

City of Hapeville
Planning Commission Meeting
July 12, 2016
6:00 PM

1. Welcome And Introduction
2. Approval Of Minutes

June 14, 2016

3. Old Business
4. New Business

4.I. 3388 Colville Avenue

3388 Colville Avenue: Site Plan Review

Mr. William A. McSwain is seeking site plan approval to allow construction of a 2,070-square foot home with a 484-square foot detached garage at 3388 Colville Avenue. The property is zoned R-SF, Residential Single Family.

Documents:

[3388 COLVILLE AVE. SITE PLAN - WEB COPY.PDF](#)

4.II. Extended Stay Hotels - Text Amendment

Extended-Stay Hotels: Text Amendment

Consideration and action on an Ordinance to amend Chapter 93, Zoning, of the Code of Ordinances for the City of Hapeville, Georgia regarding Extended-Stay Hotels.

Documents:

[EXTENDED STAY HOTELS ORDINANCE _3_.PDF WEB.PDF](#)
[TEXT AMENDMENT APPLICABLE TO EXTENDED STAY HOTELS _3_.PDF WEB.PDF](#)

4.III. Sign Ordinance - Text Amendment

Sign Ordinance: Text Amendment

Consideration and action on an Ordinance to amend Chapter 93, Zoning, of the Code of Ordinances for the City of Hapeville, Georgia regarding the Sign Ordinance.

Documents:

[TEXT AMENDMENT TO SIGN ORD RE ANNOUNCEMENT SIGNS REVISED PER LACK OF CUMULATIVE AREA AND 200 SF MAX REVISION 2.PDF](#)
[SIGN ORDINANCE - MATERIALS CONSTRUCTION SIGNS.PDF WEB.PDF](#)

4.IV. Ordinance Text Reference To Zoning Map - Text Amendment

Ordinance Text Reference to Zoning Map: Text Amendment

Consideration and action on an Ordinance to amend Chapter 93, Zoning, of the Code of Ordinances for the City of Hapeville, Georgia regarding a text reference to the 2016 Zoning Map.

Documents:

TEXT AMENDMENT FOR RE-ADOPTION OF THE HAPEVILLE ZONING
ORDINANCE _2_.PDF WEB.PDF
ZONING MAP READOPTION ORDINANCE _3_.PDF

5. Next Meeting Date - August 9, 2016 At 6:00PM
6. Adjourn

**CITY OF HAPEVILLE
COMMUNITY SERVICE DEPARTMENT
PLANNING COMMISSION APPLICATION**

Name of Applicant William A. McSwain

Mailing Address _____

Telephone _____ Mobile _____

Email _____ com

Property Owner (s) Usonian Homes, LLC

Mailing Address _____

Telephone _____ Mobile _____

Address/Location of Property: 3388 Colville Ave.

Parcel I.D. # (INFORMATION MUST BE PROVIDED): 14009800080121

Present Zoning Classification: R-SF

Present Land Use: SFR

Please check the following as it applies to this application:

Site Plan Review Temporary Use Permit

Conditional 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 regardless of any action or approval on this application. I further understand that it is my/our responsibility to conform with all of City of Hapeville's Ordinances in full. I hereby acknowledge that all requirements of the City of Hapeville shall be adhered too. I can read and write the English language and/or this document has been read and explained to me and I have full and voluntarily completed this application. I understand that it is a felony to make false statements or writings to the City of Hapeville, Georgia pursuant to O.C.G.A. 16-10-20 and I may be prosecuted for a violation thereof.

William A. McSwain
Applicant's signature
Date: 6/29/16

Sworn to and subscribed before me
This 29 day of June, 2016.
[Signature]
Notary Public



**CITY OF HAPEVILLE
COMMUNITY SERVICE 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)

The address is an existing vacant lot in Virginia Park zoned for single family residential. Usonian Homes, LLC proposes to build a new 2070 square foot home with detached 2 car garage. The existing curb cut on Coates for the new driveway. The home will be a 4 bedroom 3 bath on a crawl space and will be 2 story. Height will be 35 feet.

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:

WAM 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.

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

WAM 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.

WAM 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).

W/A

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.

W/A

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.

W/A

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

W/A

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).

W/A

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.

N/A

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.

N/A

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

N/A

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.

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

Date: 6/29/16

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

SWCD: #3388 COLVILLE AVE.

Project Name: SITE PLAN FOR USONIAW HOME Address: PARCEL ID # 14 00 98 000 80121

City/County: Hapeville / FULTON LLC Date on Plans: 6-22-16

TO BE SHOWN ON ES&PC PLAN

Plan Page #	Included Y/N	
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	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)
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	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)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	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.)
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	4 The name and phone number of the 24-hour local contact responsible for erosion, sedimentation and pollution controls.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	5 Provide the name, address and phone number of the primary permittee or tertiary permittee.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	6 Note total and disturbed acreage of the project or phase under construction.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	7 Provide the GPS location of the construction exit for the site. Give the Latitude and Longitude in decimal degrees.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	8 Initial date of the Plan and the dates of any revisions made to the Plan including the entity who requested the revisions.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	9 Description of the nature of construction activity.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	10 Provide vicinity map showing site's relation to surrounding areas. Include designation of specific phase, if necessary.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	11 Identify the project receiving waters and describe all sensitive adjacent areas including streams, lakes, residential areas, wetlands, marshlands, etc. which may be affected.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	12 Design professional's certification statement and signature that the site was visited prior to development of the ES&PC Plan as stated on page 18 of the permit.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	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 page 17 & 18 of the permit.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	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."*
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	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."
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	16 Provide a description of any buffer encroachments and indicate whether a buffer variance is required.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	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.

- | | | |
|------------------------------|---------------------------------------|--|
| <input type="checkbox"/> 3 | <input checked="" type="checkbox"/> 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." |
| <input type="checkbox"/> 3 | <input checked="" type="checkbox"/> 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." |
| <input type="checkbox"/> 3 | <input checked="" type="checkbox"/> 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." |
| <input type="checkbox"/> 3 | <input checked="" type="checkbox"/> 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." |
| <input type="checkbox"/> | <input type="checkbox"/> 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.* |
| <input type="checkbox"/> | <input type="checkbox"/> 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.* |
| <input type="checkbox"/> | <input type="checkbox"/> 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.* |
| <input type="checkbox"/> 3 | <input checked="" type="checkbox"/> 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. |
| <input type="checkbox"/> 2,3 | <input checked="" type="checkbox"/> Y | 26 Provide BMPs for the remediation of all petroleum spills and leaks. |
| <input type="checkbox"/> 2,3 | <input checked="" type="checkbox"/> Y | 27 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. |
| <input type="checkbox"/> 2,3 | <input checked="" type="checkbox"/> Y | 28 Description of the practices that will be used to reduce the pollutants in storm water discharges. |
| <input type="checkbox"/> 1 | <input checked="" type="checkbox"/> Y | 29 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). |
| <input type="checkbox"/> 4 | <input checked="" type="checkbox"/> Y | 30 Provide complete requirements of inspections and record keeping by the primary permittee or tertiary permittee. |
| <input type="checkbox"/> | <input type="checkbox"/> N/A | 31 Provide complete requirements of sampling frequency and reporting of sampling results.* |
| <input type="checkbox"/> 4 | <input checked="" type="checkbox"/> Y | 32 Provide complete details for retention of records as per Part IV.F. of the permit. |
| <input type="checkbox"/> | <input type="checkbox"/> N/A | 33 Description of analytical methods to be used to collect and analyze the samples from each location.* |
| <input type="checkbox"/> | <input type="checkbox"/> N/A | 34 Appendix B rationale for NTU values at all outfall sampling points where applicable.* |
| <input type="checkbox"/> | <input type="checkbox"/> N/A | 35 Delineate all sampling locations if applicable, perennial and intermittent streams and other water bodies into which storm water is discharged.* |
| <input type="checkbox"/> 1 | <input checked="" type="checkbox"/> Y | 36 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. |
| <input type="checkbox"/> 1 | <input checked="" type="checkbox"/> Y | 37 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 |

ONLY PARCEL 14-0098000 80121

applicable.

1	Y
1	Y

38 Graphic scale and North arrow.

39 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%	0.5 or 1
	Rolling 2 - 8%	1 or 2
	Steep 8% +	2,5 or 10

	NONE
--	------

40 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.

	NONE
--	------

41 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	Y
---	---

42 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
---	---

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

1	Y
---	---

44 Delineation and acreage of contributing drainage basins on the project site. (ONLY OUR SITE)

	N/A
--	-----

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

	N/A
--	-----

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

3	Y
---	---

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

1,2	Y
-----	---

48 Soil series for the project site and their delineation.

1	Y
---	---

49 The limits of disturbance for each phase of construction.

3	Y
---	---

50 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	Y
---	---

51 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	Y
---	---

52 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
---	---

53 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)

Written Description
3388 Colville Ave., Hapeville, GA
Parcel ID #14 009800080121

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

Commencing at existing intersection of the Northwest R/W of Custer St. (R/W varies) and the Southeast R/W of Colville Ave. (apparent 50' R/W) this being the **THE POINT OF BEGINNING (P.O.B.)**.

FROM THE POINT OF BEGINNING (P.O.B.):

Thence N 00°45'36" E a distance of 61.67' to a point;
Thence S 89°14'23" E a distance of 150.00' to a point;
Thence S 00°45'36" W a distance of 51.00' to a point;
Thence S 87°07'42" W a distance of 82.14' to a point;
Thence S 86°09'57" W a distance of 68.24' to a point;
this point being **THE POINT OF BEGINNING (P.O.B.)**.

Containing 0.19 acres.

Together with all easements recorded and unrecorded.

FLOOD NOTES

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

PANEL# 13121C0366F DATED 09/18/2013

INDEX

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

24 HR CONTACT

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

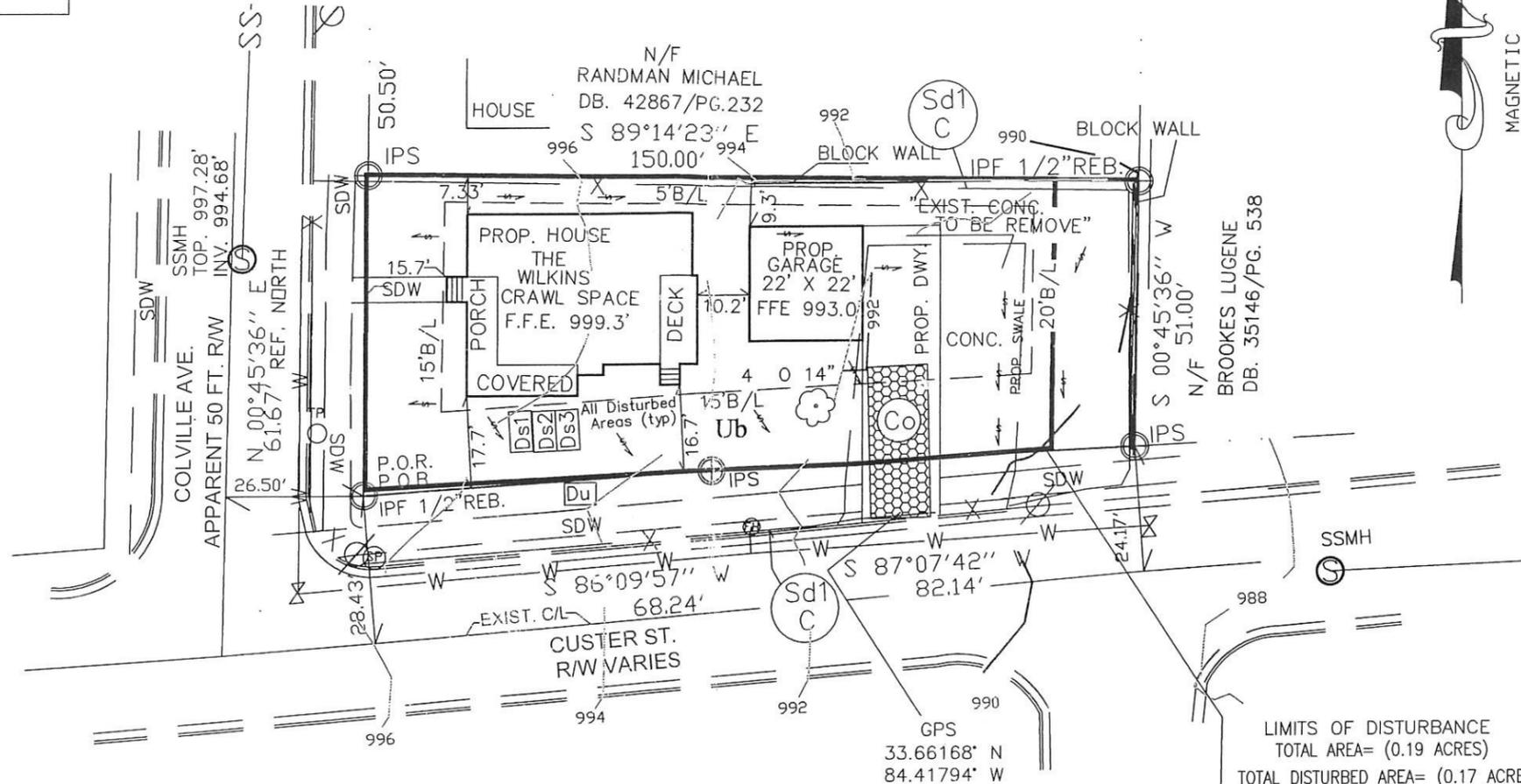
ZONING RSF
 SETBACKS
 FRONT 15'
 SIDE 5'
 REAR 20'

VIRGINIA PARK S/D
 REF. DEED #3388
 PARCEL ID# 14009800080121
 D.B. 48138, PG. 84

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
- OOS 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

BUILDER NEEDS TO CONTACT WATER AND SEWER DEPARTMENT FOR SERVICES.



