response: A variance is requested for installation of Curb / gutter / and sidewalks along Willingham, in order to save the existing trees and topography along that street.

37. Applicant does not provide cross section of driveways, curb cuts, or sidewalks, or connections to building entrances.

CVE Response: The profile of the proposed drive is on the roadway centerline and profile page. A typical detail for the driveway entrance is shown on C-1.1.

38. Driveways for each unit are not provided with dimensions to ensure compatibility.

CVE Response: There are not individual driveways proposed as part of the townhomes. The common drive area is less than 10 feet away from the 28 foot drive isle to prevent parking in front of the units.

39. The Colville sidewalk and supplemental area will require treatment per the Architectural Design Standards and this is not addressed.

CVE There is now sidewalk shown along Colville and the low landscape wall to hold back the building grades will be designed within the Architectural design standards on the final drawings.

40. Per the Fire Marshall' s report, the ingress/egress cannot exceed 10% slope – the site plan does not indicate proposed grade.

CVE Response: See the grading plan with the centerline profile as part of this submittal.

41. Curb and gutter detail is not provided for Willingham.

CVE Response: This is a requested variance to not install curb and gutter along Willingham, in order to save the existing trees and topography along that street.

42. Existing grading is shown in 1-foot intervals. Proposed grading is not shown.

CVE Response: See provided grading plan

43. The location and general type of all existing trees over six-inch caliper and, in addition, an identification of those to be retained.

CVE Response: See Newly Provided Landscaping Plan as part of the submission

44. The plan does not include compliance with the Tree Conservation Ordinance.

CVE Response: See Newly Provided Landscaping Plan as part of the submission

45. 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.

CVE Response: See Newly Provided Landscaping Plan as part of the submission

46. Site proposes 3 new 3" red maples, 5 new 3" river birches, and 3 new 3" Georgia oaks. No other landscaping detail is provided. There is no perimeter landscaping shown on the South Central Avenue side.

CVE Response: See Newly Provided Landscaping Plan as part of the submission

47. A dumpster is shown on the northeast side, but it is unclear if this accommodates both residential and commercial.

CVE Response: The dumpster will accommodate both residential and commercial.

48. Provisions for both on-site and off-site stormwater drainage and detention related to the proposed development. "The proposed stormwater detention facility outlet pipe is proposed within the existing right of way of Willingham Road. Since the pipe is to be privately operated and maintained by the developer, the pipe location should be routed outside the Willingham Road right of way."

CVE Response: The proposed piping will be installed to City of Hapeville standards as reinforced concrete pipe and will be dedicated to the City. Additional inlets will be provided for the right of way along Willingham. The purpose of this is to prevent removing trees from the hillside along Willingham.

49. Signage is shown on southeast corner of development. No size is provided.

CVE Response: The sign is shown as 14 foot wide. The architectural plans will show more detailed signage drawings during permitting.

50. Site and building sections. Schematic or illustrative sections shall be drawn to scale of 1" = 8' or larger, necessary to understand the relationship of internal building elevations to adjacent site elevations.

CVE Response: Building Sections are provided as part of the submission.

51. No building sections are provided.

CVE Response: Building Sections are provided as part of the submission.

52. Typical elevations. Typical elevations of proposed building shall be provided at a reasonable scale (1/8" = 1'0") and shall include the identification of proposed exterior building materials.

CVE Response: Building elevations are provided as part of the submission.

53. Verification of ownership has not been provided. A construction schedule has not been provided.

CVE Response: Property is owned by the Hapeville Development Authority. A construction Schedule for site work has been provided on sheet C-3.

54. With a height of 2.5 stories, the minimum distance between two single-family attached buildings must be 22'. The site plan indicates a minimum distance of 10', which is non-compliant. The Fire Marshall does support this reduced distance.

CVE Response: In discussions between the Architect and Fire Marshall, the 10' spacing will be in compliant with the fire marshal requirements.

55. The site plan does not consistently include a 15' landscaped buffer between residential and non - residential uses, including along South Central Ave.

CVE Response: See Newly Provided Landscaping Plan as part of the submission

56. Parking along Colville is within 5' of the property line, but designed as on-street parking. This would require a variance.

CVE Response: See site plan as the parking is now designated as off-street parking.

57. The Fire Marshall has concerns with maneuvering areas and requires a 26' wide land through the project. This will impact the location of the buildings.

CVE Response: See site and grading plan for 26' wide drive isle.

58. Size and location of off-street loading spaces is not provided.

CVE Response: one 15 foot by 60 foot loading space is located along Central Avenue north of the commercial 2 building and the dumpster.

59. Parking area landscaping plan detail is not provided.

CVE Response: See Newly Provided Landscaping Plan as part of the submission

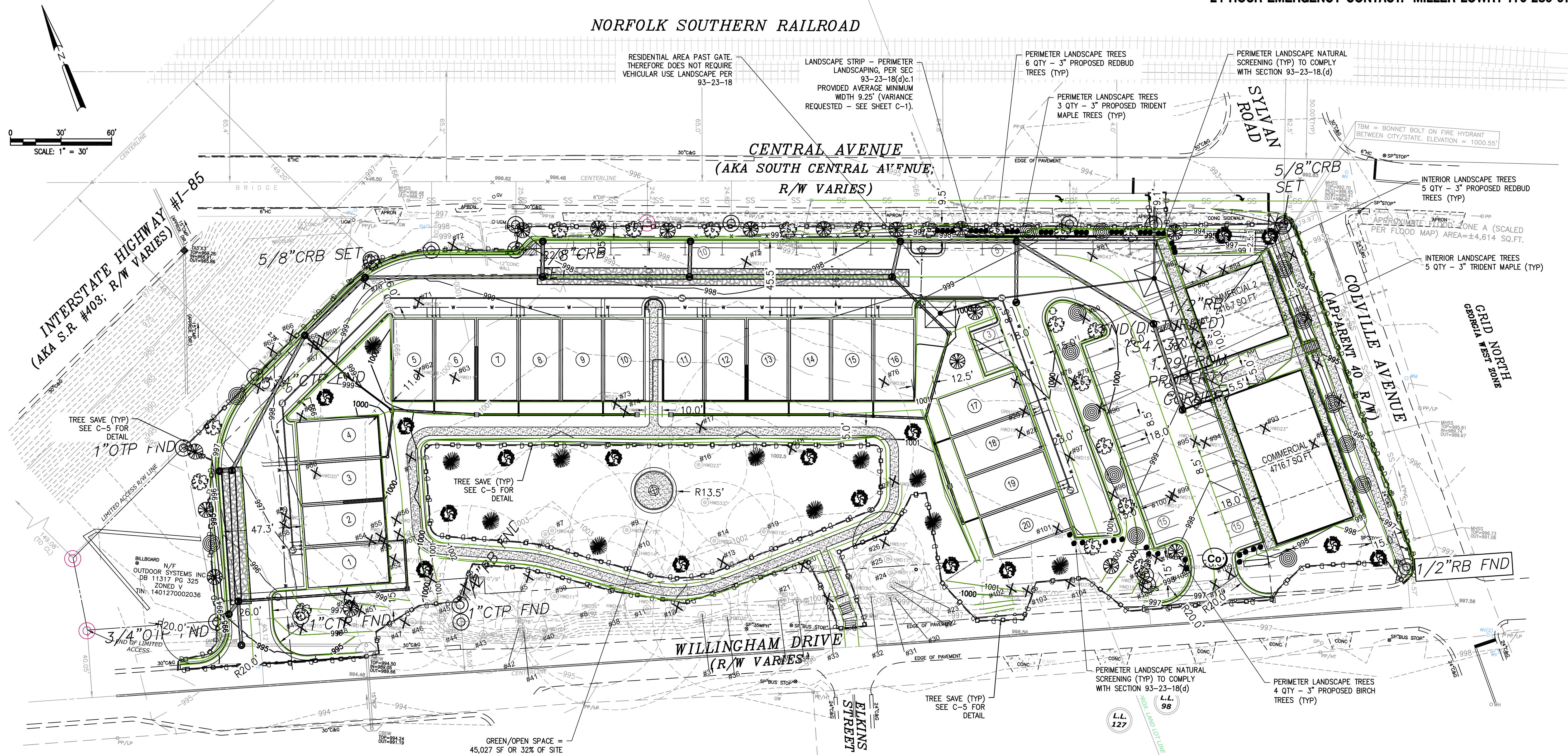
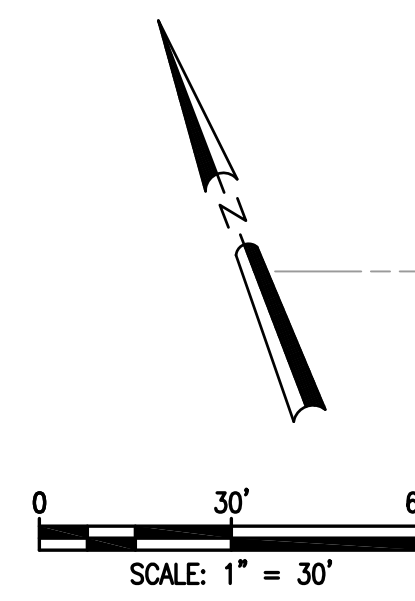
Please let me know if you have any additional questions and we will be happy to assist.

Sincerely,
Trey Baltz
Crescent View Engineering, LLC

NORFOLK SOUTHERN RAILROAD

CENTRAL AVENUE
(AKA SOUTH CENTRAL AVENUE;
R/W VARIES)

INTERSTATE HIGHWAY #1-85
(AKA S.R. #403; R/W VARIES)



EXISTING LEGEND

- 1150--- EXISTING CONTOUR
- PROPERTY LINE
- SANITARY SEWER LINE
- OVERHEAD POWER LINE
- WATER LINE
- FENCELINE
- SANITARY SEWER MANHOLE
- POWER POLE WITH GUY WIRE
- ELECTRIC BOX
- FIRE HYDRANT
- EXISTING HARDWOOD TREE (PER SURVEY)
- EXISTING ORNAMENTAL TREE (PER SURVEY)
- EXISTING TREE CRITICAL ROOT ZONE

PROPOSED LEGEND

- 990--- CONTOUR
- STORMWATER LINE
- D --- D --- LIMIT OF DISTURBANCE
- SANITARY SEWER PIPING
- 1.2%--- SURFACE DRAINAGE GRADE
- DROP INLET WITH GRATE
- JUNCTION BOX
- CURB INLET
- SANITARY SEWER MANHOLE
- TREE SAVE FENCE

TOTAL SITE ACRES = 3.113 ACRES
TOTAL DISTURBED AREA = 2.883 ACRES

SEE SHEET C-5.1 FOR TREE
INVENTORY AND
CALCULATIONS

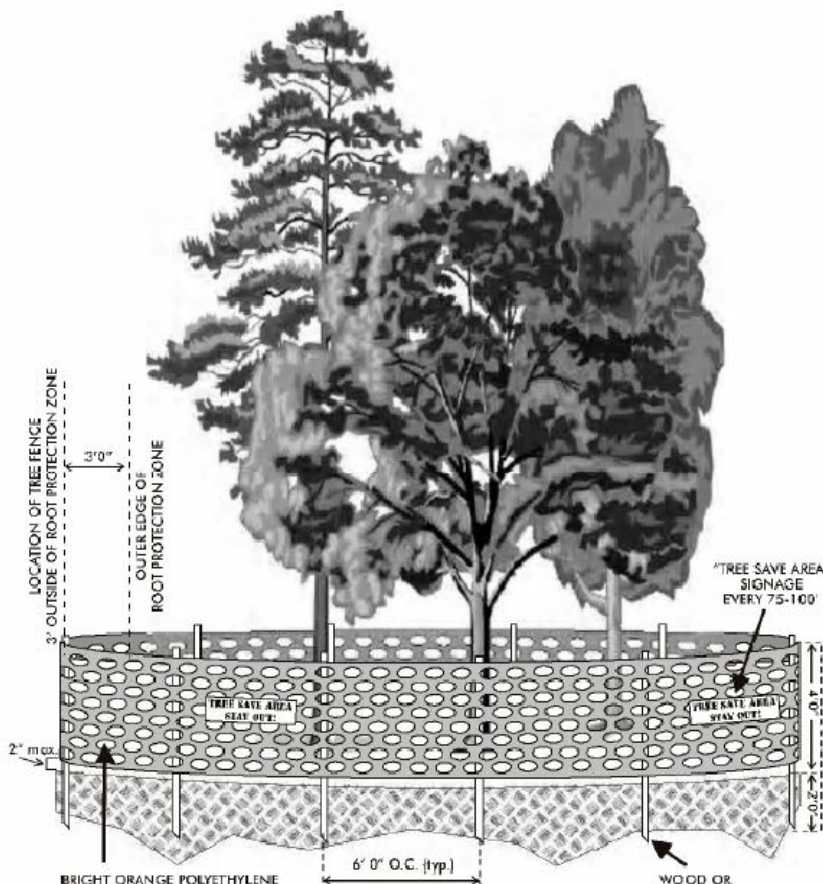
TREE PROTECTION FENCING SHALL BE
MAINTAINED DURING THE ENTIRE
PROJECT PERIOD

Tree Legend

INCLUDES LANDSCAPE PERIMETER TREES,
INTERIOR TREES, AND REPLACEMENT TREES
FOR CANOPY COVERAGE)

