

19-PC-08-17

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

Name of Applicant Philip Jones

Mailing Address: 2840 Peachtree Rd unit 104, Atlanta, GA

Telephone [REDACTED] Mobile # [REDACTED] Email [REDACTED]

Property Owner (s) Vancole Investments Inc

Mailing Address 2840 Peachtree Rd unit 104, Atlanta, GA

Telephone [REDACTED] Mobile # [REDACTED]

Address/Location of Property: 876 Virginia Ave

Parcel I.D. # (INFORMATION MUST BE PROVIDED): 14-0098-0001-069-8

Present Zoning Classification: UV Size of Tract: .434 acre(s)

Present Land Use: Smoothie King & Grub fresh bowls & wraps

Please check the following as it applies to this application

☐ Site Plan Review
☐ Conditional Use Permit
☐ Temporary Use Permit

☒ Other (Please State)

Special Exception

Special Exception and restaurants in U-V are allowed up to

to a max of 6,000 SF
(with or without drive-thru)

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.

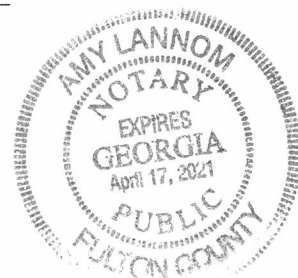
[Signature]
Applicant's signature

Date: 7/11/2019

Sworn to and subscribed before me

This 11 day of July, 2019

[Signature]
Notary Public



CITY OF HAPEVILLE
ECONOMIC DEVELOPMENT DEPARTMENT
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WRITTEN SUMMARY

In detail, provide a summary of the proposed project in the space provided below. (Please type or print legibly.)

The previous use of this site was a Pizza Hut location that had a drive thru as well. The building has now been remodeled to include two tenants. One tenant is Smoothie King and the other tenant will be Grub fresh bowl and wraps. The Smoothie King side is the side that includes the drive thru that existed with the former Pizza Hut concept. The proposed drive thru on the Smoothie King side of the building will alleviate parking lot congestion during peak hours and provide a more convenient option for residents and employees of the City of Hapeville to patronize this local business. Smoothie King corporate has also provided a study of it's busiest drive thru locations, which states that the average number of cars per hour is only 10. We are also providing three possible solutions to ensure that the drive thru is utilized in a way to alleviate any traffic concerns on Virginia Ave to provide adequate stacking along with entrance and exiting signage. The City of Hapeville residents and employees in surrounding businesses have also shown overwhelming support for the utilization of a drive thru at Smoothie King with over 2000 signatures showing personal desire to have this option when patronizing this local business.

CITY OF HAPEVILLE
ECONOMIC DEVELOPMENT DEPARTMENT
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AUTHORIZATION OF PROPERTY OWNER

I CERTIFY THAT I AM THE OWNER OF THE PROPERTY LOCATED AT:
876 Virginia Ave, Hapeville, GA 30354

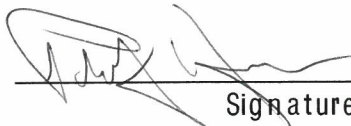
City of Hapeville, County of Fulton, State of Georgia

WHICH IS THE SUBJECT MATTER OF THIS APPLICATION. I AUTHORIZE THE APPLICANT NAMED BELOW TO ACT AS THE APPLICANT IN THE PURSUIT OF THIS APPLICATION FOR PLANNING COMMISSION REVIEW.

Name of Applicant Vancole Investments/Philip Jones

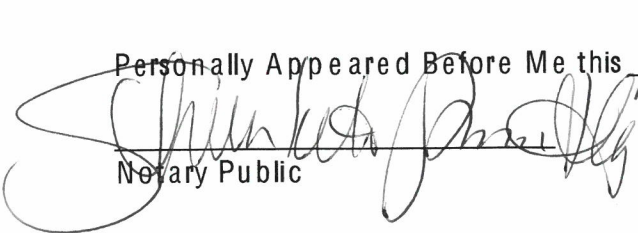
Address of Applicant
2840 Peachtree Rd, Unit 104, Atlanta, GA 30305

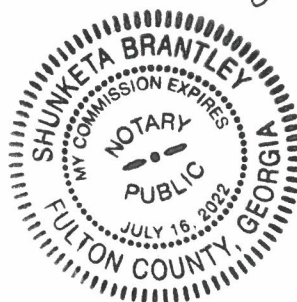
Telephone of Applicant
[REDACTED]


Signature of Owner

Philip Jones
Print Name of Owner

Personally Appeared Before Me this 11 day of July, 2019.