GENERAL NOTES

1. TOGETHER WITH ALL EASEMENTS RECORDED OR UNRECORDED.
2. LAST DATE OF FIELD SURVEY 06/16/16
3. ALL LINEAR DISTANCES SHOWN ON PLAT SHALL BE HORIZONTAL.
4. 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"
5. ALL BEARINGS AND DISTANCES WERE MEASURED AND USED.
6. TOPOGRAPHY IS BASED ON FIELD RUN SURVEY BY SOUTHSIDE SURVEYING,
7. CONTOURS INTERVALS 2FT

ACTIVITY SCHEDULE	JULY	AUG	SEPT.	OCT.
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				

LIMITS OF DISTURBANCE
 TOTAL AREA= (0.19 ACRES)
 TOTAL DISTURBED AREA= (0.17 ACRES)

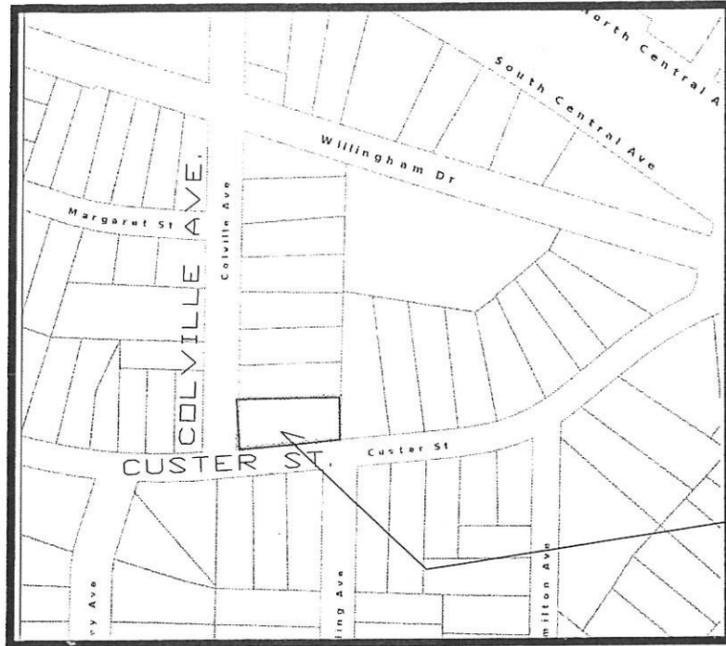


Scale: 1" = 30'



ANGEL M. MARRERO R.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	1/6
SITE PLAN, GRADING, EROSION CONTROLS PLANS FOR: USONIAN HOMES, LLC CITY OF HAPEVILLE Land Lot 98 14TH Dist. FULTON County, GA		
Drawn By: AMM		Scale: 1"=30'
Dwg No: 2-160683SP		Date: 06/22/16



VICINITY MAP "NTS"

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 14th day after construction activity temporarily ceased.

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."

Angel M. Marrero
Georgia Licensed Professional #4479

6-22-16
Date

TERTIARY Permittee	Operator	Qualified Personnel
USONIAN HOMES, LLC		
DEVELOPER: Land Lot 98	CONTRACTOR: 14th Dist.	Land Surveyors (NPDES): Southside Surveying and Planning LLC. #18 Atlanta Street McDonough, GEORGIA 30253 (770)-320-8009
NAME: TONY McSWAIN		
ADDRESS: 4495 GINGER WOOD LANE STONE MOUNTAIN, GA 30083		
PHONE (24HR.): 770-842-2324		

Description of Existing Land Use:
Site Purpose and Construction Activity:
One Residential Home

Site Description and Location:
LOCATION: LAND LOT 98, 14th DISTRICT, FULTON COUNTY, GEORGIA
SITE AREA: 0.19 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:
UNNAMED TRIBUTARY TO 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.

WASTE DISPOSAL	OTHER CONTROLS
<p>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.</p>	<p>SPILL PREVENTION & CONTROL</p> <p>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.</p> <p>*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.</p>

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
ANGEL M. MARRERO, RLS
DATE: *6-22-16*

Certified Design Professional # 4479

REF. DEED
PARCEL ID# 14009800080121
D.B. 48138, PG. 84

REV.	DESCRIPTION	DATE
	<p>SOUTHSIDE SURVEYING & PLANNING LSF000831</p> <p>#18 ATLANTA ST. MCDONOUGH, GA 30253 Phone: (770) 320-8009 Fax: (770) 320-8098</p>	<p>2/6</p>
<p>EROSION CONTROLS NOTES FOR:</p> <p>USONIAN HOMES, LLC CITY OF HAPEVILLE</p> <p>Land Lot 98 14TH Dist. FULTON County, GA</p>		
<p>Drawn By: AMM</p>		<p>Scale: N.T.S.</p>
<p>Dwg No: 2-160683SP</p>		<p>Date: 06/22/16</p>

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 ON SITE.

"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 ON SITE. ALL SUCH MATERIALS WILL BE DISPOSED OF IN PROPER WASTE DISPOSAL PROCEDURES.

**REF. DEED
PARCEL ID# 14009800080121
D.B. 48138, PG. 84**

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-C.
0.17 X 67 = 11.6 C.Y. REQUIRED 443 LF X 0.083 = 36.7 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.



A'NGEL M. MARRERO R.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: USONIAN HOMES, LLC	
	Land Lot 98	14TH Dist. CITY OF HAPEVILLE FULTON County, GA
	Drawn By: AMM	Scale: N.T.S.
	Dwg No: 2-160683SP	Date: 06/22/16

3/6

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

- a. A copy of all Notices of Intent submitted to EPD;
- b. A copy of the Erosion, Sedimentation and Pollution Control Plan required by this permit;
- c. The design professional's report of the results of the inspection conducted in accordance with Part IV.A.5. of this permit;
- d. A copy of all sampling information, results, and reports required by this permit;
- e. A copy of all inspection reports generated in accordance with Part IV.D.4.c. of this permit;
- f. A copy of all violation summaries and violation summary reports generated in accordance with Part III.D.2. of this permit; and
- g. 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 R.L.S. #2642
Certified Design Professional # 4479

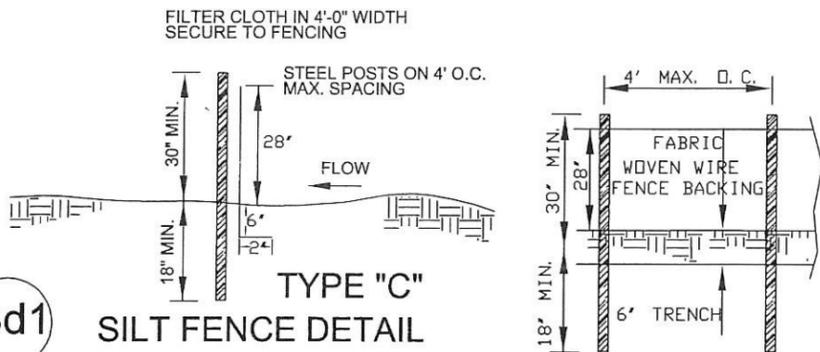
REF. DEED
PARCEL ID# 14009800080121
D.B. 48138, PG. 84

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	Scale: N.T.S.
	Dwg No: 2-160683SP	Date: 06/22/16

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.



Sd1 SILT FENCE DETAIL

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.

Ds3 - DISTURBED AREA STABILIZATION
(WITH PERMANENT VEGETATION)

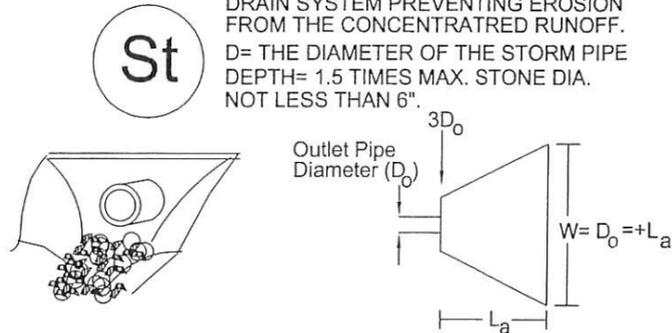
SPECIES	SEEDING RATE (LBS. PURE LIVE SEED)	PLANTING DATES
BERMUDA, COMMON (HULLED)	6-10 LBS/ACRE	MARCH - JUNE
BERMUDA, COMMON (UN-HULLED)	6-10 LBS/ACRE	OCTOBER - FEBRUARY
FESCUE, TALL	30-50 LBS/ACRE	AUGUST - OCTOBER MARCH - APRIL
LESPEDEZA	60-75 LBS/ACRE	JANUARY - DECEMBER

- 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.

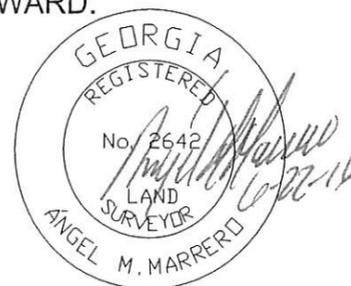
Ds1 DISTURBED AREA STABILIZATION
(WITH MULCHING ONLY)

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

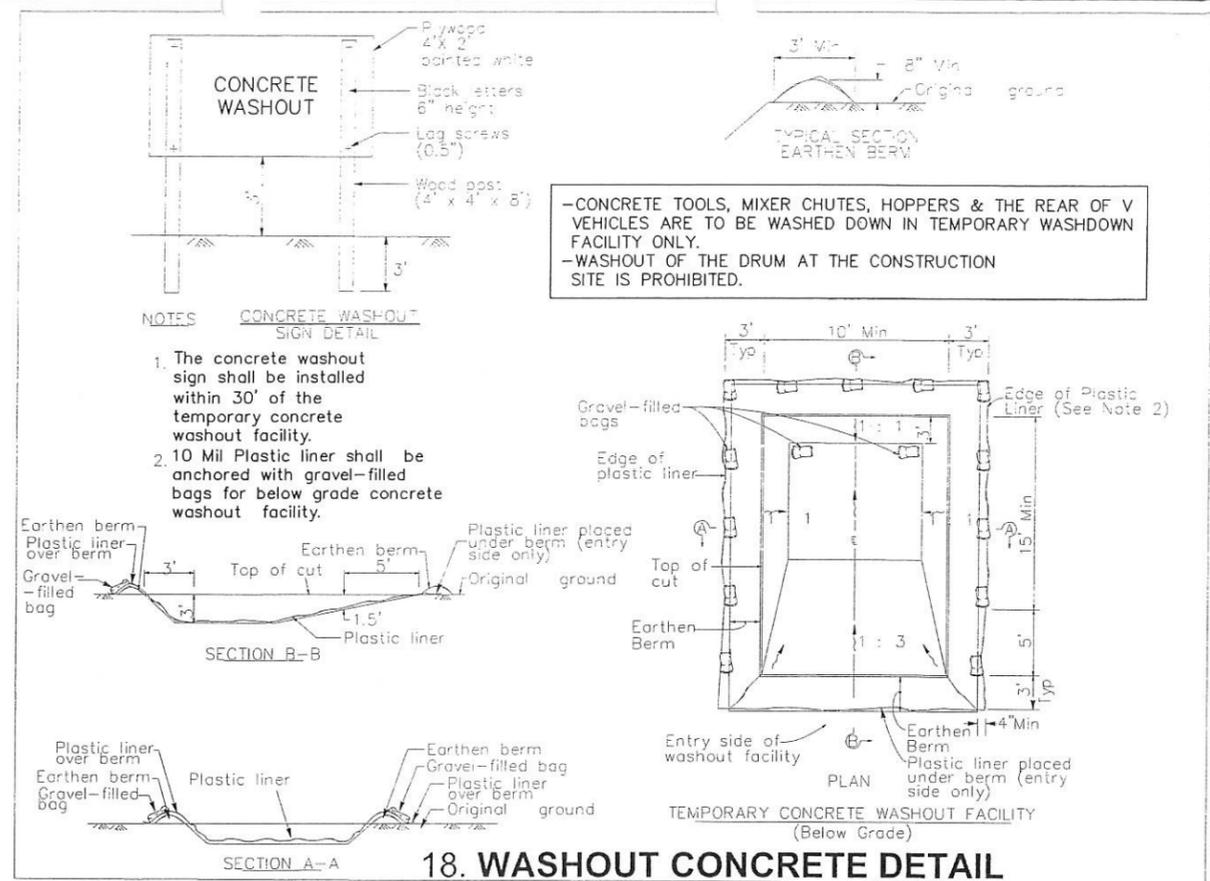
A PAVED OR SHORT SECTION OF RIPRAP CHANNEL AT THE OUTLET OF A STORM DRAIN SYSTEM PREVENTING EROSION FROM THE CONCENTRATED RUNOFF. D= THE DIAMETER OF THE STORM PIPE DEPTH= 1.5 TIMES MAX. STONE DIA. NOT LESS THAN 6".