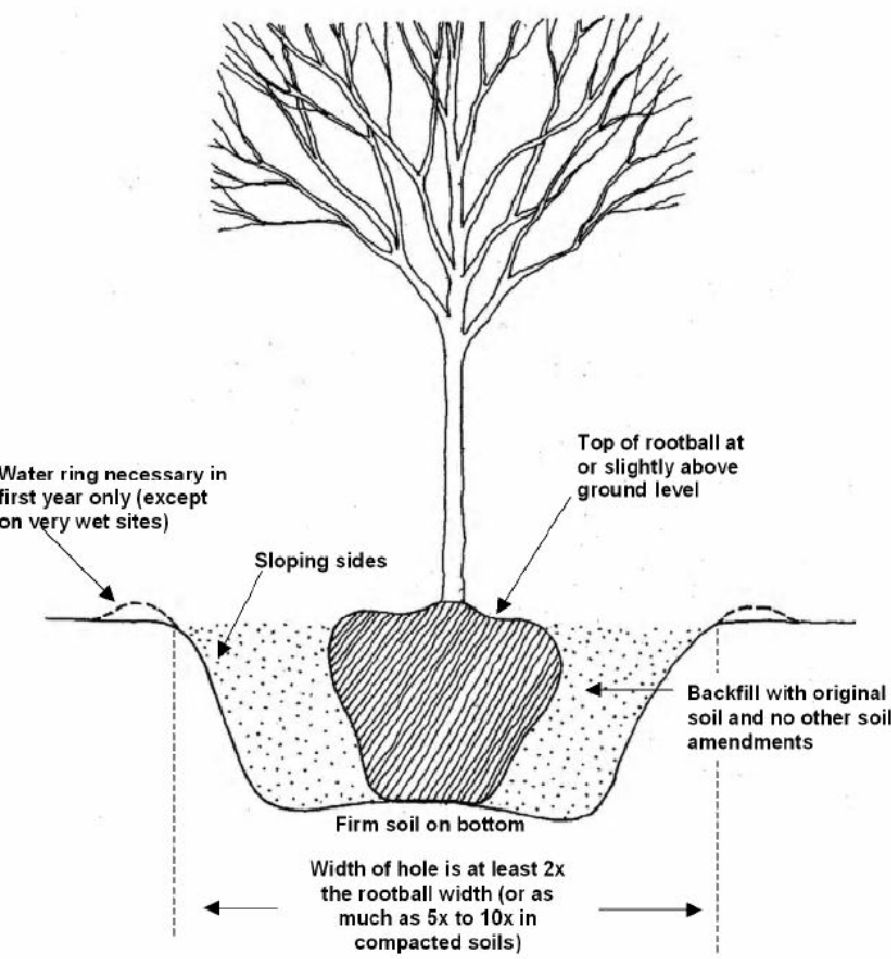
- AMERICAN BEECH (16 - 3" TREES)
- OVERCUP OAK (11 - 3" TREES)
- RED BUD (20 - 3" TREES)
- TRIDENT MAPLE (15 - 3" TREES)
- RIVER BIRCH (16 - 3" TREES)

Figure 1. Tree Protection Fencing



TREE PROTECTION
FENCING

NOT TO SCALE



TREE PLANTING
DETAIL

NOT TO SCALE

SURVEYOR

LOWERY AND ASSOCIATES LAND SURVEYING, LLC
317 GRASSDALE ROAD
CARTERSVILLE, GA 30121
(770) 334-8186

APPLICANT / DEVELOPER

MILLER LOWRY DEVELOPMENTS, LLC
2964 PEACHTREE ROAD NW
SUITE 540
HAPEVILLE, GA 30305

Prepared By:
CRESCENT VIEW
ENGINEERING, LLC:
211 Fraser Street SE
Marietta, GA 30060
678-324-3410
www.crescentvieweng.com

Prepared For:
Miller Lowry Developments, LLC
2964 Peachtree Road NW Suite 540
HAPEVILLE, GA 30305

Site/Tree Conservation Plan

DATE	SCALE	AS SHOWN	REVISIONS	CITY COMMENTS
4-8-19			5-7-19	
DRAWN			A. R.	
CHECKED			P. Z.	

Construction Plan Set For:
Village Walk at Hapeville
Land Lots 98 & 127, 14th District
City of Hapeville, Fulton County, Georgia

CVE PI # 18-403

Sheet No.
C-5

EXISTING TREE INVENTORY TAKEN FROM FROM SURVEY PERFORMED BY LOWERY & ASSOCIATES, DATED 4th OF APRIL, 2019.

TREE #	LOCATION	DBH (IN INCHES)	TYPE	SAVED / DESTROYED	% IMPACT	LANDMARK
1	ONSITE	44	HARDWOOD	DESTROYED	100.00%	YES
2	ONSITE	13	HARDWOOD	DESTROYED	100.00%	
3	ONSITE	38	HARDWOOD	DESTROYED	51.56%	YES
4	ONSITE	19	HARDWOOD	DESTROYED	43.57%	
5	ONSITE	12	HARDWOOD	DESTROYED	30.27%	
6	ONSITE	13	HARDWOOD	SAVED	23.99%	
7	ONSITE	44	HARDWOOD	SAVED/P	29.39%	YES
8	ONSITE	35	HARDWOOD	SAVED/P	27.31%	YES
9	ONSITE	27	HARDWOOD	SAVED	12.21%	
10	ONSITE	14	HARDWOOD	SAVED	15.90%	
11	ONSITE	11	HARDWOOD	SAVED	20.20%	
12	ONSITE	25	HARDWOOD	DESTROYED	38.30%	
13	ONSITE	13	HARDWOOD	DESTROYED	39.42%	
14	ONSITE	28	HARDWOOD	SAVED	22.19%	
15	ONSITE	33	HARDWOOD	SAVED	5.14%	YES
16	ONSITE	23	HARDWOOD	SAVED/P	25.61%	
17	ONSITE	17	HARDWOOD	DESTROYED	100.00%	
18	ONSITE	58	HARDWOOD	DESTROYED	60.69%	
19	ONSITE	18	HARDWOOD	SAVED	19.74%	
20	ONSITE	17	HARDWOOD	DESTROYED	65.56%	
21	ONSITE	45	HARDWOOD	SAVED	10.94%	
22	ONSITE	16	HARDWOOD	SAVED	0.00%	
23	ONSITE	16	HARDWOOD	SAVED	0.00%	
24	ONSITE	11	HARDWOOD	SAVED	0.00%	
25	ONSITE	17	HARDWOOD	SAVED	9.68%	
26	ONSITE	15	HARDWOOD	DESTROYED	30.24%	
27	ONSITE	50	HARDWOOD	DESTROYED	100.00%	YES
28	ONSITE	19	HARDWOOD	DESTROYED	100.00%	
29	ONSITE	10	ORNAMENTAL	DESTROYED	100.00%	YES
30	BOUNDARY	22	HARDWOOD	SAVED	5.39%	
31	BOUNDARY	21	HARDWOOD	SAVED	7.95%	
32	BOUNDARY	20	HARDWOOD	SAVED/P	26.23%	
33	BOUNDARY	11	HARDWOOD	DESTROYED	100.00%	
34	BOUNDARY	28	HARDWOOD	SAVED/P	34.46%	
35	BOUNDARY	16	HARDWOOD	SAVED	3.98%	
36	BOUNDARY	35	HARDWOOD	SAVED/P	26.49%	YES
37	BOUNDARY	14	HARDWOOD	SAVED	15.69%	
38	BOUNDARY	46	HARDWOOD	SAVED/P	34.94%	YES
39	ONSITE	11	HARDWOOD	SAVED	5.05%	
40	BOUNDARY	10	HARDWOOD	SAVED	0.00%	
41	BOUNDARY	11	HARDWOOD	SAVED	0.00%	
42	BOUNDARY	12	HARDWOOD	SAVED	0.00%	
43	BOUNDARY	19	HARDWOOD	SAVED	0.00%	
44	BOUNDARY	15	HARDWOOD	SAVED	7.24%	
45	BOUNDARY	10	HARDWOOD	SAVED	6.52%	
46	BOUNDARY	13	HARDWOOD	SAVED/P	29.17%	
47	BOUNDARY	23	HARDWOOD	DESTROYED	48.41%	
48	BOUNDARY	12	HARDWOOD	DESTROYED	100.00%	
49	BOUNDARY	15	HARDWOOD	DESTROYED	100.00%	
50	ONSITE	24	HARDWOOD	DESTROYED	100.00%	
51	ONSITE	15	HARDWOOD	DESTROYED	100.00%	
52	ONSITE	18	HARDWOOD	DESTROYED	100.00%	
53	ONSITE	14	HARDWOOD	DESTROYED	100.00%	
54	ONSITE	13	HARDWOOD	DESTROYED	100.00%	
55	ONSITE	11	HARDWOOD	DESTROYED	100.00%	
56	ONSITE	16	HARDWOOD	DESTROYED	100.00%	
57	ONSITE	22	HARDWOOD	DESTROYED	100.00%	
58	ONSITE	20	HARDWOOD	DESTROYED	100.00%	
59	ONSITE	10	HARDWOOD	DESTROYED	100.00%	
60	ONSITE	20	HARDWOOD	DESTROYED	100.00%	
61	ONSITE	36	HARDWOOD	DESTROYED	100.00%	
62	ONSITE	16	HARDWOOD	DESTROYED	100.00%	
63	ONSITE	11	HARDWOOD	DESTROYED	100.00%	
64	ONSITE	13	HARDWOOD	DESTROYED	100.00%	
65	BOUNDARY	14	HARDWOOD	DESTROYED	100.00%	
66	BOUNDARY	14	HARDWOOD	DESTROYED	100.00%	
67	ONSITE	11	HARDWOOD	DESTROYED	100.00%	
68	ONSITE	26	HARDWOOD	DESTROYED	100.00%	
69	ONSITE	13	HARDWOOD	DESTROYED	100.00%	
70	ONSITE	22	HARDWOOD	DESTROYED	100.00%	
71	ONSITE	35	HARDWOOD	DESTROYED	100.00%	YES
72	BOUNDARY	47	HARDWOOD	DESTROYED	100.00%	YES
73	ONSITE	21	HARDWOOD	DESTROYED	100.00%	
74	ONSITE	18	HARDWOOD	DESTROYED	100.00%	
75	ONSITE	12	HARDWOOD	DESTROYED	100.00%	
76	ONSITE	38	HARDWOOD	DESTROYED	100.00%	YES
77	ONSITE	17	HARDWOOD	DESTROYED	100.00%	
78	ONSITE	23	HARDWOOD	DESTROYED	100.00%	
79	ONSITE	35	HARDWOOD	DESTROYED	100.00%	YES
80	ONSITE	47	HARDWOOD	DESTROYED	100.00%	YES
81	ONSITE	43	HARDWOOD	DESTROYED	100.00%	YES
82	ONSITE	15	HARDWOOD	DESTROYED	100.00%	
83	ONSITE	11	HARDWOOD	DESTROYED	100.00%	
84	ONSITE	37	HARDWOOD	DESTROYED	100.00%	YES
85	ONSITE	20	HARDWOOD	DESTROYED	100.00%	
86	ONSITE	28	HARDWOOD	DESTROYED	100.00%	
87	ONSITE	13	HARDWOOD	DESTROYED	100.00%	
88	ONSITE	25	HARDWOOD	DESTROYED	100.00%	
89	ONSITE	11	HARDWOOD	DESTROYED	100.00%	
90	ONSITE	27	HARDWOOD	DESTROYED	100.00%	
91	ONSITE	36	HARDWOOD	DESTROYED	100.00%	YES
92	ONSITE	35	HARDWOOD	DESTROYED	100.00%	YES
93	ONSITE	23	HARDWOOD	DESTROYED	100.00%	
94	ONSITE	13	HARDWOOD	DESTROYED	100.00%	
95	ONSITE	47	HARDWOOD	DESTROYED	100.00%	YES
96	ONSITE	40	HARDWOOD	DESTROYED	100.00%	YES
97	ONSITE	15	HARDWOOD	DESTROYED	100.00%	
98	ONSITE	16	HARDWOOD	DESTROYED	100.00%	
99	ONSITE	10	HARDWOOD	DESTROYED	100.00%	
100	ONSITE	12	HARDWOOD	DESTROYED	100.00%	
101	ONSITE	20	HARDWOOD	DESTROYED	100.00%	
102	BOUNDARY	13	HARDWOOD	DESTROYED	100.00%	
103	BOUNDARY	31	HARDWOOD	DESTROYED	100.00%	YES
104	BOUNDARY	37	HARDWOOD	DESTROYED	100.00%	YES
105	BOUNDARY	13	HARDWOOD	DESTROYED	100.00%	
106	BOUNDARY	19	HARDWOOD	DESTROYED	100.00%	
107	ONSITE	13	HARDWOOD	DESTROYED	100.00%	
108	ONSITE	17	HARDWOOD	DESTROYED	100.00%	
109	ONSITE	15	HARDWOOD	DESTROYED	100.00%	
110	BOUNDARY	13	HARDWOOD	DESTROYED	100.00%	

NOTE – REQUIRED CANOPY CALCULATED AT 45% (RESIDENTIAL). EXISTING TREE CANOPY WAS NOT MEASURED IN THE SURVEY, THEREFORE, CANOPY FOR EXISTING TREES WAS ATTRIBUTED FROM THE TREE LIST (PER HAPEVILLE TREE CONSERVATION ORDINANCE, APPENDIX A)

RESIDENTIAL LOT SIZE	LOT SF	REQUIRED CANOPY	MEASURED CANOPY	ATTRIBUTED UNITS (EX. TREES TO REMAIN)	REPLACEMENT CANOPY LARGE	REPLACEMENT CANOPY MEDIUM	REPLACEMENT CANOPY SMALL	MITIGATION CANOPY FOR LANDMARK OR BOUNDARY	TOTAL (SF / UNITS)
RLS ACRES	LSF SF	RC (SF / UNITS)	MC (SF / UNITS)	AC (UNITS)	RCL (SF / UNITS)	RCM (SF / UNITS)	RCS (SF / UNITS)	MC	(EX TO REMAIN + REPLACEMENT)
3.25	141790	63,806 SF / 255 UNITS	N/A	21,500 SF / 86 UNITS	27,000 SF / 108 UNITS	8,000 SF / 35 UNITS	8,750 SF / 35 UNITS	BOUNDARY TREE BOND AMOUNT DETERMINED BY CITY ARBORIST (SEE NOTES BELOW)	65,250 SF / 261 UNITS

LANDMARK TREES REMOVED (ONSITE):

REMOVED = 14 QTY

REPLACED = 27 QTY LARGE REPLACEMENT TREES ARE PROPOSED (CANOPY COVERAGE FOR THESE REPLACEMENT TREES ARE INCLUDED IN THE CHART ABOVE)