Notary Public



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

Date

July 8th, 2019

AUTHORIZATION OF ATTORNEY

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

876 Virginia Ave

City of Hapeville, County of Fulton, State of Georgia

Name or Attorney

Jon W. Jordan

Bar No.: 690096

Address

3340 Peachtree Road Suite 1530

Atlanta, GA 30326

Telephone

404-348-4881

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)

PJ

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.

PJ

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

PJ

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.

PJ

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).

PJ

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.

PJ

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.

PJ

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

PJ

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).

PJ

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.

PJ

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.

PJ

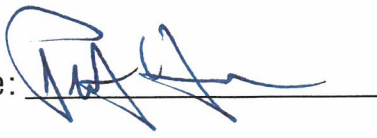
The location of all retaining walls, fences (including privacy fences around patios, etc.) and earth berms. Detached single-family residential development may be exempt from this requirement.

PJ

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.

- PJ Provisions for both on-site and offsite storm-water drainage and detention related to the proposed development.
- PJ Location and size of all signs. Detached single-family residential development may be exempt from this requirement.
- PJ 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.
- PJ Site area (square feet and acres).
- PJ 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.
- PJ Floor area in nonresidential use by category. Detached single-family residential development may be exempt from this requirement.
- PJ Total floor area ratio and/or residential density distribution.
- PJ Number of parking spaces and area of paved surface for parking and circulation
- PJ 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 7/11/2019

LEGAL DESCRIPTION

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

Beginning at the corner formed by the intersection of the easterly Right of Way line of Oak Ridge Avenue with the southerly Right of Way line of Virginia Avenue, Thence run easterly along the southern Right of Way of Virginia Avenue South 88 Degrees 58 Minutes 18 Seconds East a distance of 25.09 feet to a point,

Thence North 00 Degrees 59 Minutes 49 Seconds East a distance of 4.00 feet to a 0.5" RBF,

Thence run South 89 Degrees 00 Minutes 11 Seconds East a distance of 54.98 feet to a 0.5" RBS, located on the southern R/W of Virginia Avenue,

Thence leaving said Right of Way run South 00 Degrees 22 Minutes 02 Seconds West a distance of 189.51 feet to a point,

Thence run North 88 Degrees 14 Minutes 23 Seconds West a distance of 2.08 feet to a 0.5" RBF,

Thence run North 89 Degrees 22 Minutes 37 Seconds West a distance of 103.25 feet to a Disk, Right of Way Monument, located on the eastern Right of Way line of Oak Ridge Avenue,

Thence run North 02 Degrees 11 Minutes 45 Seconds East a distance of 10.03 feet to a point,

Thence run North 00 Degrees 33 Minutes 26 Seconds East a distance of 32.17 feet to a point,

Thence run South 86 Degrees 20 Minutes 39 Seconds East a distance of 0.93 feet to a point,

Thence run North 00 Degrees 46 Minutes 05 Seconds East a distance of 53.89 feet to a 0.5" RBF,

Thence run North 89 Degrees 36 Minutes 02 Seconds East a distance of 4.08 feet to a point,

Thence run North 00 Degrees 49 Minutes 14 Seconds East a distance of 57.32 feet to a 0.5" RBF,

Thence run North 18 Degrees 38 Minutes 20 Seconds East a distance of 17.96 feet to a point,

Thence run North 41 Degrees 10 Minutes 35 Seconds East a distance of 20.38 feet to a point, said point being the True Point of Beginning.

Land Area = 0.434 AC

The End