CURB INLET TRAP
WRAP 8" CONCRETE BLOCKS IN FILTER FABRIC AND SPAN ACROSS CATCH BASIN INLET FACE OPENINGS IN BLOCKS OUTWARD.



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



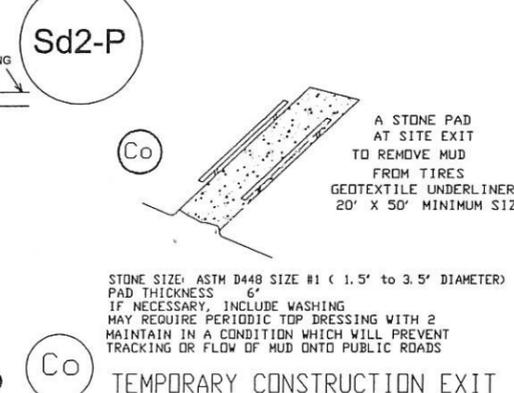
18. WASHOUT CONCRETE DETAIL

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			2. LAST DATE OF FIELD SURVEY 03/25/13. Controlling surface and air movement of dust on construction site, roadways and similar sites.
----	---------------------------------	--	--	--



Co MAINTENANCE
The exit shall be maintained in a condition which will prevent tracking or flow of mud onto public rights-of-way. This may require periodic top dressing with 1.5-3.5 inch stone, as conditions demand, and repair and/or cleanout of any structures to trap sediment. All materials spilled, dropped, washed, or tracked from vehicles or site onto roadways or into storm drains must be removed immediately.

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 CITY OF HAPEVILLE Land Lot 98 14TH Dist. FULTON County, GA		
Drawn By: AMM		Scale: N.T.S.
Dwg No: 2-160683SP		Date: 06/22/16

REF. DEED
 PARCEL ID# 14009800080121
 D.B. 48138, PG. 84

FLOOD NOTES

BASED ON THE INFORMATION SHOWN ON THE FLOOD HAZARD BOUNDARY MAPS FURNISHED BY FEMA, IT IS MY OPINION THAT THE PROPERTY SHOWN HEREON IS OUTSIDE THE 100-YEAR FLOOD HAZARD AREA.
 PANEL# 13121C0366F DATED 09/18/2013

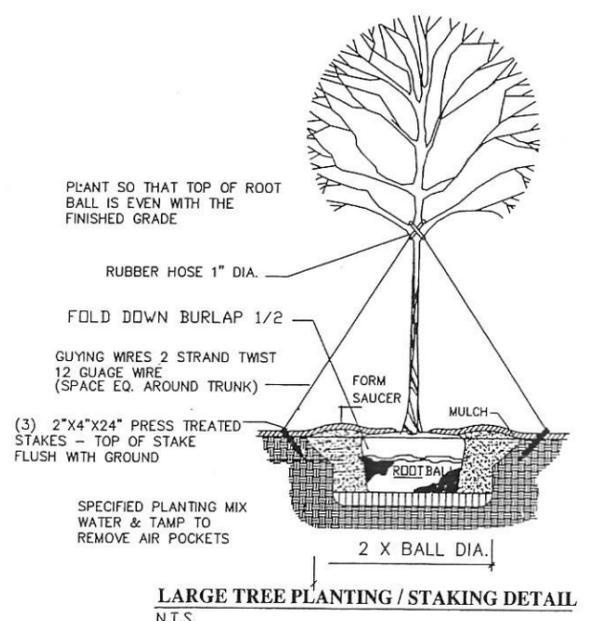
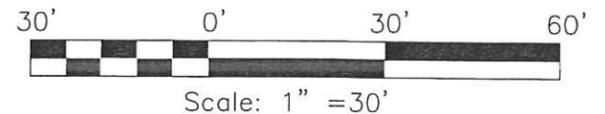
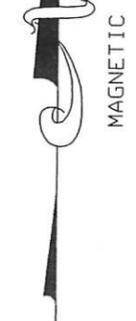
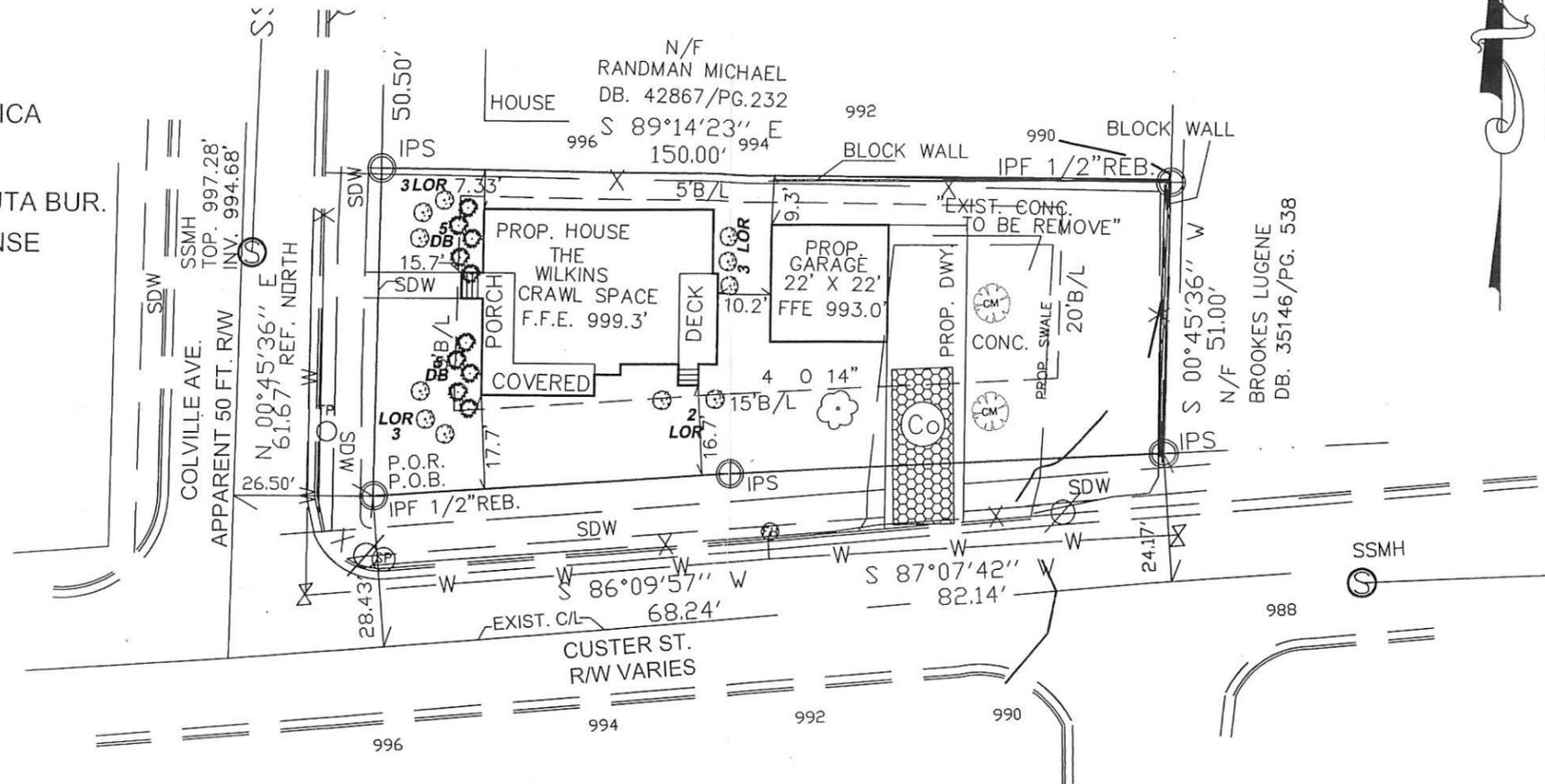
ZONING RSF
 SETBACKS
 FRONT 15'
 SIDE 5'
 REAR 20'

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

- SYM. PLANT NAME
 UNDERSTORY TREES
- CM CRAPE MYRTLE/LAGERSTROEMIA INDICA
 SHRUBS
- DB DWARF BURFORDI HOLLY/ILEX CORNUTA BUR.
 LOR DWF. RED LOROPETALUM/LOR. CHINENSE

- SOD BERMUDAGRASS
 GRASS - COMMON BERMUDA GRASS



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

REV.	DESCRIPTION	DATE
SOUTHSIDE		#18 ATLANTA ST. MCDONOUGH, GA 30253 Phone: (770) 320-8009 Fax: (770) 320-8098
SURVEYING & PLANNING LSF000831		
LANDSCAPING PLANS FOR:		
USONIAN HOMES, LLC		CITY OF HAPEVILLE
Land Lot 98 14TH Dist.		FULTON County, GA
Drawn By: AMM		Scale: 1"=30'
Dwg No: 2-160683SP		Date: 06/22/16



Department of Planning & Zoning

MEMORANDUM

TO: Brian Wismer, Planning Commission Chairman
FROM: Bill Johnston, City Planner
SUBJECT: Site Plan Review for a Single Family Dwelling at 3388 Colville Avenue at Custer Street
DATE: Tuesday, 5 July 2016

Background

A site plan has been submitted by William A. McSwain, applicant, seeking permission to build a 2,070-square foot single family dwelling with a detached garage on a 0.19-acre lot. The vacant property is a corner lot and is zoned R-SF, Residential-Single Family.

Findings

Mr. McSwain is proposing a two-story, craftsman-style dwelling at a height of 35 feet and an 8:12 roof pitch. The dwelling will be a four-bedroom, three-bath with a detached garage to the rear. The garage will be 22 feet by 22 feet for an area of 484 square feet; access to the property will be via Custer Street near Harding Avenue. Exterior finishes will be Hardie plank and Hardie shingles. A front and rear porch will each have a roof pitch of 3:12. A fireplace is to be wrapped in Hardie plank. The dwelling will be built on a crawl space as is the adjoining dwelling on Colville.

Requirements for site plan applications are addressed below:

Site Plan Review Process

Sec. 93-2-16. *Site plan review* provides the following guidance for processing applications for site plan approval. Findings are presented for each review requirement with deficiencies or non-compliance underlined:

- (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.

Brian Wismer, Planning Commission Chair
Site Plan Review for a Single Family Dwelling at 3388 Colville Avenue at Custer Street
Tuesday, 5 July 2016
2 of 6

(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:

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.

A 2,070-square foot single family dwelling with a 484-square foot detached garage is proposed by the applicant. A development schedule is not indicated.

(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 lot has been vacant for an extended period. A 2,070-square foot single family dwelling is proposed in compliance with the 15-foot, front yard setback, 5-foot side yard and 20-foot rear yard. The dwelling will be 35 feet in height in compliance with the maximum height of the R-SF Zone. The 484-square foot detached garage will be 10.2 feet from the proposed dwelling and 9 feet from the side property line. The height of the garage is not indicated. The height of an accessory building cannot exceed 25 feet.

Ord. 2014-10 establishes the following standard as concerns accessory buildings:

"Setback on corner lot. Accessory buildings on a corner lot shall comply with the setback for the principal dwelling. No accessory building on a corner lot that adjoins a residentially used or zoned lot to the rear shall be located within 25 feet of the rear property line. This 25-foot setback will not be required when the adjoining yard is a rear yard." The garage will adjoin a side yard of the lot on Custer; however, the garage will be setback more than 25 feet from the adjoining lot.

Table B - *Accessory Building Allowance based on Lot Size* of Ord. 2014-10 also establishes a maximum floor area standard as concerns scale. The owner of an 8,276-square foot lot may erect a 560-square foot accessory building.

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

An existing driveway on Custer near Harding will be replaced with a driveway somewhat further from that intersection.