LANDMARK REPLACEMENT TREES EXCEED LANDMARK TREES REMOVED. THEREFORE THERE IS NO LANDMARK MITIGATION COST/FEE

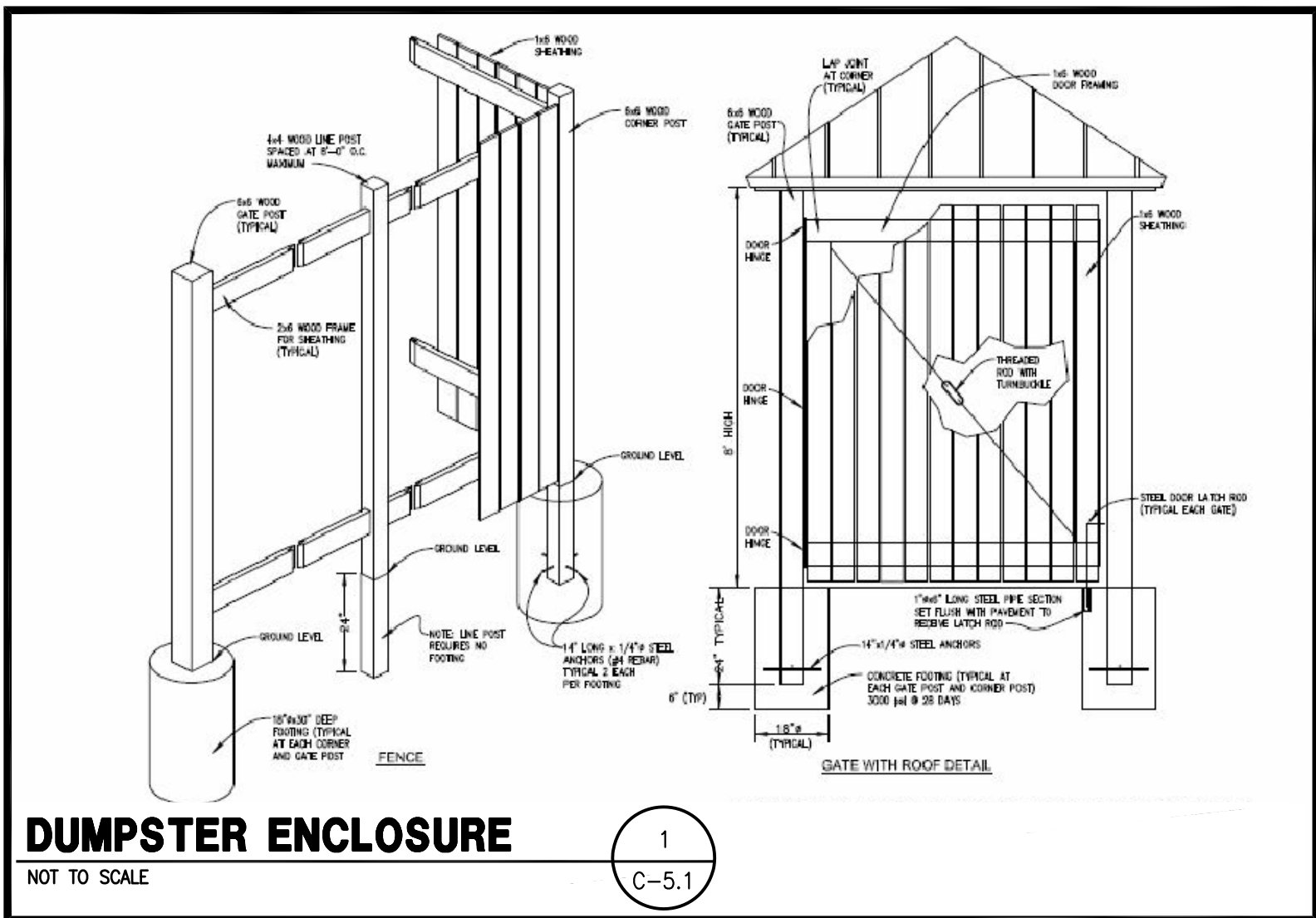
BOUNDARY TREES REMOVED:

TREE #	LOCATION	DBH (IN INCHES)	TYPE	SAVED / DESTROYED	% IMPACT TO CRZ	LANDMARK
33	BOUNDARY	11	HARDWOOD	DESTROYED	100.00%	
47	BOUNDARY	23	HARDWOOD	DESTROYED	48.41%	
48	BOUNDARY	12	HARDWOOD	DESTROYED	100.00%	
49	BOUNDARY	15	HARDWOOD	DESTROYED	100.00%	
65	BOUNDARY	14	HARDWOOD	DESTROYED	100.00%	
66	BOUNDARY	14	HARDWOOD	DESTROYED	100.00%	
72	BOUNDARY	47	HARDWOOD	DESTROYED	100.00%	YES
102	BOUNDARY	13	HARDWOOD	DESTROYED	100.00%	
103	BOUNDARY	31	HARDWOOD	DESTROYED	100.00%	YES
104	BOUNDARY	37	HARDWOOD	DESTROYED	100.00%	YES
105	BOUNDARY	13	HARDWOOD	DESTROYED	100.00%	
106	BOUNDARY	19	HARDWOOD	DESTROYED	100.00%	
110	BOUNDARY	13	HARDWOOD	DESTROYED	100.00%	

TOTAL BOUNDARY TREES REMOVED = 13 QTY (SEE LIST ABOVE- ALSO SHOWN IN EXISTING TREE INVENTORY)

BOUNDARY TREE REMOVAL BOND AMOUNT TO BE DETERMINED BY THE CITY ARBORIST (PER SEC 93-2-14(e)(4))

VEHICLE USE LANDSCAPE REQUIREMENTS		
(DOES NOT APPLY TO AREAS SERVING SINGLE FAMILY/DUPLEX DEVELOPMENTS (PER SEC. 93-23-18(b)). THEREFORE, CALCULATIONS ARE FOR COMMERCIAL AREA ONLY)		
CATAGORY	REQUIREMENT	PROVIDED
VEHICLE USE AREAS – EXTERIOR PERIMETERS	PERIMETER LANDSCAPING WITH NO HORIZONTAL DIMENSIONS LESS THAN 5'. SCREENING AREAS SHALL BE MAINTAINED AT A MIN HEIGHT OF 3'	PROVIDED PERIMETER LANDSCAPING HORIZONTAL DIMENSIONS: – NO LESS THAN 5' FOR PARKING AREAS
LANDSCAPED AREAS ABUTTING PUBLIC STREET RIGHT OF WAY	LANDSCAPING AREAS ALONG PUBLIC STREETS SHALL HAVE A MINIMUM DIMENSION OF 5' AND A MIN. AVG. OF 10' FROM RIGHT OF WAY TO VEHICLE USE AREA.	PROVIDED PERIMETER LANDSCAPING ALONG PUBLIC STREETS: – NO LESS THAN 5', WITH MINIMUM AVERAGE OF 9.25' REQUESTED REDUCTION OF MINIMUM AVERAGE FROM 10' TO 9.25'. SEE SHEET C-1.
PERIMETER LANDSCAPE REQUIREMENT (ONLY COMMERCIAL AREAS)	A MINIMUM OF 1 TREE/ 250 FT OF INTERIOR LANDSCAPED AREA.	PROVIDED PERIMETER LANDSCAPE AREA (COMMERCIAL ONLY) = 3,198 SF REQUIRED TREE QTY (3,198 SF / 250) = 12.78 (OR 13 QTY) TREES PROVIDED EXTERIOR TREES = 13 QTY
INTERIOR LANDSCAPE REQUIREMENT	AN AREA OR COMBINATION OF AREAS EQUAL TO 10% OF THE TOTAL VEHICULAR USE AREAS (EXCLUSIVE OF THE PERIMETER LANDSCAPE AREAS) AND A MINIMUM OF 1 TREE/ 250 FT OF INTERIOR LANDSCAPED AREA.	TOTAL VEHICULAR USE AREAS (COMMERCIAL AREA ONLY) = 19,626 SF REQUIRED 10% INTERIOR LANDSCAPE AREA = 1962.6 SF PROVIDED INTERIOR LANDSCAPE AREA = 2450.0 SF REQUIRED TREE QTY (2450SF / 250) = 9.8 (OR 10 QTY) TREES PROVIDED INTERIOR TREES = 10 QTY
GREEN SPACE REQUIREMENTS		
CATAGORY	REQUIREMENT	PROVIDED
GREENSPACE/OPEN AREAS	PER SECTION 93-11.5-10 – DEVELOPMENTS IN EXCESS OF TWO ACRES SHALL BE REQUIRED TO PROVIDE AND MAINTAIN A MINIMUM OF 20 PERCENT GREEN SPACE/ OPEN SPACE (EXCLUDES SPACE FOR REQUIRED SIDEWALKS AND LANDSCAPE STRIPS ALONG STREETS)	PROVIDED GREENSPACE = 45,027 SF OR 32% OF SITE



Prepared For:

Miller Lowry Developments, LLC

Site/Tree Conservation Plan			
DATE		4-8-19	REVISIONS
SCALE	AS SHOWN	5-7-19	
DRAWN	A. R.		CITY COMMENTS
CHECKED	P. Z.		

Construction Plan Set For:
Village Walk at Hapeville
 Land Lots 98 & 127, 14th District
 City of Hapeville, Fulton County, Georgia

CVE PI #	18-403
----------	--------

Sheet No

C-5.1



DEPARTMENT OF PLANNING AND ZONING

PLANNER'S REPORT

DATE: May 8, 2019
TO: Adrienne Senter
FROM: Lynn M. Patterson
RE: **Site Plan Review – Willingham Drive and Colville Avenue – The Village Walk at Hapeville**

BACKGROUND

The City of Hapeville has received a site plan application from Miller Lowry Developments for the construction of a multi-use project consisting of 20 30'-8", 2.5-story townhomes and 7,132 SF of single-story commercial space. The townhomes are all 3-bedroom units with a maximum footprint of 2,800 SF each. The commercial buildings will be 18' high, which is not compliant with the Architectural Design Standards requirement that all commercial buildings in the Commercial/Mixed-Use area be a minimum of 24' high. The site is situated between South Central Avenue, Colville Avenue, and Willingham Drive.

The property is zoned V, Village and is within the A-D, Arts District Overlay. It is subject to the Commercial/Mixed-Use Area Architectural Design Standards.

A subdivision plat is required to combine parcels 14 012700020429 and 14 012700020379. The applicant intends to request the following variances:

- Waive the sidewalk/curb and gutter requirement along Willingham Drive (Design Review exception required)
- Decrease the required distance between buildings from 20 feet to 10 feet (Board of Appeals variance required)
- Decrease the required commercial off-street parking from 36 to 32 spaces, including three parking spaces from the residential area to count towards the commercial parking requirement (Board of Appeals variance required)
- Reduce the high minimum for commercial buildings to 18' (Design Review exception required)

REVIEW

The following code sections are applicable to this application:

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. 93-11.1-2. - Permitted uses.

The following are permitted within the V zone:

- (1) Any use permitted in the D-D zone;
- (2) Any use permitted in the C-1 zone subject to the requirements of this article;
- (3) Single-family detached dwellings;
- (4) Single-family attached dwellings with at least four units attached;
- (5) Group homes, subject to the restrictions in section 93-2-19;
- (6) Adult daycare facilities;
- (7) Condominiums subject to approval as a conditional use; and
- (8) Combination of residential and business applications within a single structure. However, each use must have a separate entrance.

Dimensional Requirements for V Zoning are as follows:

							Minimum Front Yard Setback		Minimum		Maximum			
Development Type	Lot Frontage (FT)	Min. Lot Area (SF)	Lot Area/ DU (SF)	Bed/ Bath Required	Floor Area/ DU (SF)	Max. Lot Coverage (%)	Minor Col.	Maj. Arterial	Side	Rear	Stories	Feet	Min. Parking Spaces	Max. Unit/ Bldg. Lot
Single-family Attached 4 to 8 Units	40	10,000	2,500	3br/2bth	1,400	70	15	15	5	10	2½	35	2 DU	a.
Nonresidential	50	10,000	10,000		1,000	70	15	15	15	25		40 b..	c., d., e.	N/A

- a. Single-family attached patio/townhomes cannot have more than eight units per building and no less than four units attached.
- c. One parking space for every 200 square feet of enclosed commercial floor area.

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

Sec. 93-28-1. - Factual basis.

In adopting the Hapeville Arts District Overlay Zone (the "arts district overlay"), the city seeks to reinvent itself as a cultural destination, particularly its walkable downtown. The downtown has declined over the past 40 or more years. Likely the primary driver of that decline was expansion of Hartsfield Jackson Atlanta International Airport in the 1980's. This expansion removed half the city's land base and nearly half the population having devastating impacts on retail trade and service industries. Secondary factors were the building of the interstate system that served as a bypass for travelers. This effectively eliminated Hapeville as a recipient of a very significant consumer market generated by east coast travelers and local commuters. Hapeville has also suffered from the general lack of investment characterizing Atlanta's Southside, reinforced by a failure of Southside incomes and housing values to keep pace with Atlanta's north side. Finally, closure of the Hapeville Ford Plant removed a significant revenue base

and spelled the need for a substantial retooling of the local economy.

As the regional and national economy rebounds, the city seeks to create an in-town, arts identity that will attract air travelers, local visitors and as importantly, bolster consumer offerings for Hapeville residents. The arts district overlay will become a significant element of an economic development strategy that will capitalize on Hapeville's airport location, sense of place, walkability and small town charm.

An important aspect of that development strategy is the assignment of property rights not available to owners outside the arts district overlay. This reflects an emphasis on compact development supported by such public investment as streetscapes, public parking, public art, wayfinding signs, kiosks, film festivals and community events. The flexibility of building and site design and planned public investment are intended to foster an arts district that will establish downtown Hapeville as a regional destination for the arts and for community celebrations, dining and shopping.

Sec. 93-28-2. - Definitions.

Arts. The interpretation of imagination and creativity in a physical form or performance.

Art gallery. An establishment that engages in the sale, loan or display of paintings, sculptures, photographs, video art or other works of art. "Art gallery" does not include a cultural facility such as a library, museum or non-commercial gallery that may also display works of art or an arts studio.

Art center. A facility whose mission is to promote the arts and make them available to the public. An arts center may hosts art exhibits and shows, provide studio space for the use of artists and engage in public education and exposure to the arts.

Art use. Creation or assembly of visual art, including two- and three-dimensional works of fine art or craft, or other fine art objects created or assembled for purposes of sale, display, commission, or trade by artists or artisans. Art use may also include classes held for art instruction.

Artist studio. An area in a building used for creation, production, rehearsal, study or teaching of any visual art or craft, including but not limited to painting, drawing, graphic design, photography, video, film, sculpture and pottery; written works of fiction or nonfiction; or any performing art, whether for live or recorded performance, including music, dance and theater. "Artist studio" may include performance space related to classes taught on-site and recording studios; a studio for artisan related crafts, such as small scale metalworking, glassblowing, furniture making, pottery, leather craft and similar activities. "Artist studio" may also include accessory sales of art produced on the premises.

Artist. A person who practices one of the fine arts, design, graphic, musical, literary, computer, or performing arts; or a person whose profession relies on application of these skills to produce a creative product. The term includes, but is not limited to, individuals who practice visual arts, such as painters, print makers, illustrators, sculptors, potters, jewelry makers, glass makers, craft artists and photographers; performing arts, such as musicians, composers, playwrights, choreographers and dancers; literary arts, such as creative writers and literary translators; architecture and design, such as architects, landscape architects, engineers, urban designers and planners, interior designers and decorators, industrial designers, graphic designers and fashion designers; and media arts, such as filmmakers, video and audio artists and web-based designers.

Consignment store. An enclosed retail establishment, whether operated by a for or not for profit organization or entity, engaged in selling used merchandise, such as clothing, furniture, jewelry, books, shoes, or household appliances, etc., on consignment. Consignment stores do not include those selling vehicles, auto parts, scrap, or waste.