Brian Wismer, Planning Commission Chair

Site Plan Review for a Single Family Dwelling at 3388 Colville Avenue at Custer Street

Tuesday, 5 July 2016

3 of 6

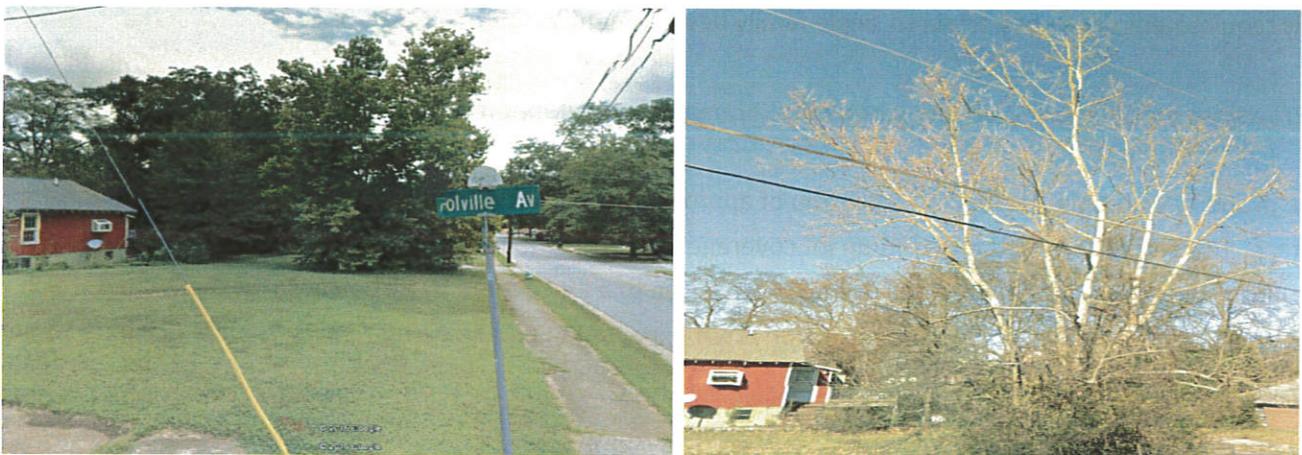
c. The locations, area and number of proposed parking spaces.

The two-car garage will accommodate two vehicles, fully complying with the two parking space requirement of Sec. 93-22.1-1. *Chart of dimensional requirements.*

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

The site slopes approximately six feet from the front of the lot to the rear; a two-foot contour interval is depicted. Significant grading is not anticipated.

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



One deciduous tree having a height of approximately 35 feet and well over 6-inch caliper is located on the property, west of the concrete driveway. The plans do not indicate whether that tree will be retained. The tree appears to be multi-stemmed in close proximity to the overhead electrical lines.

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.).

A landscape plan is provided, with two crape myrtle proposed at the rear of the site and appropriate shrubbery at the front and street side yards.

Brian Wismer, Planning Commission Chair

Site Plan Review for a Single Family Dwelling at 3388 Colville Avenue at Custer Street

Tuesday, 5 July 2016

4 of 6

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.).

This is a single family lot. Open space in the form of yards is indicated that appears to encompass more than half the property.

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

No walls, fences or earth berms are proposed.

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

This requirement does not pertain to single family development.

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

The property will achieve a lot coverage ratio of approximately 18 percent following construction, including the garage. This complies with the maximum lot coverage of 70 percent in the R-SF Zone. Sec. 93-1-2. *Definitions* defines lot coverage as "The total horizontal ground area of a lot covered by all buildings on the lot and which is not open to the sky." The planned construction is not expected to add an extraordinary volume of runoff to the stormwater system.

k. Location and size of all signs.

No signs are proposed.

(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.

Neighboring dwellings are a combination of historic single story structures and relatively new one and a half story and two-story dwellings. The grade of the lot is consistent with the grade of adjacent lots. The 35-foot dwelling will contrast with the two nearest single story dwellings.

(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.

Brian Wismer, Planning Commission Chair

Site Plan Review for a Single Family Dwelling at 3388 Colville Avenue at Custer Street

Tuesday, 5 July 2016

5 of 6

Architectural plans show all four elevations; with Hardie plank siding and Hardie shingles as the exterior finish. Hardie plank is proposed as the siding material on the gable. Both are in compliance with the Architectural Design Standards. These standards also provide the following:

“Chimneys visible from a public right-of-way shall not be faced in wood or fiber cement siding and shall not be a metal or ceramic pipe. Chimneys shall be wrapped in a full-depth brick, stone or masonry finish material. Chimneys located on an exterior building wall shall begin at grade.” These standards do not appear to be met.

(4) Project data.

a. Site area (square feet and acres).

The lot is 0.19 acres or approximately 8,276 square feet.

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 plan complies with all required open space and lot coverage ratios; the latter being a maximum of 70 percent in the R-SF Zone.

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

A four-bedroom, three bath dwelling is proposed in compliance with, and exceeding, the standards of Sec. 93-22.1-1. *Chart of dimensional requirements.*

d. Floor area in nonresidential use by category.

This standard is not applicable to the proposed development.

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

A development density of just over five (5) dwelling units per acre is proposed. The R-SF Zone allows a density of more than 10 units per acre.

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

The proposed garage will comply with the two (2) parking spaces required by Sec. 93-22.1-1. *Chart of dimensional requirements.* The detached garage will be accessed via a replacement driveway from Custer Street. Detached garages to the rear represent the configuration most favored in the Architectural Design Standards. The area of paved surface for parking and circulation following construction is estimated at 650 square feet.

Brian Wismer, Planning Commission Chair
Site Plan Review for a Single Family Dwelling at 3388 Colville Avenue at Custer Street

Tuesday, 5 July 2016

6 of 6

(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.

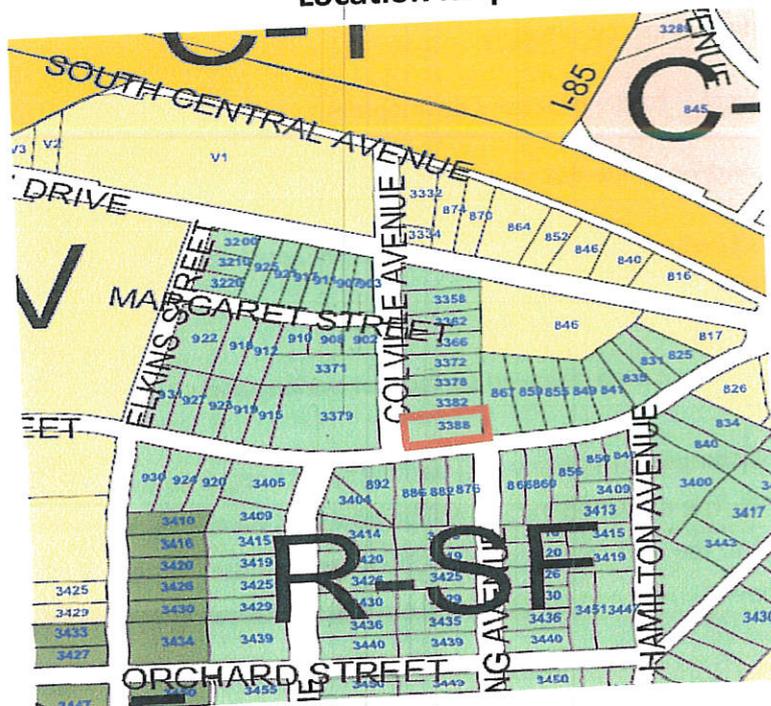
A two-story, single family detached dwelling is proposed. A two-car, detached garage will be built accessory to the dwelling. Mr. McSwain is the owner of the 3388 Colville Avenue property. An anticipated development schedule is not indicated.

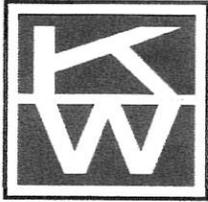
Recommendation

Based on the above findings, approval of the site plan is appropriate, subject to satisfaction of the identified deficiencies.

- c: Commissioner Charlotte Rentz, Vice Chair
- Commissioner Lucy Dolan
- Commissioner Mark Farah
- Commissioner Kaity Ferrero
- Commissioner Travis Horsley
- Commissioner Jeanne Rast
- Adrienne Senter, Planning Commission Secretary

Location Map





Keck & Wood, Inc.

3090 Premiere Parkway
Suite 200
Duluth, Georgia 30097
Office: (678) 417-4000
Fax: (678) 417-4055
www.keckwood.com

July 1, 2016

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

Re: 3388 Colville Avenue
Site Plan, Tree
Conservation Requirements
& Tertiary Permitting
Development Review No. 1
K&W Ref. No. 161050.60

Dear Ms. Senter:

As requested, I have reviewed the Site Plan of the proposed new residence at 3388 Colville Avenue for compliance with the Site Plan and Tree Conservation requirements of the City of Hapeville. The submittal was received on June 28, 2016 and consists of improvements to the 0.19 acre parcel at the intersection of Colville Avenue and Custer Street within an R-SF Zoning District. The Site Plans / Survey was prepared by Southside Surveying & Planning, Inc., under Surveying seal of Angel M. Marrero. My comments are as follows:

1. Based on this development being only one lot, less than one acre, and not part of a larger common development in the area, tertiary NOI permitting for this lot does not appear necessary. If the City considers this not to be the case, tertiary permitting will be necessary. City staff may want to confirm that tertiary permitting is not necessary.
2. Construction details defining driveway thickness and joint spacing should be included on the plans.
3. The petitioner should be aware while not required for site plan submission, provisions to address the Post Development Storm Water Management per the procedures of Section 63-2 of the Code of Hapeville should be adequately demonstrated as the redevelopment may include the creation, addition or replacement of 5,000 square feet or more of impervious cover. From the information provided, this can or cannot be verified. Additional information should be provided.
4. Proposed connections for water service, sewer service, and gas service (if applicable) should be shown on the drawings. If connections involve pavement cutting, pavement patch details should also be on the drawings.

Ms. Adrienne Senter
3388 Colville Avenue

July 1, 2016
Page Two

I have retained the copy of the Site Plans and supporting material 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 process. Re-submittals should include a narrative indicating how and where the review comments were addressed.

Very truly yours

KECK & WOOD, INC.

A handwritten signature in cursive script that reads "Michael J. Moffitt".

Michael J. Moffitt, P.E.



DAVID BLOODWORTH
FIRE CHIEF

FIRE DEPARTMENT

To: Adrienne Senter

From: Brian Eskew, Fire Marshal

Re: 3388 Colville Ave.

Date: July 8, 2016

The only concern that I have with this plan is the short distance between this structure and the existing structure. This could possibly pose a problem for firefighting. If you should need any more information please let me know.

Usonian Homes, LLC

4495 Ginger Wood Ln.
Stone Mountain, Ga. 30083
Office: 404.294.5192

Ms. Adrienne Senter,

July 8, 2016

The following information is intended to answer the questions raised by the city planner, Bill Johnston, and by the city engineer regarding the site plan for 3388 Colville Avenue.

City Planner Site Plan Review

- Development Schedule is expected to be from August 2016 to December 2016.
- Height of the garage is 19 feet.
- Every effort will be made to retain the one tree. It will have low growth around it removed and generally cleaned up and low level limbs removed.
- Regarding the chimney exterior material, it is my understanding in talking with Mr. Johnston that this is a matter to be considered in the design review process.

Keck & Wood Engineer Report

- The driveway thickness will be 4".

Respectfully,

Tony McSwain

William A McSwain, Jr.

24 dangers, promotion of health and general welfare of its citizens, protection of the aesthetic
25 qualities of the City including access to air and light, and facilitation of the adequate provision of
26 transportation and other public requirements; and

27 **WHEREAS**, it is the belief of the Mayor and Council that the concept of “public
28 welfare” is broad and inclusive; that the values it represents are spiritual as well as physical,
29 aesthetic as well as monetary; and that it is within the power of the City “to determine that a
30 community should be beautiful as well as healthy, spacious as well as clean, well balanced as
31 well as carefully patrolled.” Kelo v. City of New London, 545 U.S. 469 (2005); Berman v.
32 Parker, 348 U.S. 26 (1954). It is also the opinion of the City that “general welfare” includes the
33 valid public objectives of aesthetics, conservation of the value of existing lands and buildings
34 within the City, making the most appropriate use of resources, preserving neighborhood
35 characteristics, enhancing and protecting the economic well-being of the community, facilitating
36 adequate provision of public services, and the preservation of the resources of the City; and

37 **WHEREAS**, the Mayor and Council are, and have been interested in, developing a
38 cohesive and coherent policy regarding certain uses in the City, and have intended to promote
39 community development through stability, predictability and balanced growth which will further
40 the prosperity of the City as a whole; and

41 **WHEREAS**, the City has thoroughly researched standards regarding Extended-Stay
42 Hotels; and

43 **WHEREAS**, on October 21, 2014, the City adopted a Future Development Map; and

44 **WHEREAS**, within the City’s Future Development Map, certain areas are designated as
45 high-intensity mixed use and commercial;

46 **WHEREAS**, the City has determined that such areas are suitable for development of
47 Extended-Stay Hotels; and

48 **WHEREAS**, the Mayor and Council find it desirable and in the interest of the health,
49 safety, and welfare of the citizens of the City to amend certain provisions of the City’s zoning
50 ordinances regarding Hotels and Extended-Stay Hotels.

51 **BE IT AND IT IS HEREBY ORDAINED BY THE MAYOR AND COUNCIL OF**
52 **THE CITY OF HAPEVILLE, GEORGIA**, and by the authority thereof:

53 **Section 1.** That the City Code, Chapter 93, Zoning, Article I, Title, Definitions and
54 Application of Regulations, Section 93-1-2, Definitions, is hereby amended by inserting new
55 text between the terms and definitions of “Height” and “Junk” to read and to be codified as
56 follows:

57 “*Hotel or Motel.* A building designed for occupancy for a fee as the temporary abiding place of
58 individuals who are lodged within.

59 *Hotel, Extended-Stay.* A building that otherwise meets the definition of Hotel, but in which
60 Cooking Facilities are included in more than twenty percent (20%) of its total guest rooms.”

61
62 **Section 2.** That the City Code, Chapter 93, Zoning, Article I, Title, Definitions and
63 Application of Regulations, Section 93-1-2, Definitions, is hereby amended by inserting new
64 text between the terms and definitions of “Antique Shop” and “Basement” to read as follows:

65 “*Apartment.* A dwelling unit that is physically attached to at least two (2) other dwelling units,
66 either directly or through an intervening unit, and that is not titled as a condominium.”

67
68 **Section 3.** That the City Code, Chapter 93, Zoning, Article I, Title, Definitions and
69 Application of Regulations, Section 93-1-2, Definitions, is hereby amended by inserting new
70 text between the terms and definitions of “Commercial Parking Lot” and “Condominium” to
71 read as follows:

72 “*Cooking Facilities.* As applied only to Hotels and Extended-Stay Hotels, “Cooking Facilities”
73 means a stove top burner, a hotplate that does not serve as an integral part of an appliance

74 designed solely to produce coffee or tea; a conventional oven; a convection oven; a grill; or any
75 device producing heat using resistance heating elements or infrared heating sources for the
76 purpose of preparing food. Microwaves and coffee makers shall not be considered Cooking
77 Facilities for purposes of this definition.”

78
79 **Section 4.** That the City Code, Chapter 93, Zoning, Article 2, General Provisions, is hereby

80 amended by inserting a new section as Section 93-2-22 and including the following text
81 therein to read as follows:

82 “Sec. 93-2-22. – Extended-Stay Hotels.

83
84 No Extended-Stay Hotel shall be initially constructed or thereafter operated, and no Hotel may
85 be converted to be, and operated as an Extended-Stay Hotel unless in full compliance with each
86 of the following provisions:

- 87
88 (a) Extended Stay Hotel standards.
- 89 (1) The minimum number of guest rooms shall be one hundred (100).
 - 90 (2) Public Access to the interior of the premises shall be by means of a single, main entrance
91 within view of a registration desk that is staffed by at least one person at all times.
 - 92 (3) A manager and a minimum of one (1) additional employee shall be on duty on the
93 premises at all times.
 - 94 (4) The minimum number of floors shall be four (4).
 - 95 (5) A minimum lighting intensity of two and one half (2.5) foot-candles shall be maintained
96 in all motor vehicle drives and parking areas and all pedestrian areas.
 - 97 (6) A minimum lighting intensity of five (5.0) foot-candles shall be maintained at each public
98 entrance and exit.
 - 99 (7) A flat roof is allowed; sloped roofs shall have a minimum roof pitch of a six-to-twelve
100 ratio (6:12).
 - 101 (8) All construction shall comply with the Architectural Design Standards that allow brick,
102 concrete stucco, stone and wood. In addition, glass in combination with metal and
103 approved synthetic finishes complying with the “Dryvit” standards acceptable to the City
104 shall be allowed.
 - 105 (9) Management must provide without additional charge guest room cleaning on a minimum
106 schedule of once weekly.
 - 107 (10) Outside storage, long term parking of heavy equipment, and parking of
108 construction or related equipment shall be prohibited.
 - 109 (11) Any pay phone on the premises shall only be located in the lobby of the building.
 - 110 (12) A minimum of two (2) of the following amenities shall be offered for the use of
111 all guests:
 - 112 a. Fitness room.
 - 113 i. The fitness room of an Extended-Stay Hotel with between one
114 hundred (100) and two hundred (200) guest rooms shall be no
115 less than two hundred seventy-five (275) square feet. Further,
116 the fitness room must contain a minimum of four (4) pieces of

- 117 exercise equipment. Four (4) required pieces must include the
118 following: One (1) treadmill, one (1) upright or recumbent cycle,
119 one (1) elliptical cross trainer or stair climber and a two (2)
120 strength station gym or two (2) independent strength pieces.
- 121 ii. The fitness room of an Extended-Stay Hotel with over two
122 hundred (200) guest rooms shall be no less than three hundred
123 fifty (350) square feet. Further, the fitness room must contain a
124 minimum of six (6) pieces of exercise equipment. Six (6)
125 required pieces must include the following: Two (2) treadmills,
126 two (2) upright or recumbent cycles, one (1) elliptical cross
127 trainer or stair climber and a 2 (two) station gym or two (2)
128 independent strength pieces.
- 129 b. Swimming pool, with dimensions of no less than thirty (30) square feet by sixty
130 (60) square feet.
- 131 c. A minimum of two (2) meeting rooms, each having, dimensions of no less than
132 one thousand two hundred (1,200) square feet.
- 133 (13) A daily hot breakfast shall be made available on the premises, by the Hotel, for
134 consumption by guests.
- 135 (14) Affiliation of the Hotel with a national chain shall be required.
- 136 (15) A minimum of a three (3) star rating from Smith Travel Accommodations Report
137 shall be required.
- 138 (b) Hotel guest room standards.
- 139 (1) Access to guest rooms shall be via an interior corridor, only, with guest room doors
140 opening only onto such corridors.
- 141 (2) No guest room shall be directly accessible from the exterior of the building.
- 142 (3) Access to individual guest rooms shall be by magnetic card access or as otherwise
143 required by fire or life safety regulations.
- 144 (4) Room furnishings shall be subject to inspection by the City Police Chief who shall
145 evaluate the furnishings for “wear and tear” on a seven (7)-year cycle and shall be
146 authorized to require replacement of any furnishings deemed to be in disrepair or
147 otherwise in need of replacement.
- 148 (5) All guest rooms shall be protected with a smoke detector and sprinkler system approved
149 by the City Fire Department.
- 150 (6) All guest rooms shall provide an automatic power shut off timer for each stove top unit or
151 other type burner.
- 152 (7) No guest room permitted under this section shall be converted to or used as an apartment
153 or condominium.
- 154 (8) Guest room amenities shall include each of the following:
- 155 a. Granite counter tops
- 156 b. Dark wood tables and night stands
- 157 c. Forty seven (47)-inch or larger flat screen televisions
- 158 d. Wi-Fi connections and in-room work stations
- 159 e. On-site upscale coin laundry facilities with high efficiency machines
- 160 f. Breakfast/Coffee Bar
- 161 g. Upscale Security Gates (black wrought iron)
- 162 h. Premium fixtures and furnishings

- 163 i. Queen Size bed standard in double rooms
164 j. King Size bed standard in single rooms
165 k. Upscale Lighting
166 l. Upscale shampoos and soaps
167 m. Upscale bedding and towels
168 (c) Maximum number of occupation tax certificates available. The number of certificates of
169 occupancy allowed, at one time, for the operation of an Extended-Stay Hotel within the
170 city shall not exceed three (3).
171 (d) Zoning districts. Extended-Stay Hotels shall be located only within the areas designated
172 as “High Intensity Mixed Use” or “Commercial”, on the “City of Hapeville Future
173 Development Map”, dated October 21, 2014, and as may be amended from time to time.
174 The City of Hapeville Future Development Map is available for inspection during normal
175 business hours in the office of the City Clerk. Further, no Extended-Stay Hotel shall be
176 developed on a Lot abutting any area occupied, planned (as so designated on the City of
177 Hapeville Future Development Map) or zoned for residential use.
178 (e) Penalties for noncompliance. An Extended-Stay Hotel that fails to meet the requirements
179 of the above subsections (a) through (d) is prohibited from offering Cooking Facilities in
180 more than twenty percent (20 %) of its total units. Further, any Extended-Stay Hotel that
181 fails to meet the requirements of this section shall be subject to citation for each day of
182 noncompliance. Each day of noncompliance shall constitute a separate offense
183 punishable by a separate citation.”
184

185 **Section 5.** That the City Code, Chapter 93, Zoning, Article 2, General Provisions, is hereby
186 amended by inserting a new section as Section 93-2-23 and including the following text
187 therein to read as follows:

188 “Sec. 93-2-23. –Hotels or Motels with Cooking Facilities.

189
190 Any Hotel guest room that includes Cooking Facilities shall have a total floor area of not less
191 than 400 square feet for an efficiency or one bedroom unit, a total floor area of not less than 600
192 square feet for a two bedroom unit, and not less than an additional 150 square feet of floor area
193 for each additional bedroom; and provided further that all proposed hotel and motel
194 developments shall be subject to the site plan review requirements of section 93-2-16.”
195

196 **Section 6.** That the City Code, Chapter 93, Zoning, Article 14, C-2 (General Commercial), is
197 hereby amended by deleting the existing text of subsection (24) of Section 93-14-3,
198 Permitted uses, and inserting the following text in lieu thereof, to read and to be codified as
199 follows:

200 “(24) Hotels and Motels.”

201
202
203 **Section 7.** That the City Code, Chapter 93, Zoning, Article 14, C-2 (General Commercial), is
204 hereby amended by inserting a new subsection (41) to Section 93-14-3, Permitted uses, and
205 inserting the following text therein to read and to be codified as follows:

206 “(41) Extended-Stay Hotels, subject to the provisions of Sections 93-2-22 and 93-2-23.”
207

208 **Section 8.** That the City Code, Chapter 93, Zoning, Article 11.5, RMU Zone (Residential
209 Mixed Use), is hereby amended by inserting a new subsection (18) to Section 93-11.5-3,
210 Permitted uses, and inserting the following text therein to read and to be codified as follows:

211 “(18) Extended-Stay Hotels, subject to the provisions of Sections 93-2-22 and 93-2-23.”
212

213 **Section 9.** That the City Code, Chapter 93, Zoning, Article 11.5, RMU Zone (Residential
214 Mixed Use), is hereby amended by repealing the existing definition of “Hotel” in Section 93-
215 11.5-2, Definitions.

216
217 **Section 10.** That the City Code, Chapter 93, Zoning, Article 11.5, RMU Zone (Residential
218 Mixed Use), is hereby amended by deleting the existing text of subsection (17) of Section 93-
219 11.5-3, Permitted uses, and inserting the following text in lieu thereof to read and to be
220 codified as follows:

221 “(17) Hotels and Motels.”
222

223 **Section 11.** That the City Code, Chapter 93, Zoning, Article 11.2, U-V Zone (Urban Village),
224 is hereby amended by deleting the existing text of subsections (16) and (17) of Section 93-
225 11.2-3, Permitted uses, and inserting the following text in lieu thereof to read and to be
226 codified as follows:

227 “(16) Hotels and Motels.

228 (17) Extended-Stay Hotels, subject to the provisions of Sections 93-2-22 and 93-2-23.”

229

230 **Section 12.** That the City Code, Chapter 93, Zoning, Article 11.2, U-V Zone (Urban Village),

231 is hereby amended by deleting the existing text of Subsection (24) of Section 93-11.2-4,

232 Nonpermitted uses, and inserting the following text in lieu thereof to read and to be codified

233 as follows:

234 “(24) Reserved.”

235 **Section 13.** That the City Code, Chapter 93, Zoning, Article 11.2, U-V Zone (Urban Village),

236 is hereby amended by deleting the existing text of Subsection (3) of Section 93-11.2-5,

237 Conditional uses, and inserting the following text in lieu thereof to read and to be codified as

238 follows:

239 “(3) Reserved;”

240 **Section 14.** That the City Code, Chapter 93, Zoning, Article 12, C-R Zone (Commercial-

241 Residential), is hereby amended by deleting the existing text of subsections (b)(11) and

242 (b)(12) of Section 93-12-2, Permitted uses, and inserting the following text in lieu thereof to

243 read and to be codified as follows:

244 “(11) Multifamily developments of high density; provided that the minimum lot area for any
245 such development is five acres; and provided further that any unit for occupancy which includes
246 cooking facilities shall have a total floor area of not less than 480 square feet for an efficiency or
247 one bedroom unit, a total floor area of not less than 730 square feet for a two bedroom unit, and
248 not less than an additional 150 square feet of floor area for each additional bedroom.

249 (12) Accessory uses to office buildings with more than 6,000 square feet of floor area, or high-
250 density multifamily buildings are permitted, but limited to the first two floors and further limited
251 to those retail uses permitted in the C-1 commercial district, wholly within the principal building.
252 In no case shall accessory use activities utilize more than 25 percent of the floor area of any
253 hotel, motel, office or multifamily building.”

254

255 **Section 15.** That the City Code, Chapter 93, Zoning, Article 13, C-1 Zone (Retail

256 Commercial), is hereby amended by inserting new subsections (29) and (30) to Section 93-

257 13-3, Permitted uses, and inserting the following text therein to read and to be codified as
258 follows:

259 “(29) Extended-Stay Hotels, subject to the provisions of Sections 93-2-22 and 93-2-23.
260 (30) Hotels and Motels.”