Drive-through. Any facility that may be accessed directly by means of a motor vehicle for transacting business.

Entertainment, live. Any musical act, including karaoke; theatrical act, including a play, revue or stand-up comedy; dance; magic act; disc jockey or similar activity performed live by one or more persons, whether or not for compensation or an admission charge.

Food truck. A motorized vehicle or trailer drawn by a motorized vehicle used to prepare and sell food to the public directly from the vehicle or trailer.

Food truck court. An area designated in a private parking lot that is accessory to a permitted use conducted in a building on the lot or a freestanding commercial parking lot, subject to the requirements of section 93-28-12 of this article.

Food truck vendor. Any person or entity that prepares and sells food from a food truck in a designated food truck court.

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

Makerspace. An indoor or outdoor facility or both intended to be used by artists as studio and retail space. Makerspaces often combine production, equipment, community, and education for the purposes of enabling participating individuals to design, prototype, and create works that said individuals would have difficulty producing if working alone due to a lack of resources, tools, artistic input, and/or space. Such space may be in a residential, commercial, mixed use or a live/work building and often provides tools for community use. Makerspaces are characterized by consistent design elements, such as high ceilings, large windows, durable surfaces and wide entrances. These spaces are designed to accommodate and foster a variety of creative activities. Makerspaces may also include common space such as galleries, meeting rooms and open space that encourages resident engagement and community involvement.

Microbrewery. Any establishment where malt beverages are produced or brewed (as further defined and regulated in chapter 5, "Alcoholic beverages," of this Code).

Outdoor arts market. A temporary event held on private or public property where artwork is offered for sale.

Small power tools. Hand equipment driven by other than human means. Examples include circular saws, power drills, portable mitre saws, routers, electric belt sanders and wood lathes. Not defined as small power tools are chain saws, mounted mitre saws, band saws, jackhammers and similar power tools.

Thrift store. An enclosed retail establishment, whether operated by a for or not for profit organization or entity, engaged in selling previously owned or used goods and merchandise from an area greater than 25 percent of the total floor area devoted to retail sales and whose merchandise is acquired principally by donation. Thrift stores do not include those selling vehicles, auto parts, scrap, or waste.

Sec. 93-28-3. - Purpose.

The purpose of the arts district overlay is to facilitate creation of an arts destination, sustain established arts and cultural uses and promote new arts and cultural uses. The arts district overlay seeks integration of the arts into the fabric of the community and is conceived as the location of art galleries and art studios forming the core of an arts district. A complementary mix of shops, restaurants and entertainment venues will support these uses. These elements are expected to generate interest in downtown Hapeville and attract arts and cultural events.

The arts district overlay features an expanded range of permitted uses focused on the arts while retaining all property rights established by the underlying zoning. The arts district overlay encourages adaptive reuse of historic buildings and new construction technologies, affording owners expanded development options. These measures will enhance the market attractiveness of the arts district.

Arts venues, community festivals, expanded arts uses and pedestrian character are expected to promote an arts district. Planned investment in public art, lighting, sidewalks and off-street parking will leverage private investment and enhance public safety. This combination of public and private investment is expected to advance Hapeville's position in regional leadership in the arts and stimulate broad economic revitalization. Importantly, the arts district overlay features walkable distances from nearby neighborhoods to small-scale establishments and live entertainment venues accommodated by the arts district overlay and compatible with the neighborhood character.

Sec. 93-28-4. - Applicability.

Unless expressly modified by regulations in this article establishing the arts district overlay, the regulations governing the use of land and structures shall be as set forth in the underlying zoning districts and as regulated by other provisions of this Code. The architectural design standards shall control development in the arts district overlay unless an alternate provision is adopted in the arts district overlay. Where a conflict with other City Code and ordinance provisions exists, the more permissive standard shall apply.

Sec. 93-28-5. - Geography.

Generally, the arts district overlay radiates from downtown Hapeville running along North Central and South Central Avenues, Dogwood Drive, the two-lane segment of Virginia Avenue (i.e. from South Central Avenue to Doug Davis Drive) and North and South Fulton Avenues. The District is more specifically identified in Exhibit A entitled "Hapeville Arts District Overlay Zone."

Editor's note— Exhibit A as referenced in this section is not set out at length in this Code, but may be found in the offices of the city.

Sec. 93-28-6. - Scale.

Downtown Hapeville is the focus of the arts district overlay. Hapeville was established at a time when walking was the primary means of travel, and the downtown is characterized by a pedestrian scale. This scale is preserved by height limits inherent in the development intensity assigned to the downtown on Hapeville's future development map and development standards of the arts district overlay. A sense of place will be maintained by adherence to these height limits. Preservation of pedestrian scale is important as arts districts are typically designed to encourage walking to a variety of venues.

Sec. 93-28-7. - Additional uses encouraged in the arts district overlay.

Uses permitted by the underlying zoning are unaffected by adoption of the arts district overlay; the following uses shall be specifically permitted in the arts district overlay.

Sec. 93-28-7.1. - Arts uses.

- (a) Art gallery.
- (b) Artist studio.
- (c) Artist studio workspace.
- (d) Artist co-op to allow multiple artist spaces that are not bazaars, junk stores, specialty shops and flea markets, etc.
- (e) Arts and crafts retail sales.
- (f) Arts center.
- (g) Arts related businesses and services such as craft shops, galleries and studios within which is conducted the preparation, display, or sale of art products such as antiques, collectibles, custom apparel, jewelry, paintings, photography, picture framing, pottery, sculpture, stained glass and similar arts, crafts merchandise, and activities such as set design and restoration of artwork.
- (h) Arts supply store.
- (i) Cabaret, concert hall or other performing arts space, dinner theater, legitimate theater or movie theater.
- (j) Craftsman or artisan shop.
- (k) Music store, musical instruments store.
- (l) Performing arts ticket office or booking agency.
- (m) Photographic studio.
- (n) Recording studios, provided appropriate soundproofing is installed.
- (o) Television and radio broadcast studio.
- (p) Video and movie production.

Sec. 93-28-7.2. - Retail uses.

- (a) Farmers market or green market.

- (b) Framing shop.
- (c) Pottery and ceramics shop.
- (d) Growler shop.

Sec. 93-28-7.3. - Cultural and entertainment uses.

- (a) Brew pubs, including outdoor seating.
- (b) Microbreweries, subject to the provisions of chapter 5, "Alcoholic beverages," of this Code, and the development standards set forth in section 93-28-12 of this Code.
- (c) City-sponsored and/or approved outdoor cultural events and performances that feature visual art, music, dance, theater, performance art, science, design or cultural heritage.
- (d) Live entertainment, provided that all establishments hosting live entertainment shall comply with any and all applicable noise regulations and ordinances of the city.

Sec. 93-28-7.4. - Educational uses.

- (a) Art school and other visual and performing arts instruction including school of dance, photography, filmmaking, music, writing, painting, sculpting and printmaking, but excluding adult entertainment and erotic dance.
- (b) Educational or instructional activities, including training, vocational or craft schools, the arts and personal development.
- (c) Libraries.
- (d) Museums.
- (e) Social and philanthropic institutions.
- (f) Training studios, including martial arts studios, gymnastics and yoga.

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

Live-work and artist housing, subject to the following stipulations:

- (1) The residential portion of a live-work unit shall contain sleeping areas, cooking facilities and complete sanitary facilities.
- (2) The residential occupancy of a live-work unit shall include, at a minimum, one person who is an artist and is employed or carries out an occupation in the arts within the nonresidential portion of the unit.
- (3) The nonresidential portion of a live-work unit shall be limited to two employees per shift, including the person living in the unit that is associated with the business.
- (4) The "artist" occupant will be subject to qualification by a juried commission that will determine the eligibility for occupancy in live-work and artist housing units. Upon receiving an application for occupation of live-work and artist housing unit(s), the juried commission shall meet to review the application, and hear the applicant should the applicant wish to appear before the juried commission. Said meeting shall occur within thirty calendar days of receipt of said application by the juried commission. The juried commission shall then issue a written determination to the applicant within 14 calendar days of said meeting. If the applicant is dissatisfied with the decision of the juried commission, the applicant may appeal the decision to the mayor and council of the city within seven calendar days of receipt of said decision. The mayor and council shall then hear the appeal within 30 calendar days of receipt of said appeal and shall issue a written final determination within 14 calendar days of said appellate hearing. Applications for live-work and artist housing may be acquired by contacting the city clerk.
- (5) The minimum floor area of a live-work and artist housing unit shall be 320 square feet, exclusive of kitchen and bathroom floor area.

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.

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

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

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

Sec. 93-28-8. - Prohibited uses.

The following uses shall be prohibited in the Arts District Overlay:

- (1) Any drive-through facility.
- (2) Any outdoor storage of materials or any outdoor processing, fabricating or repair work with the exception of work performed with hand tools or small power tools.
- (3) Use of any structure primarily for storage (meaning no more than 25% of the total interior space of said structure may be used for storage of goods, materials, or equipment).
- (4) Car wash.
- (5) C-Store selling fuel.
- (6) Gas station.
- (7) Motor vehicle service or repair.
- (8) Tire stores.
- (9) Any use that involves the outdoor storage of materials or products. The production of offensive noise, vibration, smoke, dust or other particulate matter, heat, humidity, glare or other objectionable effect shall also be prohibited.

Sec. 93-28-9. - Accessory uses.

- (a) Kilns, subject to the development standards in section 93-28-12.
- (b) Outdoor display of artwork and merchandise during hours of operation of the primary business or activity on the property.
- (c) Power tools. The use of hand tools is encouraged; the use of small power tools is allowed. All tools shall be used in compliance with the noise regulations and ordinances of the city.
- (d) Street performers, subject to the development standards in section 93-28-12.
- (e) Food trucks, in designated food truck courts only, and subject to the development standards in section 93-28-12.
- (f) Consignment stores and thrift stores, subject to the development standards in section 93-28-12.
- (g) Makerspaces, subject to the development standards in section 93-28-12.

Sec. 93-28-10. - Building and site design.

Sec. 93-28-10.1. - Building design.

Non-traditional structures such as re-use of shipping containers, subject to approval by the design review committee, and other structures, subject to approval by the design review committee, shall be permitted.

Any structure constructed out of a shipping container must include:

- (1) Wiring and connection for permanent electrical utility service.
- (2) No less than one HVAC (heating, ventilation, and air conditioning) system.
- (3) Insulation in the form of closed cell spray foam insulation.
- (4) Exclusive of any end cargo doors, a door measuring at least 19.5 square feet and one or more windows measuring at least six square feet each.

No more than 25 percent of a shipping container or other such structure in the arts district overlay shall be used for the storage of any goods, materials, or equipment.

New construction materials such as polished metal, corrugated metal, metal roofing, glass and concrete facades shall be permitted.

All building elevations visible from a public right-of-way shall be treated with materials, finishes and architectural details appropriate to primary street-facing facades. All elevations shall be similar and compatible with the front elevation; concrete masonry units, whether parged or not, shall not be permitted.

Sec. 93-28-10.2. - Site design.

- (a) No overhead service doors or bays shall face the primary street serving the property. Loading and service areas shall be internal to the development and accessed via service alleys and not pedestrian-oriented streets.
- (b) Entrances to the building, including entrances to shops and the main lobby, shall be separated by no more than 40 feet along the front of the building.
- (c) Pedestrian and main entrances shall be located on the primary street serving the property. Curb cuts should be located on a side street where possible.
- (d) Parking shall not be the dominant visual element of the site along the primary frontage. Parking shall be designed as smaller, multiple parking lots separated by landscape and buildings, or placed behind buildings.
- (e) The parking space standard in the arts district overlay shall be eight and one-half feet by 18 feet. No loading space requirement shall apply to the arts district overlay. In most instances, the short term loading needs of the business can be met in the vehicle parking area.

Sec. 93-28-11. - Public art.

Placement or installation of outdoor sculpture and other art forms on private property intended to be viewed from a public right-of-way or other public property shall not be subject to setback standards of the applicable zoning district and shall not require a permit, provided that:

- (1) The art is not offered for sale;
- (2) The art does not constitute an advertisement; and
- (3) The placement does not impede the flow of pedestrian, bicycle or vehicle traffic or block motorist visibility at intersections, alleys or driveways.

Sec. 93-28-12. - Use specific standards.

The following standards shall control the development and manner of operation of the following uses within the arts district overlay:

- (1) *Food truck court.*
 - a. Food truck courts may be established in free-standing commercial parking lots accessory to an operating, permitted use provided that (a) the lot has been designated for food truck courts, (b) the property is zoned C-1, C-2, D-D, V, N-C, RMU or U-V, and (c) parking supply exists in excess of that required by ordinance or Code for uses or commercial space existing on the site and two off-street parking spaces shall be reserved for the exclusive use of customers of each food truck vendor. Such designation shall be subject to review and approval by the code enforcement officer who shall maintain the following database:
 - 1. Property address and number of spaces designated as a "food truck court."
 - 2. Site sketch depicting the building, parking spaces and parking spaces so designated.
 - 3. Dimensions and color photos (front, both sides and rear) of the dispensing vehicle.
 - 4. A copy of all lease agreements between the property owner and/or landlord and any food truck vendor, including the specific space being leased which shall be marked on the ground.
 - 5. Proof of compliance with all Fulton County Health Department regulations.
 - 6. An occupational tax permit issued by the city, which permit shall be posted in the front window of the food truck vendor vehicle or trailer while in use.
 - b. Food trucks shall not be permitted on the premises before 7:00 a.m. or after 10:00 p.m.
 - c. Each food truck vendor shall obtain an annual transient merchants license prior to operating in any area designated as a food truck court.
 - d. No minimum or maximum number of food trucks shall be established; food truck courts need not be contiguous and may be designated in several locations within a single lot.
 - e. No wastes of any kind shall be discharged from a food truck. Trash receptacles shall be provided by the food truck vendor for customers to dispose of food wrappers, food utensils, paper products,

cans, bottles, food and other such waste. Such receptacles shall be located no more than ten feet from the food truck. The food truck vendor shall be responsible for removing all trash, litter and refuse from the site at the end of each business day.

- f. No LED strip lighting shall be used in conjunction with any food truck court.
 - g. No loudspeakers shall be used for announcements or hawking of products in conjunction with any food truck court.
 - h. The property owner and/or landlord may provide limited seating on the food truck court to customers of the food truck vendor(s). Canopies for the protection of customers from the elements may also be provided by the property owner and/or landlord or the food truck vendor(s). Such canopies shall be temporary, located within three feet of the food truck, not exceed an area of 144 square feet and shall be subject to approval by the code enforcement officer.
 - i. A minimum distance of 100 feet shall be maintained between any food truck and the entrance to any restaurant.
 - j. The food truck shall not be located within any required setback, any sight distance triangle or required buffer. Access aisles sufficient to provide emergency access to any food truck shall be provided subject to approval by the fire marshal.
 - k. Sales of articles other than food shall be prohibited.
- (2) *Kilns.*
- a. The total volume of kiln space shall not exceed 24 cubic feet and no individual kiln shall exceed eight cubic feet.
 - b. Kilns may be located outside. Outside kilns shall be set back a minimum of 25 feet from any boundary common to property zoned residential or in residential use.
- (3) *Street performers.*
- a. Street performers shall obtain a permit from the city.
 - b. Performers shall operate only in designated areas.
 - c. No street performer shall impede movement along a public sidewalk; a minimum sidewalk width of five feet, independent of the performance area, shall be maintained throughout any performance.
- (4) *Microbreweries.*
- a. The production of beer shall not exceed 50,000 gallons per year (absent special approval of mayor and council), provided a restaurant or tasting room is open to the public on a regular basis.
 - b. No trucks larger than a 24-foot box truck shall be used in delivery to or shipment from the microbrewery.
 - c. Shipments or deliveries shall not occur between the hours of 10:00 p.m. and 7:00 a.m.
 - d. All operations by the microbrewery shall be conducted within an enclosed building. Production space shall not exceed 15,000 square feet. If "free tastings" are to be provided by a microbrewery pursuant to article 6.4, "Microbreweries," of chapter 5, "Alcoholic beverages," of this Code, then said microbrewery must have a tasting room encompassing a minimum floor area of 1,500 square feet for conducting said "free tastings."
 - e. No fumes, vapors, odor, smoke, dust or other particulate matter or offensive vibration, noise, heat, humidity, glare or other objectionable effect generated by the operation shall be perceptible at the property boundary of the microbrewery.
 - f. A landscaped buffer having a minimum horizontal dimension of 40 feet shall be established along any property boundary common to a residential zoning district. Alternate compliance may be achieved with berming to a minimum height of three feet affording a reduction in buffer width to 30 feet. Landscaping shall achieve nearly opaque screening of the microbrewery operation from adjacent residential districts throughout the year.
 - g. All microbreweries operating within the arts district overlay must comply with those regulations set forth in article 6.4, "Microbreweries," of chapter 5, "Alcoholic beverages," of this Code.
- (5) *Makerspaces.*
- a. Makerspaces may only open and/or operate on either of the following two streets in the city:
 - 1. Dogwood Drive, and
 - 2. That portion of Virginia Avenue from South Central Avenue to Doug Davis Drive.
- (6) *Consignment stores and thrift stores.*

- a. Consignment stores and thrift stores may only open and operate on the following two streets in the city:
 1. Dogwood Drive, and
 2. That portion of Virginia Avenue from South Central Avenue to Doug Davis Drive.

Sec. 93-28-13. - Signs.

Signs with lights and movable elements that contribute to the unique character of the district shall be permitted. Such signs shall be subject to approval by the design review committee.

REQUIREMENTS

ARTICLE 2. – GENERAL PROVISIONS

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

- (a) *Intent and purpose.* The site plan review procedures are intended to ensure adequate review and consideration of potential impacts of proposed development upon surrounding uses and activities, and to encourage a high standard of site planning and design resulting in quality development in the city.
- (b) *Application.* An application for site plan review may be filed by the owner, or agent for the owner, of any property to be developed according to the plan. All applications for site plan review shall be filed with the building official for transmission to the planning commission. Site plan review requirements are applicable for all proposed development in all zones within the city and all property submitted for annexation.
- (c) *Submission requirements.* Applications for site plan review shall contain the following information and any additional information the planning commission may prescribe by officially adopted administrative regulations; ten copies of the application shall be submitted:
 - (1) *Site and landscape plan.* Maps and site plans shall be submitted (minimum scale of 1" = 50' or larger, e.g., 1" = 40', 1" = 30', etc.) indicating project name, applicant's name, adjoining streets, scale, north arrow and date drawn, showing:

A site plan including date, project name, north arrow, adjoining streets, and scale has been provided. Only a partial landscape plan has been provided.

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

The site is currently vacant. The proposed development will contain 20 2,800 SF townhomes, one 2,416.7 SF commercial building, and one 4,716.7 SF commercial building. The townhomes will be 2.5 stories or 30'-8" high, while the commercial buildings will be 18' high. The commercial height is not compliant with the Architectural Design Standards.

Setbacks established for the buildings are all compliant with the V zoning district dimensional requirements.

- ***All structures are within a provided 15' front/rear setback line from the property line.***
- ***Minimum side setback for the townhomes is 10' between buildings, and 20' between the commercial buildings.***

Village zoning requires the minimum distance between two multiple family buildings to be 20', plus four additional feet for every story or fraction thereof that the building exceeds two stories. The townhomes are 2.5 stories high, which requires a minimum distance of 24' between buildings. The applicant is requesting a variance to allow for a minimum distance between multifamily buildings of

10'. The Planning Commission should review and provide a recommendation to the Board of Appeals per the Code.

- **Commercial buildings have rear setbacks of approximately 100' from the townhomes. This setback should be shown on the site plan.**

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

Per the Architectural Design Standards, sidewalks along South Central Avenue must have a 5' landscape area and a 10' clear area. All other sidewalks, including along Colville Avenue and Willingham Drive, must have a 5' landscape area and a 6' clear area.

- **The site plan identifies existing sidewalk partially along South Central Avenue but does not provide a width.**
- **A sidewalk with a 5' wide clear area and an unspecified landscape area is proposed for Colville Avenue, which is not compliant.**
- **The applicant is requesting a design exception to allow for a waiver of the Willingham Drive sidewalk due to grade change and a desire to preserve existing trees. No trees survey provided (see below).**

Sidewalk standards will be reviewed by the Design Review Committee for compliance.

Cross sections of curb cuts, sidewalks, connections to buildings, and driveways are not provided.

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

Each townhouse will have an attached two car garage. The townhouses will have access to an additional 13 parallel parking spaces and three full size spaces, which is in excess of code maximum parking requirements. The commercial buildings show a 29-space parking lot, which does not meet the minimum parking requirement of one space per 200 SF of commercial space. A variance would be required from 36 spaces to 29 spaces by the Board of Appeals.

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

Existing grading is shown at five-foot intervals, and proposed grading is shown at one-foot intervals.

- e. The location and general type of all existing trees over six-inch caliper and, in addition, an identification of those to be retained.

The location and general type of existing trees has not been provided. No identification of trees to be retained has been provided. The applicant should provide a tree inventory and save schedule.

- f. 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.

No proposed plant material has been provided. The applicant should provide the required information on all proposed plant material.

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

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

The site plan includes 20 townhomes, 2 commercial buildings, and a private recreational open space with walking path and firepit. However, no proposed outdoor furniture is included. The applicant should provide any landscaping details of the common area.

- h. The location of all retaining walls, fences (including privacy fences around patios, etc.) and earth berms.

Retaining walls, a 75' opaque screening wall along South Central Avenue and an additional fence of a type not specified running the length of South Central Avenue are included on the plans. The screening wall and fence must be reviewed by the Design Review Committee.

- i. The identification and location of all refuse collection facilities, including screening to be provided.

Two dumpsters are shown on the northeast side, one for residential use and one for commercial use. Screening information is not provided on plans.

- j. Provisions for both on-site and off-site stormwater drainage and detention related to the proposed development.

A stormwater retention and drainage plan has been provided. See engineer's comments.

- k. Location and size of all signs.

One construction sign is indicated on the plans near the southeast entrance on Willingham Drive. The height, width, and area of the sign should be provided. A separate sign application will be required.

- (2) *Site and building sections.* Schematic or illustrative sections shall be drawn to scale of 1" = 8' or larger, necessary to understand the relationship of internal building elevations to adjacent site elevations.

Building elevations have been provided. The proposed elevations are not in compliance with the Architectural Design Standards and require review by the Design Review Committee.

- (3) *Typical elevations.* Typical elevations of proposed building shall be provided at a reasonable scale (1/8" = 1'0") and shall include the identification of proposed exterior building materials.

Building elevations have been provided. The proposed elevations are not in compliance with the Architectural Design Standards and require review by the Design Review Committee.

- (4) *Project data.*

- a. Site area (square feet and acres).

The site plan lists the site as 3.255 acres, or 141,790 SF.

- b. Allocation of site area by building coverage, parking, loading and driveways, and open space areas, including total open space, recreation areas, landscaped areas and others.

The site plan lists total impervious area as 32,762 SF of building surface area, 8,613 SF of parking area, 32,468 SF of driveway area, and 6,051 SF of sidewalk area for a total of 79,894 SF. Maximum allowable is 70%. Total per site plan is 56.3%, which is compliant.

- c. Total dwelling units and floor area distributed generally by dwelling unit type (one-bedroom, two-bedroom, etc.) where applicable.

Each townhouse will include 3 bedrooms and 2.5 bathrooms. Minimum required is 3 BR/2 BA.

- d. Floor area in nonresidential use by category.

The commercial buildings will have a combined total area of 7,132 SF.

- e. Total floor area ratio and/or residential density distribution.

Residential minimum is 1,500 SF. Proposed dwellings are 2,800 SF, which is compliant. The commercial minimum is 1,000 SF. Proposed commercial buildings are 2,416.7 SF and 4716.7 SF, which are compliant.

- f. Number of parking spaces and area of paved surface for parking and circulation.

Each townhouse will have an attached two car garage. The townhouses will have access to an additional 13 parallel parking spaces and three full size spaces, which is in excess of code maximum parking requirements. The commercial buildings show a 29-space parking lot, which does not meet the minimum parking requirement of one space per 200 SF of commercial space. The total parking and driveway area will be 41,081 SF.

- (5) *Project report.* A brief project report shall be provided to include an explanation of the character of the proposed development, verification of the applicant's ownership and/or contractual interest in the subject site, and the anticipated development schedule. At the discretion of the planning commission, analyses by qualified technical personnel or consultants may be required as to the market and financial feasibility, traffic impact, environmental impact, stormwater and erosion control, etc. of the proposed development.

Verification of ownership and a construction schedule have been provided.

Sec. 93-11.1-6. - Area, placement, and buffering requirements.

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

- (1) *Lot area and width.* No lot shall have a minimum frontage of less than 50 feet, while the minimum area shall be established by the restriction governing lot coverage, setbacks, screening, and parking requirements.
- (2) *Front yard.* All structures located along a street shall be set back, at a minimum, of 15 feet, or greater as may be determined to be necessary and advisable by the city planning commission in the course of its site plan review process. In determining such yard setbacks, the city planning commission shall consider the size and configuration of the proposed buildings, their relationship to the existing and proposed thoroughfares; in order to maximize all vehicular and pedestrian safety.
- (3) *Side and rear yards.* The side and rear yards adjacent to, or separated by a street, alley or other right-of-way from a residential or commercial zone, shall provide a building setback of at least 15 feet.
- (4) *Distance between buildings.* The minimum distance between two multiple family buildings on a single lot or on contiguous property under the same ownership shall be 20 feet, plus four additional feet for every

story or fraction thereof that the building exceeds two stories, or such distance determined necessary by the planning commission to enhance the aesthetics of development.

With a height of 2.5 stories, the minimum distance between two single-family attached buildings must be 24'. The site plan indicates a minimum distance of 10', which is not compliant. The Applicant is seeking a variance to reduce the distance all multiple family buildings must be separated by to 10'. The Fire Marshall supports this reduced distance. The Planning Commission should provide regarding aesthetics.

- (5) *Height regulations.* No building or structure shall exceed 2½ stories or a 35 feet in height, provided the planning commission may allow a development with greater height, if it finds that:
 - a. The proposed height will not adversely impact adjacent properties or nearby residential neighborhoods;
 - b. The added height is necessary to support redevelopment of an area, which currently contains uses that have an adverse impact upon adjacent neighborhoods;
 - c. The proposed development is designed to facilitate the objectives and strategies of the master plan;
 - d. Meets approval from the fire department and FAA.
- (6) *Residential buffer.* New development shall provide sufficient setback as well as an attractive physical barrier between the residential and nonresidential uses as necessary to minimize disruptive light, noise, odor, dust, unsightly appearances and intrusive activity relative to the residential environment. A smooth transition between residential neighbors and nonresidential uses (including all parking lots) shall be ensured by the provision of sufficient screening of more intensive uses (i.e., commercial/offices uses) from residential neighborhoods through the use of decorative landscaping and screened walls. A 15-foot landscaped buffer shall be installed between and along the residential and nonresidential sides of said buffer. The landscaped area shall be planted with trees, flowers, grasses and shrubs to visually screen non-residential areas and provide an attractive boundary that encourages continued investment in the adjacent residential property.

A 15' buffer and landscape plan are provided.

ARTICLE 23. - OFF-STREET PARKING AND LOADING

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

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

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

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

Curb break and curbline dimensions were not provided. The Applicant should provide dimensions of all curb breaks and curblines.

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

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

Off-street parking and loading spaces must be set back at least 5' from property lines. The required dimensions should be provided on plans.

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

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

Off-street maneuvering space 26' wide has been provided.

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

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

See Engineer's report

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

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

The site plan does not provide adequate parking per Code. The applicant should provide to the Board of Appeals by way of the Planning Commission the rationale for the reduction in parking and the ability to service the commercial area with reduced parking.

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

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

Each townhome requires two parking spaces which are provided within the two car garages. The residential parking is in excess of the maximum parking allowed. The commercial area separately requires 36 spaces, which has not been met.

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

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

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

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

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

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

for each zone. The maximum number of off-street automobile parking spaces shall be 110 percent of the requirement for uses proposed at the time of development approval.

The minimum off-street parking for the townhomes is 40 spaces, and the maximum is 44. The plans indicate there will be two parking spaces per townhome, with an additional 16 spaces provided in the residential area. This is in excess of 110% of the minimum parking requirement and is not compliant. The minimum off-street parking for the commercial area is 36 spaces, and the maximum is 40. The plans provided indicate there will be 29 parking spaces exclusively available for the commercial use area, which is not compliant. The Applicant is seeking a variance to reduce the minimum parking requirements for the commercial use.

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

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

Minimum Full-Size Space Dimensions

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

Minimum Compact-Size Parking Space Dimensions

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

The plans show 12 (37.5%) compact-size and 19 (62.5%) full-size parking spaces for the commercial use, which is compliant. The lengths of the compact-size spaces are shown as being 18' long, which is not compliant. The Arts District Overlay has stricter parking space dimension requirements found in Sec. 93-28-10.2(e), provided below.

Sec. 93-28-10.2. - Site design.

- (e) The parking space standard in the arts district overlay shall be eight and one-half feet by 18 feet. No loading space requirement shall apply to the arts district overlay. In most instances, the short term loading needs of the business can be met in the vehicle parking area.