261
262 **Section 16.** That the City Code, Chapter 93, Zoning, Article 11.1, V Zone (Village), is hereby
263 amended by deleting the existing text of subsection (3) of Section 93-11.1-4, Conditional
264 uses, and inserting the following text in lieu thereof to read and to be codified as follows:

265 “(3) Reserved.”

266
267 **Section 17.** That the City Code, Chapter 93, Zoning, Article 11.1, V Zone (Village), is hereby
268 amended by deleting the existing text of subsection (23) of Section 93-11.1-3, Nonpermitted
269 uses, and inserting the following text in lieu thereof to read and to be codified as follows:

270 “(23) Reserved.”

271
272 **Section 18.** The City of Hapeville Future Development Map, adopted October 21, 2014 and
273 referenced in Section 4 of this Ordinance (and to be referenced in Section 93-2-22 of the
274 Code of Ordinances), is attached hereto and incorporated herein by reference. A true and
275 correct copy of such map is displayed in Exhibit “A.” A copy of the City of Hapeville Future
276 Development Map, as is displayed in Exhibit A, is available for inspection during normal
277 business hours in the office of the City Clerk.

278 **Section 19.** (a) It is hereby declared to be the intention of the Mayor and Council that all
279 sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their
280 enactment, believed by the Mayor and Council to be fully valid, enforceable and
281 constitutional.

282 (b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest
283 extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this

284 Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this
285 Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the
286 greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this
287 Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase
288 of this Ordinance.

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

298 **Section 20.** All ordinances and parts of ordinances in conflict herewith are hereby expressly
299 repealed.

300 **Section 21.** Penalties in effect for violations of the Zoning Ordinance of the City of Hapeville
301 at the time of the effective date of this Ordinance shall be and are hereby made applicable to
302 this Ordinance and shall remain in full force and effect.

303 **Section 22.** The effective date of this Ordinance shall be the date of adoption unless otherwise
304 specified herein.

305 **ORDAINED** this ____ day of _____, 2016.

306 **CITY OF HAPEVILLE, GEORGIA**

307

308

309

ALAN HALLMAN, Mayor

310 **ATTEST:**

311

312

313

JENNIFER ELKINS, City Clerk

314

315 **APPROVED AS TO FORM:**

316

317

318

319

STEVE FINCHER, City Attorney

320
321
322
323
324

EXHIBIT A
CITY OF HAPEVILLE FUTURE DEVELOPMENT MAP



Department of Planning & Zoning

M E M O R A N D U M

TO: Brian Wismer, Planning Commission Chairman
FROM: Bill Johnston, City Planner
SUBJECT: Text amendment concerning standards for extended stay hotels
DATE: Friday, 6 May 2016

Background

Market demand and opportunities for development of executive suites hotels, so-call “extended stay” hotels, are evident. Hapeville has had good experiences with the Marriott Residence Inn and a more recent entry into the market, Staybridge Suites. At the same time, the conversion of a former Ramada Inn to what has become housing of last resort has not been as positive in the minds of many. The latter facility was not approved subject to subsequently adopted standards, primarily involving minimum room size. The text amendment being proposed focuses on minimum room sizes and a host of other minimum standards designed to attract quality hotels that serve as executive suites and address that strong market segment.

Findings

Perhaps, the single-most important factor related to such commercial facilities is location. At the moment, extended stay hotels may be established in the C-R Zone, the C-2 Zone and the RMU Zone. As the C-R zoned properties flank single family neighborhoods to the rear, a preliminary recommendation to Mayor and Council has been to remove this use from the C-R Zone.

The fundamental guide in recommending locations appropriate for extended stay hotels is the Future Development Map adopted on October 21, 2014. This Map is consistent with recommendations of the LCI Study which stated that “mixed use” be further differentiated. The Future Development Map identifies three categories of mixed use: “high intensity mixed use,” “medium intensity mixed use,” and “low intensity mixed use.” The arrangement of these designations on the Map intentionally “steps down” the intensity of use near single family neighborhoods.

As the minimum height of future extended stay hotels is established in the draft ordinance as four stories, such development is deemed compatible with the high intensity mixed use designation. Similarly, the “commercial” land use designation on the Future Development Map is the location of intense commercial development, primarily hotels and offices. Accordingly, the proposed location of future extended stay hotels are those properties designated as high intensity mixed use or commercial on the Future Development Map.

Brian Wismer, Planning Commission Chairman

Text amendment concerning standards for extended stay hotels

Friday, 6 May 2016

2 of 4

Conclusions

Sec. 93-25-6. *Standards of review* of the Ordinance provides the following guidance to Planning Commission and Mayor and Council in consideration of text or map amendments:

“In ruling on any matter herein in which the exercise of discretion is required, or in ruling upon any application for zoning map amendment, the administrative official or legislative body shall act in the best interest of the health, safety, morals, and general welfare of the city. In doing so, they will consider one or more of the following factors as they may be relevant to the application:”

Potential impacts of the proposed text amendment on those standards of review most relevant to the proposed amendment are discussed below:

The existing land use pattern

The locations proposed for extended stay hotels are characterized by intense commercial uses. The land use designations of “high intensity mixed use” and “commercial” on the Future Development Map are an acknowledgement of existing and projected development. These locations are developed and planned as significant office buildings and mid to high-rise hotels as well as retail and commercial services.

The population density pattern and possible increase or overtaxing of the load on public facilities including, but not limited to, schools, utilities, and streets

The extended stay hotel use that would be expanded by the proposed amendment will have impacts similar to traditional hotels that are permitted by right in many of the locations proposed for extended stay hotels. The standards proposed for assignment of this use are intended for the business traveler and preclude occupancies that might impact local schools. The latter would normally involve a school year rather than the weeks up to several months stays anticipated for this use.

Whether the proposed zoning map amendment will be a deterrent to the value or improvement of development of adjacent property in accordance with existing regulations

For all practical purposes, the amendment will allow a use that will have the appearance and usage pattern of a traditional hotel. Architectural design standards, minimum room sizes, minimum number of stories and amenity packages are proposed that require a level of construction and operation beyond that applicable to traditional hotels.

In addition, Marriott Residence Inn has operated without incident addressing the needs of the traveling public for several decades. Staybridge Suites has developed on a model similar to the scenario anticipated by the proposed standards and has garnered rave reviews. In contrast, the In-Town, now In-City Suites facility was a conversion of a traditional hotel that was not built to the proposed minimum room size standards and was not required to provide many of the amenities being proposed.

Brian Wismer, Planning Commission Chairman

Text amendment concerning standards for extended stay hotels

Friday, 6 May 2016

3 of 4

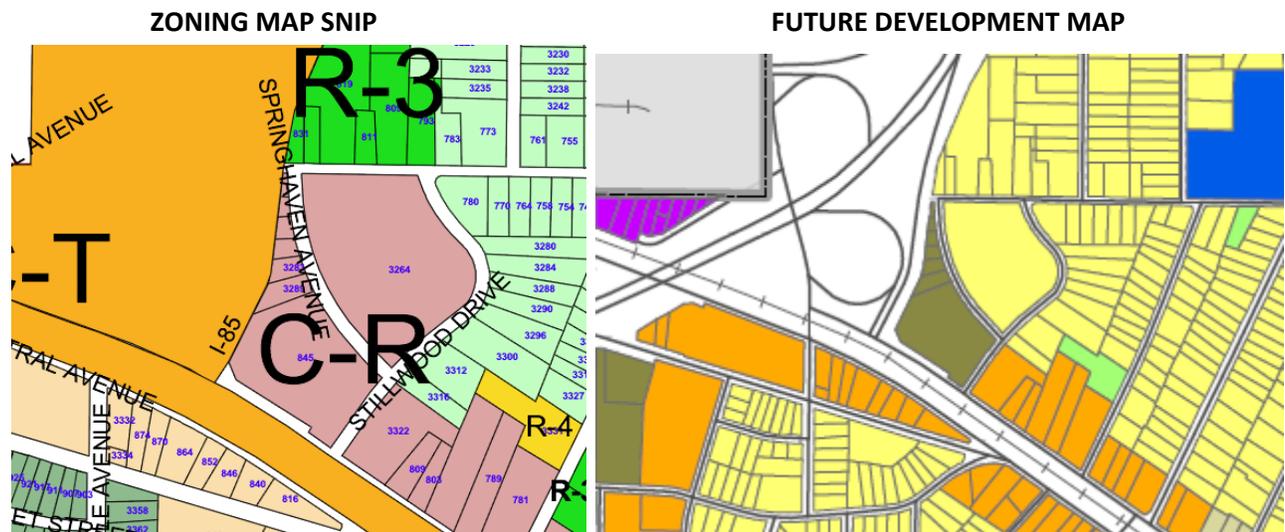
The extent to which the proposed zoning map amendment is consistent with the land use plan

Four-story and above hotels, which would be required by this extended stay amendment, are considered intense commercial development in the Hapeville context. The “high intensity mixed use” and “commercial” designations on the Future Development Map would be the only locations where extended stay hotels would be permitted by the amendment and are the locations slated for intense commercial development. This Map is the guide to future development of Hapeville. The proposed amendment is consistent with the land use plan.

The consideration of the preservation of the integrity of residential neighborhoods shall be considered to carry great weight

As mentioned, the “high intensity mixed use” and “commercial” designations on the Future Development Map are removed from Hapeville’s neighborhoods. These locations are distanced from single family residential uses by intervening, less intense land use designations intended to “step down” development intensity adjacent to such residential uses. The only exception is found at Stillwood Drive and Springhaven Avenue, a vacant tract that is designated “residential” and abuts a “high intensity mixed use” designation. Development of an extended stay hotel is precluded in this sole instance by the following ordinance restriction: *“Further, no Extended-Stay Hotel shall be developed on a Lot abutting any area occupied, planned (as so designated on the City of Hapeville Future Development Map) or zoned for residential use.”*

In addition, the properties in question are zoned C-R, Commercial-Residential, a zoning district that will not permit extended stay hotels as the ordinance is drafted.



Recommendation

Based on the above findings and conclusions, approval of the proposed text amendment that would allow a high-quality extended stay hotel in locations planned for “high intensity mixed use” and “commercial” use, subject to the use restrictions of the underlying zoning district, is appropriate.

Brian Wismer, Planning Commission Chairman

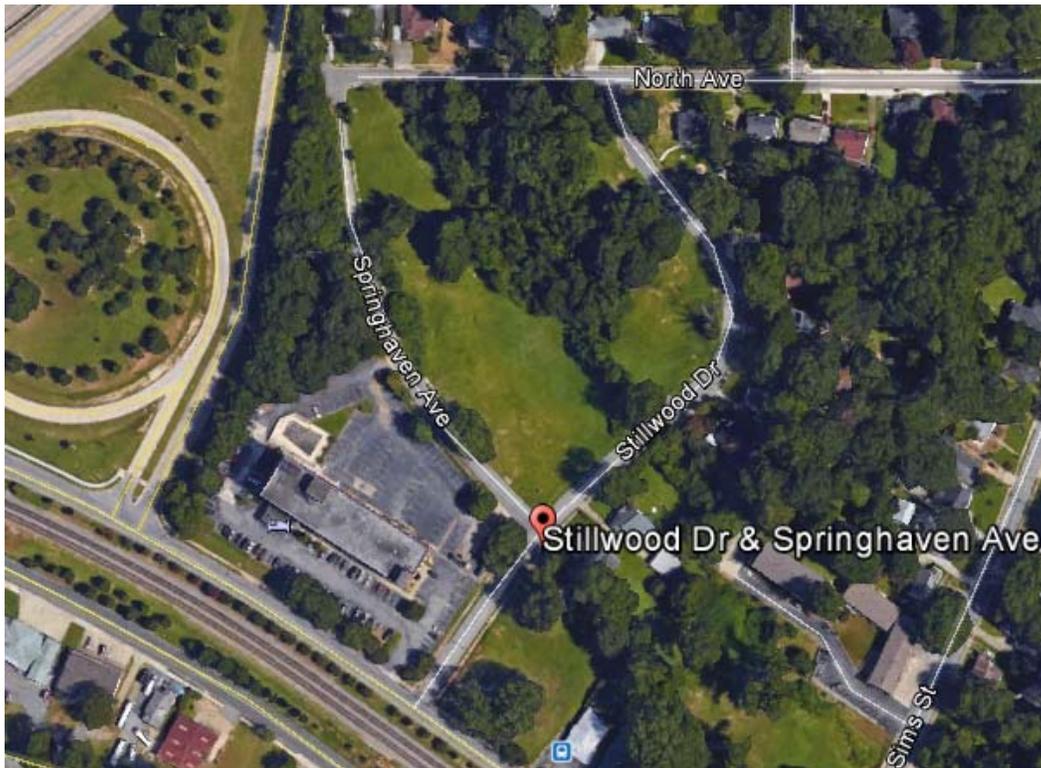
Text amendment concerning standards for extended stay hotels

Friday, 6 May 2016

4 of 4

Those findings and conclusions also support proposed amendments concerning traditional hotels and motels, which are largely “housekeeping matters” such as refining the definition of “hotel and motel.” A noteworthy exception is the rendering of hotels and motels a permitted use in the RMU, Residential Mixed Use Zone. Heretofore, this use was a conditional use. Allowing extended stay hotels, but not traditional hotels and motels, in the RMU Zone would be illogical.