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

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

Compliant.

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

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

The Applicant should provide the dimensions of any pathways leading from the handicapped parking spaces, including the dimensions of any curb cuts or ramps.

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

Parking Spaces for Handicapped

Total Spaces and Lot	Required No. of Reserved Spaces
Up to 25	1
26 to 50	2
51 to 75	3
75 to 100	4
100 to 150	5
150 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2% of total
Over 1,000	20, plus 1 for each 100 over 1,000

The plans provide for two handicapped parking spaces, which is compliant.

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

The two provided handicapped parking spaces are centrally located for the commercial buildings.

Sec. 93-23-12. - Location.

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

Not applicable at this time.

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

No part of an off-street parking area required for any building or use for the purpose of complying with the provisions of this chapter shall be included as a part of an off-street parking area similarly required for another

building or use unless the type of structure indicates that the periods of usage of that structure will not be simultaneous with each other, as determined by the board of appeals.

The off-street parking provided is considered mutually exclusive to each use.

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

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

The loading area is given as 15' wide and 60' long, which is compliant.

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

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

The loading area is on the same lot as the commercial area.

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

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

Not applicable.

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

The schedule of requirements for off-street parking space and off-street loading space applicable to newly erected or altered structures shall be a continuing obligation of the owner of the real estate on which any such structure is located, so long as the structure is in existence and its use requiring vehicle parking or vehicle loading facilities continues, and it shall be unlawful for an owner of any building affected by this chapter to discontinue, change or dispense with, or to cause the discontinuance or change of the required vehicle parking or loading space apart from the discontinuance, sale or transfer of the structure, without establishing alternative vehicle parking or loading space which meets the requirements of and is in compliance with this chapter, or for any person, firm or corporation to use that building without acquiring the land for vehicle parking or loading space which meets the requirements of and is in compliance with this chapter.

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

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

This section only applies to the commercial use parking area

- (c) *Procedure for the development of vehicular use areas.*
 - (1) *Permit requirements.* No building grading, or tree removal permit shall be issued until approval of a required landscape plan for vehicular use areas. Prior to submission of building plans, the requirements of this section must be met. In cases where a vehicular use area is located on a lot other than that of the principal building, building plans may be submitted for review.
 - (2) *Submission of a required survey and proposed landscape plan.*

- a. The applicant or his authorized agent shall submit to the department of public service three copies of each survey and landscape plan at a scale no greater than one inch equals 50 feet. The proposed landscaping may be superimposed on the proposed site plan or on a separate sheet, provided all drawing are the same scale.
- b. Each survey and landscape plan shall include the following:
 - 1. Name, signature, address, and telephone number of property owner, surveyor, and or designer;
 - 2. North arrow and scale;
 - 3. All dimensions; and
 - 4. All required information and data listed on drawings.

The landscape plan provided does not provide the required information.

- (3) **Survey.** The required survey shall include the following information:
 - a. Legal description of the property.
 - b. All trees and survey data as defined in this chapter.
 - c. Existing structures, buildings, parking spaces, accessways, and public streets.
 - d. Aboveground and belowground utility lines and easements.
 - e. Existing natural features and topography at one-foot contour intervals. In areas where slopes are 20 percent or greater, a five-foot contour interval may be substituted.

An updated survey has been provided. The survey does not provide information about existing trees.

- (4) **Landscape plan.** The proposed landscape plan shall include the following information:
 - a. All trees, natural features, man-made appurtenances and structures to be retained upon the site and all topographic changes.
 - b. All proposed landscaping improvements and planting or landscaping areas identified. The grade, spacing, size, and name of proposed landscape materials shall be listed on the plan.
 - c. Comments regarding site preparation, tree preservation, methods of installation, and methods of maintenance shall be listed on the plan.
 - d. Required plans shall identify all vehicular use areas, aisles, driveways, sidewalks, wheel stops, and or curbs and other vehicular use controls. The location of the curb cuts, median openings on abutting streets, lighting, underground irrigation system, hose bibs, proposed planting areas, decorative and or screening walls, and related buildings shall be shown.

The landscape plan provided does not contain the required information. The Applicant should provide all requested details above.

- (d) **Landscape requirements.** All vehicular use areas subject to these regulations shall be required to have the following maintained perimeter and interior landscaped areas:

- (1) **Perimeter landscape requirements.**
 - a. All exterior perimeters of all vehicular use areas shall have a perimeter landscaped area with no horizontal dimension less than five feet. A decorative masonry wall, earth berm, natural landscaping screen, and or combinations of the above shall be installed in such a manner as to screen the vehicular use area from adjacent properties or public rights-of-way. Screening areas shall be maintained at a minimum height of three feet.

Exterior perimeter and screening dimensions cannot be determined. The Applicant should provide all requested details above.

- b. All required perimeter landscaped areas shall have at least one tree for every 250 square feet or fraction thereof.

Perimeter tree requirements cannot be determined. The Applicant should provide all requested details above.

- c. Where other provisions of this chapter required a six-foot screening wall of masonry construction, such screening wall may totally or in part be substituted with a natural landscape screen and or earth berm upon approval of the planning commission. Such natural screening shall be at least three feet in height at time of planting and maintained at a height of five feet with a visibility obstruction of at least 75 percent.
 - 1. i. When abutting a public street right-of-way, landscaped areas along a public street shall have a minimum dimension of five feet and a minimum average dimension of ten feet from the right-of-way line to the vehicular use area.
 - ii. In addition, the requirements of section 93-2-7, "Vision clearance at corners," shall be met.
 - 2. When abutting adjacent properties. Required perimeter landscaped areas which would abut adjacent, existing nonresidential properties may be allocated as additional interior or other additional perimeter landscaping.
- (2) *Interior landscape requirements.*
 - a. An area or combination of areas equal to ten percent of the total vehicular use area exclusive of perimeter landscaped areas shall be devoted to interior landscaping.

Interior landscaping requirements and area cannot be determined. The Applicant should provide all requested details above.

- b. There shall be a minimum of one tree provided for every 250 square feet or fraction thereof of interior landscaping area.

Interior landscaping requirements and area cannot be determined. The Applicant should provide all requested details above.

- (3) *Permitted modification to the landscaping requirements.*
 - a. In cases where the landscaped area requirements of subsection (d)(1) and (d)(2) may exceed 20 percent of the vehicular use area, the applicant may be allowed to reduce dimensions of landscaped areas other than those abutting a public street right-of-way or adjacent to the residential uses or zones to equal a 20 percent maximum provided a method of vegetative and or masonry screening is maintained and is approved by the department of public service.
 - b. In instances where proposed innovative designs, landscaping techniques, and site amenities are believed to fulfill the intent of subsection (a) above, the strict requirements of this section may be waived by the planning commission.
 - c. In instances where healthy plant material exists, the requirements outlined in subsections (d)(1) and (d)(2) of this article may be adjusted thereby allowing credit for the preservation of existing plant material. The planning commission may make such adjustments so long as the intent of this section is preserved.
 - d. Open lot sales of vehicles may be excluded from the perimeter screening requirements adjacent to public rights-of-way by the planning commission, provided the tree requirements and area requirements are met.

Not applicable.

- (4) *Landscape installation requirements.* All landscaping shall be installed in accordance with accepted good planting procedures.
 - a. *New plant materials.*
 - 1. All new living plant materials shall satisfy the requirements of No. 1 or better as defined in the most current edition of Grades and Standards for Nursery Plants.
 - 2. All separate landscaped areas shall have a minimum variety of two living plant materials other than trees; total landscaping areas required shall include a minimum variety of three landscape materials other than trees.
 - 3. Paving (other than walks) and artificial plants shall not be permitted within landscaping areas.
 - 4. Trees. A tree shall attain an average crown spread over 15 feet at maturity. Trees having an average crown spread less than 15 feet may be substituted by grouping the same so as to

create the equivalent of a 15-foot crown spread. All trees shall be of a species which can be maintained with a minimum of five feet of trunk height. Trees shall have a minimum of two inches DBH (diameter at breast height) measured 4½ feet above the ground and shall be a minimum of six feet in overall height immediately after planting.

5. Shrubs. Shrubs shall be a minimum of one foot in height when measured at the time of planting except where they are to act as screening for residential uses or districts. In which case, they shall be a minimum of three feet in height at the time of planting and maintained at a minimum height of five feet at maturity.
 6. Lawn grass and ground covers. Grass may be sodded, plugged, sprigged, or seeded except that solid sod shall be used in swales or other areas subject to erosion. In areas where plant materials other than solid sod or grass is used, a fast-growing grass seed shall be sown for immediate effect and protection until coverage is otherwise achieved. Grass sod shall be clean and reasonably free of weeds and noxious pests or disease. Ground covers which present a finished appearance and reasonable complete coverage at time of planting may be used in lieu of grass sod.
- b. *Existing plant materials.* Existing living plant materials to be preserved shall be in accordance with of this chapter.
 - c. *Earthwork.* Earth berms shall be of variable height and slope. Swales and ponds shall be permitted for onsite retention of stormwater provided they are approved by the city's department of public service.
 - d. *Encroachment.* Landscaped areas, walls, structures, and walks shall require appropriate protection from vehicular encroachment by utilizing wheel stops, curbs, posts, wood, brick-work, and/or other devices. Placement of these devices shall be located at least 2½ feet from walks, walks, and structures and may be placed one foot from landscaped areas to prevent a vehicular overhang of no more than 1½ feet of landscaping area may be counted as part of the required depth of each parking space.
 - e. *Maintenance.* The owner or his agent shall be responsible for the maintenance of all landscaping which shall be maintained in good condition so as to present a healthy, neat, and orderly appearance and shall be kept free from refuse and debris. All landscaped areas shall be provided with a sprinkler system or readily available water supply with at least one outlet located within 50 feet of all plant material to be maintained. The owner shall replace all landscaped materials required if, for any reason, they die or are severely damaged within one year of the final approval of the installation. The owner is thereafter responsible to maintain the landscaping in a healthy manner.
 - f. *Planting bed.* The planting bed for all landscaping materials shall be free of weeds, debris, and noxious material and shall consist of a healthy plant growth medium. The planting bed soil shall provide adequate support, drainage, and nutrients for the plants and thus may require the incorporation of sand, peat, and or topsoil into the soil. Such planting soil shall be placed throughout the planting hole for each plant, and this hole shall be at least twice as wide as the width of the plant ball and 1½ as deep as the depth of the plant ball.

The landscape plan provided is only one page and does not contain the required information. The Applicant should provide all requested details above.

- (e) *City review of landscape plan.* The department of public service shall approve or reject the required landscape plan. The decision of the department of public service shall be deemed final administrative action, but may be appealed to the planning commission provided such appeal is made in writing at least ten days prior to the next regular planning commission meeting. Developments which require site plan approval by the planning commission shall be reviewed and approved by the planning commission for compliance to this section.
- (f) *Certification of compliance.* Upon completion of the landscape improvements, the site shall be inspected for compliance to the approved landscape plan. A certificate of compliance must be issued before a certificate of occupancy can be issued for any related structures. When occupancy of a related building is desired prior to completion of the required landscaping, a temporary certificate of occupancy may be issued if a financial guarantee in the amount equal to 100 percent of the cost for landscaping improvements is provided and acceptable in form to the city attorney.

Sec. 93-2-14. - Tree conservation.

(a) *Purpose.*

- (1) This section shall be known as the Hapeville Tree Conservation Ordinance. The overall purposes of this section are to promote tree conservation, the increase of tree canopy, and the protection of existing trees in the city. General provisions and regulations contained herein, along with the attached administrative standards and best management practices for Hapeville's urban forest, will guide practices to accomplish this purpose. It is the intent of this section to regulate tree conservation activities as part of the building construction, and land development process, protect landmark trees, and provide public safety within the city.
- (2) Benefits derived from the conservation of trees and increased canopy include:
 - a. Improved air quality;
 - b. Energy conservation;
 - c. Reduced flooding and reduced storm water runoff;
 - d. Reduced soil erosion and improved water quality;
 - e. Improved habitat for desirable wildlife;
 - f. Reduced health risks;
 - g. Community aesthetics and improved quality of life;
 - h. Added economic value.

(b) *Applicability.*

- (1) The terms, provisions and regulations of this section and the administrative standards and best management practices for Hapeville urban forest, Appendix A hereto, shall apply to any real property, public or private, within the corporate limits of the city:
 - a. For all activities which require a land disturbance, building construction, or demolition permit;
 - b. For external renovations of all properties resulting in the increase of total square footage, or the construction of accessory structures, which may impact landmark trees;
 - c. For the purpose of permitting the removal of landmark trees.

(c) *Definitions.* As used in this section, unless specifically stated otherwise, the following terms shall be defined as indicated and where any definition herein conflicts with another definition in this chapter, the more restrictive definition shall prevail.

Boundary tree. A tree on a property adjacent to a permitting property whose critical root zone or canopy extends into the permitting property.

Buildable area. The area of a lot within a given zoning district, located within the required setbacks.

Building permit. A permit issued by the city department of community services that authorizes the commencement of construction and building construction activity.

Caliper. The trunk diameter measurement of nursery stock trees measured at six inches above the ground for trees up to and including four inches caliper size, and measured at 12 inches above the ground for trees larger than four inches caliper size.

Canopy tree. A large or medium tree with a crown size and shape that will typically provide significant shade and beneficial effects on temperature, air quality, water quality, and other environmental conditions, at maturity. A canopy tree is also referred to as a shade tree.

Certified arborist. An arborist certified by the International Society of Arboriculture as possessing a minimum level of competency required to practice arboriculture.

Critical root zone. The minimum rooting volume of a tree necessary to sustain the tree's life, generally defined by the tree's drip line or a radius of one and one-fourth feet for every one inch dbh, whichever is greater, and from the surface to a depth of three feet.

Damaged tree. A harmful injury to a tree or any of its parts, including its roots, the root buttress area, the trunk and branches.

Destroyed tree. When any part of a tree is damaged to the point where that tree's survival beyond three full growing seasons is questionable, as determined by the city arborist.

Diameter at breast height (DBH). The diameter of a tree's trunk measured at four and one-half feet above the ground. For multi-trunk trees, the diameter is measured at the narrowest point beneath the point of attachment of the multiple trunks.

Ecological compatibility. The suitability and functionality of a given tree species for its intended growing site, based on its potential size, structural characteristics, growth rate, and growing site attributes such as slope, exposure, soil type, and drainage.

City arborist. The individual authorized by the mayor and council of the City of Hapeville to advise the city on the administration of the requirements and standards as established in this section. The city arborist shall have the following minimum qualifications: A BS degree in urban forestry, horticulture or arboriculture with five years experience in development related tree conservation, or a MS degree in urban forestry, arboriculture or horticulture with three years experience in development related tree conservation.

Hazardous tree or portion of tree. A tree or part of a tree that is at risk for failure because it is dead or structurally defective, and where that failure could result in personal injury or property damage.

Land disturbance permit. A permit issued by the city community services department that authorizes the commencement of alteration of development of a given tract of land or the commencement of any land disturbing activity.

Landmark tree. Any canopy tree 30 inch dbh or larger, or otherwise designated by the mayor and council as having significance to the community, or any understory tree eight inches dbh or larger, in fair or better condition, having a life expectation of greater than five years.

Site tree conservation plan (STCP). A plan documenting the location of all trees, boundary trees, structures, proposed utility locations, site grading and construction proposals, methods of tree protection, proposed tree planting, existing and proposed tree canopy, and associated details, as required in subsection 93-2-14(e).

Tree. A self-supporting wood plant capable of reaching a minimum height of 15 feet.

Tree protection zone. The area of a lot defined by the minimum required setbacks and the critical root zone of any protected tree.

Landmark tree removal permit. A permit issued by the city for the removal of a landmark tree.

Understory tree. Smaller growing and shade tolerant tree species which typically grow on sites trees underneath canopy trees.

Qualified professional. An individual possessing a degree in forestry, urban forestry, landscape architecture or horticulture, having been qualified by the city to submit plans in the implementation of this section and for tree protection in building construction. The city shall maintain a list of qualified professionals.

(d) *General requirements.*

(1) *Tree removal.*

- a. No trees shall be removed or destroyed prior to issuance of a building construction or land disturbance permit. The issuance of a building construction or land disturbance permit shall constitute compliance with the tree conservation provisions of this section.
- b. No landmark tree shall be removed from any real property within the corporate limits of the city without the issuance of a landmark tree removal permit.

(2) *Protected trees.*

- a. All trees outside the footprint of a proposed building construction or land development project, eight inches dbh or larger, shall be considered protected trees.
- b. No protected trees shall be damaged or destroyed.

(3) *Conditions for removal or destruction of trees.*

- a. The removal or destruction of trees is subject to approval of the city arborist, only if all of the following conditions are met:
 1. Unavoidable site modifications resulting from grading, utility work, and construction activities will result in destroying the tree;
 2. Site plan modifications to prevent irreparable damage to the tree are impossible or not practical, based on cost benefit analysis;
 3. Actions are taken to mitigate the removal of trees by way of replacing by meeting overall site canopy requirements.
- b. Approval of the STCP by the city arborist shall constitute approval to remove protected trees.
- c. Any decision of the city arborist relating to the removal or destruction of protected trees may be appealed as provided in subsection 93-2-14(i).

(4) *Trees that present a dangerous condition.*

- a. It shall be unlawful for any person to allow to remain on their property any tree which presents a dangerous condition. Dangerous trees include:
 1. A tree or any part of a tree that is likely to fail (fall) as a result of structural defects, root damage, disease, decay, decline or death; and where failure of a tree or any part of a tree would result in potential property damage or injury.
 2. A tree that by its proximity interferes with traffic or pedestrian sight distance, drainage or utility lines and easements so as to create an unsafe condition on or off the site or easement.

3. A tree of any species or variety which, because of any other circumstances, poses a danger to public health or safety.
 - b. The city's department of community services (or agent of the department of community services) is authorized and empowered to enter upon any lot or parcel of land in the city for the purpose of inspecting and evaluating any tree which is suspected to present a dangerous condition. It shall be unlawful for any property owner to take any action to prevent or interfere with the inspection and evaluation of potentially dangerous trees.
 - c. The department of community services shall obtain the services of the city arborist for the purpose of inspecting and evaluating suspected dangerous trees.
 - d. If it is determined by the city's department of community services that a tree presents a dangerous condition, the city's department of community services shall serve the owner of record of the lot or parcel of land on which said tree is located, a written notice requiring such owner to take corrective action to remove the tree or its dangerous part(s) to eliminate the dangerous condition. This written notice shall include a time frame to complete the corrective action. When the corrective action includes tree removal, the tree shall be replaced. Replacement shall be based on a canopy replace for canopy lost basis.
 - e. Any notice by the city's department of community services to correct a dangerous condition or remove a tree which presents a dangerous condition may be appealed to the city's planning commission, provided a written notice is submitted no later than five days following receipt of the notice appealed from.
 - f. If a property owner fails, neglects, or refuses to trim or remove such tree within the stated time frame or following an adverse decision on appeal, the city's department of community services may proceed to take the corrective action and assess the resulting costs to the property owner. The amount of costs shall be paid by the owner to the city.
 - g. The assessment of the costs of work done by the city against the property owner shall include the actual cost of work performed, including tree replacement, in addition to the penalties imposed for any violation or noncompliance with any provision of this section, plus administrative fees.
 - h. If the property owner fails to pay the costs assessed by the department of community services, a lien shall be placed on the subject property for the cost of the work performed, penalties, and fees.
- (5) *The removal or destruction of landmark trees.*
- a. The removal or destruction of landmark trees from any property in the city is subject to the approval of the city arborist, and approval may only be granted if one of the following two conditions is met:
 1. The tree threatens the property, safety or health of the property owner or the public.
 2. Actions are taken to mitigate the tree's removal by way of planting a new tree of a comparable species and canopy. Payment may be made into the city tree bank in lieu of planting, calculated on a tree lost/replaced basis.
 - b. The issuance of a tree removal permit constitutes approval to remove a landmark tree.
 - c. Any decision of city arborist relating to the removal or destruction of landmark trees may be appealed as a provided in subsection 93-2-14(g).
- (6) *The removal or destruction of boundary trees.* No boundary trees shall be damaged, destroyed, or removed. Procedures for the protection of boundary trees are provided in subsection 93-2-14(e)(4).
- (7) *Canopy requirements.*
- a. All properties requiring the issuance of a demolition, building construction, remodeling or land disturbance permit shall meet the minimum canopy requirements as established in the administrative standards and best management practices for Hapeville's urban forest.
 - b. All new parking lots shall meet the minimum canopy requirements as established in the administrative standards and best management practices for Hapeville's urban forest.
 - c. Trees planted to meet canopy requirements shall be ecologically compatible with the intended growing site.
- (8) *Establishment of the city tree bank.*
- a. Where it is determined by the city arborist that it is impractical or impossible to fully meet the canopy requirements on a specific site, the cost for the balance (unmet portion) of the requirement will be paid into the city tree bank, prior to issuance of a demolition, building construction, or land disturbance permit. Calculation of costs shall be established in the administrative standards and best management practices for Hapeville's urban forest.

- b. Funds in the city tree bank shall be administered by the mayor and council or their designee and shall be used exclusively for increasing, managing, maintaining tree canopy and tree safety in public space, the purchase of open space, and seasonal landscaping in the city. The mayor and council will establish a planned program for administration of these funds.
- (e) *Procedures.*
 - (1) *Tree removal permits.*
 - a. All properties applying for a permit to remove landmark trees shall submit a permit application to the department of community services, indicating how the tree(s) present a dangerous condition pursuant to subsection 93-2-14(d)(4)a.
 - 1. For properties requiring the issuance of demolition, building construction, or land disturbance permits, the removal of landmark trees is permitted under the procedures in subsection 93-2-14(e)(3).
 - 2. The required STCP shall indicate how the how the tree(s) present a dangerous condition pursuant to subsection 93-2-14(d)(4)a.
 - (2) *Permits to remodel.*
 - a. Permits to remodel owner occupied single family houses shall have tree protection and replacement prescriptions prepared by the city arborist when both the following conditions are met:
 - 1. The proposed remodeling alters the existing footprint of the house.
 - 2. The proposed remodeling or construction related activities will encroach upon a landmark tree.
 - b. Replacement prescriptions shall be based on a canopy replace for canopy lost basis, for the loss of landmark trees. Payment may be made into the city tree bank when the city arborist determines that site constraints preclude the replacement of trees.
 - (3) *Demolition, building construction, land disturbance permits.*
 - a. A site/tree conservation plan (STCP) shall be submitted by a qualified professional for review by the city arborist and approval by the city development department prior to issuance of demolition, building construction or land disturbance permits. (Except for permits to remodel, see subsection 93-2-14(e)(2).)
 - 1. The SCTP shall document tree species eight inches dbh or greater, including size, dbh, critical root zone and location, the species and caliper size of proposed trees, the location of all proposed site building construction and land development activities, including grading, drainage, proposed utility locations, and all proposed tree protection measures.
 - 2. All proposed trees for removal must be indicated.
 - 3. The exact location of any tree must be provided if encroachment is proposed with that tree's critical root zone.
 - 4. Standard details for tree protection and tree planting shall conform to the administrative standards and best management practices for Hapeville's urban forest.
 - 5. The following note shall be provided on the STCP in large letters: TREE PROTECTION FENCING SHALL BE MAINTAINED DURING THE ENTIRE PROJECT PERIOD.
 - 6. The STCP shall include emergency 24-hour contact information.
 - 7. The STCP shall document compliance with the canopy, parking, and landscape requirements established in the administrative standards and best management practices for Hapeville's urban forest, in addition to the city landscape requirements for vehicular use areas.
 - b. The STCP shall also include the location of landmark trees.
 - 1. The removal or destruction of landmark trees will be permitted only if the city arborist determines that no alternative construction or mitigating site or cultural practices will prevent destruction of the tree.
 - 2. Replacement of landmark trees shall be of comparable species with the size potential of the landmark tree, and shall be ecologically compatible with the intended growing site.
 - 3. Trees planted to replace a landmark tree shall have the grow out potential to fully mitigate loss of the entire measured canopy of the landmark tree.
 - 4. Canopy mitigation for loss of a landmark tree shall be in addition to the overall site canopy requirements.
 - (4) *Boundary trees.*
 - a. The STCP shall provide for the protection of boundary trees.
 - b. When building construction or land disturbance activities occur within the critical root zone of boundary tree(s) and the city arborist determines that the survival of the tree(s) is/are doubtful as a

result of the proposed disturbance activities, a performance bond shall be established regarding the subject boundary tree(s). The bond amount shall cover the removal and replacement costs of the subject boundary tree(s) and the arborist fee for determination of the trees' survival at the end of the escrow period, and shall be approved by the city arborist.

1. In establishing the bond amount, replacement trees specified shall be of comparable species and size potential to the subject boundary tree, shall be ecologically compatible with the intended growing site at maturity, and shall fully mitigate the lost canopy area of the subject boundary tree.
 2. Canopy credit will be granted to a permittee for the entire canopy area of successfully protected boundary trees, except for those trees located on public rights-of-way.
 3. The department of community services will administer the bonding of boundary trees through the department of finance.
 - c. Prior to a determination authorizing the return of the performance bond to the permittee, any property owner whose property contains an at risk boundary tree(s) for which the bond was held, may petition the department of community services for payment for the removal and replacement of the subject boundary tree(s), should any of the subject boundary tree(s) fail to survive or is determined to be in an irreversible decline as a result of the permitted disturbance activities, as determined by the city arborist.
 1. The permittee shall have the right to petition the mayor and council or their designee for the return of all escrow funds should the subject trees survive for a period of three full growing seasons, as determined by the city arborist. If the subject tree(s) has/have failed to survive or is in a reversible or irreversible decline as a result of the permitted disturbances, the escrow funds shall be paid pursuant to subsection 93-2-14(e)(4)b., for removal and replacement of the subject tree(s), or for arboricultural practices to reverse the decline as determined and prescribed by the city arborist.
 2. Any funds not collected by either an affected property owner or the permittee within a period of five years, or any interest accrued therein, shall be deposited in the city tree bank.
- (5) *Field verification.*
- a. The qualified professional preparing the STCP shall verify its accuracy with the city arborist prior to submittal.
 - b. The city arborist shall verify successful compliance to the STCP prior to issuance of a permit, and shall verify final field compliance prior to issuance of a certificate of occupancy.
 - c. Performance bonds may be accepted by the department of community services in lieu of required tree planting and landscaping if seasonal and weather conditions are inappropriate for the establishment and survival of plant material.
 1. The bond amount shall be one and one-fourth times the amount of the documented landscape cost, including plant materials and installation.
 2. The period of the bond shall be mutually agreed upon by the permittee and the department of community services.
 3. The bond shall be returned when all of the landscape requirements are met, or cashed by the city when the bond period expired. The bond period may be extended if determined appropriate by the department of community services.
- (f) *Enforcement.*
- (1) *Authority.* The department of communities services or their designee has the responsibility to issue permits in conformance with and enforce compliance with this section.
 - (2) *Responsibility and inspection.*
 - a. Neither the issuance of a tree permit nor compliance with the conditions thereof, nor with the provisions of this section shall relieve any person from any responsibility otherwise imposed by law for damage to persons or property; nor shall the issuance of any permit hereunder serve to impose any liability upon city, its officers or employees, for injury or damage to persons or property.
 - b. The department of community services may cause periodic inspections of the work under permit in accordance with this section and shall make a final inspection following completion of the work. The permittee shall assist the city arborist or his designee in making such inspections. Agents of the permitting authority shall have the authority to conduct such investigations as he/she may reasonably deem necessary to carry out his/her duties as prescribed in this article, and for this purpose to enter at reasonable times upon any property, public or private, for the purpose of

investigating and inspecting the sites of any land development activities within the protection area. No person shall refuse entry or access to any authorized representative or agent of the department of community services who requests entry for purposes of inspection, and who presents appropriate credentials, nor shall any person obstruct, hamper or interfere with any such representative while in the process of carrying out his/her official duties.

- c. Where it is deemed necessary, the department of community services or their designee shall require performance bonds to assure compliance to the terms, conditions, and standards of this section.

(3) *Violations and penalties.*

- a. Any action or inaction which violates the provisions of this section or the requirements of an approved site plan or permit may be subject to the enforcement actions outlined in this section. Any such action or inaction which is continuous with respect to time is deemed to be a public nuisance and may be abated by injunctive or other equitable relief. The imposition of any of the penalties described below shall not prevent such equitable relief.

- 1. *Notice of violation.* If the director community services determines that an applicant or other responsible person has failed to comply with the terms and conditions of a permit, an approved site plan or the provisions of this section, a written notice of violation shall be issued by code enforcement to such applicant or other responsible person. Where a person is engaged in activity covered by this section without having first secured the appropriate permit, code enforcement shall be serve a notice of violation on the owner or the responsible person in charge of the activity being conducted on the site.