Google Image of High Intensity Mixed Use Abutting Land Planned for Residential



- c: Commissioner Charlotte Rentz, Vice Chair
- Commissioner Lucy Dolan
- Commissioner Mark Farah
- Commissioner Kaity Ferrero
- Commissioner Travis Horsley
- Commissioner Jeanne Rast
- Adrienne Senter, Planning Commission Secretary

Attachment: Hotels and Extended Stay Hotels Ordinance
Future Development Map



Department of Planning & Zoning

MEMORANDUM

TO: Brian Wismer, Planning Commission Chairman
FROM: Bill Johnston, City Planner
SUBJECT: Text Amendment to Sec. 93-3.3-13. *Exempt signs* and Sec. 93-3.3-21. *Construction standards for all signs of Article 3.3 (Signs and Murals)*
DATE: Friday, 8 July 2016

Background

Developer, builder and business owner interest in conveying a variety of messages concerning their property has stimulated a review of the signs deemed exempt under Section 93-3.3-13. *Exempt signs*. Specifically, the following standard is the focus of the proposed text amendment:

“The following Signs are allowed and exempt from the permit regulations contained in this division but, notwithstanding, must comply with all other applicable requirements in this division and the Code:

5. A Temporary Sign that is not internally or externally illuminated and meets any of the following criteria:

(a) For each lot during the period that it is being developed under an active building permit issued by the City, one Sign per each street frontage that is no more than 16 square feet in area, is no more than six feet in height to the top of the Sign component when placed and standing in ground, and is not placed in any public right-of-way. Any Sign erected under this subsection shall be removed within 10 days after the development occurring under the building permit is completed.”

Findings

As stated above, developers, builders and business owners have expressed interest in installing signs that would not be permitted unless an active building permit had been issued by the City. While the City cannot control the content of any sign, the location, size and timing of signs can be controlled. Having acknowledged that limitation, the type of signs being sought are the typical “coming soon” or “under renovation” signs and the like. To that end, the proposed amendment would allow installation of such signs at many milestones of the development process. This includes site plan approval, design review approval and planned, major renovation, including interior renovation.

In addition to the timing of the sign installation, the proposed size and height of such signs is the result of observing how business and development is conducted across the region and attempting to predict the needs of the development community.

Brian Wismer, Planning Commission Chairman

Text Amendment to Sec. 93-3.3-13. Exempt signs and Sec. 93-3.3-21. Construction standards for all signs

2 of 6

Section 93-3.3-1. *Statement of purpose and intent* establishes the following objectives and purposes:

“(a) This division seeks to create the legal framework necessary to ensure a comprehensive and balanced system of signs within the city. A comprehensive regulation is necessary to ensure that signs installed in Hapeville are compatible with the unique nature and character of the community. The purpose of this division is to preserve the right of free speech and expression, facilitate appropriate communication between people and their environment, promote the public health, safety and welfare, and avoid the visual clutter that is potentially harmful to traffic and pedestrian safety, property values, business opportunities, and community appearance.

With these concepts in mind, the provisions in this division, which regulate signs by such factors as design, size, height, spacing and location, but not on the basis of any message conveyed by such signs, and also regulate the maintenance of signs, are hereby established to achieve the following purposes:

- (1) To protect the health, safety, general welfare and property values of residents and property owners of the city.
- (3) To effectively balance public and private objectives by allowing adequate signs for the needs of business and developers.”

In addition to the amendment proposed to certain exempt signs, revisions to the materials standards applicable to all signs are proposed.

The current and proposed text is reprinted below and is captured in the draft ordinance.

Exempt Signs

The City desires to allow signs to be erected for various announcements by property owners and prospective tenants. The Ordinance now provides for signs up to a maximum of 16 square feet upon issuance of a building permit. The City deems it desirable to allow signs in conjunction with other approvals granted by the City. The intent of the draft ordinance is not to allow any owner to erect such signs, rather only those owners or tenants that are actively engaged in site development, construction, and certain renovations. The approvals involved would extend across a variety of City board decisions, including site plan approval and architectural design approval. The current ordinance text and proposed text are presented below.

Brian Wismer, Planning Commission Chairman

Text Amendment to Sec. 93-3.3-13. Exempt signs and Sec. 93-3.3-21. Construction standards for all signs

3 of 6

Current Ordinance Text

Section 93-3.3-13. Exempt signs.

The following Signs are allowed and exempt from the permit regulations contained in this division but, notwithstanding, must comply with all other applicable requirements in this division and the Code:

A Temporary Sign that is not internally or externally illuminated and meets any of the following criteria:

(a) For each lot during the period that it is being developed under an active building permit issued by the City, one Sign per each street frontage that is no more than 16 square feet in area, is no more than six feet in height to the top of the Sign component when placed and standing in ground, and is not placed in any public right-of-way. Any Sign erected under this subsection shall be removed within 10 days after the development occurring under the building permit is completed.

Proposed Text

(a) For each lot during the period that it is (1) being developed under an active building permit for new building construction issued by the City, (2) is undergoing interior renovation of an existing building located on such lot under an active building permit issued by the City and the costs of such renovation exceed 50 percent of the assessed value of the building, (3) is proposed for development and has received site plan approval from the Planning Commission, or (4) is proposed for development and has received design review approval from the Design Review Committee, one Ground Sign for each street frontage may be installed.

(b) Any Ground Sign that is no more than one (1) square foot in area per each two (2) feet of street frontage and no more than eight (8) feet in height as measured to the top of the Sign structure may be approved. The area of each Ground Sign shall be based on the linear feet of frontage on the street on which the Ground Sign is displayed and shall not be cumulative based on other street frontage on which the property is located. No such Ground Sign shall exceed two hundred (200) square feet in area.

(c) Such Signs may also be installed on construction site fencing located on the lot limited to the area of such fencing.

(d) Any Sign erected under this subsection shall be removed within ten (10) days after the development occurring under the building permit or other City approval is completed or upon issuance of a Certificate of Occupancy, whichever comes first.

(e) No Sign erected under this subsection shall be internally or externally illuminated.

Brian Wismer, Planning Commission Chairman

Text Amendment to Sec. 93-3.3-13. Exempt signs and Sec. 93-3.3-21. Construction standards for all signs

4 of 6

Acceptable Sign Materials

The City is also desirous of expanding the acceptable materials for fabrication of signs. The current ordinance text and proposed text are also presented below.

Current Ordinance Text

Section 93-3.3-21. Construction standards for all signs.

(b) Materials required. All Signs for which a permit is required by this division, and Temporary Signs, shall be constructed of noncombustible material with the exception of chemically treated, red wood, and blasted carved materials. All Signs must be made of materials at least four inches thick and bordered around the edges of the Sign by permitted material at least two inches thick.

Proposed Text

Section 93-3.3-21. Construction standards for all signs.

(b) Materials required. All Signs for which a permit is required by this division (excluding Temporary Signs) shall be designed and fabricated to conform to industry performance standards as concerns UV/sunlight exposure, abrasion, extreme temperatures, weather, chemicals and solvents, cleaning processes and graffiti. All Signs for which a permit is required by this division (excluding Temporary Signs) shall be constructed of durable, noncombustible material with the exception of chemically treated plywood, also known as Medium Density Overlay (MDO) Plywood, redwood, sand blasted or carved wood having a minimum thickness of four (4) inches and may also consist of aluminum, anodized aluminum, stainless steel, brass, polycarbonate, acrylic, and vinyl.

Conclusions

As concerns the proposed scale of signs that would be allowed following adoption of this amendment, the allowable sign area is referenced to lot size, with owners of larger lot able to install such relatively temporary signs in a larger size range.

As concerns sign materials, the current ordinance does not allow a range of materials commonly used throughout the region.

Finally, as concerns the proposed “construction site signs,” such signs are common throughout the region and allow major developers to convey information the public is typically desirous of and promotes the economic vitality of the community.

Sec. 93-25-6. *Standards of review* of the Ordinance provides the following guidance to Planning Commission and Mayor and Council in consideration of text or map amendments:

Brian Wismer, Planning Commission Chairman

Text Amendment to Sec. 93-3.3-13. Exempt signs and Sec. 93-3.3-21. Construction standards for all signs

5 of 6

“In ruling on any matter herein in which the exercise of discretion is required, or in ruling upon any application for zoning map amendment, the administrative official or legislative body shall act in the best interest of the health, safety, morals, and general welfare of the city. In doing so, they will consider one or more of the following factors as they may be relevant to the application.” Potential impacts of the proposed text amendment on those standards of review most relevant to the proposed amendment are discussed below:

The aesthetic effect of existing and future use of the property as it relates to the surrounding area

Commercial signs, the subject of the proposed amendment, are primarily limited to nonresidential portions of Hapeville. As such, the larger signs that would be allowed in addition to the current allocation of signs on commercial properties will not directly impact Hapeville neighborhoods. The aesthetic effect of existing and future use of the properties impacted as it relates to the surrounding area will not be inconsistent with such impacts and the sign rights granted by other communities, even competing communities.

The relation that the proposed amendment bears to the purpose of the overall zoning scheme, with due consideration given to whether or not the proposed change will help carry out the purposes of these zoning regulations.

The most relevant purposes of Article 3.3 (Signs and Murals) are:

- (1) To protect the health, safety, general welfare and property values of residents and property owners of the city, and
- (3) To effectively balance public and private objectives by allowing adequate signs for the needs of business and developers.

The general welfare of property owners is promoted by allowing additional opportunities to convey messages, particularly those conveying information about new investment in the community. To the extent that the affected properties are removed from Hapeville neighborhoods, the property values of residents will be protected.

Limiting such announcement signs to periods of “active building permits, only” can deny a substantial window during which developers, builders and business owners seek to convey information to the public. The amendments will afford such individuals a more extensive opportunity to convey information. The limitation on the period during which such signs may be installed will tend to limit the visual impact of these signs. Finally, the location of commercial properties away from Hapeville neighborhoods should bring balance to the rights of residents and business owners and developers.

Brian Wismer, Planning Commission Chairman

Text Amendment to Sec. 93-3.3-13. *Exempt signs* and Sec. 93-3.3-21. *Construction standards for all signs*

6 of 6

Recommendation

Based on the above findings and conclusions, approval of the proposed text amendments is appropriate.

c: Commissioner Charlotte Rentz, Vice Chair

Commissioner Lucy Dolan

Commissioner Mark Farah

Commissioner Kaity Ferrero

Commissioner Travis Horsley

Commissioner Jeanne Rast

Adrienne Senter, Planning Commission Secretary

Attachment: Draft Ordinance

1 **STATE OF GEORGIA**

2 **CITY OF HAPEVILLE**

3 **ORDINANCE NO.**

4 AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF HAPEVILLE,
5 GEORGIA BY REVISING SECTIONS 93-3.3-13 (“EXEMPT SIGNS”) AND 93-3.3-21
6 (“CONSTRUCTION STANDARDS FOR ALL SIGNS”) IN DIVISION 1 (“SIGNS”) OF
7 ARTICLE 3.3 (“SIGNS AND MURALS”) IN CHAPTER 93 (“ZONING”); TO PROVIDE FOR
8 SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN
9 EFFECTIVE DATE; AND FOR OTHER LAWFUL PURPOSES.

10 **WHEREAS**, the duly elected governing authority of the City of Hapeville, Georgia (the
11 “City”) is the Mayor and Council thereof; and

12 **WHEREAS**, the City has the power to regulate the display of outdoor signage within its
13 limits pursuant to its exclusive zoning and planning authority granted by the 1983 Constitution of
14 the State of Georgia, including but not limited to Article IX, Section II, Paragraph III and Article
15 IX, Section II, Paragraph IV; the authority granted by the General Assembly of the State of
16 Georgia, including but not limited to O.C.G.A. § 36-70-3; the authority granted under the
17 Charter of the City of Hapeville, including but not limited to Section 1-102(a); as well as the
18 general police powers of the City and other authority provided by federal, state, and local laws
19 applicable hereto; and

20 **WHEREAS**, the City previously exercised such power, having adopted a comprehensive
21 code governing the manner in which people may display outdoor signs that presently is codified
22 in Division 1 (“Signs”) of Article 3.3 (“Signs and Murals”) of Chapter 93 (“Zoning”) of the
23 Code of Ordinances, City of Hapeville, Georgia (the “Code”); and

24 **WHEREAS**, the City desires to revise the Code’s regulations exempting certain types of
25 signs from the Code’s permitting requirements, which are contained in Section 93-3.3-13, and its
26 regulations regarding construction standards for signs, which are contained in Section 93-3.3-21;
27 and

28 **WHEREAS**, the health, safety and welfare of the citizens of the City will be positively
29 impacted by the adoption of this Ordinance.