The notice of violation shall contain:

- A. The name and address of the owner or the applicant or the responsible person;
 - B. The address or other description of the site upon which the violation is occurring;
 - C. A statement specifying the nature of the violation;
 - D. A description of the remedial measures necessary to bring the action or inaction into compliance with the permit, the approved site plan or this section and the date for the completion of such remedial action;
 - E. A statement of the penalty or penalties that may be assessed against the person to whom the notice of violation is directed; and
 - F. A statement that the determination of violation may be appealed to the board of zoning appeals by filing a written notice of appeal within 15 days after the notice of violation (except that in the event the violation constitutes an immediate danger to public health or public safety, 24 hours notice shall be sufficient).
- 2. *Penalties.* In the event the remedial measures described in the notice of violation have not been completed by the date set forth for such completion in the notice of violation, any one or more of the following actions or penalties may be taken or assessed against the person to whom the notice of violation was directed. Before taking any of the following actions or imposing any of the following penalties, the director community services shall first notify the applicant or other responsible person in writing of its intended action, and shall provide a reasonable opportunity, of not less than ten days (except that in the event the violation constitutes an immediate danger to public health or public safety, as determined by the director of community services, 24 hours notice shall be sufficient) to cure such violation. In the event the applicant or other responsible person fails to cure such violation after such notice and cure period, the city arborist may take any one or more of the following actions or impose any one or more of the following penalties.
 - A. *Stop work order.* The director of community services may issue a stop work order which shall be served on the applicant or other responsible person. The stop work order shall remain in effect until the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violation or violations described therein, provided the stop work order may be withdrawn or modified to enable the applicant or other responsible person to take necessary remedial measures to cure such violation or violations.
 - B. *Withhold certificate of occupancy.* The director of community services may refuse to authorize a certificate of occupancy for the building or other improvements constructed or being constructed on the site until the applicant or other responsible person has taken

the remedial measures set forth in the notice of violation or has otherwise cured the violations described therein.

- C. *Suspension, revocation or modification of permit.* The director of community services works may suspend, revoke or modify the permit authorizing the land development project. A suspended, revoked or modified permit may be reinstated after the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violations described therein, provided such permit may be reinstated (upon such conditions as the director of community services may deem necessary) to enable the applicant or other responsible person to take the necessary remedial measures to cure such violations.
- D. *Penalties.* In the event the applicant or other responsible person fails to take the remedial measures set forth in the notice of violation or otherwise fails to cure the violations described therein within ten days (or such greater period as the city arborist shall deem appropriate) (except that in the event the violation constitutes an immediate danger to public health or public safety, 24 hours notice shall be sufficient) after the city arborist has taken one or more of the actions described above, the city's designated code enforcement agent may issue a citation to the applicant or other responsible person, requiring such person to appear in municipal court to answer charges for such violation. Any violation of this article is punishable, upon conviction, according to the provisions the City Code. Each day any violation of this section shall continue shall constitute a separate offense.

(g) *Administrative appeal and judicial review.*

(1) *Administrative appeal.*

- a. *Administrative appeal.* Any person aggrieved by a decision or order of the city arborist may appeal in writing within 15 days after the issuance of such decision or order to the board of zoning appeals of the city and shall be entitled to a hearing before the board of zoning appeals of the city within 60 days of receipt of the written appeal.
 1. The board of zoning appeals shall hear and decide appeals when it is alleged an error in any requirement, interpretation, decision, or determination is made by the city arborist in the enforcement or administration of this section.
 2. The board of zoning appeals shall consider the testimony of the city arborist, who shall be present at such hearings, and may consider all technical evaluations, relevant factors, field conditions, and all standards specified in this and other relevant sections of this section.
 3. The board of zoning appeals after conducting a public hearing may affirm or reverse the decision or order by the city arborist.

- (2) *Judicial review.* Any person aggrieved by a decision or order of the city arborist after exhausting all administrative remedies, shall have the right to appeal de novo to the Superior Court of Fulton County.

The Applicant should provide all requested details on tree conservation above.

RECOMMENDATION

The site plan should be revised to show the following concerns identified per the planner's review for zoning compliance.

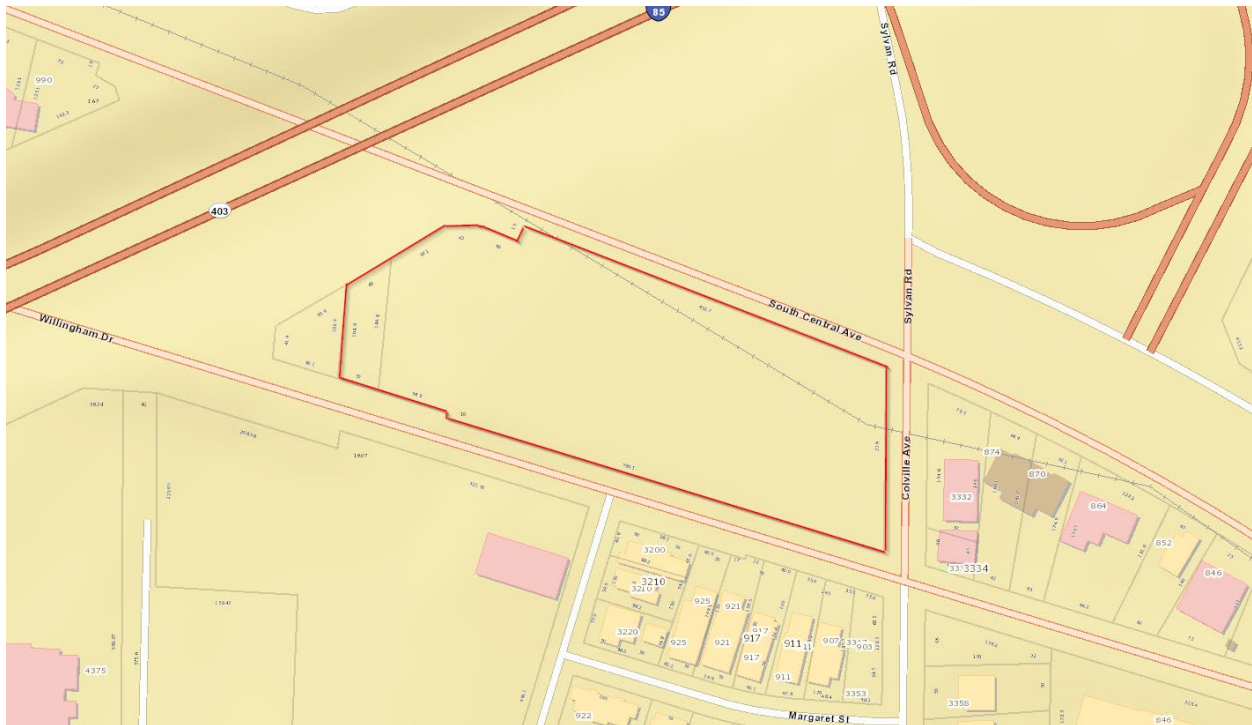
- *The Applicant should provide rear setback for the commercial buildings.*
- *The Applicant should provide cross sections of curb cuts, sidewalks, connections to buildings, and driveways.*
- *The Applicant should provide outdoor furnishings/lighting etc. for the common area.*
The Applicant should provide screening information for the refuse collection facilities.
- *The Applicant should provide the height, width and area of the sign.*
- *The Applicant should provide 24' width between buildings or request a favorable opinion by the Planning Commission for the Board of Appeals review.*
- *The Applicant should provide dimensions of all curb breaks and curblines.*
- *The Applicant should provide setbacks for the off-street parking and loading spaces from the property lines.*

- The Applicant should provide 36 spaces in the commercial area.
- The Applicant should reduce the residential spaces to 4 additional spaces.
- The Applicant should ensure that the parking space sizes meet the Arts District Overlay dimensions.
- The Applicant should provide the dimensions of any pathways leading from the handicapped parking spaces, including the dimensions of any curb cuts or ramps.
- The Applicant should provide a tree inventory and tree retention/removal plan.
- The Applicant should provide all requested details in the parking lot landscaping requirements in the complete landscape plan.
- The Applicant should provide all requested details for the tree conservation ordinance.

It is understood the building elevations will be reviewed by the Design Review Committee for compliance with the Architectural Design Standards.

Staff cannot recommend approval with the application as submitted. The Applicant must address all deficiencies in the Planner's report as well as the City Engineer's comments and the Fire Marshall's comments.

The Arts District assumes mixed-use enfronting structures.



Location Map – Willingham Dr. & Colville Ave.

April 16, 2019

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

Re: Willingham/Colville Townhomes, Village Walk at Hapeville
West of Colville Avenue Between Willingham Drive and South Central Avenue
Concept Site Plans Review No. 3
K&W Ref. No. 181052.50

Dear Ms. Senter:

As requested, I have reviewed the Concept Site Plan drawings for the mixed use Commercial/Residential Site to be located on a 3.26 acre parcel of two lots on the west side of Colville Avenue between Willingham Drive and South Central Avenue and extending to the right of way of Interstate Highway I-85. Zoning of the parcel is indicated as V - Village Zoning District. The re-submittal was received on April 12, 2019. The plan was prepared by Crescent View Engineering, LLC, under the engineering seal of Peng Zhang. With regard to my review letters dated December 26, 2018 and March 19, 2019, my comments are as follows:

1. Comment can be considered addressed when City approval of the requested variances on the site plan are obtained and the date and conditions of such approval are shown on the drawing.
2. Comment addressed by the previous re-submittal.
3. Comment considered addressed by the previous submittal. Since no proposed lot lines for the Townhomes are shown, it is assumed the development will retain ownership of the entire land parcel and no subdivision plat review for Townhome lots are necessary.
4. Comment can be considered addressed when City approval of the preliminary subdivision plat and the final subdivision plat are obtained.
5. Comment addressed by the previous re-submittal.
6. Comment addressed by the previous re-submittal.
7. Comment can be addressed as part of the land development permitting process with detailed site plans. It is not clear if lighting for the driveways and parking areas are to be provided to address Section 93-2-16(c) (1) (b.) of City Code.
8. Comment addressed by the previous re-submittal.
9. Comment addressed by the previous re-submittal.
10. Comment can be addressed as part of the land development permitting process with detailed site plans. The submitted Grading and Drainage Plan indicates a large portion of surface drainage at the east end commercial driveway area flows to Willingham Drive. That may not be acceptable unless justified in a stormwater management report provided during land development permitting.
11. Comment can be addressed as part of the land development permitting process with detailed site plans. The submitted Planting Plan does not indicate the type or name and approximate size of all proposed plant material used in landscaping should be included per Section 93-2-16(c)(1).f. of City Code.
12. Comment addressed by the previous re-submittal.
13. Comment addressed by the previous re-submittal.
14. Comment addressed by the previous re-submittal.

15. Comment can be considered addressed if the waiver of sidewalk and curb and gutter for the entire Willingham street frontage is approved by the City.
16. Comment can be addressed as part of the land development permitting process with detailed site plans. Per Table 4-6 of the GDOT Manual and assuming the speed limit is 35 mph or less and average traffic flow on Willingham Drive is less than 6,000 vehicles per day, traffic volume of 200 right turn vehicles per day or more will require a deceleration lane. Notes or other information should be shown on the drawing if the anticipated traffic volume is less than this value.
17. Comment can be addressed as part of the land development permitting process with detailed site plans. Provisions demonstrating compliance to the Tree Conservation Ordinance requirements per Section 93-2-14 and Landscaping per Section 93-2-16 (c) (1) were not included with the submittal.
18. Comment can be addressed as part of the land development permitting process with detailed site plans. Some landscaping for the parking areas is shown on the drawings and further details to address the landscaping for vehicular use areas requirements of Section 93-23-18 of the Zoning Ordinance can be addressed in land development permitting.
19. Comment can be addressed as part of the land development permitting process with detailed site plans. The landscape information does not provide a summary table indicating planting quantities or caliper size. Therefore it cannot be verified if minimum City requirements have been satisfied.
20. Comment can be addressed as part of the land development permitting process with detailed site plans. While this submittal review is for concept site plan approval only, the petitioner should be aware that submittal and review of detailed site construction drawings will still be necessary prior to land development permitting.
21. Comment addressed by the previous re-submittal.
22. Comment can be addressed as part of the land development permitting process with detailed site plans.. A minimum horizontal separation distance of 10 feet should be shown between water and sanitary sewer lines. All 6 inch size sewers should be installed at a minimum slope of 1.0 percent to comply with Georgia Plumbing Code. The size of the existing water main along Willingham Drive should be verified and shown to assure satisfactory water supply connection for the development. The Fire Chief should review the 2 inch water main layout and locations of fire hydrants to be sure fire protection coverage is sufficient. The proposed 2 inch water main size may be insufficient to serve the total number of residences shown. Results of a fire hydrant flow test should be shown on land development permitting drawings.
23. Comment addressed by the previous re-submittal.
24. A stormwater management report and related components for addressing the post development stormwater management ordinance should be provided for land development permitting.
25. Comment can be addressed as part of the land development permitting process with detailed site plans. Proposed connections for water service, sewer service, and gas service appear to involve pavement cutting of the public street. Pavement patch details and sewer main connection details should be on the drawings and Community Service department approval of the installation should be obtained.
26. Comment can be addressed as part of the land development permitting process with detailed site plans. A portion of the proposed building construction on the property near South Central Avenue at Colville Avenue is shown within a zone A FEMA flood hazard area. As the improvements proposed may affect the floodplain, permitting and approvals through FEMA and USACE may be necessary. An engineering study, survey, and related Letter of Map Amendment (LOMA) or related documents should be prepared and submitted to FEMA for approval. A copy of any permitting approval necessary by FEMA or USACE should be provided to the City for record purposes before permitting approval is issued by the City. The petitioner is also referred to the City of Hapeville Floodplain Ordinance for guidance.
27. The location of the proposed sidewalk and steps intersecting Willingham Drive across from Elkins Street intersection should be adjusted to the east or the west to align with future pedestrian crossing pavement markings at sidewalks on either side of Elkins Street.

Having substantially addressed the comments for Concept Site Plan review, I recommend approval of the concept plan submittal subject to comments 1, 4, and 15 being addressed to the satisfaction of the City. The other outstanding comments can be addressed during land development permitting process with detailed site plans. I have retained one copy of the plans provided for review in the event there are questions. The petitioner should be made aware that the review does not constitute a waiver of City Ordinance requirements or assumption of responsibility for full review of City Ordinance requirements. Deviations from Ordinance requirements may be noted at any time during the review, permitting or construction processes. Re-submittals should include a narrative indicating how and where the review comments were addressed.

Very truly yours,

KECK & WOOD, INC.



Michael J. Moffitt, P.E.



DAVID BLOODWORTH
FIRE CHIEF

FIRE DEPARTMENT

To: Adrienne Senter

From: Brian Eskew, Fire Marshal

Re: Willingham & Colville (Village Walk)

Date: March 25, 2019

**All corrections have been made from the initial plan review for this project.
If you should you should need any questions please let me know. Thanks.**