30 **BE IT, AND IT IS HEREBY ORDAINED BY THE MAYOR AND COUNCIL OF**
31 **THE CITY OF HAPEVILLE**, and by the authority thereof:

32 **Section 1.** The Code of Ordinances, City of Hapeville, Georgia is hereby amended by
33 striking, in its entirety, the existing text in Section 93-3.3-13 (“Exempt signs”) in Division 1
34 (“Signs”) of Article 3.3 (“Signs and Murals”) of Chapter 93 (“Zoning”) and inserting the
35 following text in lieu thereof, to read and to be codified as follows:

36 “The following Signs are allowed and exempt from the permit regulations
37 contained in this division but, notwithstanding, must comply with all other
38 applicable requirements in this division and the Code:

- 39 1. A Wall Sign that does not exceed one (1) square foot in Sign Area.
- 40 2. Any Sign not visible from a public right-of-way.
- 41 3. A Handheld Sign that meets the requirements of section 93-3.3-18.
- 42 4. One Sign per each lot that is less than 36 square inches in Sign Area and
43 that must be placed in any of the following locations:
 - 44 (a) On the front of every building, or every unit in a multiple unit
45 building, residence or structure;
 - 46 (b) On the side of an authorized United States Postal Service mailbox; or
 - 47 (c) On one post, which measures no more than 48 inches in height when
48 placed and standing in ground and no more than 4 inches in width and
49 which shall not be placed in any public right-of-way.
- 50 5. A Temporary Sign that is not internally or externally illuminated and
51 meets any of the following criteria:
 - 52 (a) For each lot during the period in which it is listed for sale or lease, one
53 Sign per each street frontage that is no more than 16 square feet in
54 area, is no more than six feet in height to the top of the Sign
55 component when placed and standing in ground, and is not placed in
56 any public right-of-way. Any Sign erected under this subsection shall
57 be removed within 10 days after the lot has been sold or leased.

58 (b) For a period of 45 days immediately preceding or following a federal,
59 state, Fulton County, or City of Hapeville election or referendum, any
60 lot may, in addition to any other signs authorized by this division, erect
61 a maximum of four Stake Signs. Any Sign erected under this
62 subsection shall be removed one day after the conclusion of the
63 election period, which period shall include the time preceding or
64 following any run-off election.

65 6. A Weekend Sign that meets all of the following requirements:

- 66 (a) A Weekend Sign shall only be erected between the time frame
67 beginning at 5:00 p.m. on any Friday and ending at 8:00 a.m. on
68 the following Monday.
- 69 (b) A Weekend Sign shall be removed no later than 8:00 a.m. on the
70 first Monday after it is erected.
- 71 (c) A lot or dwelling unit shall have no more than three (3) Weekend
72 Signs at any time.
- 73 (d) A Weekend Sign shall not exceed a maximum Sign Area of four
74 (4) square feet.
- 75 (e) No Weekend Sign shall be located on any public right-of-way.
- 76 (f) A Weekend Sign shall only be located on private property for
77 which the property owner, or the property owner's agent, has given
78 prior, written permission for the placement of such Sign.

79 7. Any Sign that meets the requirements of this subsection:

- 80 (a) For each lot during the period that it is (1) being developed under
81 an active building permit for new building construction issued by
82 the City, (2) is undergoing interior renovation of an existing
83 building located on such lot under an active building permit issued
84 by the City and the costs of such renovation exceed 50 percent of
85 the assessed value of the building, (3) is proposed for development
86 and has received site plan approval from the Planning
87 Commission, or (4) is proposed for development and has received
88 design review approval from the Design Review Committee, one
89 Ground Sign for each street frontage may be installed.
- 90 (b) No Ground Sign erected under this subsection shall be more than
91 one (1) square foot in area per each two (2) feet of street frontage
92 or more than eight (8) feet in height as measured to the top of the
93 Sign structure. The area of each Ground Sign shall be based on the
94 linear feet of frontage on the street on which the Ground Sign is
95 displayed and shall not be cumulative based on other street
96 frontage on which the property is located. No Ground Sign erected
97 under this subsection shall exceed two hundred (200) square feet in
98 area.
- 99 (c) Any Ground Sign allowed under this subsection may be installed
100 on construction site fencing located on the lot limited to the area of
101 such fencing.
102

- 103 (d) Any Sign erected under this subsection shall be removed within ten
104 (10) days after the development occurring under the building
105 permit or other City approval is completed or upon issuance of a
106 Certificate of Occupancy, whichever comes first.
107 (e) No Sign erected under this subsection shall be internally or
108 externally illuminated.
109

110 Any Sign erected under this section shall not be calculated as part of the overall
111 sign area allowed per lot by another section in this division.”
112

113 **Section 2.** The Code of Ordinances, City of Hapeville, Georgia is hereby amended by
114 striking, in its entirety, the existing text in subsection (b) of Section 93-3.3-21 (“Construction
115 standards for all signs”) in Division 1 (“Signs”) of Article 3.3 (“Signs and Murals”) of Chapter
116 93 (“Zoning”) and inserting the following text in lieu thereof, to read and to be codified as
117 follows:

118 “(b) Materials required. All Signs for which a permit is required by this division
119 (excluding Temporary Signs) shall be designed and fabricated to conform to
120 industry performance standards as concerns UV/sunlight exposure, abrasion,
121 extreme temperatures, weather, chemicals and solvents, cleaning processes and
122 graffiti. All Signs for which a permit is required by this division (excluding
123 Temporary Signs) shall be constructed of durable, noncombustible material with
124 the exception of chemically treated plywood, also known as Medium Density
125 Overlay (MDO) Plywood, redwood, sand blasted or carved wood having a
126 minimum thickness of four (4) inches and may also consist of aluminum,
127 anodized aluminum, stainless steel, brass, polycarbonate, acrylic, and vinyl.”
128

129 **Section 3.** The preamble of this Ordinance shall be considered to be and is hereby
130 incorporated by reference as if fully set out herein.

131 **Section 4.** (a) It is hereby declared to be the intention of the Mayor and Council that
132 all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their
133 enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

134 (b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest
135 extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this
136 Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this

137 Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the
138 greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this
139 Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase
140 of this Ordinance.

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

150 **Section 5.** All ordinances and parts of ordinances in conflict herewith are hereby
151 expressly repealed.

152 **Section 6.** Penalties in effect for violations of the Zoning Ordinance of the City of
153 Hapeville at the time of the effective date of this Ordinance shall be and are hereby made
154 applicable to this Ordinance and shall remain in full force and effect.

155 **Section 7.** The effective date of this Ordinance shall be the date of adoption unless
156 otherwise specified herein.

157 [SIGNATURES CONTAINED ON FOLLOWING PAGE]

158

159
160
161

ORDAINED this _____ day of _____, 2016.

CITY OF HAPEVILLE, GEORGIA:

Alan Hallman, Mayor

ATTEST:

Jennifer Elkins, City Clerk

162

163 **APPROVED BY:**

164

165

166

167

168 _____
Steve Fincher, City Attorney



Department of Planning & Zoning

M E M O R A N D U M

TO: Brian Wismer, Planning Commission Chairman
FROM: Bill Johnston, City Planner
SUBJECT: Text amendment concerning the Official Zoning Map
DATE: Thursday, 9 June 2016

Background

A duplication in the Zoning Ordinance has been identified that renders the Ordinance section inaccurate and contradictory. The sections containing the duplication are reprinted below. The text amendment will remove the incorrect section in favor of retaining the correct section.

Findings

Sec. 93-3.1-2. *Zoning map of Article 3.1. Zones* contains the following provision:

“The above zones are bounded and defined as shown on a map entitled "City of Hapeville Official Zoning Map" adopted December 2, 2008, as amended from prior maps, this map and all explanatory matters thereon is hereby made a part of this chapter, and will hereafter be referred to as "zoning map." This map shall be a public record. This map shall be retained in the office of city clerk and shall be made accessible to all affected through that office.”

Research conducted by the City Attorney has revealed that the Official Zoning Map adopted on December 2, 2008 is the correct zoning map to be referenced. Sec. 93-3.1-2. *Zoning map of Article 3.1* appropriately accomplishes that end.

Sec. 93-3-1.2. *Zoning map of Article 3. Nonconforming Uses* contains the following provision:

“The above zones are bounded and defined as shown on a map entitled "City of Hapeville Official Zoning Map" adopted June 5, 2007, as amended from prior maps, this map and all explanatory matters thereon is hereby made a part of this chapter, and will hereafter be referred to as "zoning map." This map shall be a public record. This map shall be retained in the office of city clerk and shall be made accessible to all affected through that office.”

(Ord. No. 2007-09, § 1, 7-3-2007)

Brian Wismer, Planning Commission Chairman
Text amendment concerning the Official Zoning Map
Thursday, 9 June 2016
2 of 2

Sec. 93-3-1.2 is incorrectly included in Article 3. *Nonconforming Uses* which has little to do with the zoning map reference and is therefore, proposed for deletion. That is the crux of the text amendment being proposed.

Conclusions

Ordinarily, a text amendment is evaluated against the Sec. 93-25-6. *Standards of review* of the Ordinance. However, in this case, no substantial impact will be created by the text amendment. The amendment effectively corrects a Scrivener's Error committed in 2007. In addition, none of the standards of review pertain to such a correction.

Recommendation

Based on the above findings and conclusions, approval of the proposed text amendment that will delete an inaccurate zoning map reference contained in ARTICLE 3. *Nonconforming Uses*, Sec. 93-3-1.2, is appropriate.

c: Commissioner Charlotte Rentz, Vice Chair
Commissioner Lucy Dolan
Commissioner Mark Farah
Commissioner Kaity Ferrero
Commissioner Travis Horsley
Commissioner Jeanne Rast
Adrienne Senter, Planning Commission Secretary

STATE OF GEORGIA

CITY OF HAPEVILLE

ORDINANCE NO. _____

AN ORDINANCE TO AMEND SECTION 93-3.1-2, RENUMBER SECTION 93-3-1.2, AND REPEAL SECTION 93-3.1-2 OF CHAPTER 93, ZONING, OF ARTICLE 3, NONCONFORMING USES, OF THE CODE OF ORDINANCES, CITY OF HAPEVILLE, GEORGIA, AND TO REPEAL SUCH SECTION; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the governing authority of the City of Hapeville (“City”) is the Mayor and Council thereof; and

WHEREAS, on April 5, 2016, the City amended Section 93-3-1.2 of the Code of Ordinances, City of Hapeville, Georgia (“City Code”) to provide for the readoption of the Official Zoning Map of the City of Hapeville (“zoning map”); and

WHEREAS, the City subsequently discovered that, due to a typographical error in prior legislation adoption the zoning map, the City Code now contains to separate sections designating the zoning map; and

WHEREAS, Sections 93-3-1.2 and 93-3.1-2 of the City Code designate two different versions of the zoning map as a result; and

WHEREAS, to protect the integrity of the zoning map and ensure consistent application of its zoning ordinances, the City desires to remedy this statutorily by (1) renumbering Section 93-3-1.2 to Section 93-3.1-2 and (2) repealing Section 93-3-1.2; and

WHEREAS, the health, safety, and welfare of the citizens of Hapeville, Georgia, will be positively impacted by the adoption of this Ordinance.

BE IT AND IT IS HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF HAPEVILLE, GEORGIA, and by the authority thereof:

Section 1. That the Code of Ordinances, City of Hapeville, Georgia, is hereby amended by deleting, in its entirety, the text in Section 93-3.1-2 (Zoning map) of Article 3.1 (Zones) of Chapter 93 (Zoning).

Section 2. That the Code of Ordinances, City of Hapeville, Georgia, is hereby amended by renumbering Section 93-3-1.2 (Zoning map) of Article 3 (Nonconforming uses) of Chapter 93 (Zoning), including all text presently contained in such provision, as Section 93-3.1-2 (Zoning map) of Article 3.1 (Zones) of Chapter 93 (Zoning).

Section 3. That the Code of Ordinances, City of Hapeville, Georgia is further amended by deleting, in its entirety, any remaining text in as well as the numerical designation of Section 93-3-1.2 (Zoning map) of Article 3 (Nonconforming uses) of Chapter 93 (Zoning).

Section 4. The readoption of the City of Hapeville Official Zoning Map shall be unaffected by this Ordinance, and the zoning map adopted April 5, 2016 shall remain the Official Zoning Map of the City.

Section 5. The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

Section 6. (a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

(b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.

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

Section 7. All Ordinances and parts of Ordinances in conflict herewith are hereby expressly repealed.

Section 8. This Ordinance shall be codified in a manner consistent with the laws of the State of Georgia and the City.

Section 9. Penalties in effect for violations of the Zoning Ordinance of the City of Hapeville at the time of the effective date of this Ordinance shall be and are hereby made applicable to this Ordinance and shall remain in full force and effect.

Section 10. The effective date of this Ordinance shall be the date of adoption unless otherwise specified herein.

ORDAINED this _____ day of _____, 2016.

CITY OF HAPEVILLE, GEORGIA

Alan H. Hallman, Mayor

ATTEST:

Jennifer Elkins, City Clerk

APPROVED BY:

Steven M. Fincher, City Attorney